

## AGENDA

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**Meeting:** STRATEGIC PLANNING COMMITTEE  
**Place:** Council Chamber, Bradley Road, Trowbridge  
**Date:** Wednesday 16 November 2011  
**Time:** 10.30 am

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Please direct any enquiries on this Agenda to Roger Bishton, of Democratic and Members' Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713035 or email [roger.bishton@wiltshire.gov.uk](mailto:roger.bishton@wiltshire.gov.uk)

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

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Briefing Arrangements:	Date	Time	Place
<u>PARTY SPOKESMEN</u>	16.11.11	9.30am	Council Chamber, Bradley Road

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### Membership:

Cllr Mark Connolly	Cllr Francis Morland
Cllr Christine Crisp	Cllr Stephen Petty
Cllr Andrew Davis	Cllr Anthony Trotman
Cllr Peter Fuller	Cllr Ian West
Cllr Charles Howard	Cllr Fred Westmoreland
Cllr Chris Humphries	Cllr Graham Wright
Cllr Julian Johnson	

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### Substitutes:

Cllr Ernie Clark	Cllr John Knight
Cllr Bill Douglas	Cllr Jacqui Lay
Cllr Nick Fogg	Cllr Mark Packard
Cllr Mollie Groom	Cllr Leo Randall
Cllr Russell Hawker	

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## PART I

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

1. **Apologies for Absence**

2. **Minutes of the Previous Meeting** (*Pages 1 - 10*)

To approve and sign as a correct record the minutes of the meeting held on Wednesday 28 September 2011.

3. **Declarations of Interest**

Councillors are requested to declare any personal or prejudicial interests or dispensations granted by the Standards Committee.

4. **Chairman's Announcements**

5. **Public Participation and Councillors' Questions**

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 in person no later than 10.20am on the day of the meeting.

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. The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice.

#### 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 9 November 2011**. 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. **S/2011/517/OL - Erskin Barracks, Wilton, Salisbury, SP2 0AG - Demolition of existing and erection of 450 houses and 3 hectares of employment site and access** (*Pages 11 - 64*)

A report by the Case Officer is attached.

7. **11/00134/FUL - Westinghouse Recreation Ground, Park Avenue, Chippenham, Wiltshire - Redevelopment of Westinghouse Recreation Ground to Provide 76 Dwellings, Associated Landscaping and Creation of New Vehicular Access following the Demolition of Dwellings 33 and 35 Park Avenue** (*Pages 65 - 80*)

A report by the Case Officer is attached.

8. **11/00420/FUL - Chippenham RFC, Allington Fields, Chippenham, Wiltshire, SN14 0YZ - Erection of Cricket Pavilion, Cricket Nets, Installation of Floodlighting and Extension to Kitchen and Changing Rooms in Existing Building** (*Pages 81 - 88*)

A report by the Case Officer is attached.

9. **Date of Next Meeting**

To note that the next meeting is due to be held on Wednesday 7 December 2011 at Bradley Road, Trowbridge.

10. **Urgent Items**

Any other items of business which, in the opinion of the Chairman, should be considered as a matter of urgency. Urgent items of a confidential nature may be considered under Part II of this agenda.

## **PART II**

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

None

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## **STRATEGIC PLANNING COMMITTEE**

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### **DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 28 SEPTEMBER 2011 AT THE AUDITORIUM, CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.**

#### **Present:**

Cllr Mark Connolly, Cllr Christine Crisp (Vice Chairman), Cllr Andrew Davis (Chairman), Cllr Peter Fuller, Cllr Charles Howard, Cllr Julian Johnson, Cllr Francis Morland, Cllr Stephen Petty, Cllr Leo Randall (Substitute), Cllr Anthony Trotman, Cllr Ian West, Cllr Fred Westmoreland and Cllr Graham Wright.

#### **Also Present:**

Cllr Brian Dalton

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#### **34. Apologies for Absence**

An apology for absence was received from Cllr Chris Humphries (who was substituted by Cllr Leo Randall).

#### **35. Minutes of the Previous Meeting**

##### **Resolved:**

**To confirm and sign as a correct record the minutes of the Committee meeting held on 31 August 2011.**

#### **36. Declarations of Interest**

There were no declarations of interest.

#### **37. Chairman's Announcements**

There were no Chairman's announcements.

#### **38. Public Participation and Councillors' Questions**

Members of the public addressed the Committee as set out in Minute No 39 below.

There were no questions received from members of the public or members of the Council.

39. **S/2011/0207/FUL - Rowbarrow Phase 3, Downton Road, Salisbury, SP2 8AS - Erection of 68 Houses and Associated Works for Persimmon Homes (South Coast)**

**The following people spoke against the proposal:**

Mrs Astrid Haydon, a local resident

Mr Mark Mullin, Treasurer of Osmond Fields & Rowbarrow Residents' Association

Mr Tony Cannings, a local resident

**The following people spoke in favour of the proposal:**

The Revd. David Scrace, Vicar of Harnham

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that the planning application be approved subject to a Section 106 Agreement being entered into with respect to the provision of certain mitigation measures and to conditions. He also reported the receipt of two further letters of objection.

The Case Officer explained the relevance of the recent Hampton Park appeal decision which related to an application for 500 dwellings at Bishopdown. At its meeting on 16 February 2011, this Committee had refused planning permission, contrary to officer advice, based on the presumption that until the Core Strategy had been adopted, the development of the site would be contrary to current adopted Local Plan policies. This scheme had very recently been the subject of a major Public Inquiry appeal and the Secretary of State had in the last few days had issued his decision to allow the appeal.

A site visit had taken place earlier that morning in respect of the application at Rowbarrow now under consideration, which had been attended by Cllr Mark Connolly, Cllr Christine Crisp, Cllr Andrew Davis, Cllr Peter Fuller, Cllr Charles Howard, Cllr Julian Johnson, Cllr Francis Morland, Cllr Stephen Petty, Cllr Leo Randall, Cllr Tony Trotman, Cllr Ian West and Cllr Fred Westmoreland.

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

Members then heard the views of Cllr Brian Dalton, the local member who, whilst welcoming in general terms the provision of additional housing, did not consider that the site was suitable for the proposed level of development. He was disappointed that there had not been an overall development plan in this

area which had resulted in the granting of a number of planning permissions over several years without the provision of improved infrastructure usually provided under a Section 106 legal Agreement with large scale developments.

Members of the Committee then considered the application and the following points were made during the debate:-

- There was a need to protect what was left of the gap between Salisbury and Britford.
- Most of the objections received appeared to be about the loss of a green field site. These sites should be protected and priority should be given to development taking place on brown field sites wherever possible.
- Proposed access arrangements for works vehicles to the site did not appear to be completely satisfactory and it was suggested that the applicant explore the possibility of using an access from the adjoining dairy.
- The possibility be explored of securing a proportion of the affordable homes for local people (should planning permission be granted).

After further discussion,

**Resolved:**

**To grant planning permission for the following reasons:-**

**The site is not allocated in the current adopted Local plan, and technically forms part of open countryside. The proposal is therefore contrary to current local plan policies C7, & H23. However, the land subject of this application is referred to in the emerging SW Core Strategy as being suitable in principle for residential development, and the provision of additional dwellings, including affordable dwellings, would be in line with future Council planning policy. The proposal would also accord with sustainable housing guidance provided in PPS3, and in line with emerging Central Government planning policy.**

**Furthermore, the development would have little visual impact on the wider countryside, the design is considered acceptable, and the long term impacts on surrounding residential amenity would be limited. The utilisation of an established road system and junction would limit the impact of the additional dwellings on the highway system. The proposal would not have a significant impact on the heritage assets or the ecology of the area, or the protected river system.**

**Subject to:-**

(a) A Section 106 Legal Agreement being entered into with respect to the provision of the following mitigation measures:-

- PROVISION OF 40 PERCENT AFFORDABLE HOUSING, TO INCLUDE SOME HOMES FOR LOCAL PEOPLE WHERE APPLICABLE UNDER COUNCIL POLICY
- PROVISION OF ON SITE OPEN SPACE
- FINANCIAL CONTRIBUTIONS TOWARDS PROVISION AND MAINTENANCE OF ON AND OFF SITE PUBLIC OPEN SPACE
- CONTRIBUTIONS TOWARDS OFF SITE EDUCATIONAL FACILITIES
- FINANCIAL CONTRIBUTION TOWARDS THE PROVISION OF OFF SITE COMMUNITY CENTRE/COMMUNITY FACILITIES
- FINANCIAL CONTRIBUTION TOWARDS OFF SITE HIGHWAY FACILITIES/INFRASTRUCTURE – BUS LANE
- FINANCIAL CONTRIBUTION TOWARDS THE PROVISION OF HOUSEHOLD WASTE RECYCLING FACILITIES FOR EACH DWELLING
- PROVISION OF AND FINANCIAL CONTRIBUTION TOWARDS THE MAINTENANCE SCHEDULE FOR LANDSCAPE BUFFER ALONG SOUTHERN BOUNDARY
- PROVISION OF, AND PROTECTION AND ENHANCEMENT OF EXISTING TREES BELT AND LINEAR PARK

(b) The following conditions:-

01 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.

02 The development hereby approved shall be carried out in accordance with the plans, sections and elevations submitted on 7<sup>th</sup> February 2011 (as listed on Tetlow King plans list issue sheet dated 2<sup>nd</sup> February 2011), and the submitted Site Waste Management Plan, the Bat Survey Report dated September 2010, the submitted lighting details, the Arboricultural Implications Assessment by ACD dated 28<sup>th</sup> January 2011, the Flood Risk Assessment/Surface Water Drainage Proposals, and the Construction Environmental Management Plan dated January 2011, unless otherwise agreed in writing by the Local Planning Authority.

**REASON:** For the avoidance of doubt, and in order to limit the impact of the development on surrounding amenities, and surrounding environment, and protected species, including the SAC/SSSI.

Policy G2 G3 & C12 – impacts on general amenities and environment



**03 Prior to first occupation of the dwellings hereby approved, a scheme for the protection of the occupiers of those dwellings located adjacent to the south eastern boundary of the site from noise generated by the adjacent commercial dairy operation shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed scheme.**

**REASON: In order to limit the impact of noise from the adjacent commercial dairy on future occupiers of the scheme.**

**Policy G2**

**04 Before development commences, exact manufacturers details of the materials to be used in the development shall be submitted to and agreed in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the palette of materials and colours used in the development shall accord with those shown in the design and access statement. Development shall be carried out in accordance with the agreed scheme. This condition relates to all dwellings and also the garages, walls, railings and hardstanding areas.**

**REASON: In order to ensure that the scheme is constructed in accordance with the aims of the development brief and the design and access statement and that the scheme is visually similar to the existing housing estate currently being constructed.**

**Policy G2**

**05 The garages hereby permitted shall not be converted to habitable accommodation.**

**REASON: In order to retain sufficient parking space on the proposal site in the interests of the wider highway network**

**Policy G2**

**06 Before occupation of any dwelling, the associated car parking serving that dwelling, including any visitor spaces, shall have been constructed, provided and made available for parking purposes for occupiers of that dwelling.**

**REASON: In order to retain sufficient parking space on the proposal site in the interests of the wider highway network**

**Policy G2**

**07 No development shall commence until:**

**a)A written programme of phased archaeological investigation and mitigation, which should include on site work and off site work, including the analysis, publishing and archiving of the results, has been submitted to and approved in writing by the Local planning Authority; and**

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

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

#### **Policy CN20 -23**

**08 Before works commence on site, the locations and designs of ecology enhancements detailed in the Ecology Assessment (ACD October 2010) will be supplied for approval by the Local Planning Authority . The works will be undertaken in accordance with the approved locations and designs.**

**REASON: In order to ensure that the ecological enhancements and mitigation measures are delivered.**

#### **Policy C12 & PPS9**

**09 Prior to any development commencing the trees adjacent to the development, namely the tree belt adjacent Downton Road and the trees adjacent to the right of way along the south eastern boundary of the site, shall be protected in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority. The agreed protection measures shall remain in place until the development has been completed.**

**REASON: In order to ensure that existing trees are protected during construction works.**

#### **Policy G2**

**10 Development shall be conducted in accordance with the approved Flood risk Assessment (ref: MJA Consulting - AMc/4260 Rev B, dated November 2008) and shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed, and is to include details of how the scheme shall be maintained and managed after completion.**

**REASON:** To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity where practical, and to ensure future maintenance of the surface water drainage system.

**Policy G2 & G4, PPS25**

**11.** No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

**REASON :** In the interests of sustainable development and prudent use of natural resources.

**Policy G1 & G2**

**12** Before occupation of any of the dwellings, a scheme for the timing of planting of the all the proposed tree and shrub planting within the red line of the application site shall be submitted to and approved in writing by the Local Planning Authority. Planting shall be carried out in accordance with the agreed scheme, and in accordance with the Landscape Specification and Landscape Management and Maintenance Plan by ACD dated January 2011.

**REASON:** In order to enhance the visual appearance of the area in the longer term, and to enhance the ecology of the area.

**Policy G2**

**13.** Traffic related to the construction works shall only access the development site between the hours of 0800hrs to 1800hrs on Mondays to Fridays, and between 0800hrs to 1300hrs on Saturdays. Construction works on site shall take only between 0730hrs and 1830hrs Mondays to Fridays and between 0730hrs and 1300hrs on Saturdays. No working or associated traffic on Sundays or public holidays. A scheme to limit the impact of construction works and construction traffic on existing residential properties, including routes of construction traffic, location of works compound, and mitigation measures to reduce the impact on noise, fumes, dust, lighting and vibration, shall be submitted to and approved by the Local Planning Authority prior to any such works commencing, including the clearance of the site. Construction works shall be carried out in strict accordance with the agreed scheme.

