

# AGENDA

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**Meeting:** Northern Area Planning Committee

**Place:** Council Chamber - Council Offices, Monkton Park, Chippenham,  
SN15 1ER

**Date:** Wednesday 1 February 2023

**Time:** 2.00 pm

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Please direct any enquiries on this Agenda to Ben Fielding of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718656 or email [benjamin.fielding@wiltshire.gov.uk](mailto:benjamin.fielding@wiltshire.gov.uk)

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## Membership:

Cllr Tony Trotman (Chairman)  
Cllr Howard Greenman (Vice-Chairman)  
Cllr Chuck Berry  
Cllr David Bowler  
Cllr Steve Bucknell  
Cllr Gavin Grant

Cllr Jacqui Lay  
Cllr Dr Brian Mathew  
Cllr Nic Puntis  
Cllr Martin Smith  
Cllr Elizabeth Threlfall

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## Substitutes:

Cllr Clare Cape  
Cllr Ruth Hopkinson  
Cllr Peter Hutton  
Cllr Bob Jones MBE

Cllr Dr Nick Murry  
Cllr Ashley O'Neill  
Cllr Tom Rounds

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## **Recording and Broadcasting Information**

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**County Hall, Trowbridge**  
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## **Public Participation**

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

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

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

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

# AGENDA

## Part I

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

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 5 - 12*)

To approve as a true and correct record the minutes of the previous meeting held on 7 December 2022.

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation**

The Council welcomes contributions from members of the public.

### **Statements**

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register **no later than 10 minutes before the start of the meeting**. If it is on the day of the meeting registration should be done in person.

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

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

### **Questions**

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular,

questions on non-determined planning applications.

Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on Wednesday 25 January 2023 in order to be guaranteed of a written response. In order to receive a verbal response, questions must be submitted no later than 5pm on Friday 27 January 2023. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

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

6 **Planning Appeals and Updates** (*Pages 13 - 16*)

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

7 **Planning Applications**

To consider and determine the following planning applications.

7a **PL/2022/03760 - Former Wiltshire College, Cocklebury Road, Chippenham, Wiltshire, SN15 3QD** (*Pages 17 - 58*)

Erection of Retirement Apartments (Category II Type) with Communal Facilities and Car Parking & Erection of Assisted Living Accommodation (Class C2) with Communal Facilities and Car Parking.

7b **PL/2022/00541 - Chelworth Industrial Estate, Chelworth Road, Cricklade, Swindon, SN6 6HE** (*Pages 59 - 78*)

Demolition of 3 existing buildings and the erection of 3 light industrial buildings use class E, B2 and B8.

8 **Urgent Items**

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

## Northern Area Planning Committee

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### MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 7 DECEMBER 2022 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

#### **Present:**

Cllr Tony Trotman (Chairman), Cllr Howard Greenman (Vice-Chairman), Cllr Chuck Berry, Cllr David Bowler, Cllr Steve Bucknell, Cllr Gavin Grant, Cllr Jacqui Lay, Cllr Dr Brian Mathew, Cllr Nic Puntis, Cllr Martin Smith and Cllr Elizabeth Threlfall

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#### 65 **Apologies**

Apologies for absence were received from Councillor Ashley O'Neill.

#### 66 **Minutes of the Previous Meeting**

Councillor Gavin Grant confirmed that in relation to Minute 54 of the previous Minutes, constructive conversations had continued with Bloor Homes and that they had been made aware that Development Management Team Leader, Lee Burman had now left the council.

The minutes of the meeting held on 12 October 2022 were presented for consideration, and it was;

#### **Resolved:**

**To approve and sign as a true and correct record of the minutes of the meeting held on 12 October 2022.**

#### 67 **Declarations of Interest**

Councillor Tony Trotman declared that in relation to Item 7a, his daughter worked in Foxham and regularly travelled the route identified within the report. Cllr Trotman noted that he was familiar with the route but had no other public interest in the item.

#### 68 **Chairman's Announcements**

The Chairman informed those in attendance of the procedures in place if there was to be a fire alarm.

It was agreed that the Committee placed on record its gratitude to the officers who had recently departed from the Council, including Michael Akinola, Thomas Bostock and Lee Burman.

69 **Public Participation**

No questions had been received from councillors or members of the public.

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

70 **Planning Appeals and Updates**

Councillor Martin Smith moved that the Committee note the contents of the appeals report included within the agenda. It was seconded by Councillor Elizabeth Threlfall.

**Resolved:**

**To note the Planning Appeals Update Report for 7 December 2022.**

71 **Planning Applications**

The Committee considered and determined the following planning applications:

72 **PI/2021/11198 Christian Farm, Foxham Road, Foxham, SN15 4NE**

**Public Participation**

James Whilding spoke in support of the application.

Cllr Richard Tucker spoke on behalf of Bremhill Parish Council.

Development Management Team Leader, Simon Smith presented a report which outlined the proposed variation of condition 11 (vehicle routing movements) on 18/00523/FUL. Details were provided of the variation of condition 11 (vehicle routing movements) and issues raised by the proposals, including the principle of development and highways safety.

The officer detailed the previously agreed route through the planning condition included within the previous application (18/00523/FUL) before detailing the newly proposed variation to the route. The reason for the proposed change was cited as a change of vehicle fleet which would no longer be able to go under a bridge included within the previous route.

Members of the Committee had the opportunity to ask technical questions regarding the application. Details were sought on, but not limited to whether the vehicles had been making use of Lyneham Banks, which was not part of the previously agreed routing. It was clarified by the officer that this had been anecdotally claimed and was a matter that was dependent on the Council to resource and enforce the previously agreed routing as well as if the proposed route was to be accepted. It was also clarified that the proposed route would be in replacement of the previously agreed routing and not in addition to.

Further technical questions included but were not limited to the size of the new fleet of lorries that the applicant had purchased, with it noted by the officer that the original condition had been made based on a fleet small enough to fit through the bridge. In addition, it was clarified that more lorries would leave the farm than enter, due to the breeding of the poultry. Concern was raised in relation to the new routing and that the lorries would have to travel through Lyneham and Royal Wootton Bassett town centre to junction 16 or use roads that had already been heavily affected by lorries, with residents currently complaining about the speed and volume of traffic.

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

The Local Unitary Member, Councillor Howard Greenman then spoke regarding the application. Cllr Greenman stated that though he was anxious to support anything that would underpin food security, knowing the roads it would be irresponsible to make lorries travel down them. Cllr Greenman also drew reference to how the Highways Engineers had previously objected to the proposed route but had since changed their mind. Reference was drawn to the meeting of the Christian Malford Parish Council which had taken place in the week of the Committee meeting, where residents had stated that they thought that the proposed route would be irresponsible and that they had previously put up with lorries travelling through their village. Cllr Greenman expressed surprise and disappointment that the applicant had acquired a new fleet of vehicles of that size. Cllr Greenman expressed that he believed the points raised by the public speakers in objection to be valid, drawing reference to photographic evidence which had been produced by Bremhill Parish Council prior to the meeting.

As the neighbouring Unitary Member for the Calne Rural division, Councillor Ashley O'Neill was unable to attend the meeting, Cllr Tony Trotman read out a statement which had been provided by Cllr O'Neill. The statement covered the following points that though the applicant had suggested that use of the new route would result in a reduction of vehicle movements from 185 down to 111, this would be in excess of the condition placed in 2018, which related to 106 vehicle movements. Cllr O'Neill's statement also drew attention to concerns that related to the egress point of the proposed route on to the A3102 at the crossroads at Snowhill, which was known to be an accident blackspot. Cllr O'Neill's statement also drew reference to statements made by the Highways Team in 2018, who had then considered the proposed route to be unsuitable.

At the start of the debate a motion to reject the officer's recommendation for planning permission to be granted subject to conditions was moved by Cllr Howard Greenman and seconded by Cllr Gavin Grant. The reason for refusal was that the application would conflict with Core Policies 51(vii), 34(ix) and 65 of the Wiltshire Core Strategy (Jan 2015). Which was delegated to Development Manager Team Leader, Simon Smith.

During the debate, issues were raised, but not limited to, how a Member had driven along the roads included in the proposed route and had witnessed on

multiple occasions a farm lorry unable to make turns without climbing the road verges and that due to the nature of the lanes on-coming vehicles to the lorry often had to reverse and stop. It was also suggested that though the applicant had been looking to cut down on carbon emissions by using a larger size of fleet, this may not be the case as the proposed journey would be longer. Regarding the vehicle fleet, it was suggested that the purchase of the bigger lorries whilst being aware of the bridge size was a poor management decision. Further reference was also drawn to the Christian Malford Parish residents who had stated that they had been content with the smaller vehicles passing through their village. Additional reference was also drawn to the significant consultation of the previous application, where the proposed route had been considered inappropriate even for smaller vehicles.

Further issues that were debated included reference to the original proposal, where the “type and level” of traffic had been discussed and that though the level of traffic would be reduced, the type of traffic would be a larger form of fleet. It was suggested that if the route had been deemed inappropriate in 2018 with smaller vehicles, then it would not be appropriate in 2022 with larger vehicles. It was suggested that the application would conflict with Wiltshire Core Strategy Core Policy 51 (vii) due to a need to protect the landscape from pollution and the impact of the vehicles. It was also suggested that the area included within the proposed route was one which was enjoyed by horse riders, walkers, and cyclists, who might have difficulty in getting out of the way of on-coming lorries. It was stated that though the proposed route would afford a commercial advantage to the business, this should not come at the cost of the result to the landscape.

At the conclusion of the debate, it was,

**Resolved:**

**That the application be refused for the following reason:**

**By reason of the type and nature of the vehicle types and number of vehicles movements as well as the accompanying noise and activity in this tranquil locality, the proposed route for HGV traffic accessing the site via Foxham, which is both torturous and has limitations in terms of width and alignment, is considered to be unacceptable. Accordingly, the proposed intensive poultry business would not be provided with adequate access and supporting infrastructure and would be contrary to the requirements of policies CP51(vii), CP34(ix) and CP65 to the Wiltshire Core Strategy.**

73 **PL/2021/06167 Plough Lane Caravan Site, Plough Lane, Kington Langley, SN15 5PS**

**Public Participation**

Simon Cooper spoke in objection to the application.

Cllr Graham Trickey spoke on behalf of Kington Langley Parish Council.



Development Management Team Leader, Simon Smith presented a report which outlined the use of site for the stationing of 44 static caravan units for holiday purposes

Details were provided including issues raised by the proposals, including the principle of development; design, appearance, and landscape impact; impact on the amenity of surrounding occupiers; highways; drainage; occupancy restrictions and other matters.

Members of the Committee had the opportunity to ask technical questions regarding the application. Details were clarified on, but not limited to that it would be the responsibility of the Wiltshire Council Enforcement Team to make checks to ensure that the static caravan units were only occupied for holidays. In addition, it was stated that one of the proposed conditions would compel the operator to be responsible for a register that they would have to provide to the Enforcement Team. It was noted that the Wiltshire Council Drainage Engineer had objected to the application based upon a flood risk assessment with extensive reasoning and that a local objection had cited a height difference from the site to the drainage outflow. The officer stated that the report addressed that issue by acknowledging that though the flood risk assessment was an issue, this could be addressed by a Grampian condition, that work could only take place once an improved drainage scheme had been agreed.

It was suggested that the access road was narrow and would not be acceptable and would likely not be accepted if this application was for a housing estate rather than for static caravan units. It was clarified by the planning officer that the Highways Engineer had been satisfied with the access road. It was also clarified that the static units would be wooden clad and located in permanent locations. Further reference was drawn to the enforcement of conditions on holiday homes and that in neighbouring counties more checks seem to take place from the authority. Furthermore, it was queried whether the commercial viability of the application had been considered by officers as had been considered for previous holiday homes in the locality.

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

The Local Unitary Member, Councillor Howard Greenman then spoke regarding the application. Cllr Greenman thanked the members of the public, who had objected to the application for their responses. Cllr Greenman stated that the application was very different to a tourist site and brought further attention to the drainage issue that had been identified, with it noted that the applicant had failed on multiple occasions to provide a solution to the outflow and that a housing development would not be considered without sewage outflow included. Cllr Greenman noted that Kington Langley was a small village as identified within the Wiltshire Core Strategy and had coexisted with the current touring site for caravans. In addition, it was noted that the nearest shopping facilities were 1.6 miles away and that there was not a local pub, therefore suggesting the proposal was not a sustainable development and that levels of local spending would be low.

Cllr Greenman drew reference to the high density of the proposed site and how this would potentially lead to an increase in highways usage with multiple families potentially able to use the static units due to their size. Reference was also drawn to the submission provided by Kington Langley, which had suggested a condition that occupancy could be for no more than 28 days in a 36-day period. Cllr Greenman drew reference to the DCLG Good Practice Guide Planning for Tourism, with it stated that the proposal could potentially lead to demand on services which they would not expect, with an example of The Chase in Stanton cited.

Further reference was made by Cllr Greenman to the statement provided by Kington Langley, which had suggested that the proposal would sit outside of the existing development, would be overdevelopment as well as having received no information about lighting management. It was also suggested that the access to the site would not be acceptable as it would be a one vehicle lane from a hill.

At the start of the debate a motion to reject the officer's recommendations for planning permission to be granted subject to conditions was moved by Cllr Howard Greenman and seconded by Cllr Elizabeth Threlfall.

The reason for refusal was that the application would conflict with Core Policies 39, 51(ii), 57(i) and (iii), and 67 of the Wiltshire Core Strategy (Jan 2015).

During the debate, issues were raised, but not limited to that Members of the Committee suggested that they would not be comfortable with the suggested Grampian condition and that the Committee should feel comfortable with all aspects of the application when making a decision. It was also suggested that the application would be in conflict with Wiltshire Core Strategy Core Policy 67 due to the flood risk presented. Tribute was also paid to the individuals who had spoken from Kington Langley and how they had made their statements whilst addressing the issues they had identified within planning law and core policies. Regarding the Wiltshire Core Strategy, it was suggested that the application would also be in conflict with Core Policies 39, CP51(ii) and CP57(i) and (iii) due to an unacceptable impact on the character of the settlement and its landscape setting, the local distinctiveness of the locality and how they proposal would not be supported by adequate facilities and infrastructure.

Further issues that were debated included that the applicant had not demonstrated that the result of the proposal would allow for more tourism in the area and that in absence of a needs assessment, it was stated that the application would not satisfy Wiltshire Core Strategy Core Policy 39. Reference was also drawn to a previous restriction on the original planning permission granted in 1996, which stated that the eastern part of the site could only be used during certain months of the year. Further reference was also made to how there had not been an investigation into the traffic and occupancy of the site.