**REASON:** In order limit the impact of construction/development on residential amenities

## **Policy G2 – Amenities**

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

**REASON: In the interest of highways safety and general residential amenities**

## **POLICY G2 – Amenities and highway system**

**15. No development shall commence on site until cross sections through the site showing details of existing and proposed gradients/finished floor levels of the development, including also proposed estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The development shall not be first brought into use until the dwellings, estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture have all been constructed and laid out in accordance with the approved details, unless an alternative timetable is agreed in the approved details.**

**REASON: To ensure that the development and roads are laid out and constructed in a satisfactory manner in the interest of general amenity and highway safety.**

INFORMATIVE: -

### **1. Pollution**

**Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes.**

**Pollution Prevention Guidelines, can be found at:**

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>.

### **Sustainable Construction**

Sustainable design and construction should be implemented across the proposed development. This is important in limiting the effects of and adapting to climate change.

The Code for Sustainable Homes should be complied with, achieving the highest level possible. For details on compliance with the Code the applicant is advised to visit: <http://www.communities.gov.uk/publications/planningandbuilding/codesustainabilitystandards>.

### **Site Waste Management Plan**

In England, it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000. The level of detail that your SWMP should contain depends on the estimated build cost, excluding VAT. You must still comply with the duty of care for waste. Because you will need to record all waste movements in one document, having a SWMP will help you to ensure you comply with the duty of care. Further information can be found at <http://www.netregs-swmp.co.uk>

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

Any submitted scheme should include detailed information (capacities, consumption rates etc) on proposed water saving measures. Please do not include manufacturer's specifications. Applicants are advised to refer to the following for further guidance <http://www.environment-agency.gov.uk/homeandleisure/drought/31755.aspx> <http://www.savewatersavemoney.co.uk/>

2. The archaeological work should be conducted by a professional archaeological contractor in accordance with a Written Scheme of Investigation and mitigation agreed by this office. There will be financial implications for the applicant.

3. Construction access – The developer should be aware that there is considerable local concern regards the possible impact of the construction works on the general amenity of existing residents.

**Notwithstanding the requirements of condition 13 above, the Council urges the developer to take every necessary precaution to limit and restrict such impacts, and to liaise with local residents regards such works. Any alternative access route for construction traffic should be explored, although any such alternative solution may need additional consents.**

40. **Date of Next Meeting**

**Resolved:**

**To note that the next meeting, due to be held on Wednesday 19 October 2011, would be cancelled due to insufficient business.**

41. **Urgent Items**

There were no urgent items of business.

(Duration of meeting: 11.30 am - 1.15 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic & Members' Services, direct line 01225 713035, e-mail [roger.bishton@wiltshire.gov.uk](mailto:roger.bishton@wiltshire.gov.uk)

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

## WILTSHIRE COUNCIL

### REPORT TO STRATEGIC PLANNING COMMITTEE

Date of Meeting	16 <sup>th</sup> November 2011		
Application Number:	S/2011/517/OL		
Deadline:	11- 07-2011		
Site Address:	Erskin Barracks, Wilton, Salisbury SP2 OAG		
Proposal:	Demolition of existing erection of 450 houses and 3 hectares of employment site and access		
Applicant/ Agent:	Defence Infrastructure Organisation		
Town/Parish Council	Wilton Town		
Electoral Division	Wilton and Lower Wylde Valley ED	Unitary Member	Cllr Richard Beatie
Grid Reference:	410477.03 -131663.668		
Type of Application:	OUTLINE		
Conservation Area:	Na	LB Grade:	Na
Case Officer:	Mr A Bidwell	Contact Number:	01722 434381

#### Reason for the application being considered by Committee

The application affects a strategic allocation site identified within the Core Strategy and a significant amount of local interest is evident.

#### 1. Purpose of report

To consider the above application and to recommend that planning permission is GRANTED subject to conditions and the signing of a Section 106 agreement.

#### 2. Main Issues

The main issues in the consideration of this application are as follows:

- Key policy issues and Principle of development
- Design / Layout and visual amenity
- Affordable housing
- Impact upon highway safety
- landscape character / Public Open space
- Impact upon protected species
- Phasing
- Noise Issues

- Flood Risk and Drainage
- Climate Change and Renewable Energy
- Environmental Impact Assessment (EIA)
- Section 106 issues / Heads of Terms

The application has generated objections from Wilton Town Council

#### Neighbourhood Responses

Letters received objecting to the proposal: Three  
 Letters of support received: None  
 Letters commenting on the application received: Four

### **3. Site Description**

The site is divided into two parts by the railway line and is a relatively large site totalling some 13.5 hectares. The south part of the site is approximately 4.7 which include an area of land owned by Wilton Estates. The North site measures approximately 8.8 hectares.

The site is adjacent to the settlement boundary of Wilton and is in easy reach of the Town Centre approximately 0.5 km to the south, a ten minute walk.

To the north the site boundary borders the Annington Homes site and open countryside. The Eastern side of the site borders the railway and the Western side, The Avenue.

On the opposite side of The Avenue there is a grassed area (recently the subject of a planning approval for the Wilton Diocesan Board of Education), and the Park and rode site.

Bus services run in to the Salisbury town centre every 10-20 minutes in peak hours and a frequent bus route also runs along the Salisbury Road.

The application site was formerly used as accommodation for the UK Land Forces Head Quarters which has relocated to Andover vacating Erskine Barracks at the end of March 2011.

### **4. Relevant Planning History**

This site has an extensive and lengthy planning history including many past developments that would not have required permission from the LPA due to Crown exemption. Much of the planning history is not relevant to, nor does it significantly impact upon this proposal. As such a list of applications is not provided in this case.

### **5. The Proposal**

This application is for outline planning permission for the redevelopment of the former UKLF site to include 450 residential dwellings and 3 ha of employment space. The residential element shall be at an average density of 42 dwellings per hectare



(dph) The 3ha of employment space is to include up to 24 000m2 of employment BI floor space 250m2 of retail AI floor space and 250m2 of community use DI floor space

Up to 3ha of employment land is proposed to provide for the replacement of 1200 jobs as the UKLF HQ has moved to Andover. This area is proposed to be utilised within the BI Business Use Class so as to protect the residential amenity of new and existing residents. The exact proportions of this area shall be determined at the reserved matters stage however, an indicative layout with indicative scales and heights of buildings has been provided to demonstrate that the quantum of development proposed is appropriate for the site

This application seeks to gain permission for the principle of 450 dwellings and 3ha of employment use and the access arrangements of the site only. The owners of the site are the MoD who intends to sell the site after outline planning permission has been granted. As such all other details including layout, scale, landscaping and appearance are reserved matters to be determined at a later stage under a detailed "Reserved Matters" application. Full consultation shall be carried out at this time to ensure people can comment upon and shape the outcome of the final development.

## **6. Planning Policy**

### **Relevant Policies**

#### **Planning Policy Statements**

- PPS 1. Delivering Sustainable Development
- PPS 3. Housing
- PPS 4. Planning for Sustainable Economic Growth
- PPS 9. Biodiversity
- PPG 13. Transport
- PPS 25. Development and Flood Risk

#### **Adopted Wiltshire Structure Plan**

- DP3 Development Strategy
- DP4 Housing and Employment Proposals

#### **Adopted Salisbury District Local Plan: Include amongst others**

- G1 General Principles for Development
- G2 General Criteria for development
- G9 Planning Obligations.
- G13 MOD Land
- H22 Urban sites outside Housing Policy Boundaries.
- R2 Open Space and Recreation
- TR1 – Transport, Salisbury Urban Area

#### **South Wiltshire Core Strategy – Submission Document**

- Core Policy 2. Strategic Allocations and UKLF development template
- Core Policy 3. Affordable housing.

Core Policy 5. Employment Land  
Core Policy 18. Lifetime Homes standards  
Core Policy 25. Air Quality

## 7. Consultations

Wilton Town council:

Unanimously voted to object most strongly to this outline planning application as submitted by the Defence Infrastructure Executive for the following reasons:

Overdevelopment 450 houses is too many on a site of this size  
Lack of other amenities e.g. shops and a community centre 70 of respondents to a survey carried out by Wilton Vision wanted to see shops located on the site.

Concerns about the impact of so many buildings on the existing barely adequate sewage system in Wilton

Concerns regarding the future of the existing car park on the site is to be utilized or considered as a brown field site or returned to agricultural use decontamination costs notwithstanding

Concerns regarding the severe increase in the volume of traffic this proposal will generate and lack of integration with the Park Ride site

Concerns regarding the lack of plans for public transport those proposed barely meet current guidelines but there is no plan for the future. The possibility of re opening Wilton station is ignored as is the provision of footpaths cycle routes and a pedestrian crossing over the A36 a major trunk road

Concerns about the lack of infrastructure particularly the provision of a primary school. The one proposed at the Fugglestone Red II development is some distance away, which will add to the increased number of traffic movements and there is no direct safe walking route provided. The existing Wilton primary school is full.

The future use of the UKLF site was raised in the Wilton Vision Wilton's Town Plan document in which the community requested that careful consideration be given to this site and a housing survey by an independent agency was requested prior to any proposed redevelopment. This does not seem to have been undertaken.

Archaeology:

Note that a desk based assessment (DBA) has been submitted with the application.

Archaeology Officers had previously commented on the scoping report that was examined in 2009. The conclusion was that the landscaping in the northern part of the site would have been likely to have significantly damaged or disturbed any potential archaeological remains. It was recommended that there would be a need for evaluation in the southern part of the site.

It is considered that the DBA which has been submitted with this application meets this criteria and has demonstrated that there is potential for there to be archaeological remains present within the site. It is also considered that the outline design proposal is designed to avoid the more archaeologically sensitive parts of the site which have been identified by the DBA. In this case, therefore, pre-determination evaluation is not recommended but, that conditions are imposed requiring a written programme of phased archaeological investigation and mitigation.

Environment Agency:

No objection to the proposal subject to the condition and informative being included in regard to Flood Risk, Land Contamination, Drainage, Water Quality / Water Resources, Water Supply, Foul Drainage, Construction Environment Management Plan, Site Waste Management Plan, Pollution Prevention During Construction.

Wessex Water:

We have considered the Water Supply Report compiled by Etec, submitted with the application which appears to address matters connected with Wessex Water as water and sewerage undertaker for the area. The strategy for foul and surface water drainage and water supply appear to be in accordance with our understanding of discussions held with Entec regarding servicing the proposed site.

Further detail can be considered with the developer during Section 104 (Foul and Surface Water) and Section 41 (Water supply) application (Water Industry Act)

Natural England:

No objection is stated to the proposal however, Natural England have raised several issues that they consider require further clarification and explanation. These issues include:

- Phosphate impacts on the river Avon SAC
- Surface Water discharge impacts on the river Avon SAC
- Recreational disturbance to the Salisbury Plain SPA (Stone Curlew)
- Green infrastructure provision

In addition Natural England has considered that in terms of overall impact on biodiversity: "the information provided in this application makes it impossible to assess, whether the application is in line with PPS9 to maintain and where possible enhance biodiversity. Number and type of trees to be removed and planted are not specified, the extent of habitat creation is not quantified. We therefore advise that more information is provided to allow this judgment to be made".

Wiltshire Council Open Space:

Agreed:

the amount of Equipped Play Space = 1 x NEAP and 2 x LEAP's and the amount of Casual/informal Play Space.

To be agreed:

Wiltshire council requires that the Youth and Adult Contribution is made up by means of an offsite contribution.

Wiltshire council requires a maintenance contribution for all adoptable areas, although no plans have been provided to date in order to calculate a figure.

Although the council does not currently hold an objection, an objection would be raised if the developer was not willing to provide either of the outstanding issues "to be agreed" above.

Wiltshire Council Education Premises Team:

No objections subject to an appropriate financial contribution being paid based on the agreed formula.

Affordable Housing Officer:

Issues rose concerning Affordable Housing provision, Tenure split, Property types / Size Mix, Code level and Nominations. The housing officer has confirmed that although support is given to the application in principle, based on the provision of 40% affordable housing, the application is not supported in terms of the detail of the affordable housing tenures and property sizes.

Wiltshire Council Highways:

Initial comments pending ongoing negotiations:

This site lies within the Council's draft Core Strategy for South Wiltshire and is therefore supported by this Authority as Highway Authority. However, that support relies on the development contributing to the Core Strategy Transport Policy which requires new housing development within Wilton and Salisbury to contribute to the overall impact of all housing developments within Wilton and Salisbury up to and including 2025. To that end, a contribution will be sought which will accord with the final decision of the Authority to introduce an "established" or "radical" approach to the contribution; and that decision will be ratified once the EiP (for the Core Strategy) process is complete, approval of Members is obtained, and the Core Strategy process is complete. The developer will therefore be expected to enter into a Section 106 Agreement for the payment of the Transport Contribution amongst other items which are discussed below.