At the conclusion of the debate, it was,

**Resolved:**

That the application be refused for the following reasons:

1. By reason of its scale in relation to its surroundings and the village of Kington Langley, the proposed development would have an unacceptable impact on the character of the settlement and its landscape setting, the local distinctiveness of the locality and would not be supported by adequate facilities and infrastructure. Accordingly, the proposed development would not comply with the requirements of policy CP39, CP51(ii) and CP57(i) and (iii) to the Wiltshire Core Strategy.
2. The proposed method of surface water drainage does not result in a betterment in the rate of discharge and does not include sufficient information in respect of the soakaways or as to their future maintenance and operation. Accordingly, the proposed development would not be provided with adequate sustainable urban drainage infrastructure and would fail the requirements of policy CP67 to the Wiltshire Core Strategy.

74 **Urgent Items**

There were no urgent items.

(Duration of meeting: 2.00pm - 4.00 pm)

The Officer who has produced these minutes is Ben Fielding of Democratic Services, direct line , e-mail [benjamin.fielding@wiltshire.gov.uk](mailto:benjamin.fielding@wiltshire.gov.uk)

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**Wiltshire Council  
Northern Area Planning Committee  
1<sup>st</sup> February 2023**

Planning Appeals Received between 25/11/2022 and 20/01/2023

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
PL/2021/07966	Euridge Manor Farm Euridge, Colerne SN14 8BJ	Colerne	Change of use of land and buildings to accommodate events uses, installation of 10 camping pods and a tree house as accommodation ancillary to the events business; associated landscaping and engineering works - Part Retrospective	DEL	Inquiry	Refuse	13/12/2022	No
PL/2021/09040	Stonehey, Ashley, Box, Corsham, SN13 8AQ	Box	Removal of existing house roof, build new replacement roof, addition of first floor to building within new roof space, garage conversion and house refurbishment to ground floor	DEL	Householder Appeal	Refuse	07/12/2022	No
PL/2021/09997	Follywood Farm, Brinkworth Road, Royal Wootton Bassett, SN4 8DT	Royal Wootton Bassett	Retention of temporary mobile home for occupation by essential on-site equestrian worker	DEL	Written Representations	Refuse	06/12/2022	No
PL/2022/02369	28 High Street, Malmesbury, Wilts, SN16 9AU	Malmesbury	Change of use of ground floor from Class E to part Betting Office (sui generis) and part Class E	DEL	Written Representations	Refuse	06/12/2022	No
PL/2022/02867	Land At The Roost, Ravensroost Road, Minety, Malmesbury, SN16 9RJ	Braydon	Application for permission in principle for residential development of 1 no. dwelling	DEL	Written Representations	Refuse	18/01/2023	No

Planning Appeals Decided between 25/11/2022 and 20/01/2023

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
PL/2021/05537	Church House Church Lane Kington Langley SN15 5NR	Kington Langley	Formation of new residential access; close up existing vehicular access (retaining pedestrian access).	DEL	Written Reps	Refuse	Allowed with Conditions	11/01/2023	None
PL/2021/11175	Land North of Webbs Court, Lyneham	Lyneham and Bradenstoke	Outline planning application (all matters reserved except means for access only in relation to a new point of access into the site) for residential development for up to 56 dwellings, including the creation of a new vehicular access, public open space, landscape planting, pumping station, surface water attenuation and associated infrastructure	DEL	Hearing	Refuse	Allowed with Conditions	25/11/2022	None

PL/2022/00194	Griffin Farm, Bowden Hill, Lacock, SN15 2PP	Lacock	Erection of replacement Building (Class E)	DEL	Written Reps	Refuse	Dismissed	29/12/2022	None
PL/2022/00300	126 Oaklands, Chippenham, SN15 1RJ	Chippenham	Form dropped kerb to the roadway to provide vehicular access	DEL	Written Reps	Refuse	Dismissed	09/01/2023	None
PL/2022/00904	Stokes, Tytherton Lucas, Chippenham, Wiltshire, SN15 3RL	Bremhill	Attic conversion including roof lights and rear facing dormers, single storey kitchen and garden room extensions, and a one and a half storey extension linking house and garage. Rear balcony to garage office	DEL	Householder Appeal	Refuse	Dismissed	29/11/2022	None
PL/2022/01090	Barn House, Main Road, Christian Malford, Chippenham, SN15 4BS	Christian Malford	Extension to existing living room	DEL	Householder Appeal	Refuse	Allowed with Conditions	29/11/2022	None
PL/2022/01195	Land at Kington Lane, Stanton St Quintin, Chippenham, SN14 6DF	Stanton St. Quintin	Erection of up to 17 dwellings (including 7 affordable units) and associated infrastructure, including full details of access and public amenity space.	DEL	Written Reps	Refuse	Dismissed	17/01/2023	None
PL/2022/02136	Rectory Cottage, Church Road, Biddestone, Chippenham, SN14 7DP	Biddestone	Roof extension to existing outbuilding and infilling of west elevation (revised scheme)	DEL	Householder Appeal	Refuse	Allowed with Conditions	14/12/2022	None

PL/2022/00300	126 Oaklands, Chippenham, SN15 1RJ	Chippenham	Form dropped kerb to the roadway to provide vehicular access	DEL	Written Reps	Refuse	Dismissed	09/01/2023	None
PL/2022/00904	Stokes, Tytherton Lucas, Chippenham, Wiltshire, SN15 3RL	Bremhill	Attic conversion including roof lights and rear facing dormers, single storey kitchen and garden room extensions, and a one and a half storey extension linking house and garage. Rear balcony to garage office	DEL	Householder Appeal	Refuse	Dismissed	29/11/2022	None
PL/2022/01090	Barn House, Main Road, Christian Malford, Chippenham, SN15 4BS	Christian Malford	Extension to existing living room	DEL	Householder Appeal	Refuse	Allowed with Conditions	29/11/2022	None
PL/2022/02136	Rectory Cottage, Church Road, Biddestone, Chippenham, SN14 7DP	Biddestone	Roof extension to existing outbuilding and infilling of west elevation (revised scheme)	DEL	Householder Appeal	Refuse	Allowed with Conditions	14/12/2022	None

PL/2022/01090	Barn House, Main Road, Christian Malford, Chippenham, SN15 4BS	Christian Malford	Extension to existing living room	DEL	Householder Appeal	Refuse	Allowed with Conditions	29/11/2022	None
PL/2022/02136	Rectory Cottage, Church Road, Biddestone, Chippenham SN14 7DP	Biddestone	Roof extension to existing outbuilding and infilling of west elevation (revised scheme)	DEL	Householder Appeal	Refuse	Allowed with Conditions	14/12/2022	None



## REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

<b>Date of Meeting</b>	1 February 2023
<b>Application Number</b>	PL/2022/03760
<b>Site Address</b>	Former Wiltshire College, Cocklebury Road, Chippenham, Wiltshire, SN15 3QD
<b>Proposal</b>	Erection of Retirement Apartments (Category II Type) with Communal Facilities and Car Parking & Erection of Assisted Living Accommodation (Class C2) with Communal Facilities And Car Parking
<b>Applicant</b>	McCARTHY & STONE RETIREMENT LIFESTYLES LTD & ANCHOR HANOVER GROUP
<b>Town/Parish Council</b>	Chippenham
<b>Electoral Division</b>	Chippenham Monkton – Cllr Murry
<b>Grid Ref</b>	51.462323, -2.112647
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Rose Fox

### Reason for the application being considered by Committee

The application has been called into committee at the request of Cllr Murry to consider the visual impact upon the surrounding area, relationship to adjoining properties, design - bulk, height, general appearance, environmental/highway impact and car parking.

Design concerns are expressed in relation to the uniform height of blocks, unattractive design on the corner of Cocklebury and Sadlers Mead, gap in the streetscene across site entrance, use of brick rather than bath stone, use of close boarded fencing. Sustainability concerns comprise overall lack of provision for net zero carbon emissions, lack of PV, lack of ground and/or air source heat pumps, lack of EV charge points and ducting for future charge points.

#### 1. Purpose of Report

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

#### 2. Report Summary

The key issues in considering the application are as follows:

- Principle of the development
- Highway impact
- Drainage
- Impact on heritage assets (including loss of non-designated heritage asset)
- Design, character and appearance of the area
- Residential amenities of adjoining neighbours
- Ecological considerations
- Affordable housing provision
- Designing out crime

### **3. Site Description**

The application site has a total area of approximately 0.92 hectares on the site of the former Wiltshire College and comprises a large vacant building adjacent to the new campus development.

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

### **4. Planning History**

- 17/05828/FUL - Demolition of Existing Buildings and the Erection of a 140 Unit Extra Care Facility (of which three are duplexes) (Use Class C2) Comprising of 21,602.6 sq m (gross external) of Floorspace Over Five Storeys (four storey building with a five storey recessed), Three Units for Uses within A1/A2/A3, 97 Car Parking Spaces Split Across the Basement (85 no. spaces) and Ground Floor Level (12 no. spaces) and Associated Access and Landscaping – Granted
- 15/09114/VAR - Addition of plant and acoustic screen within the service yard, together with a boiler flue to the roof (retrospective) - Granted
- Advert consents: 15/02717/ADV - 1 Temporary Hoarding Sign – Withdrawn, 15/01632/ADV – 1 Illuminated Fascia Sign – Granted, 15/07563/ADV – 1 Building Mounted Sign - Granted
- 13/06704/FUL - Demolition of Existing College Campus Buildings and Erection of New College Building with Landscaping and Associated Works- Granted
- N/08/02130/FUL - Demolition Of Existing Buildings And Erection of a New College Building Of Circa 12,000sq m Gross Internal Floor Area With Landscaping And Associated Works – Granted
- N/08/02131/CAC - Demolition Of Existing Buildings In Conservation Area Following Redevelopment For New College Campus – Granted

## **5. The Proposal**

The proposal comprises the demolition of existing building on site and the erection of a new retirement community made up of two apartment buildings on site.

The apartment building fronting onto Cocklebury Road would contain 44 Retirement Apartments (Category II type sheltered housing – Use Class C3) with communal facilities comprising a communal lounge, guest suite, reception area, refuse store, mobility scooter store, communal landscaped areas and car parking. With this type of accommodation, people over the age of 55 are able to purchase an apartment within the building. The housing is specifically designed for the elderly, it helps support them to live independently, but there is additional support and assistance available to them dependent on the occupiers need. This apartment building is expected to be delivered by one of the joint applicants: McCarthy & Stone.

The second apartment building would comprise 69 assisted living units (Use Class C2) comprising 28 one-bed and 41 two-bed units. There is a higher level of care provided within this building and as such the communal facilities are greater comprising a restaurant/bistro, shared kitchen, residents lounge, hair and beauty salons, quiet and multi-use rooms, guest suite, reception area, refuse store, mobility scooter store room, communal external landscaped areas and car parking. The entirety of this apartment building would be affordable housing. It is intended to be delivered by the other joint applicant: Anchor, a not-for-profit provider of accommodation and care services for older people.

## **6. Local Planning Policy**

Wiltshire Core Strategy Jan 2015:

Core Policy 1- Settlement Strategy

Core Policy 2- Delivery Strategy

Core Policy 3- Infrastructure Requirements

Core Policy 9- Chippenham Central Areas of Opportunity

Core Policy 10- Spatial Strategy: Chippenham Community Area

Core Policy 38- Retail and Leisure

Core Policy 41- Sustainable Construction and Low Carbon Energy

Core Policy 43- Providing Affordable Homes

Core Policy 45- Meeting Wiltshire's housing needs

Core Policy 50- Biodiversity and Geodiversity

Core Policy 51- Landscape

Core Policy 55- Air Quality

Core Policy 56- Contaminated Land

Core Policy 57- Ensuring high quality design and place shaping

Core Policy 58- Ensuring the Conservation of the Historic Environment

Core Policy 62- Development impacts on the transport network

Core Policy 67- Flood Risk

Appendix D

Appendix E

Appendix G

Saved Policies of the North Wiltshire Local Plan:

NE14- Trees and the control of new development

NE18- Noise and Pollution  
T5- Safeguarding  
CF2- Leisure facilities and open space

National Planning Policy Framework (Jul 2021):

Chapter 2 - Achieving sustainable development  
Chapter 4 – Decision-making  
Chapter 5 - Delivering a sufficient supply of homes  
Chapter 6 - Building a strong, competitive economy  
Chapter 7 - Ensuring the vitality of town centres  
Chapter 8 - Promoting healthy and safe communities  
Chapter 12 – Achieving well-designed places  
Chapter 15 - Conserving and enhancing the natural environment  
Chapter 16 - Conserving and enhancing the historic environment

## 7. Summary of consultation responses

Chippenham Town Council - Objections

*“Maintains design objections to revised plans as follows (albeit some concerns addressed and some positive impacts of the development recognised in initial comments):*

- *Massing of the buildings have a utilitarian appearance*
- *Cocklebury Road and Sadlers Mead corner – opportunity missed to make a feature of this corner*
- *Layout and light issues.*
- *Gap in streetscene and views of parking area from Sadlers Mead*
- *Main entrances located so far into the site.*
- *More stone facades would be a benefit. Significant use of white brick.*
- *No justification for why the existing building could not be retained and converted.*
- *Category A Gleditsia tree could be retained*
- *PV welcomed but queried why only proposed on one building.*
- *Queries why air source or ground source heat pumps cannot be accommodated*
- *Substation located in front of building would be prominent from the street”*

Council Drainage Engineer – No objection subject to conditions

Wessex Water – No objection

Council Conservation Officer – Objections

*“This is a late Victorian brick building built as a Technical college for the town around the turn of the last century. The building has now had a considerable degree of large, modern extensions but the original section is in the conservation area.*

*Set back from the road behind low brick walls with stone copings, this imposing building has large windows and steep roofs, reflecting the Arts & Crafts style and designed to provide suitable working spaces for the practical courses that were originally taught there. Although the building was not considered unique enough to be listed, it is a heritage asset and contributes to the character of the conservation area in terms of its architectural form, as well as its historical and communal values. Looking at the history maps, the original layout comprised the current building of two storey*

*with single storey side wings, as well as some detached outbuildings, both individual and a reverse 'L' shape at the rear of the site. The outbuildings seem to have either disappeared or been incorporated into the modern extensions added in the late C20th.*

*The proposal is to demolish the original building along with its modern additions and replace it with a four storey building to provide an extra-care complex. The replacement building will be set forward of the current building line fronting Cocklebury Road, will be considerably taller and will cover a larger proportion of the site. The design of the new building does not in any way reflect the scale and proportions of the current non-designated heritage asset, in effect removing all reference to the college building that is currently there.*

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

*Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 says that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*

*The NPPF para 197 states that development should take account of the desirability of sustaining and enhancing the significance of heritage assets. Paragraph 203 discusses the balance that should be considered in respect of non-designated Heritage assets affected by development. Paragraph 206 of the NPPF says that new development within a conservation area should enhance or better reveal its significance. The significance of the technical college is not just via its aesthetic value but also its communal, evidential and historical value. (BS:7913 and Historic England Setting of Heritage Assets Good Practice Advice Note:3)*

*CP 57 of the Wiltshire Core Strategy requires new development to respond positively to existing townscape features in terms of building layouts, built form, height, mass, scale, building line etc, to be sympathetic to and conserving historic buildings. CP 58 requires that new development be sensitive to all heritage assets and ensures conservation of the historic environment, protecting, conserving and where possible enhancing the historic environment which includes non-designated heritage assets that contribute to a local sense of character.*