Also, the development site must be capable, in road safety and capacity terms, of satisfactorily meeting or mitigating its impact on the existing road network. The developer has submitted statements to quantify these impacts but there are several areas which need to be further investigated before a final recommendation can be offered. The site must also be assessed for its overall sustainability in delivering safe and practicable solutions for public transport, cycling and walking and as a means to justify the highly sustainable traffic levels suggested for the housing within the Transport Assessment (TA).

The following areas of concern must therefore be further considered before a formal, final recommendation can be offered:

- Impact on traffic movement through the existing A36/A30 roundabout junction. (Matter for Highway Agency (HA) /developer).
- Accessibility for cyclists and pedestrians particularly in relation to crossing movement on A36.
- Public Transport serving the site.
- Existing main access junction was constructed to serve the Park and Ride and the previous specific end use
- The northern access is proposed to serve 240 dwellings. The Picardy analysis shows considerable capacity, but only tests to 2016.
- Two lower accesses serving 210 dwellings. Both existing accesses are located close to existing junctions on the opposite side of The Avenue (the southerly junction is close to a small side access which, at certain times has been used for special events).
- The submitted junction designs (for the two lower junctions) are not acceptable: The Avenue is an important link in the road network and vehicles, including large vehicles, must be able to turn off the main carriageway with ease and not enter opposing lanes.
- Internal road layout is merely submitted at small scale as part of the Master plan. For full consideration of the design, larger scale drawings should be supplied for consideration. Full construction details will then be able to be discharged via a negative condition.
- Walking and Cycling Accessibility. Several concerns, as below, are raised that the submission does not properly evaluate this key component of a sustainable site.
- The Avenue has a 1.35m wide footway and verges, containing mature trees, all within adopted areas, fronting the development site. This width of footway is not conducive to a significant increase in pedestrian and cycle access to

and from the site and it would be expected that the LHA would wish to approve at least a shared cycleway/footway of 3m width.

- Pedestrian crossing facility on The Avenue is referred to within the TA text but no details are provided.
- Green links are referred to but show poor or unclear connections to the local network and do not describe in any detail their width.
- The existing pedestrian bridge over the railway presents a significant long term maintenance issue which must be resolved via inclusion of terms within the Section 106 Agreement.
- Parking Strategy
- Comments on Traffic Generation.

Final comments (negotiated solution):

As a result of the ongoing negotiations the Local Highway Authority (LHA) is satisfied that this significant Core Strategy outline development proposal can proceed subject to the imposition of certain conditions and the entering into of a Section 106 Agreement to secure the following obligations on the development:-

Salisbury Campaign for Better Transport:

We note that the outline application submitted by the Defence Infrastructure Organisation proposes what is very much a conventional mixed use development on this site, presumably in order to maximise the attractiveness and potential price for prospective purchasers. We would urge the Council to consider more visionary options which could achieve greater all round benefits for Wilton and South Wiltshire. For example, 'eco park' proposals which have been put forward would make better use of resources – by reusing some of the existing building on the site – and would provide green business and tourism opportunities for the area. The transport plan for an 'eco park' site could become an exemplar of best practise and the benefits would be felt across the wider district. Some comments on transport aspects of the application are given below. These could of course be applied to any development on the site, and we hope they will be given serious consideration.

Highways Agency:

Thank you for consulting the Highways Agency HA on the above application. We have reviewed the supporting documents for both applications in accordance with the DfT Guidance on Transport Assessment GTA and the Circular 02 2007 Planning and the Strategic Road Network. In reviewing the application we have also been mindful of the comments provided in our letter of the 3rd August 2010 in response to the Scoping Assessment submitted by Mark Rennie of Entec.

Taking account of the matters set out above we consider it necessary to implement a Direction of Non Approval. The direction is implemented for a period of six months. We consider this timeframe provides the applicant sufficient time to undertake the necessary amendments and for the Agency to review the revised document. If this is concluded to our satisfaction within a shorter period we can consider lifting the direction of non approval and replacing it with one recommending conditions.

Wiltshire Fire & Rescue:

Comment relating to necessary and appropriate fire safety measures is forwarded for consideration and inclusion within the proposed development This includes Fire Appliance Firefighting Access, Water supplies for firefighting, Domestic Sprinkler Protection.

Wiltshire Council Environmental Health:

Land Quality / contamination

I have assessed the Land Quality Assessment reports submitted in connection with the above application. I refer to the Phase 2 Land Quality Assessment, Final dated November 2010 and prepared by Grontmij, in particular the conclusions set out in Chapter 8.1. The recommendation in the report is that the following be carried out and I would recommend that any planning permission granted would need to be conditioned to ensure that the work is carried out appropriately and to the satisfaction of this office.

Specifically;

-Removal of Underground service tanks (UST's) will need to be confirmed.

-Area directly beneath the UST's and the over ground tank will need to be sampled to ensure no contamination - some remediation / validation may be required following this.

-Asbestos survey will be required to establish its presence in the buildings and control measures required.

Noise:

The Avenue and areas adjacent to the railway line are identified as a potential source of noise that would have an impact on the occupants of the dwellings proposed. Therefore it is recommended that conditions be attached to secure a suitable scheme for the amelioration of the effects of traffic noise on the future occupants of the proposed development.

Before the commencement of the development a scheme for the amelioration of the effects of noise from road and rail traffic on the future occupants of the proposed development shall be submitted to and approved in writing by the LPA. Such scheme as approved shall be implemented to the satisfaction of the LPA prior to the habitation of any part of the development.

Wiltshire Council Conservation Officer:

No objections to the proposals. The setting of the Church of St Peter and the northern side of the grade 1 registered park at Wilton House would be unthreatened by the outline plan shown, with a substantial belt of trees and green space at its southern edge, with indicative buildings one would expect to be of modest height behind.

Wiltshire Council Tree Officer:

The report provided is only a tree survey. An Arb Impact Assessment (AIA) will be required (as stated in sections 1.0.9 & 1.0.11 of the survey) before the affect the development will have on the trees can be properly considered. The AIA should include a plan showing the root protection areas of the trees, overlaid with the proposed development.

Without this information I would recommend refusal on the grounds that insufficient information has been provided to make a reasonable assessment of harm.

Wiltshire Council Arts Service:

Through the Core Strategy Wiltshire Council have developed further public art policies. No objections are raised in relation to public art in this case and a financial contribution has been agreed.

The Georgian Group:

Concerned about the impact that these proposals would have on the setting of the GI listed Wilton House, the GI registered landscape of Wilton Park and the impact on other historic buildings within the vicinity.

The Group advises that any future application for the site seeks to address the issues outlined above (see consultation comments dated 12<sup>th</sup> May 2011).

We would be very willing to discuss all of these considerations with the applicants prior to another planning application being submitted

In respect of this application the Group must object to the granting of consent and recommend that consent is refused.

Sport England:



The design and access statement only refers to financial contributions being made towards sports pitches. It is therefore assumed that the proposal does not include for the provision of halls, pools, indoor bowls or synthetic turf pitches. That being the case, the development could lead to a shortfall of these provisions in the local area. In light of the above, Sport England wishes to object to this application on the basis that the application fails to provide replacement sports facilities for those being lost, and does not appear to meet the needs of the new residents.

Persimmon Homes letter / comments:

Members attention is drawn to the letter attached to this report from Persimmon Homes. This letter raises several important issues in relation to this development. These issues include: Education Impacts, Playing Field Provision, Provision of Off Site Links, Impact on New Cut Crossroads and other general points.

Whilst the letter does relay a number of relevant concerns, it is considered that in the main, these concerns are addressed through the application and it is implicit where they are mitigated.

## **8. Publicity**

The application was advertised by site notice, press advert and neighbour consultation.

Three letters of objection have been received together with three making observations. No letters of support have been received.

Summary of key relevant points rose:

- Unacceptable impact on already overburdened road network around Wilton
- Impact of this development on existing communities and infrastructure has not been considered
- Cycling Links are not adequate and cyclist will be exposed to heavy traffic
- Green Links are not sufficiently defined
- The bridge link over the railway must be publicly accessible
- Proposed network of shared use paths is unnecessary and contrary to good practice
- There should be Pedestrian and Cycle routes along Wilton Road Penning Lane
- Opportunity is being missed to make the area a new village community not just housing and industrial units
- Has consideration been given to primary and secondary education
- Lack of local facilities will mean many more traffic movements
- Has a new Wilton railway station been considered?

## **9. Planning Considerations**

9.1 Policy issues and Principle of development

key spatial planning issues:

### **Emerging Government Policy,**

Ministerial Statement on Planning for Growth, March 2011

The March 2011 Statement *Planning for Growth* indicates that: “Government’s clear expectation is that the answer to development and growth should wherever possible be “yes”, except where this would compromise the key sustainable development principles set out in national planning policy”.

The Statement goes on to say that, when deciding planning applications, account should be taken of “the need to maintain a flexible and responsive supply of land for key sectors, including housing” and Local Planning Authorities (LPAs) should “ensure that they do not impose unnecessary burdens on development”.

The Statement also advises that, wherever possible, planning applications should be approved “where plans are absent, out of date, silent or indeterminate”. Officers consider that this advice is relevant in this case as the adopted development plan is out of date in terms of its housing numbers and allocation sites.

### **The forthcoming National Policy Framework:**

A National Policy Framework document is currently under consultation, with an aim of issuing the formal document by the end of 2011. As currently drafted, the guidance makes it clear that there should be a presumption in favour of sustainable development:

“14. At the heart of the planning system is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. Local planning authorities should plan positively for new development, and approve all individual proposals wherever possible. Local planning authorities should:

- prepare Local Plans on the basis that objectively assessed development needs should be met, and with sufficient flexibility to respond to rapid shifts in demand or other economic changes
- approve development proposals that accord with statutory plans without delay; and
- grant permission where the plan is absent, silent, indeterminate or where relevant policies are out of date.”

With the housing section of this draft document, it states that:

“110. The presumption in favour of sustainable development means that Local Plans should be prepared on the basis that objectively assessed development needs should be met, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. Applications should be considered in accordance with

*the presumption. Planning permission should be granted where relevant policies are out of date, for example where a local authority cannot demonstrate an up-to-date five-year supply of deliverable housing sites.”*

Whilst this is only a draft consultation at the moment, it has limited weight in terms of its use in determining planning applications, it does clearly outline the “direction of travel” of central government planning policy.

### **The development plan:**

The current development plan is made up of the adopted Structure Plan and the Salisbury District Local Plan. The local plan does not make provision for development in this location however the site is identified as strategic site in the emerging Core Strategy. The structure plan is also of relevance as it sets out the quanta of development for the period up to 2016, and the strategy of where it should be located (policies DP3 and 4). Given the uncertainty about the status of the RSS, the council is assessing its housing figures against those in the structure plan, and as part of the review into the south Wiltshire Core strategy, has also reviewed the housing and employment figures in the RSS, to see if they are still appropriate.

### **The south Wiltshire Core Strategy:**

The Core Strategy was submitted to the Secretary of State for consideration in November 2009. The examination in public took place between March 2010, and the Inspectors report was due in the summer 2010. Following the Government’s announcement to revoke Regional Strategies the Inspector wrote to the Council in July 2010 asking whether it wished him to complete and conclude his report on the basis of the housing and employment figures included in the Submitted Core Strategy. In a letter to the council the Inspector said.

*“We find ourselves in highly unusual circumstances with the abolition of the RSS taking place towards the end of the Examination of the South Wilts Core Strategy. It is understandable, therefore, that the council needs time to consider its position and I will give them that time. As I understand the Council will not decide whether or not it will press ahead with the housing and employment figures contained in the submitted CS or whether it will revise those figures until the full Council meeting in November and I am happy to suspend the Examination until then.*

*Once the Council has made its decision on this matter, and assuming that it does decide to produce revised housing and employment figures, it will be necessary to determine how much additional time the council requires to produce those figures (if it has not already done so), to justify them and to carry out the necessary consultations and Sustainability Appraisal.*

*It may be that it would be useful to hold a Procedural Meeting ... at which we could discuss these matters in public. Alternatively it may be that these matters can be dealt with by correspondence.”*

The Council's response was that it would be reviewing the housing and employment figures in the Core Strategy. Consequently, the Inspector agreed to suspend the Examination (including a further suspension to 22 February 2011) after which the position will be reconsidered. On the 28<sup>th</sup> January 2011, the Inspector of the Examination in Public for the Core Strategy convened a procedural meeting. At the meeting the council discussed the ongoing review into housing and employment numbers, and that a report on the review was considered by Full Council on 22<sup>nd</sup> February. After this date the review paper was submitted to the Inspector for consideration, who decided that the changes proposed are ‘focussed’ changes. These changes, including the reduction in housing from 12,400 to 9,900, have been the subject of public consultation, and the EiP was reconvened in August to discuss the representations made on the ‘focussed’ changes.

Although still in draft form, the submission draft Core Strategy remains the council's emerging policy at this point in time.

### **Principle of Development**

Core Policy 2. Strategic Allocations and UKLF development template

The principle of residential development has been considered throughout the work for the submission draft Core Strategy and the council supports this additional level of growth in this location. This site was not objected to as part of the submission draft consultation process.

The development template sets out the quanta of development, the place shaping requirements and the essential infrastructure that the development will need to deliver.

### **9.2 Design / Layout / Scale and visual amenity**

This application has been the subject of a very extensive and lengthy pre – application community consultations process. This has included extensive local consultation comprised of public consultation events held at Wilton Community centre in order to inform the local community of the development proposals and to provide the opportunity for comments and feed-back. Invitations to these community consultation events were sent to residents and businesses in close proximity to the site, Wilton Town Council, Salisbury City Council as well as Wiltshire Council elected members, the ward member and the local MP.