*The submitted heritage statement circles frequently around the previously permitted proposals. Also, that the use of materials in the proposed development reflecting those in the existing buildings would reduce the harm caused by demolition of the former college building. This is somewhat like making a patchwork quilt from a wardrobe of clothes. The articulation of the college building profile provides interest and reduces the impression of its overall height. The proposed buildings would sit forward of the current elevations in relation to the roads, have an imposing, upright elevation and bulk, resulting in a more dominating presence in the street scene. Interestingly, point 5.02 of the Conclusion section in the heritage statement says: "In this case it is considered that the effect of the proposed development on the significance of all the heritage assets - designated and non designated would be neutral." The former*

*college building, which is an undesignated heritage asset, is to be demolished. I do not consider that to be a neutral impact.*

*Although I support the concept of an extra care facility on this site, I consider that it is possible to realise a suitable scheme that retains the existing non-designated heritage asset and respects the scale, mass and form of the area. The scheme as shown does not do this and is contrary to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF, the BS7913, The Setting of Heritage Assets-Historic England Good Practice Advice Note:3 and core policies 57 & 58. Although permission was granted in 2018 for a similar scheme, this version appears to have been downgraded through use of more recon and non-natural materials than previously, as well as bringing in a hotchpotch of colours. The original college building is an early C20 construction that has potential to be re-used and create the core of the development, so I again urge the applicants to consider reuse of the historic building. I do not support the proposals as shown.”*

*Revised plans: “The amended plans do not appear to have addressed the concerns that I raised in my previous response. I note that the variety of materials used on elevations has been increased and there are some additional details to the roofs that give the appearance of the proposed buildings being taller than previously. No attempt has been made to reuse the existing building. My objection still stands.”*

#### Council Urban Design Officer – Objections

Some matters overcome but objection maintained in relation to a number of points. 1) The buildings would present a visually awkward (cumbersome) built form in the street scene. 2) The white brick would not be characteristic of the locality and would appear alien. More use of stone as per previously approved would be more in keeping. 3) Site enclosures could be improved – previously approved comprised a natural stone wall whereas current application has a plinth brick wall and railings which does not enhance the local character. 4) Bracketed railing panels across living room full height windows poor design. 5) The proposal falls short of the design quality in planning approved. The design of the proposals needs to be considered in the context of the locality and in consideration of the proposed demolition of the original school building on site.

The design features of the previously approved scheme should be applied to the current design proposals including articulation of the top storey; natural or RC stone reflective of local stone in colour and texture to elevations facing the street scene; stone boundary walls to the streets.

Revised plans comments: In respect of 1) the proposed design in scale (massing and height) and built form is improved, better proportions, the prominent utilitarian balconies on the corner removed and improvements made to other balconies in the scheme set back and design improved. However change in parapet height in certain areas appears superficial. 2) No changes. 3) the proposed building wing of the retirement living no more dominant than the wing of the previously approved 17/05828/FUL in respective proximity to neighbouring existing bungalows. The private balconies on the north-east corner of this wing have been deleted in response to comments. No objection in relation to this. Comments in relation to changes of the courtyard seating area – some changes have been made but not a significant change. Concerns in respect of boundary treatments maintained – stone wall rather than hedge and low wall would be preferred. 4) Satisfactorily addressed. A pavement has been incorporated to the side of the vehicle entrance from Sadlers Mead in response to comments. 5) No changes to point 5.

The full comments are included as appendix B to this report.

Council Landscape Officer – No objection.

*“I have considered that the approval of the previous application for a similar development on a similar footprint, to that which is currently presented by this latest application is established, and this should contribute to the landscape and visual baseline situation from which to consider the likely resulting landscape and visual change effects for this latest planning application for a development of this nature. On this basis the proposed development is unlikely to offer any additionally adverse landscape or visual impacts over or above the previously approved scheme.*

*However the design and appropriate use of materials within this latest development proposal are not considered to match the same design quality as those previously presented and approved by the earlier application. The matter of design quality delivering contextual building volume/massing/creation of varied rooflines and positive elevations that contribute character to the street scene frontage through appropriate building layout and detailing is already dealt with by this Council's Urban Design Officer, Brian Johnson, who discusses these matters and articulates in detail what the design issues are with the current scheme. I fully support his latest comments dated 16/06/2022.*

*Should the LPA approve the current application then the following Wiltshire standard model planning conditions are advised to be necessary and proportionate to deliver a suitably detailed and enforceable soft planting scheme.”*

Council Archaeologist - No objection

Council Housing Enabling Team – No objection subject to S106 provisions re affordable housing.

Council Arboricultural Officer – No objection subject to conditions. The two important trees protected by tree preservation orders. Subject to the protection of these trees during the construction phase no objection is raised. An updated tree protection plan and Arboricultural Method Statement is required.

Council Public Protection - No objection subject to conditions in relation to contamination, air quality and requiring a construction and environmental management plan.

Council Ecologist - No objection subject to conditions

Council Highways Engineer – No objection subject to contributions and conditions.

Initial holding objection and number of queries. Considers condition to restrict occupier to 55 or 60 years + to be applied. Proposed car parking is considered acceptable. Conditions recommended. Amended details were submitted and the Highways Engineer is satisfied with the details. Requests contribution for wayfinding.

The Highway Engineers full comments are reproduced as appendix A to this report.

Council Waste Management team – Support. Land indemnity will be required if waste collection is required before any roadways are adopted.

Fire Service - No comment received

Designing out crime Officer – Concerns raised.

Concerns the boundary treatment does not secure the boundary. Fences should be a minimum of 1.8m preferably timber fencing. Requires lighting and CCTV around the perimeter and within the parking area for surveillance and security.

## **8. Publicity**

The application was advertised by neighbour letter, site notices and press advert. These generated 206 letters of objection and 29 letters of support. A summary of the representations is set out below:

- No demand for more retirement properties in Chippenham, too many existing. Other uses preferred e.g. affordable housing, community uses.
- Loss of historic building unacceptable
- Lack of GP services in town
- Location inappropriate for elderly on hill
- Increase in traffic would harm the area
- Design concerns
- Car parking concerns
- Over development of the site
- Impact on adjoining properties
- Support for proposals
- Current building an eyesore

## **9. Planning Considerations**

### Principle of development

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

The Wiltshire Core Strategy, including those policies of the North Wiltshire Plan saved in the WCS, forms the relevant development plan for the Chippenham Community area. This site is within the settlement boundary of Chippenham, which is identified in the Core Strategy as a “Principal Settlement” – a location where there is a presumption in favour of sustainable development. The site is identified in WCS Core Policy 9 Chippenham Central Area of Opportunity in the Civic and Academic Character Area. This policy requires development in this area to be delivered in accordance with key principles listed in Paragraph 5.54. All proposals for development in this area should establish appropriate high quality design and public realm, with pedestrian and cycle routes to create a lively visual and social environment focused on linking all parts of the town with its centre. The application only forms a small proportion of the wider character area, but this site is considered important to the regeneration of this area as it will provide an opportunity to see the removal of a currently vacant building.

The National Planning Policy Framework (NPPF) is a material consideration, and this encourages the reuse of brownfield land. Paragraph 119 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, and that strategic policies should set out a clear strategy for accommodating



objectively assessed needs, in a way that makes as much use as possible of previously-developed land.

The college that formerly occupied the site have relocated and the proposed redevelopment of the site for retirement apartments and assisted living (use classes C2 and C3) in this location is acceptable in principle. The proposal would be restricted by an age occupancy condition. There is limited permitted development rights associated with C2 uses so a condition in relation to this is not considered necessary.

### Highway Impact

The main entrance and vehicular access would be taken off Sadlers Mead. Parking is set out centrally within the site in between the two buildings, and wraps around behind the retirement living building to the east. There are two additional pedestrian accesses from Cocklebury Road.

#### (i) Safety and access

Speed surveys have been carried out in the Transport Assessment. The proposed visibility splays are deemed adequate and in accordance with Manual for Streets guidance. The Council's Highway Engineer has no highway safety concerns.

#### (ii) Parking

In relation to car parking, the submitted TA acknowledges that the level of parking provided is less than the minimum requirements set out in the council's adopted standards. The justification provided in the TA, set against the Council car parking standards is noted. The site is in a town centre location, in an area of high accessibility with strong connections to pedestrian and cycle infrastructure, as well as bus and train services. There will be storage for mobility scooters and EV charging points. It is considered that the submitted justification suitably addresses the car parking provision. Furthermore, the site is located in close proximity to numerous car parks in the vicinity and the large volume of TROs on adjoining roads to ensure car parking is managed on the Public Highway. Taking in account paragraphs 110-113 of the NPPF, CP64 of the CS and PS6 of the Wiltshire Local Transport Plan 2011 – 2026 Car Parking Strategy the level of parking is considered to be acceptable.

The Highways Engineer has stated a 60+ age restriction should be secured by condition or S106. After further discussion there is no objection to the age restriction being 55+ as suggested by the applicants. The proposed parking is considered acceptable with the proposed scheme and associated demographic. The LPA would have to consider any alternative proposals in terms of impact on parking/highways, so it is considered necessary to condition this.

#### (iii) Sustainability/Accessibility

A travel plan has been submitted and the Council Highways Engineer is satisfied this can be used as a framework travel plan and be updated and submitted to the LPA via condition.

The applicants have placed significant emphasis on the sustainability credentials of the site as part of the justification for less parking provision. The Council's Wayfinding placement study has identified a lack of signage for pedestrians within the area of the development. To aid new residents of the scheme, 'way finding (signage)' will be required. The Highway Engineer has confirmed that three wayfinding fingerposts will be required at a cost of £2k each (a total contribution of £6k) and which will be delivered through an agreement under

s106 of the Town and Country Planning Act 1990 (as amended). Given the sustainability of the site is relied upon for justification of the scheme in terms of lack of parking provision and reliance on pedestrian access, it is considered reasonable and necessary for this obligation.

Accordingly, and subject to the required signage being delivered via s106 to The Act and other planning conditions relating to cycle and car parking and visibility splays, the proposed development will not cause an unacceptable impact on highway safety or cause several residual cumulative impacts on the road network and will meet with the requirements of core policies CP60, 61 and 62 to the Wiltshire Core Strategy as well as section 9 to the NPPF.

### Drainage

The site is shown to be in Flood Zone 1 according to Environment Agency mapping, and at low risk of surface water and groundwater flooding. The application has been supported with a Drainage Strategy providing details such as of the existing storm disposal systems, a calculated flow rate from existing site and climate change allowance.

A new foul and surface water drainage network would service the proposed development. Surface water proposals include SuDS: permeable paving will be used for infiltration and onsite attenuation in the form of cellular tanks will be provided within the development. Surface water runoff will be captured within the surface water drainage network and discharged to the public sewers offsite via a restricted flow (2.0l/s). There will be a climate change allowance of 45% in accordance with EA guidance.

The Council's Drainage Engineer has no objection to the proposals subject to conditions. It has been requested whether additional blue-green SuDS features can be included, but the applicants have not agreed to this stating the proposed SuDS are adequate. The LLFA have accepted that as there is no formal council guidance on this, these additional SuDS features are desirable rather than essential. As such it is not considered this is necessary to make the development acceptable and it would not be reasonable or necessary to require this by condition. A Construction Environment Management Plan is required to be submitted to the LPA, which should demonstrate how during construction water quality and quantity will be appropriately management in order to prevent an increase in pollution/flood risk. Subject to full conformity with the submitted foul and surface water drainage details no objection is raised. The development is considered to accord with CP57 and CP67 of the Core Strategy subject to conditions.

### Heritage

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides powers for the designation, protection and enhancement of conservation areas and the preservation of listed buildings. The Act requires that special regard should be given to the desirability of preserving a listed building or its setting (s. 66) as well as giving special attention to preserving or enhancing the character or appearance of the conservation area (s.72).

Paragraph 195 of the NPPF requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by the proposal (including any development affecting the setting of a heritage asset). Paragraph 199 of the NPPF states when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be. Paragraph 202 of the NPPF states that where a development proposal results in less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the

proposal. Core Policy 58 of the WCS requires that development should protect, conserve and where possible enhance the historic environment.

The front of the application site fronting Cocklebury Road is within the Chippenham Conservation Area. There are Grade II listed buildings in the surrounding area comprising the Station and its former ancillary office, and a telephone box located in the station approach. Station Hill Church is a Grade II listed building further to the west of the application site.

The Council's Conservation Officer and the applicant's own Heritage Assessment agree that the existing red-brick Chippenham College building is an undesignated heritage asset and it makes a positive contribution to the townscape. Accordingly, it is indisputable that the loss of the building (as is proposed) would result in less than substantial harm to the Conservation Area. The applicants Heritage Statement grades the significance of the asset as low, but the Conservation Officer has not reached a specific conclusion on the weighting of the harm caused, although states that the impact is not neutral.

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 the proposed development does not protect, conserve and where possible enhance the historic environment, it is in conflict with the policy. As the proposal results in the loss of a non-designated heritage asset, by virtue of this loss, there is some conflict with CP58.

This is a matter that weighs against the scheme in the planning balance. This needs to be considered together with the impact of the development replacing it, and the overall impact in terms of harm to the conservation area. The issue of harm to the conservation area is covered below.

However, 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 paragraph 202 states that:

*"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal". Paragraph 203 states that "the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application.... A balanced judgment will be required having regard to the scale of any harm or loss and the significance of the heritage asset."*

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

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

A recent request to list the old school building on site was received by Historic England and they determined that the building was not worthy of Listed building status. Though an interesting building it is considered that the building is of local interest only and as such its significance as an asset is low. The Conservation Area Statement describes the building of “good townscape merit” and a “positive landmark or focal point”. The complete loss of this building is unfortunate but its quality and contribution are not so great as to warrant retention when taking into consideration the significant benefits of the scheme set out below.

The public benefits of the scheme are significant. The proposal will allow the delivery of 44 open market housing for the elderly and 69 units of affordable housing for the elderly, the proposal will also provide a CIL payment. Landscape improvements in the locality including the removal of the existing, more modern extension to the unsightly College building and its replacement with a reasonable quality development and improvements of the immediate public realm. The development will also provide jobs through the ongoing care of the elderly residing in both apartment buildings, and jobs during the construction phase of the development. These are significant public benefits of the scheme to which it is considered that significant weight should be afforded to it, furthermore it is considered that they outweigh the less than substantial harm that would arise from the development, to which should be given considerable importance and weight. Given this conclusion on balance it is considered that in these terms the application is not in conflict with the NPPF and planning permission can be granted.