The results of this process are set out in the Design & Access Statement submitted with this application “Involvement in Design Development - Consultation and Engagement – Design Response to Key Issues”. These results have led to the development of the Master Plan which now provides the principle guide template for the development and its perceived outcomes.

Design concept:

In terms of design concept the proposal considered to be a good overall representation of the key issues derived from the pre-application process. These key issues were that the master plan delivers an integrated, distinctive and responsive place for people to live and work.

The applicants design and access statement explains that integrating the proposal has resulted in a development that makes the most of existing network of roads and footpaths around and through the site, improving existing junctions, adapting existing internal roads and extending them in to a network of new streets, footpath and cycle connections. This will provide good connections to the town centre and local services. The focus on pedestrian, cycle and public transport access will help to reduce residence reliance on private cars.

In creating a memorable place the proposal will provide a mix of residential, commercial, community and open spaces accessible to a wide range of people. Dwellings will be arranged in perimeter blocks overlooking streets that connect to the main street running through the centre of the development.

Whilst the design concept considers the site as a whole, site topography dictates that the proposed layout is in two halves adjoined by the existing footbridge over the railway line. The upper northern section of the site will accommodate the higher proportion of dwellings where as the lower southern section will provide a greater proportion of homes as apartments. The southern section will be slightly more dense than the north but, the site as a whole will achieve an average density of around 40 – 45 dwellings per hectare. 40 – 45 dwellings per hectare is considered to be appropriate for this location within easy walking distance of town centre facilities and public transport provision.

A mix of dwelling sizes and tenures will be provided to meet local housing need. These will include 1,2,3 and 4 bedroom houses and apartments. The application proposes that the new houses will be built to the lifetime Homes standard, and therefore the design also complies with Core Policy 18 “Life time Homes” standards.

The layout will result in distinct areas that provide variety of built form, architectural design, density and landscape character. This will exude a memorable sense of place with a distinct local character. For example the design and positioning of the local centre at the western edge of the site will act as a gateway and landmark for the new development as will the focal squares at key junction points.

In order to be responsive to issues raised through the public consultation process the proposal creates an accessible network of green links and public open spaces throughout the site. This maximises opportunities for biodiversity, recreation, high quality landscape and sustainable drainage systems to be utilised. The green links will provide legible overlooked routes through and around the site that will benefit existing and new residents. These green routes will also add character to the site, incorporating retained mature trees and hedgerows as well as new play spaces. Views through to the north and east and the countryside beyond the site will also be retained or, created.

#### Scale / Massing / Density /:

The scale, massing of the buildings including building height, varies across the site. The scale is designed to respond to local topography and the context of the surrounding area made up of predominantly 1 and 2 storey buildings. In general the scale and density increases towards the southern part of the site where development will be set back from existing buildings and the site is lower and flatter.

In terms of density (residential density) the proposed range is 35 – 40 dwellings per hectare (dph) for the less dense areas, 40 – 45 for the medium areas and 45 – 55 in the densest area.

The average density of homes will be 43 dwellings per hectare based on the net area of residential development. This includes access roads and streets, homes gardens and parking areas, incidental and formal open space.

#### Historic Environment issues:

As part of the proposal an Historic Assessment (HA) was carried and is submitted as part of the application. The report refers to another report produced by English Heritage entitled “Salisbury Historic Environment Assessment” April 2009. This report identifies that the redevelopment of the site has a low to minimal risk relating to historic sites and their setting, and a minimal risk in regard to potential heritage.

The HA report identifies that the northern part of the site is visible from the Grade 1 Listed house and park, but that the southern part of the site is not visible due to the existing tree belt and site topography.

The report also identifies mitigations measures that English heritage would like to see in the event of the redevelopment of the site. These include limiting building heights to two stories due to the site being on a rising slope. This has been accommodated as building heights will be limited to two stories in the northern part of this site which includes the higher areas.

Whilst the proposal does not carry the two storey limitation across the whole site, this is considered to be acceptable as the remainder of the site is not visible from the historic Wilton House and the historic park land. As such it is difficult to foresee how preventing buildings in excess of two stories is justified from a historic environment / visual amenity point of view and furthermore, the conservation officer comments at 7 above, do not object to the proposal on this basis.

However, a condition will be imposed requiring a scheme to be submitted that agrees to a two storey limitation on building in the northern part of the site where, it can be reasonably demonstrated that harm would otherwise be caused to views from outside the site, Wilton House and the historic park land.

#### **Business Park and Mixed Use Area:**

The application includes a business park at the centre of the site. The business park is divided into two zones with the area closest to the railway line being for office use (B1 Office) and the northern side / edge being for the mixed uses comprised of A1

Retail, space for a potential community facility and further office space and car parking and servicing areas for the business park.

The master plan illustrated three options for the layouts of the business area. Option 1 has the retail at the entrance to the business park visible from The Avenue. In this instance the building is located in part of the ground floor of an office building. The community building is shown as being in part of the ground floor of another office building located adjacent to the entrance to the business park.

Option 2 has the retail in a standalone building adjacent to The Avenue and the community use allocated at the entrance to the area. Option 3 has the community use as a standalone building adjacent to the entrance to the business park visible from The Avenue. Option 4 has the retail and community use in a standalone building.

It is important to recognise that at this outline application stage, the exact form of the business park is not for agreement but, whilst the layout plan is itself indicative, it will be expected to provide a clear guide as to the location of the business park when it is considered under a future reserved matters application.

However, the application provides 3 hectares of business / employment land. This amount of land is not negotiable and thus any future reserved matters application will be expected to provide it. A suitable condition will be imposed and the area of employment land will be embodied within the section 106 agreement.

### **9.3 Affordable Housing (Core Policy 3)**

Core Policy 3 sets out the emerging policy for affordable housing. This makes provision for 40% affordable housing on large sites. It is supported by policy 10, which sets out the need for the Wilton community area, and the development template in Appendix A of the core strategy. The application makes provision for 40% affordable housing, and therefore from a policy viewpoint the application is broadly in accordance with the Core Policy 3 and the development template.

As previously stated this is an outline application. As such the objective of it is to gain planning permission in principle and not in detail except for those matters not reserved for consideration at a later stage. In this case the application does not seek consent for the details of layout and as such layout may change as a result of a future detailed application (reserved matters).

However, layout is an important aspect of affordable housing consideration and provision. For example, housing must not be concentrated in certain areas of the site but, must be spread throughout.

In the case of this site, it is difficult to foresee any reason as to why it would not be possible to achieve a well thought out acceptable layout in this regard. As such the issue for consideration is centred on the affordable housing tenure mix, and not layout within the site.

It is normal practice to secure tenure mix (amongst other things) in the section 106 agreement that accompanies development. This case is no exception and thus, a mix will be secured. In this case the housing officer has recommended a tenure mix that differs from that proposed in the application. However, whilst the recommended

housing tenure mix differs it is necessary due to the weight that must now be given to the up- to-date assessments on housing need used to guide the emerging Core Strategy.

The inquiry inspector has very recently found the core strategy to be sound and as such the up-to-date affordable housing assessments of need (amongst others) must be considered as significantly weighty material considerations.

Therefore, the section 106 agreement will in this case include the tenure mix recommended by the housing officer within the Heads of Terms.

#### **9.4 Education - issues and provision**

In regard to education contributions and provision which in this case is off site, the number of qualifying properties is 318. This figure is reached as, all one bed units (regardless of type), are discounted from the assessments as they are considered unlikely to house families. This that deducts the 40 open market one bed units and the 57 affordable ones, leaving 235 open market and 118 affordable eligible for assessment. A standard discount of 30% is then applied to the remaining number of affordable units in order to reflect the possibility, particularly at secondary level where designated areas are much larger, of pupils moving within a designated area and so not changing school. In this case the 30% discount works out at 35.4 units rounded down to 35. As such a further 35 units can be deducted from the affordable total of 118, leaving 83 qualifying properties to add to the 235 open market ones - hence 318 to assess.

However, it is important to recognise that these are indicative figures based specifically upon the housing number and mix currently provided in the application, and variations to it will necessarily impact on the outcome of the assessment.

The MOD planning agent has advised the case officer that it is unlikely to be the developer and so the actual housing number/mix cannot be categorically defined at this outline application stage. Appropriate formulae for a S106 agreement to allow the entire calculation of contribution to take place once full planning/reserved matters has been submitted will be provided to clarify the housing number/mix.

Standard practice will be applied in order to ensure payment of the education financial contribution. For this development of circa 450 units, (i.e. anything over 100 units), the payment triggers will be 50% upon commencement of development and the remaining 50% at the completion of the midway point of construction i.e. 225th unit.

Wiltshire Council will be able to assist in a future reserved matters application ensuring the applicants are able to model any effects of changes to the housing number/mix using the same methods (not withstanding any approved changes) as set out above.

#### **9.5 Impact upon highway safety / Infrastructure**



#### Access and Movement:

The access and movement strategy has been devised to exploit the sustainable location of the site by promoting walking, cycling and the use of public transport. The layout provides direct safe and convenient connections between new homes, areas of open space, the local centre. Surrounding neighbourhoods and the existing public transport network.

The master plan aims to create a walkable neighbourhood that reduces the reliance on the private car through a network of connected streets, footpaths, cycleways and convenient access to improved bus services. The layout is designed to be a seamless network of streets and spaces that both serve and are enclosed by a continuous edge of development.

The master plan illustrates the access and movement within the site. One of the key design principles for the site is to improve access and connectivity to Wilton and the surrounding area.

#### Vehicular access:

The main access will be off the park and ride roundabout with a second access off the existing part-time access to the north. Two accesses are proposed into the southern site, which are also existing junctions, although the southern one is gated and not currently used on a regular basis.

#### Internal movement:

The proposed layout is based on the re-use of the existing internal road-network where possible and four existing access points to The Avenue. The grid of streets will also be designed to provide pedestrian/ cycle only connections where necessary to maintain connectivity within the site and to the surrounding areas, and to manage traffic as appropriate. It will also include a green link in accordance with the Wiltshire council Green Infrastructure Strategy. All routes will be designed to be overlooked by development to encourage natural surveillance.

#### Parking Provision;

Vehicular Parking provision is based on the standards provided in Appendix B of the draft Wiltshire Local Transport Plan (LTP) 3.

Residential parking will be provided in a mixture of on street allocated bays and off-street private drives and garages.

The draft Wiltshire LTP3 doesn't include cycle parking standards and for this reference has been made to Appendix 6 of the Salisbury District Local Plan. This is considered to be an appropriate source for reference regarding such provision in this case.

#### Travel Plan:

A separate travel plan has been produced which sets out the objectives and targets, initiatives and an implementation programme to be taken through the process of planning, design, construction and occupation of the development.

A site accessibility audit has been undertaken which shows that there are a number of facilities already in place to encourage travel by sustainable means.

At this outline planning application stage the purpose of the travel plan is to encourage sustainable travel behaviour by all people living, working and visiting the site and the measures which will or may be implemented to facilitate this aim.

The objectives of the travel plan are focused upon achieving a number of key objectives as follows;

- reduce the volume of car traffic generated by the development, particularly single occupancy vehicles
- reduce the need to travel to and from the development by private vehicles
- promote the increased use of cycling, walking and public transport and therefore healthier living
- Promote development of a transport system which enhances the environment and supports a sustainable economy.

In order to achieve the sustainability targets, the travel plan sets out a range of proposed measures. These measures include physical infrastructure, and soft measures. An implementation programme is identified in the Travel Plan document, setting out various stages during which the measures would be implemented. The following is a list of the measures:

Walking and Cycling, Public transport, Car Share, Car Club, Car Parking and Parking Management and Workplace Travel Plan Good Practice Measures.

Members are reminded that the Transport Assessment and Travel plan are extensive documents. The above is a summary of the main aspects of their contents and details however; further clarification can be sought via the council's web site.

Wiltshire council highways officers have been involved in ongoing negotiations with the developers including several meetings.

Following a final meeting on 11<sup>th</sup> October 2011, additional information was received and Wiltshire Council Highways is satisfied that this significant Core Strategy outline development proposal can proceed satisfactorily subject to the imposition of certain conditions and the entering into of a Section 106 Agreement to secure the following obligations on the development:-

1. The Core Strategy Transport Contribution has been reassessed to take into account and then discount the previous traffic levels from the calculations. The recalculation has been provided to the developer and identifies that a figure per dwelling will be sought by the LHA in support of the Local Transport Plan for the period 2011-2025 within South Wiltshire.
2. The existing footbridge linking the northern part of the site to the south is a key part of the sustainability of the development, but the bridge must be

available for the long term safe use of the public as pedestrians and possibly cyclists. Therefore, its suitability must be thoroughly investigated, a programme for any necessary improvement and maintenance work for permanent public use agreed, and works implemented before the first occupation of the northern part of the site. A commuted sum for the long term maintenance of the bridge will also be required, subject to the findings of a condition survey and the status of rights for public use and ownership of the bridge being fully established and agreed by all parties. Therefore, the owner/part owner of the bridge (Network Rail) must also be a signatory to the Agreement.

3. A travel plan shall be provided for the business park, identifying key elements of a scheme to reduce single occupancy car trips including the setting of agreed targets and monitoring of the Plan. The Travel Plan must be submitted and approved before the development proceeds.
4. A toucan crossing of the A36 is a requirement for the sustainable development of the site and the toucan should be provided before the first occupation of the development.
5. The developer has offered a nil detriment scheme for the A36/The Avenue roundabout, which will ensure that the overall development will not significantly impact on the operation of this key junction. The terms for the implementation of this item and the toucan crossing (above) can be realised via a Section 278 Agreement with the Highways Agency. The timing of the roundabout improvement scheme can also be identified via the Section 106 Agreement. Inclusion of items 4 and 5 within the S106 ensures an obligation on the eventual developer, but as all works are contained within the Trunk Road, the final approval for these works must be with the Highways Agency via a Section 278 Agreement between the developer and The Highways Agency. An alternative approach would be for both items to be solely subject to Grampian conditions. However it is considered that the timing and potential complexity of the works suggests inclusion with the Section 106 Agreement as this will provide greater strength. The Highways Agency has indicated that it will not be party to the S106 Agreement, so the addition of two Grampian conditions may, in any event, be necessary.
6. A Nil detriment scheme has also been offered for the junction of The Avenue with the A360. The scheme involves strip widening of carriageways on the north and south approaches to the crossroad junction along The Avenue. The scheme could be implemented but would then become obsolete following development of the Fugglestone Red key Core Strategy site. It is therefore proposed that a contribution should be made to the LHA for the equivalent of these works. The sum would then be available to the Council to provide a short term safety scheme for the junction or for other safety work which could be programmed as a result of the development impact. The timing of the contribution must be agreed within the terms of the Agreement.

Reasonable resolution of several areas of concern, (which were identified previously), has been provided by the submission of sketch schemes, additional calculations for junction design and confirmation of footway improvements along The Avenue. However, as these are sketch schemes and not fully detailed, it is therefore necessary to request negative conditions for the submission of full details of all these elements of the development. Suitable planning conditions will be imposed to secure these details as part of a future reserved matters application.

Whilst there are no insurmountable highways issues outstanding from a Wiltshire Council highways point of view, the Highways Agency has not to date removed its Non Determination Direction. As such the application cannot lawfully be determined. However, following the recent final highways meeting (Highways Agency in attendance) the agency is likely to be in a position to remove the direction between the deadline for this report, and the Strategic Planning Committee meeting. Given the extent to which agreement has now been reached on highways matters generally (as above), it is considered appropriate in this case to update members of the final comments of the agency in the form of a schedule of late correspondence.

## **9.6 landscape Character / Public Open space**

The landscape strategy submitted with the application claims to respond to two design functions. Firstly considering and addressing the impacts on the surrounding landscape character and on views and visual amenity; and secondly devising an appropriate design approach to new open space, paths and streets within the development that provides visual amenity value, recreation and health benefits for new and existing residents and enhanced biodiversity on the site.

The landscape quality both existing and proposed has been a key element in the shaping of the master plan. Alongside the strategies for built development and movement, the landscape strategy defines the character of the different areas and establishes the opportunity for landmark vistas and views, open spaces, movement corridors parks and streets.

On balance there is no objection to this proposal in terms of the approach adopted to landscape character and public open space. However, the comments from the open space officer (at 7. above) clearly set out the need for further matters to be agreed. These matters require that the applicants undertake to enter into the section 106 agreement in order that financial contributions can be received for future recreation activities and the ongoing maintenance of the adoptable open spaces.

A landscape and open spaces contribution will be sought via the section 106 agreement. In addition to this the councils Arboriculture officer has objected on the grounds that an Arboriculture Impact Assessment (AIA) has not been provided with this application. Whilst such an assessment will be of significant value in reaching a decision on the likely impacts of the development from an arboriculture / trees point of view, it is considered that an AIA would have limited value in relation to this outline application. As stated previously, for example, layout is indicative only and whilst the layout shown has been carefully considered in relation to trees, in and around the site, open spaces and green corridors etc, it is nevertheless likely to be changed at

reserved matters stage. As such it is considered more appropriate to require such a detailed assessment as part of a reserved matters application when precise details of for example, building footprints pathways etc can be agreed. In any event, Wiltshire council will resist any tree loss that it considers to be unnecessary whilst expecting existing healthy trees to be retained. This approach is considered to be integral with good design practice. The absence of an AIA is thus not considered as a justified reason to oppose the development in this case.

### **9.7 On and off site Recreation Provision (Policy R2)**

The indicative master plan shows the following provision  
Equipped children's 0.32 ha. R2 requirement 0.22 – 0.32  
Casual / informal 1.8 ha. R2 requirement 0.43 – 0.54

Therefore the proposal more than meets this element of the policy. There is no provision for youth / adult space on site, but a financial contribution will be made towards this provision to be spent off site in the locality. This contribution will be required by the section 106 for the site.

Sport England clearly objects to the proposal based on their own assessment of the site. However, there are two tennis courts on site at present. The Sport England comments appear to be based on a misunderstanding of the site, which unfortunately mistakes the helicopter landing area with "a small grass playing field in the north east corner of the site, which includes 2 mini-soccer pitches". There are no such pitches on site. However, it is nevertheless important to ensure such provision is provided at an appropriate level for any given development. In this case Wiltshire Council has, through the Open space officer, (see 7. Above) negotiated an appropriate solution combining both on site recreation provision as above, and off site through financial contributions.

### **9.8 Ecology / Impact upon protected species**

This application includes a full ecology assessment that considered the impact of this proposal on protected species and wildlife habitat.

The Ecology assessment report details habitat on the site, possible impacts and potential mitigation.

The proposed development includes a number of measures designed to minimise effects on biodiversity and ensure compliance with relevant legislation. In addition the scheme includes measures to enhance biodiversity as required by Planning Policy Statement 9 (PPS9) Biodiversity and geological Conservation, which states that there is a need to "enhance biodiversity in green spaces and among developments so that they are used by wildlife and valued by people.

The measures contained within the report have been assessed by the Councils Ecologist and an initial stage appropriate assessment has been carried out. The conclusions of the assessment are as follows:

## Need for an Appropriate Assessment

Under Regulation 48 (3) of the Habitats Regulations 1994 and based on the supporting information provided within the Ecology Assessment April 2011, Wiltshire Council is of the opinion that the proposals either alone or in combination with other plans or projects would not be likely to have a significant effect on the important interest features of the River Avon Special Area of Conservation SAC or any of the features of special scientific interest of the River Avon System Site of Special Scientific Interest SSSI.

It is Therefore the view of the LPA as the competent authority in this case, that a further full appropriate assessment is not required as the proposed development either by itself or in combination with other developments is unlikely to have a significant effect on the SAC.

However, natural England has identified areas of concern set out in their comments at 7, above. However following the completion of the Appropriate Assessment Wiltshire council has mitigated many of the concerns raised i.e that this proposal is not likely to have a significant effect on the River Avon "Special Area of Conservation" SAC. Whilst clearly the view of the principle consultee regarding these matters is not mitigated entirely. It is the LPA as the "competent Authority" who must assess whether an appropriate assessment should be carried out. This assessment must be based on the extent to which the information provided by the applicants is adequate to assess SAC issues, and on the consultation responses received from the principle / statutory consultees. For these reasons (amongst others) Wiltshire council does not object to the proposal from Habitats regulations / protected species point of view.

However, the councils ecologist has not concluded her final comments on the habitat creation aspects of this proposal. Additional information has been requested in this regard and members will be updated on this at the meeting.

Whilst this matter is outstanding at the time of producing this report, the acceptable outcome of the appropriate assessment carried out, together with the mitigation measures proposed in the Ecology Assessment, the agreement of the applicant to contribute to the preservation of protected species in the Section 106 agreement, the absence of it is not considered to amount to a reason to refuse this application.

The Appropriate assessment is attached to this report.

## 9.9 Phasing

On the basis that this application is seeking outline planning permission, it is difficult to predict with any certainty (given the influences of market forces and future developers who may have interests in developing the site), a precise programme of development. However, a number of options are proposed and these are set out on the indicative phasing plan for the site.

The phasing approach set out in this application assumes a build rate of approximately 150 homes per year and all 450 could be built within three years from

the start of construction. The development of all or part of the business park could also be complete within the same time period. Due to the number of access points proposed to each part of the site, different phases could simultaneously be delivered by multiple developers, resulting in a shorter overall programme of development.

The indicative phasing plan illustrates a sequence of phasing where the first phase of Residential construction (Residential Phase 1) would be in the north of the site / North Camp area. This would result in the construction of approximately 250 family dwellings over the period between 2012 and 2015. Residential phase 2 in the south of the site (South Camp) would cover the period from 2013 to 2016 and would provide approximately 200 dwellings including town Houses, apartments and open space.

The business park is also likely to be constructed in phases in order to avoid (amongst other things) over – supply of office space to the market. The initial phase of the business park is likely to be in the western part of the site where it would be most visible and where forming the access and adjoining the infrastructure is least expensive.

The eastern end of the business park is likely to be constructed within a separate phase from the middle area due to differing land ownership and thus, different procurement processes.

The business phases are proposed to be Business Park Phase 1: up to approximately 8000m<sup>2</sup> office development plus either retail or, community use, supporting infrastructure parking and open space. This would be delivered between 2013 and 2015.

Business Phase 2 is also up to 8000m<sup>2</sup> of office development plus either retail or, community use, supporting infrastructure parking and open space. This would be delivered between 2014 to 2016. Likewise for Business Phase 3 but, for delivery between 2016 to 2017.

There are no objections or concerns relating to the proposed phasing and implementation programme. However, the programme is indicative only and as such a detailed final phasing programme / scheme will be the subject of an appropriate planning condition. This will require clarification of the phasing and implementation details at a later reserved matters application stage.

However, the applicants have advised that even at this indicative stage the current economic downturn has led to a slight rethink of phasing. The applicants have advised that the advice of their marketing consultants GVA Grimly is that developers will not build speculative employment development in the current economic climate.

To that end, it is proposed to amend the suggested phasing applying a different mechanism to give confidence to the end developer. The amendments would result in the construction and sale of a greater number of dwellings while marketing the employment land.

It is therefore recommended that a condition be imposed as follows;

No development shall commence until a full marketing strategy has been submitted to and approved in writing by the Local planning Authority. The employment land shown on the approved plans shall be marketed in accordance with the approved marketing strategy and shall be for a period of not less than three years from the date of approval of the final reserved matters, or until 75% of the total housing number has been built and occupied whichever is the latter.

The applicants have stated that in the absence of such a condition, the site will not be as marketable as it could be. This is likely to end in the scenario that the site takes much longer to sell, which shall delay the release onto the market of the residential and employment land.

Since the earliest stages of this development proposal Wiltshire Council has made clear its intention not to relax the total amount of employment land allocated for this site. This application does not propose to reduce employment land and thus it is not contentious in this behalf. Thus, the principle concern regarding employment land is mitigated by the current proposal i.e. that of supply. However, the applicants request introduces another aspect of the considerations re the employment land, that of phasing. The principle concern regarding phasing is that the triggers result in a sufficient supply of employment land for the numbers of dwellings built at any given time (amongst other things).

In the general phasing arrangements that are set out in the Design & Access Statement page 62 "Phasing" illustrated on the "Indicative Phasing" plan. It is clear from the plan that a significant number of dwellings in Residential Phase 1 are proposed which suggest the need for high numbers. In this case, seventy five percent of dwellings equates to 337 dwellings which leaves a significantly high number, 113 to be built in the north part of the site as Residential Phase 2.

I am of the opinion that whilst building out this relatively high number of dwellings before providing the employment land starting with "Business Phase 1" and as this approach does not reduce the amount of employment land available, it is unlikely to significantly undermine the delivery of the employment uses for the site. As such whilst it may be considered that 337 dwellings is a relatively high number to build and sale before building phase 1 employment, given the downturn in the economy and whilst being more than aware that other developments are suffering through a downturn in housing sales, (amongst other things) I do not believe the approach to be unreasonable.

Therefore it is recommended that the condition set out above amending the indicative phasing programme should be imposed.

#### **Noise issues:**

The public protection officer has raised the need for conditions to assist in reducing the noise impacts of the existing surrounding infrastructure on the future occupiers of the site. In particular the need to reduce noise impact relates to two locations. These are The Avenue identified as a source of road traffic noise that would have an impact on the occupants of the proposed dwellings, and an area known as Monitoring Location 6 where two properties are proposed very close to the railway.



In the case of the Avenue the applicants have advised that measurements were undertaken at two locations representative of proposed houses adjacent to The Avenue: Location 2 and Location 4. The council has concerns for the houses at these locations which appear to relate to the potential for sleep disturbance. There are two parameters which are commonly used to describe thresholds relating to sleep disturbance – the  $L_{Aeq}$  and the  $L_{Amax}$ . Guidelines using these parameters are presented by PPG 24, BS8233, and the WHO Guidelines for Community Noise and the more recent WHO Night Noise Guidelines for Europe.

The Noise Assessment has demonstrated that whilst the noise levels at Locations 2 and 4 do not meet some of the  $L_{Aeq}$  and  $L_{Amax}$  criteria relevant to external noise levels, the implementation of sound attenuated trickle vents and either standard or acoustic glazing will ensure that all of the relevant internal noise criteria are met. Since it can be reasonably assumed that the residents will be sleeping indoors, it is considered that more weight should be given to compliance with the internal criteria. The above demonstrates that if bedroom windows overlook The Avenue, appropriate glazing and ventilation solutions are available to ensure the future residents do not suffer substantial sleep disturbance effects.