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

The comments of the officer are noted however, it is considered that the impact on the conservation area is at worst neutral. It is accepted that the original building is pleasant which has a positive contribution to the conservation area. However, it isn't listed and the proposal also involves the removal of the modern extensions which have no architectural merit and which currently has a negative impact on the setting of the conservation area. The application sees the construction of two modern apartment buildings within a landscaping scheme. The buildings would be four storeys in height and finished in a mix of red brick, white brick and stone. Whilst some of the proposed materials i.e. white brick is not considered in keeping with the area, the overall design of the new buildings and associated landscaping, and bringing a redundant site back into use would result in an overall enhancement to the character of the area. The proposal is therefore considered to have at worst, a neutral impact; at best a minor positive impact on the significance of the conservation area. It is not considered the proposal would cause any harm to listed buildings within the area. The development is therefore not in conflict with the NPPF or Core Policy 58. The benefits of the scheme, as set out above, would outweigh any identified harm and would therefore not conflict with the NPPF in that respect.

Furthermore, a material consideration is that planning permission has previously been approved for the demolition of the existing building so the Council have previously accepted this building is not valuable in heritage terms.

### Design, Character and Appearance of the Area

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

The Council's Urban Design Officer had a number of comments on the proposals - some concerns were addressed with revised plans. However, there remain the following concerns: the design could be improved, the building would look visually awkward in the street scene, little variation in roof height, white brick is not characteristic of the locality and boundary treatments could be improved. The proposal is considered to fall short of the design quality in planning approved previously at the site.

The proposed buildings would be finished in Filton Red and Castleton white brick, with bath recon stone around openings will be used, and balcony steelwork, railings, flashings and rainwater pipes will be finished in an anthracite dark grey colour. Red brick and stone are both materials characteristic to the vernacular of the area, and the existing buildings that will be replaced on the site. However, white brick is not widely used within Chippenham and there is a significant presence of it within key elevations. The proposed materials would contrast with the older station buildings on the northern side of Cocklebury Road which are finished in stone. For potential future context, the office building granted planning permission on the other side of Sadlers Mead (reference 18/10267/FUL - not yet constructed) which would be finished in a mixture of buff brick, concrete, timber and aluminium. Whilst this is finished in buff brick, there is a significant proportion of the elevations that are glazed. This building would be four storeys and a similar scale the proposed apartment building, and would sit in a similar position at the front of Cocklebury Road. The proposed scale of the buildings would be acceptable in this context.

The materials are considered to be important to the finalised design and there is an expectation that these will be of the highest quality to ensure that it has a positive relationship with the surrounding conservation area and nearby listed buildings. No samples of the brick or stone have been provided but from the details provided their appearance is reasonable. It is a shame there is very little stone within the most prominent elevations, which would be more characteristic of the area than white brick which is not at all reflective of the area. However, given the white brick is broken up with the red brick, it is considered the proposed materials are on balance acceptable. The existing building on site is finished in red brick and stone, so the red brick at least is reflective of this.

The northern elevation on Cocklebury Road is the most sensitive as this is in the conservation area, and replaces the former college building. The new building will be larger and more prominent than the existing building on site, however, this is not a negative and the proposal is considered to be a better focal point for the locality. It has been designed as a contemporary frontage building and the building line would sit forward of the existing buildings on site, but retaining some frontage.

The new buildings would be lower in height than that previously granted planning permission under 17/05828/FUL. The design is considered to be of reasonable quality, with symmetry across the elevations and some minor variation in building height. The proposed roof is flat, and hidden behind a parapet. The height of the building to the parapet would be approximately 11.65m. The scheme approved in 2018 had a height of 16.9m as this included additional floor. The existing college buildings on site currently have a ridge height to 13.8m.

Proposed boundary treatments comprise a red brick wall (0.5m) with railings (1m) on top along the frontage of Cocklebury Road and along Sadlers Mead to the entrance. Reinstating the railings in front of the existing building is identified in the Chippenham Conservation Area Management Plan as a potential enhancement to the Conservation Area. The proposed boundary treatment is therefore acceptable in this location. Steel vertical railings (1.8m) are used on the remaining frontage to Sadlers Mead, and a small section on Cocklebury Road at the north east of the site. Given this boundary treatment is in less prominent locations, this is considered acceptable in design terms. Elsewhere in the site is a close boarded timber fence (1.8m). There are proposed trees and hedgerow around the periphery of the site.

The proposal contains details of the hard and soft landscaping of the site on the Landscaping General Arrangement Plan and Planting Strategy. The proposals comprise a few areas of communal outdoor amenity space across the site. There is a reasonable level of outside green space and planting across the site.

Taking into consideration the above it is considered that the proposed development is on balance adequately designed. Whilst there are certainly design improvements that could be made, on balance it would make a moderate positive contribution to the streetscene. The application therefore conforms with both the NPPF and CP57 of the CS.

#### Impact on residential amenity

The closest residential units are those on Sadlers Mead to the south east of the site. The impact of the development on the amenity of these residents is considered.

In considering the existing site, there is currently a substantial building approximately 10m from the boundary of 1 Sadlers Mead, this is the base line for the consideration of the application. The development currently proposed will see a four storey block of residential units (C2 use class) approximately 16m from the number 1's boundary to the side, and the part of the development which faces the rear garden of 1 Sadlers Mead is around 18m from the rear boundary (and approx. 29m measured building to building). The proposed block is not greatly dissimilar in scale or proximity to the building currently on site. The part of the building closest to 1 Sadlers Mead will have the majority of habitable windows at an oblique angle to 1 Sadlers Mead. Other parts of the proposed development are set further back into the site and are not considered to have an adverse impact. The built form is proposed to be located further away than the previously approved scheme (17/05828/FUL).

A communal outdoor seating space and gazebo is proposed in the outside area close to 1 Sadlers Mead. The Urban Design Officer raised some concerns whether this area may give rise to an intrusion on the nearby residential gardens in respect of lighting, noise and overlooking. In response to these comments the applicants have moved the gazebo away from the boundary with additional planting in between, and moved the seating further away from the boundary with 1 Sadlers Mead. It is not considered this is outside area would result in adverse noise/disturbance to nearby residential units. There would not be a significantly higher level of noise than associated with the former use of the site as a school. It is considered necessary to condition external lighting details to ensure that there is not any intrusive lighting to neighbours on this side of the development.

Taking into consideration the existing site circumstances, the proposed layout of the closest units to Sadlers Mead and orientation of the proposed properties it is considered that the proposal will not result in any adverse impact on the residential amenity of properties within Sadlers Mead. It is considered that the proposed development, subject to condition, will have no significant adverse impact on the residential amenity of the local residents and thereby conforms with CP57 of the CS.

In terms of the amenity of occupiers on site, there is a good standard of amenity for the future residents. Both apartment buildings have an element of indoor communal facilities (the extra care facility having more of this) and outdoor communal spaces. There are no concerns in respect of the amenity of future residents of the site.

### Trees and landscaping

The application was accompanied by a planting strategy and landscape general arrangement plan. There are two prominent trees on site which are protected under TPO 2017/00018/IND (T1 Copper Beech and T9 Hornbeam) which are retained as part of the proposal. The Arboricultural Officer requests an Arboricultural Method Statement to demonstrate how retained trees will be protected and an updated tree protection plan. There is no objection to the removal of other trees marked for removal within the site. Subject to a suitably worded condition there would be no objection and officers are satisfied that the development will accord with saved policy NE14 of the NWLP and CP57 of the CS.

### Ecology

The application was accompanied by two ecology statements, a preliminary ecological appraisal dated October 2021 and an Ecological Impact Assessment dated July 2022.

During the Preliminary Ecological Assessment, it was concluded additional bat survey work was required as it was likely a bat roost was present in one of the buildings, and three others have low bat roosting potential. The Ecological Impact Assessment found a single Common Pipistrelle bat was using the summer roost in building A, and that a Soprano Pipistrelle occasional roost was found within the same building in a different location. The 2 bat roosts would be lost due to the development and replacements shall be provided in the new buildings. There will be a loss of a small number of trees and amenity grassland. New tree planting and wildlife friendly landscaping, new bat and bird boxes, and provisions for hedgehogs will provide biodiversity net gain. The Council's Ecologist has no objection to the proposals subject to compliance with the Ecological Impact Assessment. Subject to the imposition of an appropriately worded condition it is considered that the development accords with CP57 and CP50 of the CS.

### Designing out crime

In their comments to the application, the Designing Out Crime Officer has expressed concerns that the boundary treatment around the site is not secured as it is not 1.8m along the entire boundary.

The proposed treatment to the frontage along Cocklebury Road and along Sadlers Mead to the main vehicular entrance is to be a 0.5m tall red brick retaining wall, with a 1m high railing above (1.5m total), with metal railing pedestrian access gates. Proposed boundary treatments at the rear of the site comprise 1.8m high close timber board fencing. The

boundary treatment on the southern side of the main vehicular entrance on Sadlers Mead, and the recessed frontage onto Cocklebury Road would comprise 1.8m of high steel vertical railings and steel posts.

Given it is a key view point, the treatment of the boundaries fronting the corner of Cocklebury Road and Sadlers Mead are important factors to a successful scheme, since in this location the site is highly prominent and does much to influence the character of the North Eastern end of the Conservation Area. The existing site boundary along Cocklebury Road comprises a low red brick wall, and it is understood this historically had railings above and the Chippenham Conservation Area Management Plan states that a potential enhancement to the conservation area could result from the restoration of the railings in front of the original technical school building. As such the proposed new boundary treatment would be appropriate in this location. However an increase in height of these would be less desirable in urban design terms. The majority of the site boundaries are 1.8m, apart from the key frontage and vehicular access. On balance, it is not considered the proposed boundary treatments would cause adverse concern in respect of security and it is important the design of the frontage is high quality.

With regard to security in other respects, the Designing out crime officer advises that the development should be provided with CCTV around the perimeter and within the parking area. In this particular instance, such details can be the subject of an appropriate worded planning condition.

### Affordable Housing

The Affordable housing policy requirement for the site is 40% at nil subsidy. The application is for 44 retirement living apartments in C3 use, and 69 assisted living units comprising 28 1-bedroom and 41 2-bedroom units in C2 use. The assisted living units will be provided as affordable housing and secured by S106 agreement. The proposal would exceed the policy requirement for affordable housing and therefore accords with CP43 of the Wiltshire Core Strategy.

## **10. S106 contributions**

Planning obligations are needed to mitigate the impacts of a development proposal and to render the development acceptable in planning terms. It is recommended that planning permission only be granted in the event that an agreement is first entered into by all relevant parties under s106 of the Town and Country Planning Act 1990 (as amended).

The applicant has submitted a draft S106. The applicant has proposed 41 affordable housing units within the S106, but intends to provide 69 affordable housing units in total. They have stated that as some of the units require Homes England Grant Funding to facilitate the viable delivery of the proposed 28 no. affordable rented units. This means that the affordable rented units cannot be referred to or included within any legal agreement associated with the planning permission. The Council's affordable housing officer has stated "the CP43 nil subsidy policy requirement would still need to be protected in case this aim is not achieved. An either/or cascade will be required in the S106 Agreement which recognises the scheme delivered and the CP43 policy requirement but provides the option of negating this if block of 69 Affordable Housing units to be delivered with subsidy. We regularly use this cascade mechanism in S106s to support Registered Providers where there is an opportunity to secure grant funded units." Planning permission would only be granted subject to a suitable S106 to secure 40% affordable housing as per Core Policy 43 of the WCS.



The Council's Wayfinding Placement Study found that wayfinding totems for walking and cycling were recommended in close proximity to the site. The Council's Highway Engineer has confirmed these are still required and would take the form of a contribution of £6,000. During the application process, the applicant has agreed to a way finding contribution if this is in accordance with Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.

Other than affordable housing and wayfinding signage, the expected obligations for the proposal (other than CIL) comprise:

- Management company to maintain open space
- Management Company arrangements for commercial collection of waste

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

As per the analysis above, there is some conflict with Development Plan policies due to the loss of a non-designated heritage asset which has a minor negative impact on the setting of the conservation area. However, failure of the proposed development to comply with CP58 is not necessarily fatal to the acceptability of the proposed development. Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

The benefits of the scheme are clear. It would bring forward needed market and affordable housing. Significant weight should also attach to the economic benefits immediately associated with the proposal in terms of job creation and/or maintenance and spend in the local economy.

Set against these benefits there is a low level of harm associated with the loss of the original school building which is a non-designated heritage asset, and consequently this results in minor harm to the conservation area. However, it has to be acknowledged that at the same time there are also benefits to the character and appearance of the conservation area through the removal of the existing unsightly modern extensions and the replacement with the modern development being proposed. In this case the harm is not so great as to justify refusal as the harm caused by the proposal does not come close to outweighing the benefit, let alone "significantly and demonstrably".

This scheme would have an acceptable impact on the way the settlement looks and functions, indeed the Core Strategy is seeking to redevelop this part of Chippenham. Those benefits would not come at the cost of significant harm to the character and appearance of the local area and heritage assets. They would not damage the objectives of the plan and would comprise sustainable development on a brownfield site.

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

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

**RECOMMENDATION: Subject to all parties entering into an agreement under s106 of the Town and Country Planning act 199 (as amended) in respect of the following matters:**

- **Affordable housing**
- **3x way finding signs in local area – £6000**
- **Management company to maintain open space**
- **Management Company arrangements for commercial collection of waste**

**That Planning Permission be GRANTED subject to the following conditions:**

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

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

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

Plans received by the LPA 13/05/22:

Site Location Plan SO-2793-03-AC-0000

SO-2793-03-AC-0001-SITE EXISTING

SO-2793-03-AC-1004-C - AHG - ROOF PLAN GA

SO-2793-03-AC-1104-D - RL - ROOF PLAN GA

SO-2793-03-AC-3200-F -CONTEXT SECTIONS - SHEET 1

SO-2793-03-AC-3201-F - CONTEXT SECTIONS - SHEET 2

SO-2793-03-LA-916---TYPICAL LANDSCAPE DETAILS - SHEET 1

SO-2793-03-LA-917-A-TYPICAL LANDSCAPE DETAILS - SHEET 2

Tree Protection Plan 1718-KC-XX-YTREE-TPP01RevA

Tree Constraints Plan 1718-KC-XX-YTREE-TCP01REV0

Tree Survey and Impact Assessment Rev A

Tree Retention and Removal Plan SO-2793-03-LA-902-A

Received by the LPA 01/08/22:

Ecological Impact Assessment Report (Abbas Ecology, July 2022)

Received by the LPA 17/08/22:

Proposed Drainage Strategy Report (Jubb, July 2022)

Plans received 24 August 2022:

SO-2793-03-AC-0002-REV G PROPOSED SITE PLAN

SO-2793-03-AC-1000-REV G AHG - GROUND FLOOR PLAN GA

SO-2793-03-AC-1001-REV F AHG - FIRST FLOOR PLAN GA

SO-2793-03-AC-1002-REV F AHG - SECOND FLOOR PLAN GA

SO-2793-03-AC-1003-REV F AHG - THIRD FLOOR PLAN GA

SO-2793-03-AC-1100-REV E RL - GROUND FLOOR PLAN GA

SO-2793-03-AC-1101-REV E RL FIRST FLOOR PLAN GA

SO-2793-03-AC-1102-REV E RL - SECOND FLOOR PLAN GA

SO-2793-03-AC-1103-RL – Rev G - Third Floor Plan GA

SO- 2793- 03- AC-2100- Rev H- RL Elevations North and East

SO-2793-03-AC-2101-REV H - RL ELEVATIONS SOUTH AND WEST

SO-2793-03-LA-901-I-LANDSCAPE GENERAL ARRANGEMENT PLAN

SO-2793-03-LA-915-E-PLANTING STRATEGY PLAN

Energy Statement dated 16.08.22

Plans received 05/01/23:

For the avoidance of doubt, the materials to be used within the blue boxes highlighted on the following two plans shall be in accordance with the annotations on the plan i.e. detailing of a stone finish to be applied in this area comprising Shearstone standard range (Cotswold Village Cottage). Random mix in a 3 course mix. Light Buff); or other stone as agreed with the LPA.

SO-2793-03-AC-2001-REV H AHG ELEVATIONS SOUTH AND WEST and

SO-2793-03-AC-2000-REV H AHG ELEVATIONS NORTH AND EAST.

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

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

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

- 4 No development shall commence on site until the exact details and samples of the materials to be used for the external walls, roofs, windows, balconies and rain water goods have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area

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

the Local Planning Authority.

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

6 No demolition, site clearance or development shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees has been submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following:-

- A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2012 and a plan indicating the alignment of the protective fencing. The plan should show the canopy spread and root protection of all retained trees;
- A specification for scaffolding and ground protection within tree protection zones in accordance with British Standard 5837:2012;
- A schedule of tree works conforming to British Standard 3998: 2010;
- Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;
- Plans and particulars showing the siting of the service and piping infrastructure;
- A full specification on how the existing building (situated adjacent of the Beech tree) will be demolished and reconstructed. Details of where the plant hire will be sited to demolish the outbuilding and where transport will be positioned to take away materials off site. Details of how the hardstanding will be removed within the RPA of retained trees;
- Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and
- Details of all other activities, which have implications for trees on or adjacent to the site.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country

Planning Act 1990.

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

REASON: In the interests of highway safety.

- 8 No part of the development shall be first occupied until the visibility splays shown on the approved plans Visibility Splay New Proposed access location 034.0139.003 rev B have been provided with no obstruction to visibility at or above a height of 0.6m above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety

- 9 The development hereby permitted shall not be occupied, until the cycle parking facilities shown on the approved plans have been provided in full and made available for use. The cycle parking facilities shall be retained for use in accordance with the approved details at all times thereafter.

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

- 10 The development shall not be occupied until an updated Travel Plan (April 2022 Rev 4) 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.

- 11 Each of the apartments hereby permitted shall be occupied only by:

- persons of 55 years of age or over;
- persons living as part of a single household with such a person or persons;
- persons who were living as part of a single household with such a person or persons who have since died.

REASON: The units of the retirement accommodation have been designed for

occupation by persons who satisfy the above criteria and are unsuitable for family housing

- 12 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 additional investigation and risk assessment must be completed to assess the nature and extent of contamination within the following areas:

- a. Location of TPR4 - further asbestos testing is required in order to delineate the extent of asbestos contamination within soils
- b. Following demolition of existing buildings, further trial pits to be excavated beneath the building footprint

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 must be produced. The report should demonstrate the effectiveness of the remedial works.

The verification report 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: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

- 13 The development hereby approved shall not commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of the following relevant measures:
- i. An introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location;
  - ii. A description of management responsibilities;
  - iii. A description of the construction programme;
  - iv. Site working hours and a named person for residents to contact;
  - v. Detailed Site logistics arrangements;
  - vi. Details regarding parking, deliveries, and storage;
  - vii. Details regarding dust and noise mitigation;
  - viii. Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network; and
  - ix. Communication procedures with the LPA and local community regarding key construction issues – newsletters, fliers etc.

There shall be no burning undertaken on site at any time.

Construction hours shall be limited to 0800 to 1800 hrs Monday to Friday, 0800 to 1300 hrs Saturday and no working on Sundays or Bank Holidays.

REASON: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

- 14 No development shall commence on site until a scheme of Ultra Low Energy Vehicle infrastructure has been submitted to the LPA. Active\* EV charging points must be installed within at least 25% of the total number of allocated resident parking spaces.

\*Active provision defined as a free standing or wall mounted, weatherproof, outdoor charging unit for electric vehicles with the capacity to charge at 7kw (32A) that has sufficient enabling cabling to upgrade that unit and to provide for an additional recharging unit of the same specification.

The scheme is to be approved by the LPA prior to implementation and thereafter be



permanently retained.

REASON: Core Policy 55; Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

- 15 The applicant shall submit a Construction Environment Management Plan to demonstrate how during construction water quality and quantity will be appropriately managed in order to prevent an increase in pollution / flood risk.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that there is not an increase in pollution / flood risk.

- 16 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", and any additional surveillance equipment, have been submitted to and approved in writing by the Local Planning Authority. The approved lighting and surveillance equipment shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site, urban design and security

#### INFORMATIVES TO APPLICANT:

- The roof space of building A is used as a bat roost. Under the Conservation of Habitats and Species Regulations 2017, it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that a European Protected Species Licence will be required before any work is undertaken to implement this planning permission. Future conversion of the roof space to living accommodation or replacing the roof could also breach this legislation and advice should be obtained from a professional bat ecologist before proceeding with work of this nature.
- The application involves creation of access points onto the Public Highway. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath,

carriageway, verge or other land forming part of the highway. Please contact the vehicle crossing team on (01225) 713352

## Appendix A – Full Highways Engineer Comments

### Vehicle Access

Visibility splays at Sadlers Mead access points – in comparison to previous application, I note that the access point has now been relocated closer to Cocklebury Road. I note the speed surveys that have been carried out and attached in TA. With regard to drawing Visibility Splay New Proposed access location 034.0139.003 rev B contained in Appendix D, I am satisfied the visibility splay demonstrated complies with MfS guidance.

Dropped kerbs – I note in close proximity of the access there is a dropped kerb, please indicate this on the drawing, if it conflicts with the access this will need to be re-located. A lowered kerb crossing must be provided on the desire line in suitable position to provide a link to the town centre via Monkton Park.

### Personal Injury Accidents

With regard to paragraph 2.29 in the TA, the dates are 2016-20, with no precise date. This is two years out of date and needs to be updated accordingly.

### Servicing / Refuse collection / Fire tender access

I note that the TA (3.29) outlines that refuse collection will be from the internal roads and has demonstrated turning within the vicinity of the access. I assume that refuse access will be a private contractor and not Wiltshire council vehicles entering the site – this would require private agreement. I suggest that you consult the waste team relating to these issues. On the basis these arrangements are a low number during the week, I am satisfied with the swept path analysis demonstrated.

I am satisfied with the fire tender access of the buildings. But please consult Fire Service.

### Red/ Blue lines

I note that there is no vehicle access or emergency access via Cocklebury Road/ College site – Please confirm that this is the case.

### Car Parking

The proposal includes 44 living retirement units (26 - 1 b and 18 - 2b) providing 31 car parking spaces and 69 extra care apartments (28 2b, 41 2b) providing 40 car parking spaces. Please note that maximum standards apply to sheltered accommodation (1 per 2 units + 1 space per 5 units) and retirement homes (1 per unit + 1 space per 5 units). Please note that I consider that a condition/ S106 to restrict occupier to 60 years of age plus must be applied to the retirement living units. These are ratios of 0.58 spaces per apartment (Anchor) and 0.70 spaces per apartment (MCS) respectively. When set against the details included in Appendix E of the TA, I consider this standard reasonable. The consultant is front loading likely content that would be

used to contest a car parking objection on highway grounds.

I note the car parking spaces proposed and the justification provided in the TA. Set against the Council car parking standards I am prepared to accept the proposed car parking and justification provided by the TA. I am satisfied that it suitably addresses the car parking standards. I also consider that policy PS6 of the car parking standards is relevant, where car parking demand is likely to be low and car parking overspill can be managed, reduced car parking provision can be considered. Car parking provision considerations need to take into account the nature of the proposal, town centre location/ facilities and public transport provision in the vicinity (bus stop 60m, railway station 200m) . I would also like to note the locations of car parks in the vicinity and also the provision of TROs on the adjoining roads to ensure is car parking is managed on the Public Highway.

I consider that if a highway objection on the grounds of a lack of car parking was raised, contrary to the above recommendation, in this instance I do not consider that there would be sufficient grounds to withstand appeal, taking in account paragraph 111 of the NPPF relating to unacceptable impact on highway safety or residual impact on highway network severe.

#### Car Electric Charging points

I note that Appendix E includes provision for 3 EV charging points. Please check the requirements for the Building Regs team for clarity. But 3 EV spaces appears to be insufficient. Details for future installation, cabling also required.

Cycle Facilities – There is little clarity with regard to secure cycle parking, 5 sheffield stands and 3 sheffield stands. This should be secured, sheltered accommodation to encourage cycling – please clarify in both the retirement living and the extra care blocks. How many spaces in the scooter store in retirement living and the extra care for both cycling and scooters?

TRIP generation – The Trip generation figures for the proposed used have been prepared using TRICS data and McCarty and Stone site selection data. Existing movements of the site have been taken from the previous TA. The methodology for the trip generation seems reasonable.

I note that the proposed trip generation is less than the consented scheme and less than the historical use of the college. As summarised in Table 10 and Table 11, the proposed development proposes to produce significantly less vehicular traffic during the AM and PM peak than both the existing development and the 2018 consented development. Therefore, it is not considered that the development will have a negative impact upon the surrounding highways network. On this basis, a brownfield site, I do not consider that there could be any grounds to seek further junction analysis or that a highway objection on grounds of increased vehicle movements / impact on junctions could be raised.

Way finding (signage) – I note that previously wayfinding fingerposts will be required at a cost of £2k each, so a total contribution of £6k. This cost is based on the outline costs in the

Chippenham Wayfinding Sign Placement study.

Please address the transportation comments below. Please note that an outline Travel Plan is required at this stage – please supply. I am also seeking clarity from that team with regard to the lengths, extent of the improvements linking the site/ Monkton Park with town centre.

Subject to the above details being provided and suitably clarified, I recommend the following draft highway conditions at this stage:

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

REASON: In the interests of highway safety.

2. No part of the development shall be first occupied until the visibility splays shown on the approved plans Visibility Splay New Proposed access location 034.0139.003 rev B have been provided with no obstruction to visibility at or above a height of 0.6m above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

Reason: In the interests of highway safety

3. The development hereby permitted shall not be occupied, until the cycle parking facilities shown on the approved plans have been provided in full and made available for use. The cycle parking facilities shall be retained for use in accordance with the approved details at all times thereafter.

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

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

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

Informative:

The application involves creation of access points onto the Public Highway. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact the vehicle crossing team on (01225) 713352

Regards

Paul

PAUL GALPIN  
Development Control Engineer  
Sustainable Transport,  
Wiltshire Council,  
County Hall,  
Bythesea Road,  
Trowbridge,  
Wiltshire, BA14 8JN

From: Gosling, Laura <[Laura.Gosling@wiltshire.gov.uk](mailto:Laura.Gosling@wiltshire.gov.uk)>  
Sent: 16 June 2022 09:28  
To: Highways Development <[HighwaysDevelopment@wiltshire.gov.uk](mailto:HighwaysDevelopment@wiltshire.gov.uk)>  
Cc: Drinkwater, Spencer <[spencer.drinkwater@wiltshire.gov.uk](mailto:spencer.drinkwater@wiltshire.gov.uk)>  
Subject: RE: PL/2022/03760 Planning Application for Consultation

In respect of this planning application, a Travel Plan should be submitted as the site meets the thresholds set out in WC's Development-Related Travel Plan guidance.

I note that cycle parking will be provided within the mobility scooter store, but the number of cycle parking spaces should be increased to meet the parking standards set out in WC's Cycling Strategy.

I note that electric vehicle charging points will be provided at the site and this is welcomed.

Pedestrian and cycle accessibility in the location of the site has recently been improved via Local Enterprise Partnership funding with the provision of a new shared use path along Sadlers Mead and new crossing facilities on Cocklebury Road. However, access into the town centre via Monkton Park may still be challenging for more elderly residents. A contribution towards the improvement of the pedestrian/cycle paths through Monkton Park should be sought to improve the pedestrian/cycle environment at this location and improve access into the town centre.

**From:** Galpin, Paul <[paul.galpin@wiltshire.gov.uk](mailto:paul.galpin@wiltshire.gov.uk)>

**Sent:** 25 November 2022 13:31

**To:** Fox, Rose <[Rose.Fox@wiltshire.gov.uk](mailto:Rose.Fox@wiltshire.gov.uk)>

**Subject:** RE: PL/2022/03760 - Former Wiltshire College, Cocklebury Road, Chippenham - Urgent

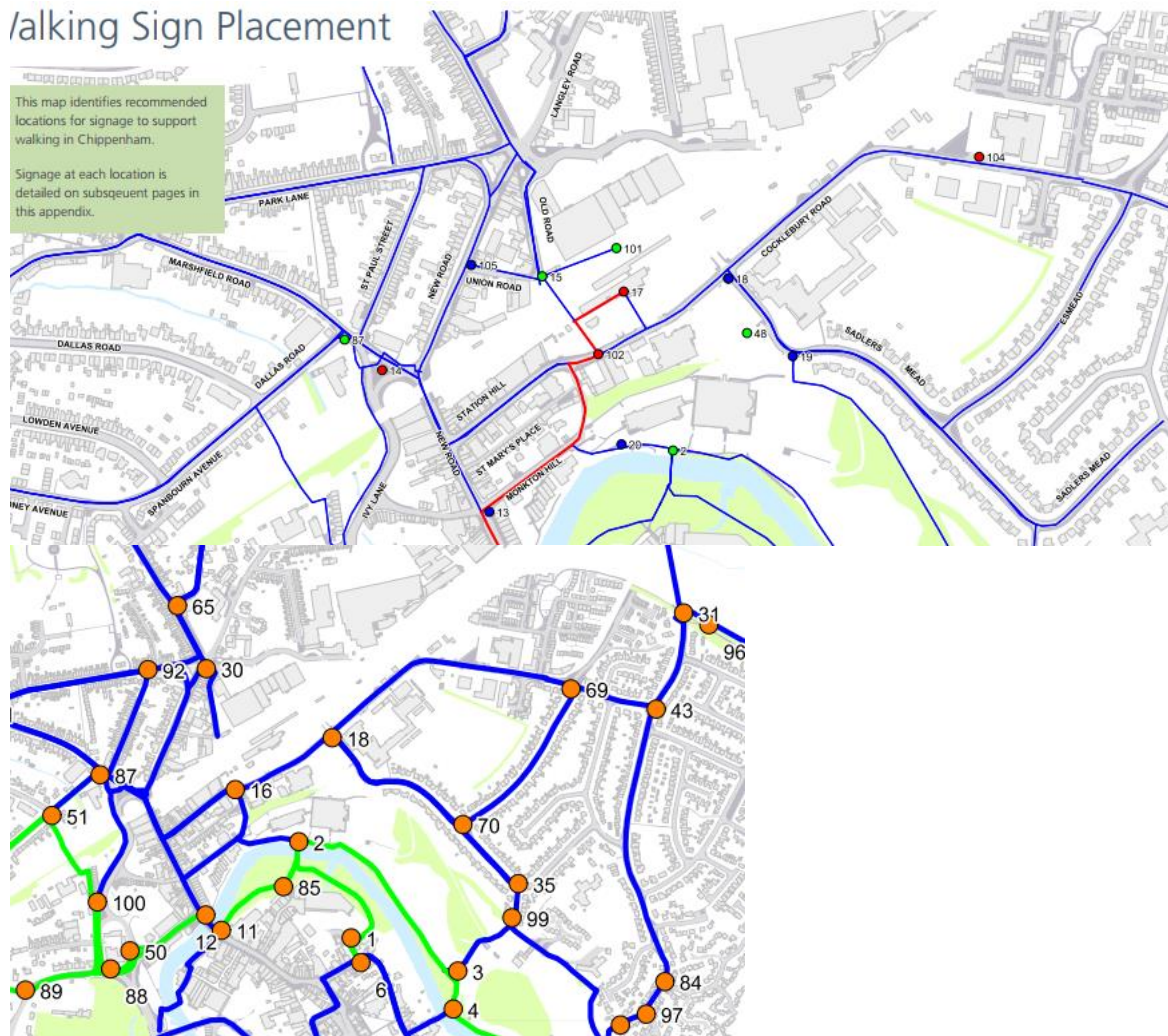
Dear Rose

I refer to the amended details.