Monitoring location 6:

Whilst it is acknowledged that the current Master Plan shows a small number of houses in close proximity to the railway line, this is an outline application (with an illustrative master plan) and the precise siting of the houses is likely to be revisited at the reserved matters stage.

The monitoring undertaken at location 6 is representative of the likely 'worst case' noise levels which these houses may experience. The noise assessment demonstrates that on the basis of these measurements, the internal noise levels can reach acceptable levels (taking into account relevant sleep disturbance criteria), as long as the building elevations achieves suitable noise reduction measures. This assumes that the elevations facing the railway will include bedroom windows. Whilst both the exact siting, and internal layout of these dwellings will not be finalised until the reserved matters stage, it is a reasonable assumption that based upon the current Master Plan, the elevation facing the railway is a gable end and is unlikely to have large bedroom windows. Thus even the level of mitigation suggested in the noise assessment may not be required.

The current Master Plan has been developed taking into account a number of different environmental constraints, as well as good practice in development design and commercial considerations. The noise assessment has demonstrated that acceptable internal noise levels can be achieved by the current layout, thus a re-design and movement of the residential units south is not required on noise grounds. However as the Master Plan is taken forward to the reserved matters stage, any opportunities to improve the noise climate of future residents could be taken where possible and practical, given the other environmental and design constraints affecting the site.

Following negotiations with the Environmental protection team it is considered that

two properties are placed very close to the railway line. It is not considered that any mitigation will alleviate the noise that the occupants will experience with the trains passing through that section. Therefore it is recommended that a condition be attached to the application that these houses are removed from the scheme and relocated to another part of the development. Also the other houses close to the railway line will need to have a suitable scheme to reduce the effects of railway noise on the future occupants and such a scheme shall be submitted to and approved in writing by the LPA, such a scheme as approved shall be implemented to the satisfaction of the LPA prior to the habitation of any part of the development.

## **Flood Risk and Drainage**

Planning Policy Statement 25 “Flood Risk” (PPS25) sets out the requirements for consideration of flood risk during each stage of the planning process. It recommends that a site specific Flood Risk Assessment is carried out for all development falling in Flood Zones 2 and 3 from the Environment Agency Flood Maps and for any development greater than 1ha in area. The aim of the FRA is to steer development away from areas of high flood risk, known as the Sequential Approach, and to prevent increased flood risk in other areas of the catchment as a result of increased run-off or impediment of flood waters from new development.

A flood risk assessment was submitted with this application which confirms the site as being within Flood Zone 1 of the Environment Agencies Flood Zone areas. Flood Zone 1 is the lowest risk flood zone representing areas at risk of fluvial flooding with less than 0.1% probability of occurring in one year. These areas are not at risk from fluvial flooding, but due to the size of the development, an increase in surface water run-off may result from the impermeable surfaces leading to increased flooding downstream of the development.

As such careful consideration must be given to the affect of surface water drainage derived from the site. A separate drainage assessment has been undertaken and submitted with the application. This includes an assessment of existing and proposed run-off rates, and demonstrates that run-off rates will decrease as a result of the development. Surface water flows will discharge into Wessex Water sewers at a nominated point. Initial modelling shows that a total of 3.720m<sup>3</sup> of storage will be required to comply with both the requirements of Wessex Water and of Planning Policy Statement 25 Flood Risk (PPS25) that there is no increase surface water flows to their sewers.

The site is considered to be at low risk of flooding from fluvial, surface run-off and groundwater sources. Flood risk from other sources such as sewers, reservoirs or, canals do not exist at the site and are not considered to pose a significant risk to the site.

However, the development has the potential to increase flood risk downstream of the site, as a result of changes in hard standing and subsequent changes in surface run-off rates. Therefore the proposed drainage strategy will need to be designed to existing run-off rates in accordance with the advice in PPS25. A separate report has been submitted entitled “Water Study” which assesses existing and proposed run-off.

This report demonstrates that there will be no increase in surface water run-off and flood risk as a result of the development.

Conditions will be imposed requiring details of a drainage strategy in line with the submitted flood risk assessment. Otherwise, there are no concerns in regard to the impact of this development from a flood defence point of view.

## **Climate Change and Renewable Energy**

The application also includes a Renewable Energy Scoping Study report. The purpose of this report is to explore the possible options for incorporating renewable or, low carbon energy systems alongside the proposed development. Whilst this report has been submitted with the application, there is no adopted policy which specifically requires on-site renewable at this site. This is also the case with the adopted Salisbury District Local Plan. However, in relation to the emerging South Wiltshire Core Strategy, whilst it also does not include a general policy requirement for on-site renewable, draft policy for the UKLF site specifically identifies the need for 10% renewable energy generated on or, near the site.

Whilst there is no adopted policy this report can be used as a basis for further discussions in future to assess how renewable energy can be incorporated in to the development.

Nevertheless the report has considered the opportunities to include renewable energy via the use of renewable low carbon technologies. This is a response to emerging local policy in the South Wiltshire Core Strategy and the need to consider how future regulatory standards, to be introduced through the buildings regulations, can be met.

In combination with passive design measures and more efficient homes, the key technologies identified as having potential for this site include micro-generation (solar thermal, solar PV and ground heat source pumps) and a communal heating network. Whilst the report demonstrates a range of opportunities to reduce emissions etc it also provides a basis to inform further testing and agreement on an energy strategy for the site. This would be for negotiation at a later stage with potential developers and other interested parties. However, the Renewable Energy Scoping Study will be listed in the plans condition attached to this decision. In so doing it will be clear to any future developer of the site that these matters are high on the council's agenda and very careful consideration of their inclusion will be expected.

### **9.10 Environmental Impact assessment EIA:**

An Environmental impact screening opinion was requested from Wiltshire council on the need to undertake an Environmental Impact assessment EIA in line with the

(Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended. Wiltshire Council agreed that the proposed development falls under Schedule 2 development and the council is satisfied, in conjunction with statutory consultees, that there is no need for an EIA in this case.

### **9.11 Section 106 matters/ Heads of Terms**

A draft section 106 for this development is currently being negotiated. The Terms of the agreement “Heads of Terms” will require that the applicants contributes to a number of matters where relevant, and to accord with government Circular 2005/05 Planning Obligations, as discussed below;

#### Off Site Highway improvements and Travel Plan

Contributions will be sought for the provision of general road foot and cycleway improvements along The Avenue. These are required due to the anticipated increase in pedestrians, cyclists and walkers and in combination with significant improvements to the proposed vehicular access points and the provision of a Toucan Crossing on the Salisbury Road at the southern edge of the site.

#### Education

In this case the education issues centre on the numbers of persons of school age who are expected to live within the site. The Housing officer has stated that the expected numbers are 99 Primary school places and 52 S2 Secondary places. This proposal is not required to provide a new school on the site and as such financial contributions calculated in accordance with the agreed formula will be used to increase capacity off site.

#### Public Art

Public art will also be provided in this development. At this stage it is not clear as to what form this public art will take and a scheme will be submitted in detail at a later reserved matters stage. However, a financial contribution has been agreed to pay for/ contribute towards public art on the site.

#### Public Open Space

Public Open space is a significant element of the proposal that will include formal and informal space. Green corridors and links and large areas of existing landscaping and new planting. The council is negotiating a financial contribution for the ongoing maintenance of the open space both on and off site but, at the time of producing this report this has not been finalised. An update will be given at the meeting.

#### Ecology

This development falls within 15km of Salisbury Plain Special Protection Area (SPA). As part of the Wiltshire Core Strategy negotiations have been ongoing with Natural England, Defence Infrastructure and the RSPB about suitable mitigation for recreation impacts on the plain. These negotiations have moved away from the previous approach of creating “suitable alternative green space” within individual

developments. It is now agreed that this is unlikely to deter people from visiting the plain because of its unique qualities. Wiltshire council is therefore pursuing a tariff system which will ultimately be incorporated into the Community Infrastructure Levy (CIL). Wiltshire council is currently working on an evidence base for collecting this tariff but, at the time, it is not finalised. However, the applicants have not opposed the concept of paying a financial contribution in this regard. A contribution is likely to be agreed and an update will be given.

#### Affordable Housing

**This proposal is considered to accord the current policies for affordable housing provision. This proposal will provide 40% affordable housing on site and**

In addition to the above Heads of Terms the agreement will include the necessary triggers for the delivery of the open space, the affordable housing and the payment of the Education contributions (amongst other things) as previously explained in the report.

### **10. Conclusion**

For the reasons set out above in this report and subject to the conditions and a section 106 agreement, this outline planning application is considered to have (amongst other things) made good overall use of a vacant previously developed site within the defined development boundary of Wilton. The proposal is sustainably located where it will benefit from good public transport links to the town centre where a high level of amenities and local facilities exist.

The proposal includes a significant amount of business use that will compensate for job losses in the locality due to the relocation elsewhere of the existing occupiers of the site, whilst creating new job opportunities in this sustainable location within easy walking distance of the Town centre.

The proposal will make adequate provision for affordable housing in line with council policy whilst also providing for a demonstrable wider housing demand in and around the locality.

The proposal will also make a significant contribution adding to and improving the local road network and infrastructure whilst ensuring a safe integration of other modes of sustainable transport including Public Transport, cycling and for pedestrians.

Therefore it is considered that the proposal in combination with the conditions and the section 106 agreement will be in accordance with the aims and objectives of relevant national and local planning policy and the Development Template for the site and surrounding area.

### **11. Recommendation**

Subject to a section 106 agreement being entered into with respect to the following terms:

- Pedestrian (Toucan) Crossing
- Education – 99 Primary Places
- Education – 52 Secondary places
- Public Art
- Public Open Space Provision Comprising:
  - Equipped Childrens Play Grounds - 0.44 ha
  - Casual or Informal Play Space – 0.74 ha
  - Commuted Sum for Future Maintenance
  - Commuted Sum for Off Site
- Transport Contribution - per dwelling
- Travel Plan contribution
- Ecology / Stone Curlew Contribution
- 40% Affordable Housing split 135 (75%) Social Rent and 45 (25%) Intermediate (Shared Ownership)

**Then APPROVE** for the following reason:

This outline planning application is considered to have (amongst other things) made good overall use of a vacant previously developed site within the defined development boundary of Wilton. The proposal is sustainably located where it will benefit from good public transport links to the town centre where a high level of amenities and local facilities exist.

The proposal includes a significant amount of business use that will compensate for job losses in the locality due to the relocation elsewhere of the existing occupiers of the site, whilst creating new job opportunities near to where people will live, in this sustainable location within easy walking distance of the Town centre.

The proposal will make adequate provision for affordable housing in line with council policy whilst also providing for a demonstrable wider housing demand in and around the locality.

The proposal will also make a significant contribution adding to and improving the local road network and associated infrastructure whilst ensuring the safe integration of other modes of transport other than the private car, including cycling and for pedestrians.

Therefore the proposal is considered to be in accordance with the Adopted Salisbury District Local Plan saved policies G1,G2,G9,G13,H22,R2,TR1 and Policies DP3, DP4 of the Adopted Wiltshire Structure Plan and also in accordance with the Core policies,2,3,5,18,25 , including the saved policies listed in Appendix C, of the draft South Wiltshire Core Strategy”.

**And subject to the following conditions:**

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

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

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

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

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

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

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

3. The details of the development which are required pursuant to Condition No.2 above shall generally accord with the illustrative site layout plan (drawing no. PA.01 Revision D) and the indicative details contained within the planning statement and the design and access statement that have been submitted in amplification of, but do not form part of, the outline application.

REASON: For the avoidance of doubt.

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

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

5. No development shall commence until full engineering detailed drawings for the four vehicular access points to The Avenue, generally in accordance with the latest submitted sketch schemes, are submitted and approved in writing by the LPA; and the access points shall be constructed in accordance with the approved details before first occupation of any part of the development which gains access to the particular access point.

Reason: to ensure that the development is served by a safe and adequate road, footpath and cycle network in the interests of highway safety.

POLICY: G2 (General Criteria for Development).

6. No development shall commence until details of 4 bus stops along The Avenue, including two stops which consist of half width lay-bys located close to the existing Park and Ride roundabout on The Avenue, have been submitted and approved by the LPA; and the bus stops shall be provided in accordance with the approved details before the first occupation of the development.

Reason: to ensure that the development is served by a safe and adequate road, footpath and cycle network in the interests of highway safety.

POLICY: G2 (General Criteria for Development).

7. No development shall commence until a detailed scheme for the widening of the existing footway on the east side of The Avenue, to provide a width of 3 metres (accept at the existing road bridge over the rail line) for pedestrian and cycle use including a signing scheme and additional crossing points along The Avenue, has been submitted and approved in writing by the LPA; and the scheme shall be constructed in accordance with the approved design before the first occupation of the development or to an agreed programme.

Reason: to ensure that the development is served by a safe and adequate road, footpath and cycle network in the interests of highway safety.

POLICY: G2 (General Criteria for Development).

Informative: Conditions 5-7 above will require the developer to enter into appropriate Agreement(s) with the Local Highway Authority to ensure the works, which will be largely be within the existing public highway can be completed to the full satisfaction and eventual maintenance responsibility of the LHA.

8. No development shall commence until full detailed engineering drawings for the internal road layout and construction specification have been submitted and approved in writing by the LPA; and the internal road layout where it serves housing development shall be constructed in accordance with the approved details within one year of completion of the housing scheme.