I can confirm that I am satisfied with the additional details clarified in the response letter dated 27 July.

With regard to the query relating to Wayfinding, some excerpts below from the Chippenham [Wayfinding Placement Study](#). Wayfinding totems for walking and cycling (as indicated by blue and orange dots on the maps below) were recommended in close proximity to the site. It is my understanding that these are still required. A contribution of £6,000. If these works are not carried out/ provided by other sources, I am happy monies can be returned in full.

### Walking Sign Placement



With regard to the travel plan, I am satisfied that this can act as a framework travel plan. An amendment to my previously suggested condition 4, that it is updated prior to occupation of the proposal.

4. The development shall not be occupied until an updated Travel Plan (April 2022 Rev 4) 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.

Kind regards,

**PAUL GALPIN**  
Highway Development Control Engineer (Level 3)  
Wiltshire Council  
Sustainable Transport Group  
County Hall, Trowbridge, Wiltshire  
BA14 8JD.

**Wiltshire Council**

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**Appendix B – Full Urban Design comments**

## Wiltshire Council Planning Consultation Response

### URBAN DESIGN

#### Officer name:

Brian Johnson Dip Arch RIBA  
Senior Urban Design Officer  
Wiltshire Council

**Date:** 16.06.2022 [20.10.2022 'Revised Plans' August 2022](#)

Application No: PL/2022/03760

Proposal: Erection of Retirement Apartments (Category II Type) with communal facilities and car parking & erection of assisted living accommodation (Class C2) with communal facilities and car parking.

Site Address: Former Wiltshire College Chippenham, Cocklebury Road, Chippenham.

Case Officer: Thomas Bostock [Rose Fox](#)

#### Recommendations:

	No Comment
X 16.06.2022	Object (for reasons set out below)
<a href="#">X 20.10.2022</a>	No objections

#### Reference:

Case Files indexed 13<sup>th</sup>, 17<sup>th</sup> and 26<sup>th</sup> May 2022 on Wiltshire Council Planning Register webpages for PL/2022/03760. [20.10.2022 Case Files 'Revised Plans' indexed 24<sup>th</sup> August 2022](#) ([Response in blue text below](#))

#### Policy and guidance:

Wiltshire Core Strategy Core Policy 57 'Ensuring high quality design and place shaping', 'National Design Guide' (MHCLG September 2019), 'Building for a Healthy Life' (Homes England June 2020).

Design matters raised in my consultation response dated 23.12.2021 on ENQ/ 2021/0442 satisfactorily addressed:

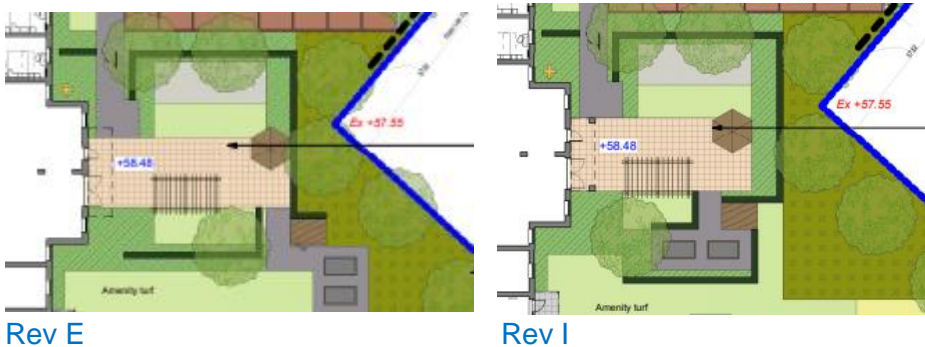
Re specific detail within point 1: The proposed design in its scale (massing and height) and built form is essentially as that proposed on the sketch elevations to ENQ /2021/04420. These drawings have been firmed up with modelling of the façade adjusted to now show an appreciably regular and balanced setting out and proportioning between general wall face and contrast wall 'panels' between certain window openings, from the discordant irregular appearance of panels previously shown and the prominent projecting utilitarian balconies on steel legs previously shown awkwardly fronting Cocklebury Road and Sadlers Mead street corner have been appropriately deleted (but see point 4 below) and similarly balconies on their return elevations and on prominent return elevations set back within the site are now shown framed in masonry surrounds.

Re point 3: From reviewing the firmed up drawings now submitted including the Footprint Comparison (Design & Access Statement page 42 and Context Elevations I consider the subject proposed building wing of the Retirement Living building would not be any more dominant than the wing of the planning approved 17/05828/FUL in their respective proximity to the neighbouring existing bungalows on Sadlers [20.10.2022 Revised Plans Aug 2022](#) 16.06.2022 Urban Design consultation response – PL/2022/03760

Mead. ( While this wing would project just forwards of the east façade of the existing southern building element of the college to be demolished and is of nearly twice its façade height but less than half its length ( Re Red outline on Street Elevation A on drawing S-2793-03-AC-2200 -F- Context Elevations. Note the blue outline for 17/05828/FUL appears to be incorrectly shown forward of the proposed on this street line).The private balconies on the north-east corner flats of this wing have also been deleted in response to my comment. I therefore do not now maintain this matter.

I observe however from the 'Landscape General Arrangement Plan' SO- 2793-03-LA-901-G that the residents communal 'courtyard seating area' proposed at level 58.48 extends out from the façade to within 4 metres of the rear garden boundary corner at level 57.55 of the existing bungalow plot so this courtyard level would be only 0.8m lower than the top of the close boarded timber boundary fence and the gazebo structure (with lighting) visible from the bungalow rear garden and the light festooned pergola possibly also (Re: Typical Landscape Details - sheet 1' ). In this proximity this 'elevated' terrace could give rise to an undue level of intrusion on the bungalow garden and the rear gardens beyond in respect of lighting, noise and degree of overlooking.

20.10.2022 re 'Revised Plans indexed 24<sup>th</sup> Aug 2022' - 'Landscape General Arrangement Plan' SO-2793-03-LA-901-I (indexed 24<sup>th</sup> August 2022) No significant change in this context from above Revision E. i.e. Gazabo moved 2 m back and low ' Ornamental shrub and ground cover planting' strip continued past this, reposition of the two raised 'Timber Planter' further from boundary but which also now appear to be at the terrace level on a retaining wall.



A pavement is now incorporated to the side of the vehicle entrance from Sadlers Mead in response to my point 4.

#### Reasons for Objection:

The design of the proposed development would not accord with the standard of design and place shaping required by Core Policy 57 for the following substantive reasons which I largely re-iterate below as explained in my response on ENQ/2021/04420:

- 1) The two apartment buildings would present a visually awkward (cumbersome) built form in the street scene:

While there would appear from the firmed up elevation drawings to be a slight stepping in parapet height and reduced depth of facing forming the skyline above the top floor window heads introduced from that generally apparent on the sketch elevations on ENQ/2021/04420 this would appear superficial and read essentially as a near constant height & line of the facade parapet on the skyline carried across what would be a considerable overall size and extent of the two buildings notably in the three quarter views of the prominent street fronting corner return facades of both apartment buildings from: the Railway Station forecourt; in both directions along Cocklebury Road, and along Sadlers Mead.

In comparison the planning approved 17/05828/FUL appropriately presented a strongly defined set back clerestory top storey i.e. this a clearly expressed separation in wall plane (both in vertical and horizontal plane); contrasting non-masonry facing and deep projecting roof soffit, distinct contrast between the degree of solid to void and width of openings in the stone 'end' elevations to the set in courtyard facing elevations, and a substantial transition in building height facing the southern half of the site boundary along Sadlers Mead down to three and then two and a half storey set into the existing sloping ground level as opposed to the constant four storey height of the subject proposal.

[20.10.2022 re 'Revised Plans indexed 24<sup>th</sup> Aug 2022' -essentially my point 1 is not addressed 'Change in parapet height in certain areas' appears superficial, re Applicant Design response page 22.](#)

- 2) The proposed use of 'white' brick facings or what appears would in essence be a pale buff coloured brick (re: Design & Access Statement page 42) would not be characteristic of the locality and coupled with the expanse of the 'red' brick facings and built form would appear distinctly alien applied on this scale of coverage:

While buff and grey brick have made a limited appearance in the recent Sadler's Mead multi storey car park and appear on the new college building nearby the proposed proliferation of brickwork generally and in the subject design proposal in the street scene and on the scale of use proposed would detract from and diminish the intrinsic characteristic and identity of this historic central area and the town generally which is the considerable use of local stone on street facing facades with 'red' brickwork generally very limited in coverage and extent and confined to secondary facades typically not facing or prominent in views along a street. There are pressures on the erosion of the character and identity of the town not least in residential development proposals through the substantial coverage of brick at the expense of 'stone' facings and latterly also this in not just 'red' but 'buff' coloured brick (which is not a characteristic of the town) through inappropriate superficial tonal colour reference to stone. The 'stone' in the subject proposal is limited to just framing some window surrounds.

In comparison the planning approved 17/05828/FUL appropriately presented near universal stone facing (ashlar) to facades along its Cocklebury Road and Sadler's Mead frontages and continued this across the initial element of return facades where these would be prominent in views along these roads in the street scene.

[20.10.2022 re 'Revised Plans indexed 24<sup>th</sup> Aug 2022' – re Applicant Design Response page 22 and page 23 - There is no fundamental change i.e., in the way I have explained in my above paragraph.](#)

- 3) This local context (re point 2 above) should extend to the design of the street scene perimeter enclosure of the development and form of this which the WC Landscape Officer response to ENQ/2021/04420 outlined. (Re point 4 of my response on ENQ/2021/04420. Planning approved 17/05828/FUL proposed a low natural stone wall along its Cocklebury Road and Sadlers Mead perimeter with existing stone walling being a historic characteristic of the locality along Sadlers Mead opposite and continuing along Cocklebury Road to the east. The subject design proposal in proposing a plinth brick wall and railings along the boundary with Cocklebury Road and the boundary with Sadlers Mead does not include this enhancement of local character.

Across the end of the seven car parking bays in view forward of the general building line which I indicated in my response on ENQ/2021/04420 would visually detract from the street scene is now shown on the General Landscaping Plan some specific shrub and tree planting to mitigate the visual impact of these car bays in proximity to the street. A sizable utilitarian metal clad substation is now also shown placed on this landscaped perimeter in front of the Assisted Living apartment building. This would appear ugly and incongruous in this prominent street scene setting including seen on the slope looking up Sadlers Mead. Collectively the design could integrate these two aspects for example one approach could possibly be a perforated/solid vertical timber boarded screen /pergola either side of the vehicle entrance to the development to obscure and contain these and wider views

[20.10.2022 Revised Plans Aug 2022](#) 16.06.2022 Urban Design consultation response – PL/2022/03760

into the runs of car parking beyond or at least containing the substation in a masonry enclosure matching the building façade. In comparison 17/05828/FUL presented strongly contained landscaped areas along Sadlers Mead.

20.10.2022 re 'Revised Plans indexed 24<sup>th</sup> Aug 2022' – re Applicant Design response page 24:

No change on 'Revised Plans in respect of my first paragraph in point 3- the facings of the proposed boundary walling to the two streets is still shown in brick and not stone. A hedge of the height suggested on page 24 would help form a better degree of closure obscuring these seven car bays from the street but as soft landscaping its maintenance or continued existence ( it could die back, be cut down or removed) to effect this could not be practically controlled by Planning condition and as a short length and isolated element just across the end of these seven bays would also appear incongruous in the street scene, whereas the higher closure would similarly logically continue beyond the vehicle entrance along the street up to the sub-station. The revised 'Landscape General Arrangement Plan' SO- 2793-03-LA-901-I (indexed 24<sup>th</sup> August 2022) still annotates and key references the planting along these seven car bays as 'Proposed shrub planting infill and ornamental shrub and groundcover planting'.

In the above respect a suitable design approach would for example in principle be a higher masonry wall in stone addressing my first paragraph (and with the tree /shrub planting strip behind to the setback parking bays) rather than a hedge inside a low wall on the boundary as for example the relatively recent stone wall on Cocklebury Road obscuring the station car park ( photo below, left side) which appears 1.5 metres high general eye level from the pavement side with a tree line behind this, and this attractively returns /continues as stone wing walls into the parking entrance which the subject proposal should also do (or finish as piers) for a suitable quality of appearance.



- 4) The bracketed railing 'panel' fixed across living room full height windows on the street fronting elevations would be a visually poor substitute for the cantilevered elegant restrained detailed balconies shown on planning approved 17/05828/FUL, even Juliette balconies by giving some comparable articulation would raise the quality of appearance and amenity (i.e. detailed with a shallow platform and short side returns with ability for access onto this forward of the façade).

20.10.2022 re 'Revised Plans indexed 24<sup>th</sup> Aug 2022' Re Applicant Design response page 25:

This has in principle been satisfactorily addressed, turning the Juliette railings previously shown across the openings into cantilevered balconies of significant depth. I have no issue in principle with the use of vertical railings. The design detailing of the balcony including soffit and slab edge as features in the street scene will be important if they are not to appear crude.

- 5) For the above reasons (points 1, 2 and 3) the proposed development would fall well short of the design quality in planning approved 17/05828/FUL for this site. This sets a benchmark for the quality of design including appearance and choice of materials as the Case Officer report on ENQ/2021/04420 explains in the context of the locality and in consideration of the proposed demolition with this current planning application also of the original school building on the site, (a

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significant heritage asset of historic interest and architectural merit not least its considerable articulation of form and attention to detailing not matched in the subject new development proposed). In this context NPPF Section 12 'Achieving well-designed places policy 135 is pertinent to the design proposals in the current planning application.