Reasons: to ensure that the development is served by a safe and adequate road, footpath and cycle network in the interests of highway safety.



POLICY: G2 (General Criteria for Development).

9. The internal road layout shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced footway and carriageway to at least binder course level between the dwelling and the existing public highway.

Reasons: to ensure that the development is served by a safe and adequate road, footpath and cycle network in the interests of highway safety.

10. No development shall commence until a scheme for the amelioration of the effects of road and rail traffic noise on the future occupants of the proposed development shall have been submitted to and approved in writing by the LPA. Such scheme as approved shall be implemented in its entirety to the satisfaction of the LPA prior to the habitation of any part of the development.

Reason: In the interest of the protection of the public from the affects of noise

POLICY: G2 (General Criteria for Development).

11. The number of dwellings permitted to be constructed on this site shall not exceed 450 dwellings.

REASON: For the avoidance of doubt.

POLICY: G2 (General Criteria for Development).

12. As part of each reserved matters application, a schedule of materials to be used for the external walls and roofs of all buildings relating to that reserved matters application shall be submitted to, and where so required by the Local Planning Authority samples and/or sample panels of the materials shall be made available and/or constructed on site for inspection, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

REASON: In the interests of the character and appearance of the development and to ensure that it visually integrates with the surrounding area

POLICY: G2 (General Criteria for Development) and D1 (Design Criteria – Extensive Development).

13. Prior to the first occupation of each dwelling, the internal access roads within the site, including footpaths and turning spaces, that provides vehicular, cycle and /or pedestrian access to it shall be constructed, properly consolidated and surfaced to at least base course level between the dwelling and the existing adopted highway.

REASON: In order to ensure that an adequate means of access is available when the dwellings are occupied in the interests of sustainable development, highway safety and residential amenities.

POLICY: G2 (General Criteria for Development).

14. All soft landscaping comprised in the approved details for any subsequent reserved matters submission for the landscaping of the site shall be carried out in the first planting and seeding season following the commencement of development of the dwellings relating to that reserved matters submission or in accordance with a timetable for implementation that shall have been submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of development within that reserved matters submission.

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 for any subsequent reserved matters submission for the landscaping of the site prior to the occupation of any of the dwellings relating to that reserved matters submission or in accordance with a programme to be agreed in writing with the Local Planning Authority prior to the commencement of development within that reserved matters submission.

REASON: To ensure the satisfactory implementation of all approved landscaping works, in the interests of visual amenity.

POLICY: G2 (General Criteria for Development) and D1 (Design Criteria – Extensive Development).

15. No development shall take place on any area of land within any subsequent reserved matters approval until such time that details of the required earthworks, that shall include details of the proposed grading and mounding of land areas including the levels and contours to be formed showing the relationship of proposed mounding to the existing surrounding landform, the re-use/disposal of the existing spoil heaps within the site and the location of the storage of excavated materials, relating to that particular area of land have been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

REASON: To ensure that the proposed earthworks will relate satisfactorily to existing features within the site and its surroundings in the interests of visual amenity.

POLICY: G2 (General Criteria for Development) and D1 (Design Criteria – Extensive Development).

16. No development shall take place on any area of land within any subsequent reserved matters approval until such time that a lighting scheme for the site to include details of all street lighting, lighting for footpaths, communal parking areas and public areas and including details of the intensity of the lighting and the design of all lighting columns and lanterns relating to that particular area of land has been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details prior to the first occupation of the dwellings within that particular area of land and shall thereafter be retained.

REASON: To ensure that the lighting scheme respects the overall design qualities required from the development and to minimise the impact of the lighting scheme upon both the Boscombe Down airfield in the interests of air safety and upon the landscape in the interests of visual amenity.

POLICY: G2 (General Criteria for Development) and D1 (Design Criteria – Extensive Development).

17. No development shall take place until such time that a scheme for the provision of foul drainage works to serve the development, hereby approved, has been submitted to, and approved in writing by, the Local Planning Authority. No dwelling shall subsequently be first occupied until all necessary works for the drainage of foul water from that dwelling have been implemented in accordance with the approved scheme and made available for use.

REASON: To ensure that the development is provided with a satisfactory means of foul drainage.

POLICY: G1 (General Principles of Sustainable Development), G2 (General Criteria for Development) and G5 (Water/Drainage Infrastructure).

18. No development shall take place until such time that a scheme for the discharge and attenuation of surface water from the buildings, roads and other hard surfaced areas, together with details of a maintenance schedule of the surface water drainage scheme, have been submitted to, and approved in writing by, the Local Planning Authority. Such scheme shall include details of the temporary infiltration basin and the pollution prevention measures, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. The surface water drainage scheme shall subsequently be implemented in its entirety in accordance with the approved scheme and made available for use prior to the first occupation of any of the dwellings, hereby approved, and shall thereafter be maintained and retained in accordance with the maintenance schedule in perpetuity.

REASON: To ensure that the development is provided with a satisfactory means of surface water drainage, to prevent the increased risk of flooding and to minimise the risk of pollution and to protect the groundwater and the interest features of the River Avon Special Area of Conservation (SAC) and the River Avon System Site of Special Scientific Interest (SSSI).

POLICY: G1 (General Principles of Sustainable Development), G2 (General Criteria for Development), C12 (Nature Conservation – Protected Species), PPS9 Biodiversity and Geological Conservation and PPS25 (Development and Flood Risk).

19. No development shall commence on site until a scheme to deal with contamination of the land has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the public, buildings and the environment when the site is developed. The site shall be fully decontaminated in accordance with the approved scheme before any part of the development is first brought into use/ occupied [DELETE as appropriate].

REASON: In the interests of public health and safety.

POLICY- G2 (General Criteria for Development).

20. If during development, contamination not previously identified, is found to be present at the site no further development shall be carried out until a remediation strategy detailing the nature and extent of the unforeseen contamination, any remedial works to be undertaken to deal with the unsuspected contamination and a timetable for these works has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be approved in writing by the Local Planning Authority prior to the remediation works being carried out on site. The remediation works to deal with the unforeseen contamination shall thereafter be implemented in accordance with the approved details and timetable of works.

On completion of the works, a validation report detailing the implementation of the agreed remedial works and measures shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of any of the dwellings hereby approved.

REASON: In the interests of the protection of Controlled Waters and to protect the interest features of the River Avon Special Area of Conservation (SAC) and the River Avon System Site of Special Scientific Interest (SSSI).

POLICY: G8 (Groundwater Source Protection Areas), Policy C12 (Nature Conservation – Protected Species) and PPS9 (Biodiversity and Geological Conservation).

21. As part of each reserved matters application, a scheme of water efficiency measures to reduce the water consumption of the dwellings relating to that reserved matters application shall be submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall subsequently be implemented and made available for use prior to the first occupation of the dwellings and shall thereafter be retained.

REASON: In the interests of sustainable development and prudent use and conservation of water resources.

POLICY: G1 (General Principles of Sustainable Development) and G3 (Water Resources).

22. The development, hereby approved, shall be carried out in accordance with the recommendations and mitigation measures detailed within the submitted ecological survey report prepared by Entec and dated April 2011. On completion of the works, no development shall take place until such time that a validation report detailing the mitigation works that have been undertaken at the site that has been prepared by the ecologist that has overseen the implementation of the mitigation works has been submitted to, and approved in writing by, the Local Planning Authority.

REASON: To ensure adequate protection of protected species in the interests of nature conservation.

POLICY: PPS9 Biodiversity and Geological Conservation and Policy C12 (Nature Conservation - Protected Species).

23. No deliveries before and during the construction period shall be taken at or dispatched from the site and no construction works shall take place other than between the hours of 7:00am and 6:30pm on Mondays to Fridays, 8:00am and 1:00pm on Saturdays and at no time on Sundays or public holidays. This condition shall not apply to the internal fitting out of the dwellings.

REASON: To minimise the disturbance which noise during the construction of the proposed development could otherwise have upon the amenities of the immediate surrounding neighbourhood.

POLICY: G2 (General Criteria for Development).

24. The recommendations / measures detailed in the approved Flood Risk Assessment (FRA) compiled by Entec and dated April 2011, and the Water Study also compiled by Entec and dated April 2011, shall be carried out in full prior to the first bringing into use of the development.

REASON: In the interests of flood prevention.

POLICY: Planning Policy Statement 25: Development and Flood Risk.

25. No development shall commence on site until a scheme for the provision and management of compensatory habitat creation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be completed in accordance with the approved details, before the development is first brought into use or in accordance with the approved timetable detailed in the approved scheme.

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

POLICY: Planning Policy Statement 9: Biodiversity and Geological Conservation.

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

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- h) measures for the protection of the natural environment.
- i) hours of construction, including deliveries;

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

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

POLICY- G2 (General Criteria for Development).

27. The first submission of reserved matters shall include the submission of a waste audit identifying the waste generated by the development together with measures to be implemented to reduce, re-use and recycle any waste produced by the development and a scheme for the provision of facilities for the recycling of waste within the development for approval in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and the provision of facilities thereafter retained.

Reason:

In the interests of sustainable development.

POLICY : WCS6 of the Wiltshire and Swindon Waste Core Strategy 2006-2026 and G2 (General Criteria for Development).

28. No development shall commence until a full marketing strategy has been submitted to and approved in writing by the Local planning Authority. The

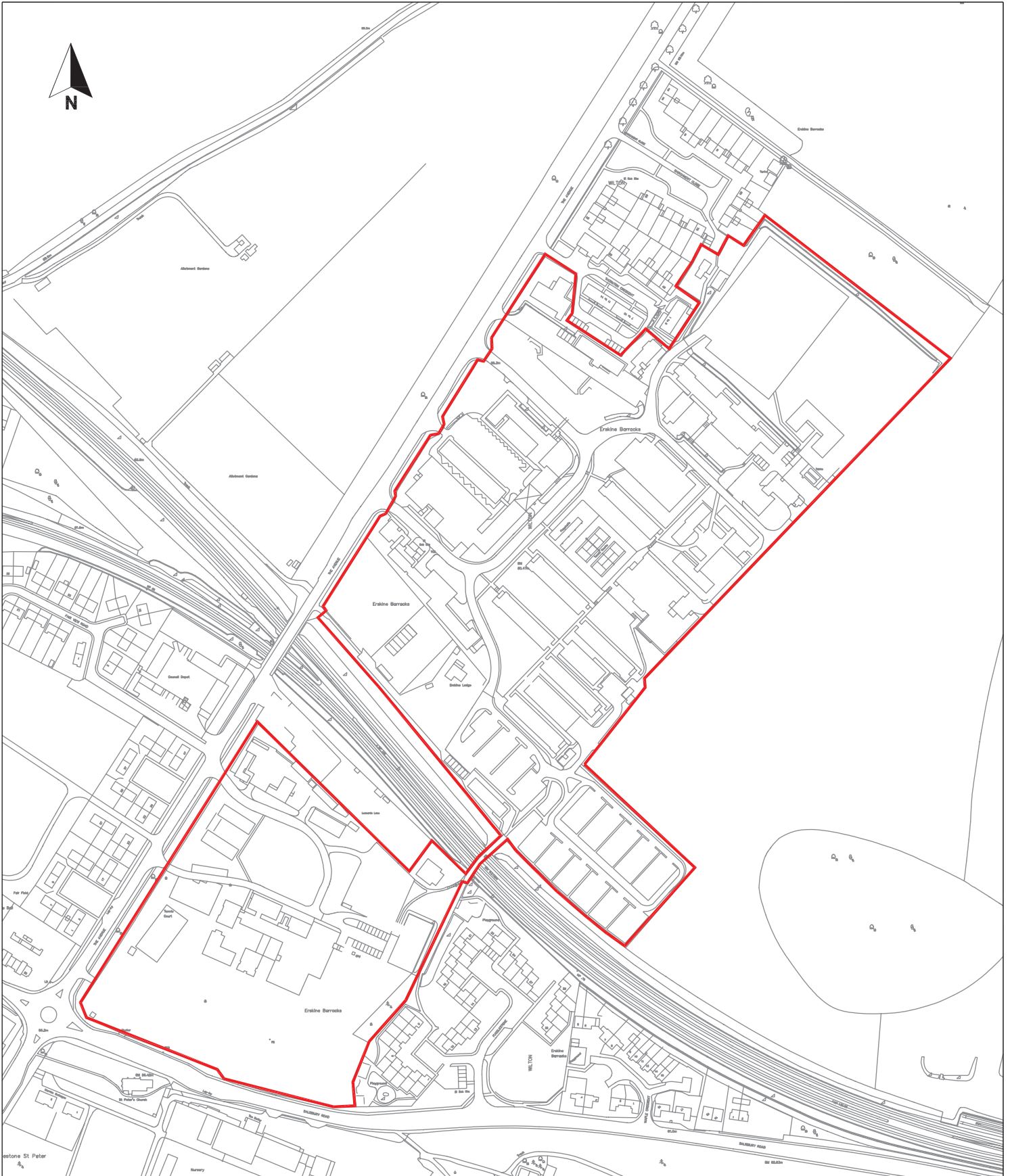
employment land shown on the approved plans shall be marketed in accordance with the approved marketing strategy and shall be for a period of not less than three years from the date of approval of the final reserved matters, or until 75% of the total housing number has been built and occupied whichever is the latter.

Reason: In the interest of the economic viability, marketability and phasing of the site.