The above design features of 17/05828/FUL outlined in points above should in principle similarly be applied to the current design proposal for the site including articulation of the top storey; natural or at least RC stone reflective of the local stone in colour and texture to both proposed apartment building street fronting and return facades in the street scene; and stone boundary walls to both streets which relates to the designated Conservation Area on this side including proximity to and setting with the historic listed railway station & forecourt and Monkton Park.

This sensitivity to the local context and setting is necessary for the subject overall scale of development proposed for it to accord with Core Policy 57 and characteristics of Context, Identity, Built Form, Movement, Homes & Buildings of the National Design Guide and Building for a Healthy Life 'Distinctive Places' page 41 para 3,4 'Memorable Character' page 47 para 2,3. The design approach to built form, articulation, modelling and facing of facades conveyed in the following examples show in principle how the above reasons for objection could be addressed on the subject design proposal.

20.10.2022 re 'Revised Plans indexed 24<sup>th</sup> Aug 2022' There is no substantial change in the 'Revised Plans' which overall do not essentially address point 5.



Above: Mc & S Westmead Lane Chippenham – 3 and 4 storey - varied skyline articulation, varying façades to visually break up mass in another long street frontage, substantial local stone faced facades in street scene with complimentary rendered face (flat roof element) between, regular frequent windows, window to wall spacing and proportions, appreciably set back and contrasting top storey facades.



Above left: Mc&S Williamson Court, Lancaster- 4 storey (4 storey including set back clerestory top storey ), regular frequent windows, window to wall spacing and proportions, stone facings.  
Above right: Mc&S Clifton Mews Edinburgh (4 storey including set back clerestory top storey), stone facings.

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## REPORT TO THE AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	<b>1 February 2023</b>
<b>Application Number</b>	<b>PL/2022/00541</b>
<b>Site Address</b>	<b>Chelworth Industrial Estate, Chelworth Road, Cricklade, Swindon, SN6 6HE</b>
<b>Proposal</b>	<b>Demolition of 3 existing buildings and the erection of 3 light industrial buildings use class E, B2 and B8.</b>
<b>Applicant</b>	<b>Ridge and Partners LLP</b>
<b>Town/Parish Council</b>	<b>Cricklade Town Council</b>
<b>Division</b>	<b>Cricklade &amp; Latton</b>
<b>Grid Ref</b>	<b>408409 192353</b>
<b>Type of application</b>	<b>Full planning permission</b>
<b>Case Officer</b>	<b>Callan Powers</b>

### Reason for the application being considered by Committee

The application has been called-in by the Division Member Councillor Bob Jones to consider the scale of development, visual impact upon the surrounding area, relationship to adjoining properties, design, and environmental/highway impact. Two other issues have been raised by the Division Member. These are, (i) outside the framework boundary, and (ii) traffic issues.

### 1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved subject to conditions.

### 2. Report Summary

The application has been the subject of consultation and publicity, including neighbour notification, site notice and publication on the Council's website. Representations have been received from four people objecting to the proposed development.

Cricklade Town Council objects to the proposal.

The key issues for consideration are:

- The principle of the development;
- Highways impact;
- Drainage impact;
- Ecological impact;
- Effect on the character and appearance of the area; and

- The impact on neighbouring uses.

### **3. Site Description**

The application site is located approximately 2km south west of Cricklade on the south-east side of Braydon Lane. It forms part of the Chelworth Industrial Estate. The site comprises approximately 2.4 hectares of land currently occupied by a mixture of office, light industrial, general industrial and storage or distribution buildings. The centre of the site is dominated by an area of hardstanding with buildings mostly situated around the edges.

There are further industrial buildings to the north west and the south west. There is a farm to the north and residential properties also to the north and the east. There are agricultural fields to the south.

The site is accessed from Braydon Lane which bounds the site to the north west.

The site and the locality are identified as being susceptible to ground water flooding; in a groundwater vulnerability zone; water source protection area; with records of protected species of bird; and a Health and Safety Executive site.

### **4. Planning History**

N/93/00063/S73 – Removal of condition no. 5 relating to permission N/88/2923/F – Use of warehouse buildings for packaging and distribution. Approved subject to conditions – 18 February 1993.

N/90/01669/FUL – Single storey extension to form reception area at office/factory. Approved subject to conditions – 21 August 1990.

N/89/00740/FUL - Amendment to N88.2923.F (Change of colour on walls & roof covering for new warehousing). Approved – 28 April 1989.

N/88/02923/FUL – Erection of new warehousing. Approved subject to conditions – 21 November 1988.

### **5. The Proposal**

The application seeks full planning permission to demolish three existing small buildings at the front of the site and to construct a new building at the front of the site and two buildings at the rear of the site. The buildings to be demolished are stated to have a gross external floor area of 618 square metres in total. The proposed buildings are stated to have a gross external floor area of 2,409 square metres in total. Thus, there would be a net increase of 1,791 square metres of gross external floor space.

The walls and roof of the proposed buildings would be clad in metallic silver metal sheets. The window frames, door frames and doors would have a mid-grey powder coated aluminium finish. The size and scale of the proposed buildings would be comparable with some of the existing buildings which would be retained on the site.

### **6. Planning Policy**

Wiltshire Core Strategy (WCS), Adopted January 2015

Core Policy 1: Settlement Strategy

Core Policy 2: Delivery Strategy  
Core Policy 19: Spatial Strategy for the Royal Wootton Bassett and Cricklade Community Area  
Core Policy 34: Additional Employment Land  
Core Policy 35: Existing Employment Sites  
Core Policy 50: Biodiversity and Geodiversity  
Core Policy 51: Landscape  
Core Policy 52: Green Infrastructure  
Core Policy 57: Ensuring High Quality Design and Place Shaping  
Core Policy 60: Sustainable Transport  
Core Policy 61: Transport and New Development  
Core Policy 62: Development Impacts on the Transport Network  
Core Policy 64: Demand Management  
Core Policy 67: Flood Risk

North Wiltshire Local Plan 2011 (NWLP)  
Saved Policy NE18 Noise and pollution

Cricklade Neighbourhood Plan 2026 (CNP), Made March 2018  
Policy H1: The Settlement Boundary  
Policy H8: Foul Water Management, Flood Risk and Surface Water Management  
Policy TT1: Traffic Impact  
Policy B5: The Chelworth Commercial Area

Wiltshire Local Transport Plan 2011-2026  
Car Parking Strategy  
Cycling Strategy

National Planning Policy Framework (NPPF), 2021  
Section 2: Achieving sustainable development  
Section 6: Building a strong, competitive economy  
Section 9: Promoting sustainable transport  
Section 12: Achieving well-designed places  
Section 14: Meeting the challenge of climate change, flooding and coastal change  
Section 15: Conserving and enhancing the natural environment.

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

Cricklade Town Council – Object

The Town Council is concerned about the impact of HGV traffic on the town and on the Conservation Area in particular. They consider the proposal to be in conflict with the neighbourhood plan.

Wiltshire Council Highways – No objection subject to conditions

The Highways Engineer has advised that the proposal would be unlikely to lead to an unacceptable impact on highway safety and that the local network is adequate for the operation of HGV traffic through and around Cricklade. The use of model conditions is recommended to secure a construction method statement, cycle parking facilities, electric vehicle charging points and completion of the access, parking spaces and turning area before the development is first brought into use.

Wiltshire Council Drainage – No objection subject to conditions

The revised drainage strategy is considered to be acceptable subject to conditions requiring:

- i. Confirmation that the existing drainage infrastructure has capacity and is of a suitable condition for re-use;
- ii. Revised hydraulic calculations;
- iii. A flood emergency plan;
- iv. An operations and maintenance plan for the proposed blue roof; and
- v. Details of any additional measures to improve the flood resilience of the development.

#### Thames Water – Comment

Thames Water has commented that network reinforcement works are likely to be required to accommodate surface water drainage from the proposed development, and that network reinforcement works may be required to accommodate foul water drainage from the proposed development. The use of model conditions is recommended in the event of planning permission being granted.

#### Wiltshire Council Public Protection – No objection subject to conditions

The Environmental Health Officer has recommended the use of conditions, which require the submission and approval of a Construction and Environmental Management Plan, details of the measures to be taken in the event that contaminated land is encountered, the provision of ultra-low energy vehicle infrastructure and restrictions on the hours of construction and operation to control noise.

#### Wiltshire Council Ecology – No objection subject to conditions

The Ecologist has raised no objection subject to the use of conditions requiring the submission, approval and subsequent implementation of a Construction Environmental Management Plan (CEMP), Landscape and Ecological Management Plan (LEMP) and details of any new external artificial lighting.

#### Wiltshire Council Landscape – Comment

The Council's Landscape Officer requested a landscaping scheme that would build upon the Blakehill Farm Nature Reserve which borders the south of the application site.

#### Wiltshire Council Waste (Refuse & Management) – No objection

The Waste Technical Officer highlighted the need for suitable storage space for waste containers, which is accessible for a refuse collection vehicle (RCV).

#### Wiltshire Council Archaeology – No Objection

The Council's archaeologist had no further comment.

## **8. Publicity**

As a result of publicity, representations have been received from four people objecting to the proposed development. The comments made against the proposal are:

- The proposed height and location of Building P will create an imposing industrial building overlooking residential property on the opposite side of Braydon Lane;
- An increase in HGV traffic visiting the site and passing through Cricklade;
- Noise and vibration from HGVs travelling along Braydon Lane;
- The effect of HGVs on the surface of Braydon Lane;
- The inability of Cricklade High Street to cope with an increase in large vehicles;
- A lack of facilities for lorry drivers;
- The risk of flooding to neighbouring property;
- Conflict with the Neighbourhood Plan;

- Conflict with Wiltshire Council's Climate Strategy; and
- The development would be better located beside the A419/major road network.

## 9. Planning Considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Section 70(2) of the Town and Country Planning Act 1990 provides that:

In dealing with an application for planning permission, the authority shall have regard to:

- the provisions of the development plan, so far as material to the application,
- a post-examination draft neighbourhood development plan, so far as material to the application,
- any local finance considerations, so far as material to the application, and
- any other material considerations.

For the purpose of determining this application, the development plan comprises the Wiltshire Core Strategy Adopted January 2015 (WCS), the Saved Policies of the North Wiltshire Local Plan 2011 (NWLP) and the Cricklade Neighbourhood Plan 2026 (CNP).

### Principle of the development

Core Policy 1 of the WCS sets out the settlement strategy for the County. It identifies a hierarchy of settlements to which development will be directed with the aim of achieving sustainable development. Core Policy 2 provides a more detailed delivery strategy for the provision of employment land and housing. It states that, within the limits of development as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages. It continues that, other than in specified circumstances (including additional employment land (Core Policy 34)) development will not be permitted outside the limits of development as defined on the policies map.

Core Policy 19 identifies the settlements in the Royal Wootton Bassett and Cricklade Community Area and the category in which they appear in the hierarchy. Cricklade is categorised as a 'Local Service Centre'. The application site lies outside the settlement framework for Cricklade as defined on the policies map.

Core Policy 34 states that, outside the principal settlements, market towns and local service centres, developments will be supported that "...are for new and existing rural based businesses within or adjacent to Large and Small Villages" where, among other matters, they "b. are consistent in scale with their location, do not adversely affect nearby buildings and the surrounding area or detract from residential amenity" and "e. are supported by adequate infrastructure". The application site is not within or adjacent to a Large or Small Village. Nor is it listed as a Principal Employment Area within Core Policy 35 and Core Policy 19.

The CNP does not allocate the site for development, but it does define the extent of the Chelworth Commercial Area in Figure 14. Policy B5 of the CNP states that, in this Area, proposals to extend the uses into the surrounding countryside will not be supported. It continues that proposals for the conversion or change of use of existing buildings within the

defined Commercial Area to other commercial uses will be supported where the resulting new uses would have a reduced visual impact on the rural environment and would generate a lower level of commercial and/or HGV traffic.

The red-edged application site boundary shown on the submitted location plan extends further north-east and south-east of the boundary of the Commercial Area in Figure 14. However, the proposed development itself does not extend beyond the defined Commercial Area into the surrounding countryside. Therefore, in principle, the proposed development is considered to accord with Policy B5.

The explanatory text in the CNP states that “The Commercial Area is located in an inherently unsustainable location” (4.3.10). While the text is a material consideration that may assist with interpreting the policy, it is not itself policy. There are important differences in the impacts likely to arise from a rationalisation of the existing employment uses as opposed to expansion of the industrial estate into the open countryside. These differences include a reduced landscape impact, the more efficient use of land and the preservation of biodiversity. The two forms of development would not be equivalent to each other and accordingly the text would not override the policy support found elsewhere toward the improvement of existing employment sites.

There is no policy requirement to consider alternative locations for the proposed development, alongside the strategic road network, in the determination of this application. The application is required to be considered on its own merits.

On this basis, it is considered that an objection in principle could not reasonably be sustained as the proposal would not conflict with the development plan. The proposal is acceptable in principle subject to other relevant policies of the development plan and any site specific impacts.

#### Highways impact

The proposal includes retention of the existing accesses into the site as well as the internal access layout.

A Transport Assessment has been submitted as part of the application. The report identifies:

- The proposed development is likely to generate a slight increase in vehicle trips over a twelve hour period; a total of 4 trips which is considered to be de minimis;
- An increase of 8 HGVs over a twelve hour period; again, this is considered to be de minimis;
- No existing highway safety issues on the network close to the site;
- The provision of an additional 20 parking spaces, in accordance with the parking standards; and
- The provision of 10 covered, safe and secure cycle parking spaces.

A framework Travel Plan for the site, to promote sustainable travel, has also been submitted.

The Council's Highway's Officer has reviewed the plans, drawings and documents accompanying the application. Whilst recognising the desire of the Town Council to see no more HGVs operating through the town, he has advised that it would be difficult to object to the proposal based upon an unknown number of future HGV movements. However, from the amount of development proposed, he concluded that the local highway network would be adequate for the operation of such traffic through and around Cricklade.



Accordingly, no objection was raised subject to the use of model conditions to secure a construction method statement, the provision of cycle parking facilities, electric vehicle charging points and completion of the access, parking spaces and turning area before the development is first brought into use.

The effect of construction traffic on the surface of Braydon Lane is capable of being addressed through the approval and subsequent implementation of a construction method statement/management plan. However, the ongoing condition of the surface of Braydon Lane following completion of the development and the general provision of facilities for lorry drivers lie outside the remit of this application.

It is agreed that the application site is an existing established employment site and that the traffic that is likely to be generated by the proposed development can be satisfactorily accommodated on the highway network. The projected amount of traffic is such that the development would neither have an unacceptable impact on highway safety, nor that the residual cumulative impacts on the road network would be severe. Therefore, it is concluded that the proposal would accord with Core Policies 60, 61, 62 & 64 of the WCS, Policy TT1 of the CNP and Paragraphs 110-113 of the NPPF.

#### Drainage impact

A Baseline Flood Study & SuDS Appraisal Report, and a Drainage Strategy have been submitted with the application. The report concluded that the site is situated within Flood Zone 1, at low risk of tidal and fluvial flooding. Also, that all other sources of flooding are considered to be low. It added that the proposed development is not anticipated to result in any increase in impermeable area across the site and it is possible that the existing drainage infrastructure could be largely retained and reused as part of the proposed development. A revised Drainage Strategy was submitted while the proposal was being considered and the Council's Drainage Engineer has no objection subject to the use of appropriate conditions.

Policy H8 of the CNP addresses flood risk and drainage matters in relation to new development in the plan area. Whilst the policy is contained within the housing chapter of the plan it does not refer exclusively to housing development. It states that proposals for new development will be required to demonstrate that they will not increase the risk of flooding or surface water run-off within the site or surrounding area. The policy goes on to state that support will be given to sustainable drainage systems where the use of such facilities will prevent the potential for flooding or surface water run-off. Given the findings of the submitted report and the revised drainage strategy, alongside the Drainage Engineer's comments and recommended conditions, it is considered that the requirements of Core Policy 67 of the WCS, Policy H8 of the CNP and paragraph 167 of the NPPF have been met.

#### Ecological impact

As the site comprises mainly areas of hardstanding and existing buildings, it is of a nature generally unlikely to support protected species on a significant scale. There is a field adjacent to the site, but the proposals would not encroach into this area. However, the possibility of the presence of protected ecology meant that the application initially gave rise to an objection based upon the lack of ecological information.

In response, an Ecological Assessment report has been submitted, which explores whether particular species may be present. While no roosts were discovered supporting bats, there is evidence of badgers foraging within the site. The report concluded that significant impacts upon these animals can be effectively avoided through appropriate measures in the construction phase, while the retention of grassland and the addition of specified plant

species in the landscaping scheme will maintain or enhance the value of the site for foraging.

Although there is a pond nearby, the Ecological Assessment confirms that it is not of a nature generally expected to support great crested newts. Furthermore, due to the distance from the development and its nature, this was not considered to present a significant risk to amphibians. Likewise, no significant risks were identified with respect to protected invertebrates.

The findings of the Ecological Assessment, alongside the proposals to secure a net gain for biodiversity, have been accepted by the Council's Ecologist and the objection has since been withdrawn. Nonetheless, conditions requiring the submission, approval and subsequent implementation of a Construction Environmental Management Plan (CEMP), Landscape and Ecological Management Plan (LEMP) and details of any new external artificial lighting have been recommended. Subject to the use of these conditions, the proposal is considered to accord with Core Policies 50, 52 and 57 of the WCS and Paragraph 174 of the NPPF.

#### Effect on the character and appearance of the area

The application site is part of an existing industrial area with a variety of buildings already in situ. The proposed new buildings would be constructed within the limits of the existing site and would not extend into the surrounding countryside. As such, the site does not appear visually as open countryside or agricultural land, forming an already-urbanised landscape. Consequently, the impact of the erection of the proposed buildings on the character and appearance of the area is considered to be minimal.

Whilst comments have been received about the size of the replacement buildings, particularly the height of proposed 'Building P', they would be significantly less visually imposing than the largest buildings already at the site. In any event, the visual impact can be ameliorated through the use of conditions requiring the submission and approval of details for landscaping and boundary treatments and any external lighting.

As such, it is considered that the proposal does not conflict with the provisions of Core Policies 51 and 57 of the WCS and Paragraph 174 of the NPPF.

#### Impact on neighbouring uses

The presence of residential properties to the north of the site is the exception to what is a broadly industrial/commercial area, albeit it is acknowledged that the residential uses significantly predate the use as an industrial estate. The neighbouring commercial uses are not considered to give rise to any concerns with respect to the compatibility of the proposal.

Comments have been received from neighbouring residents raising concerns regarding the noise and vibration associated with heavy goods vehicles using the public highway. However, given the site's context and existing background sound levels, it is not considered that intensifying the use of this part of the industrial estate, to the degree proposed, would result in significant additional noise and disturbance to the extent that planning permission could reasonably be refused on those grounds. The hours of construction or demolition work are capable of being controlled through the use of a suitably worded condition.

Proposed 'Building P' would be set back further into the site from the Braydon Lane frontage than the existing (retained) buildings B1, B2 and F. The north west elevation of that proposed building has no windows at first floor level from which it would be possible to overlook residential property on the opposite side of Braydon Lane to the north.

Therefore, it is considered that appropriate levels of amenity for the occupiers of neighbouring residential properties would be maintained in accordance with Core Policy 57vii of the WCS, Saved Policy NE18 of the NWLP and Paragraph 185 of the NPPF.

### Other matters

Given the existing and previous uses of the site and adjoining land, the Council's Environmental Health Officer identified the possibility of ground contamination and recommended site investigations prior to the commencement of development, secured through the use of a condition. This is considered to be reasonable and necessary, and sufficient to manage the identified risk. Therefore, it is recommended that a condition be attached to any planning permission that may be granted.

The Environmental Health Officer has also raised air quality as an issue and, while not objecting to the development, requested that a scheme of Ultra Low Energy Vehicle Infrastructure be secured through the use of a condition. The applicant has agreed to this as a pre-commencement condition.

## **10. Conclusion**

Whilst the application site is not within the defined limits of a settlement or a principal employment area, the proposal involves the development of existing commercial undertakings within the Chelworth Commercial Area as defined on Figure 14 and referenced under Policy B5 of the CNP. In this respect, the proposed development is considered to be acceptable in principle.

Planning permission has also been granted in the past for similar uses and similar forms of development on the site and adjacent land.

Subject to the use of planning conditions and the provision of on-site mitigation measures, the proposal is considered unlikely to give rise to any site specific harmful impacts in terms of highways and access, drainage, ecology or landscape that would justify refusal. The siting and design of the proposed buildings and their relationship with neighbouring residential properties would maintain appropriate levels of amenities for existing residents. Therefore, the proposed development would accord with relevant policies of the development plan and the NPPF.

The proposal is likely to result in economic benefits in terms of job creation and provision of improved accommodation capable of meeting the needs of existing local businesses seeking to expand.

## **RECOMMENDATION**

**That Planning Permission be GRANTED subject to the following conditions:**

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

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

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

Drawing No. 004 Revision P4: Proposed North West and South East Elevations, dated 14/01/22 and received 21 January 2022;  
 Drawing No. 005 Revision P4: Proposed North East and South West Elevations, dated 14/01/22 and received 21 January 2022;  
 Drawing No. 010 Revision P4: Proposed Site Plan, dated 14/01/2022 and received 21 January 2022;  
 Drawing No. 011 Revision P4: Unit P Proposed Floor Plan, Section and Elevations, dated 14/01/22 and received 21 January 2022;  
 Drawing No. 013 Revision P3: Unit G1 Proposed Floor Plan, Section and Elevations, dated 14/01/22 and received 21 January 2022;  
 Drawing No. 014 Revision P3: Units H2 & H3 Proposed Floor Plan, Section and Elevations, dated 14/01/22 and received 21 January 2022;  
 Drawing No. 017 Revision P1: Demolition Plan, dated 24/01/2022 and received 24 January 2022;  
 Drawing No. 0001: Visibility Splays, dated 16/12/2021 and received 21 January 2022;  
 Drawing No. 2200: Articulated Vehicle Tracking Plan, received 21 January 2022;  
 Drawing No. 507/01: Landscape Strategy, dated Mar 22 and received 13 April 2022;  
 Building Areas and Eaves Heights, dated 14/01/2022 and received 21 January 2022;  
 Design and Access Statement Revision B, received 21 January 2022;  
 Document No. 16200012519-BFSSA: Baseline Flood Study and SuDS Appraisal, dated January 2022 and received 21 January 2022;  
 Technical Note No. 1620012519-RAM-RP-WA-00001 Version 2: Drainage Strategy, dated 07/06/2022 and received 09 June 2022;  
 Travel Plan, dated January 2022 and received 21 January 2022;  
 Biodiversity Net Gain Note, dated August 2022 and received 08 August 2022;  
 Phase I Environmental Site Assessment Issue No. 01, dated 20 September 2021 and received 21 January 2022; and  
 Application Form, dated 13/01/2022 and received 21 January 2022.

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting or amending that Order with or without modification), the site shall be used solely for purposes within Classes B2, B8 and E(g)(iii) of the Schedules to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

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

4. No development shall take place until a CCTV survey report including a capacity and condition assessment has been submitted to and agreed in writing by the local planning authority. The survey report should make recommendations for improvement if it is discovered that upgrades are required. The development shall proceed in accordance with any recommendations made in the approved report.

REASON: To ensure that drainage is sufficient in capacity and of suitable condition to address the drainage impacts of the development.

5. No development shall take place until a revised drainage strategy, where hydraulic calculations have been updated using a MADD factor of 0m<sup>3</sup>/ha, and any required

changes made to the proposed attenuation volumes to fully attenuate the 1 in 100yr + climate change rainfall without flooding, have been submitted to and agreed in writing by the local planning authority. The development shall proceed in accordance with the approved drainage strategy.

REASON: To ensure that surface water flood risk is safely managed.

6. No development shall take place until details of building-based flood defence measures have been submitted to and agreed in writing by the local planning authority. This should include any maintenance and operational measures required, including for the 'blue roof' installation. The development shall proceed in accordance with the approved details.

REASON: To ensure flood resilient design that is adequately managed and maintained.

7. No development shall take place until a Flood Risk Emergency Plan has been submitted to and approved in writing by the local planning authority. The Plan should follow the guidance set out in the document 'Flood Risk Emergency Plans For New Development', published by the Environment Agency and ADEPT. The Emergency Plan shall include a timetable for monitoring and review, and shall detail where the Plan will be recorded and/or publicised. Once approved the Emergency Plan shall be adhered to thereafter.

REASON: To ensure that an emergency plan is in place in the event of a flooding emergency.

8. No development shall take place until a maintenance plan for the proposed surface water drainage & SuDS features, showing details of proposed maintenance activities, frequency, and their responsible parties, has been submitted to and agreed in writing by the local planning authority.

REASON: To ensure drainage is sufficiently maintained, in order that surface water is managed safely throughout the lifetime of the development.

9. No development shall commence on site until a scheme of Ultra Low Energy Vehicle (ULEV) infrastructure has been submitted to and approved in writing by the local planning authority. Details shall include:

- a) Location and number of active charge points;
- b) Specification of charging equipment; and
- c) Operation/management strategy.

No part of the development hereby approved shall be occupied until the approved Scheme of ULEV Infrastructure has been implemented in full, and that all specified active charge points are live and ready for use. The approved equipment and operation/management strategy shall be actively maintained thereafter.

REASON: Core Policy 55; Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

10. No development shall commence on site until details of secure covered cycle parking have been submitted to and approved in writing by the Local Planning Authority. The

submitted details shall accord with dimensions, access, location, design and security principles laid out in Appendix 4 of Wiltshire's LTP3 Cycling Strategy. These facilities shall thereafter be provided in accordance with the approved details and made available for use prior to the first occupation of the development hereby permitted and shall always be retained for use thereafter.

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

11. The development hereby approved shall not commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of the following relevant measures:

- i. An introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location;
- ii. A description of management responsibilities;
- iii. A description of the construction programme;
- iv. Site working hours and a named person for residents to contact;
- v. Detailed Site logistics arrangements;
- vi. Details regarding parking (of site operatives and visitors), deliveries, and storage;
- vii. Storage of plant and materials used in constructing the development;
- viii. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- ix. Wheel washing facilities;
- x. Measures to control the emission of dust and dirt during construction;
- xi. A scheme for recycling/disposing of waste resulting from clearance, demolition and construction works (including confirming that there shall be no burning associated with construction processes at any time);
- xii. Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network; and

Development shall proceed in strict accordance with the approved CEMP.

REASON: Core Policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

12. Development, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, shall not commence until an Ecological Construction Environmental Management Plan (Ecological CEMP) has been submitted to and approved in writing by the local planning authority. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- a) Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.
- b) Working method statements for protected/priority species, such as nesting birds and reptiles.
- c) Mitigation strategies already agreed with the local planning authority prior to

determination, such as for great crested newts, dormice or bats; this should comprise the pre-construction/construction related elements of strategies only.

- d) Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.
- e) Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).
- f) Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.

Development shall be carried out in strict accordance with the approved Ecological CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

13. Development shall not commence until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets. The LEMP shall also include details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured. The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

14. No development shall commence on site until a final scheme of hard and soft landscaping has been submitted to and approved in writing by the local planning authority. The details of the scheme shall include:

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

REASON: The application contained a landscape strategy including outline planting specification with details reserved for consideration following a decision. 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.

15. In the event that contamination is encountered at any time when carrying out the approved development, the Local Planning Authority must be advised of the steps that will be taken by an appropriate contractor to deal with contamination and provide a written remedial statement to be followed by a written verification report that confirms what works have been undertaken to render the development suitable for use.

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.

16. No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

17. No final surface materials shall be laid until the exact details of the surfacing material to be used for the parking area and the demarcation of the parking bays have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

18. The development hereby permitted shall not be brought into use until a plan showing the precise location of any areas of open storage and specifying a maximum height of open storage within such area(s) has been submitted to and approved in writing by the Local Planning Authority. No materials, goods, plants, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored on the site outside the approved storage area, or above the height agreed as part of this condition.

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

19. The development shall be carried out in strict accordance with the following documents:  
Biodiversity Net Gain Note (Ecology Solutions, 08/08/2022);  
Ecological Assessment, Ecology Solutions, August 2022); and  
Landscape Strategy Drawing no. 507/01 (Enderby Associates, March 2022).

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.



20. 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.

21. No part of the development hereby permitted shall be first brought into use until the access, parking spaces, and turning area have been completed in accordance with the details shown on the approved plans 'Proposed Site Plan, 21054\_010\_P3'. The areas shall always be maintained for those purposes thereafter.

REASON: In the interests of highway safety.

22. The development shall not be first occupied until confirmation has been provided to and approved in writing by the local planning authority that either:

- a. All surface water network upgrades required to accommodate the additional flows from the development have been completed; or
- b. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied.

Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

REASON: Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

23. The development shall not be first occupied until confirmation has been provided to and approved in writing by the local planning authority that either:

- a. Foul water capacity exists off site to serve the development; or
- b. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan; or
- c. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.

REASON: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

24. The development hereby approved shall not enter use until a validation and completion report, prepared by a suitably qualified land contamination specialist, confirming that works have been completed in accordance with the recommendations of the Phase I Environmental Assessment and that there is no or minimal risk to human health or environmental health or to buildings, has been submitted to and approved in writing by the local planning authority.

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 appropriate authoritative guidance.

REASON: In the interests of environmental health as recommended by the Phase I Environmental Assessment, to ensure that the risk of contamination is managed appropriately.

25. No new external artificial lighting shall be installed at the site unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of conserving biodiversity.

#### INFORMATIVES TO APPLICANT:

26. 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.
27. 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.
28. 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.
29. 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.
30. 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 <https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy>.

31. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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