POLICY: Core Policy 5. Employment Land, Emerging Core Strategy, adopted Wiltshire Structure Plan DP4.

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**Key**

 Site boundary



UK Land Forces, Wilton

**Application boundary**



Scale 1:2500 @ A3

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PERSIMMON HOMES SPECIAL PROJECTS  
Verona House  
Tetbury Hill  
Malmesbury  
Wiltshire  
SN16 9JR

Our Ref: - PD/LB

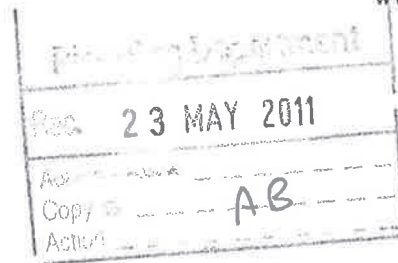
20 May 2011

Mr A. Bidwell  
Planning Officer  
Wiltshire Council  
Development Services  
PO Box 2281  
Salisbury  
Wiltshire, SP2 2PX

Tel: 01666 824721

Fax: 01666 826152

www.persimmonhomes.com



Dear Mr Bidwell

**Re: Planning Application S/2011/0517/OL: Demolition of Existing and Erection of 450 Dwellings and 3 Hectares of Employment Space at Erskine Barracks, Wilton, Salisbury**

Persimmon Homes Special Projects have an interest in land at Fugglestone Red, allocated in the emerging Core Strategy for a mixed-use development. After careful consideration, we wish to comment on Application S/11/0517 at the UKLF site due to what we consider to be a lack of detail contained in the submitted planning application and to address the issues that we believe will have an impact on Fugglestone Red. We note that Wiltshire Council arranged a meeting recently to discuss implementation issues on all the emerging Core Strategy proposals West of Salisbury, which confirmed that, whilst each site would obviously come forward independently, they each need to be aware of and take account of wider issues.

In view of the above, we consider there are a number of areas where the submitted application is deficient, or at the very least does not provide sufficient information for its impacts to be properly assessed. This could have implications for the planning application we are preparing at Fugglestone Red. The matters of particular concern to Persimmon Homes are set out below.

1. Education Impacts

The application does not demonstrate how education will be addressed and in particular how primary school pupils will be accommodated, which in the template for the UKLF site contained in the emerging Core Strategy requires the provision of a one form entry primary school. The Fugglestone Red proposal includes a new two form entry primary school. In the absence of provision of a primary school at the UKLF site and the absence of any other primary schools in the vicinity, the Fugglestone Red primary school will meet primary education needs West of Salisbury and will therefore facilitate the primary provision at UKLF. This needs to be dealt with by the UKLF application, both in provision of contributions towards the school and demonstration of links between UKLF and Fugglestone Red to show how pupils will be able to get to the school.

## 2. Playing Field Provision

An issue related to the primary school concerns provision of playing fields. Playing field provision at Fugglestone Red will be through dual use provision at the primary school, which will be sufficient to meet the needs of Fugglestone Red, but no more. It cannot therefore contribute towards meeting playing field requirements of the UKLF site, where the Illustrative Master Plan does not appear to make any on site provision.

## 3. Provision of Off Site Links

In respect of off site links, we note that one of the key design principles of the UKLF application is to improve access and connectivity to Wilton and the surrounding area. However, the application does not address this comprehensively (particularly in relation to links to future primary school provision, as set out above) and in one particular instance the Planning Statement distances itself from the provision of a link. Paragraph 3.41 of the Planning Statement says "It is suggested that Wiltshire Council and the Developers of the proposed Fugglestone Red site continue negotiations with Network Rail if it is decided that a public right of way to enable future residents of Fugglestone Red to cross the application site is desired". In addition, Paragraph 3.42 says "If Wiltshire Council decides they do not wish to enter into such negotiations, in which case, the Reserved Matters Application shall not facilitate access through from the Fugglestone Red site" (our emphasis). It is not right to say the green link is required "from" the Fugglestone Red site and indeed if the green link is required to facilitate safe pedestrian access from UKLF to the Fugglestone Red primary school, the balance of need lies with UKLF having to facilitate that link. That would be in accordance with the Core Strategy template for UKLF, which says under green infrastructure that UKLF should make contributions towards "links through to proposed Fugglestone Red development".

Another important access issue West of Salisbury is the provision of a new access to enable development of the Imerys proposed allocation for employment. We note that the application does not address this issue and in particular the Transport Assessment does not assess the impacts of a new access for Imerys on its traffic flows.

## 4. Impact on New Cut Crossroads

We note that the Transport Assessment carries out a comprehensive assessment in the vicinity of the UKLF site. However, we consider it fails to assess the implications of traffic from the development on the A360/The Avenue New Cut Crossroads, where Wiltshire Council have carried out a Feasibility Study into measures which would reduce the number and severity of the collisions at this location. Fugglestone Red will deliver a new junction in this location and the implications of traffic arising from the UKLF site on this junction needs to be assessed and taken into account.

## 5. Other Comments

Persimmon Homes are currently preparing a planning application at Fugglestone Red and it is important to be able to understand the implications of other developments West of Salisbury. To that end, we have the following additional comments on the UKLF application: -

- (a) We do not consider the Environmental Statement properly addresses cumulative impacts generally.
- (b) Although the application confirms 40% affordable housing will be provided, no details are given and in particular a breakdown of affordable housing provision, as required by emerging Core Strategy Policy CP10, is not provided.
- (c) The application includes no details of how The Avenue will be enhanced in place shaping terms in accordance with the Core Strategy template, both in relation to the direct on site frontage and elsewhere along The Avenue.
- (d) Again, in relation to dealing with cumulative impacts, the application does not appear to deal specifically with the protection of the River Avon SAC and the impact on phosphate and pollution levels through the Phosphate Management Plan. Indeed, one of the conclusions of the Water Study is that further investigation is needed to assess the benefits of using soakaways. We note that the Planning Statement says "The details of the proposal shall be dealt with at the Reserved Matters Stage" and "Until the detailed design has been finalised an appropriate scheme of mitigation cannot be agreed".

We accept that final detailed schemes are not appropriate now, but it is important to ensure sufficient detail is provided to enable an assessment of the likely impacts to be made in relation to the measures that the Fugglestone Red application will need to make.

- (e) We are unclear about the statement in Paragraph 6.3.2 of the Transport Assessment that the site is "Likely to come forward as an interim development being brown field and vacant" (our emphasis). The site is an allocation in the emerging Core Strategy, which is not affected by the current advertised proposed changes and will need to meet the requirements of that Policy document.
- (f) Issues on the SRN that the critical A36/A30/The Avenue and the A36/A3094 Junctions are unresolved.

## 6. Conclusion

Persimmon Homes considers: -

- i) The application contains insufficient details, as set out above, to enable a proper assessment of the impacts of the development to be made, in particular its impacts on Fugglestone Red.

ii) Development at UKLF cannot be looked at in isolation.

iii) Fugglestone Red has a role to play in helping facilitate development of the UKLF Site.

We are happy to discuss these issues with the Council and the applicants, as necessary.

Yours sincerely

Paul Davis  
Strategic Land Director

**APPENDIX 2: River Avon SAC Guidance  
ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS FOR PLANNING APPLICATIONS**

Application No.S/11/0517 Erskine Barracks .....Date of assessment: 18 July 2011

Potential cause of impact	Comments	Development gives rise to likely significant effects alone? (yes or no)	Is there potential for in-combination effects? (If yes, record details of applications /plans)
1. Red line boundary of the development falls within or immediately next to the SAC	Where the red line boundary falls within SAC, assume there could be likely significant effects.	No	No
2. Discharges may affect water quality of surface water or groundwater during the OPERATIONAL phase of the development	EA is the competent authority for environmental permits e.g. highway drainage and other surface water drainage. Does its consultation response indicate potential for significant effects? LPA is responsible for risks associated with non-consented discharges e.g. use of detergents, oil storage in agricultural apps.	No, provided a condition is applied for discharge of surface water as per EA letter 16 May 2011	No
3. Changes in river water quality because development not linked to main sewer or package plant is unacceptable	Ensure applications comply with river water quality policies in LDF. Environmental permits are issued by the EA for developments discharging >2m <sup>3</sup> to ground waters and >5m <sup>3</sup> to surface waters. For smaller discharges, permit still required if development lies within 50m of SAC (for ground water discharge) or 500m of SAC (for surface water discharge). Does EA's consultation response indicate potential for significant effects on the SAC or a risk that a permit might not be issued?	No, development linked to main sewer.	No
4. Existing sewage infrastructure unable to accommodate additional demand for effluent treatment within existing consents	Ensure applications comply with river water quality policies in LDF. Do consultation responses from EA and water companies indicate no capacity at sewage treatment works or other potential	The development is within the quantum of development proposed by the South Wiltshire Core Strategy	No



**APPENDIX 2: River Avon SAC Guidance  
ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS FOR PLANNING APPLICATIONS**

	significant effects?	which has been assessed under the Habitats Regulations. The Water Study (Entec, April 2011) demonstrates that foul water flows will be less than existing (table 4.7)	
<b>5. Water demand of the development is inconsistent with that predicted in spatial plans</b>	Ensure applications comply with water conservation policies in the local plan/LDF. Do consultation responses from EA and water companies indicate potential significant effects?	No. The Water Study (Entec April 2011), demonstrates that demand for potable water will be less for the new development compared to the current situation. Condition required for water conservation measures.	No
<b>6. Red line boundary includes or lies next to swampy vegetation even if swampy vegetation lies outside the SAC boundary</b>	Swampy vegetation is habitat for Desmoulin's whorl snail. This species requires damp soil conditions mainly found in flood zone 3. Impacts could arise with COU from pasture to horse paddocks or alterations to drainage.	No, Development is over 100m from SAC	No
<b>7. Reduction in floodplain with consequential effects for the river's flow regime</b>	This will only be significant for the largest applications and should have been assessed in DPDs. Check application is consistent with DPD HRA	Development is in Flood zone 1. No increased risks from new development. Apply condition for development to comply with FRA (as per EA letter 16 <sup>th</sup> May 2011)	No
<b>8. Changes to existing surface water hydrology e.g. large increase in area of hardstanding, changes to outfalls etc</b>	EA is responsible for issuing relevant consents. Does their consultation response indicate potential for significant effects? Risks associated with minor and householder developments are not likely to be significant.	SUDS will be used. Condition required (see item 2. above).	No
<b>9. Alterations to groundwater flows (caused for example by deep excavations, piling or water abstraction)</b>	EA responsible for consents within 8m of watercourse and consents for abstraction. Does their consultation response indicate potential for significant effects? LPA to consider apps beyond 8m from river. Risks associated with minor or household apps beyond 8m not likely to be significant.	No change in groundwater flows expected – no unusual ground conditions. Large scale excavations, piling or water abstraction not anticipated.	No
<b>10. Disturbance to SAC features</b>	Risks associated with minor or household		



**APPENDIX 2: River Avon SAC Guidance  
ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS FOR PLANNING APPLICATIONS**

<p>from increased noise (e.g. recreational use), vibration, light, temperature (e.g. increased temperature caused by removing trees from river edge)</p>	<p>applications not likely to be significant. However, removal of trees from river edge or bank top may be significant</p>	<p>No. Development lies over 100m away from the SAC</p>	<p>No</p>
<p>11. Adverse impacts during the CONSTRUCTION phase e.g. surface run-off, solid debris falling into river, damage to banks, water abstraction, soil disturbance encouraging the spread of invasive non-native plants</p>	<p>All apps within 20m of the River Avon SAC to provide a construction method statement. Apps within 20m of <u>any tributary</u> leading into the River Avon SAC to sign up to a standing construction method statement provided by Salisbury DC</p>	<p>No. Development lies over 100m from SAC. However a Construction Environment Management Plan will still be required (condition) because of the scale of the development. In addition, a condition will be required to ensure any risks from potential contaminated land are addressed (see EA letter 16<sup>th</sup> may 2011)</p>	<p>No</p>

**APPENDIX 4: River Avon SAC Guidance  
ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS FOR PLANNING  
APPLICATIONS**

**APPLICATION REF: S/11/0517      DATE: 18 July 2011**

**TITLE OF PROJECT: Redevelopment of Erskine Barracks**

**NAME OF EUROPEAN SITE(S): River Avon SAC**

This is a record of the judgment made by Wiltshire Council as required by Regulation 61 of the Habitats Regulations 2010 following appropriate assessment of the above project.

The assessment and mitigation proposals submitted with the project have been considered, and it is ascertained that:

- a) The project as proposed alone would not\* have a significant effect on the site.**
- b) The project as proposed, in combination with other plans/ projects, would not\* have a significant effect on the site.**
- c) Taking the above into account, a further appropriate assessment has not\* been undertaken**
- d) Natural England has not\* been consulted in relation to the further appropriate assessment.**
- e) Natural England has not\* confirmed that the development will not lead to a loss of site integrity**
- f) Conditions and / or obligations will be used to secure mitigation to protect the special interests**

\*Delete as appropriate

COMPLETED BY:



Wiltshire Council Officer (name): Louisa Kilgallen

AUTHORISED BY:

Wiltshire Council Manager

(name).....(Signature).....

FOR AND ON BEHALF OF WILTSHIRE COUNCIL

**APPENDIX 4: River Avon SAC Guidance  
ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS FOR PLANNING  
APPLICATIONS**

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## WILTSHIRE COUNCIL

### STRATEGIC PLANNING COMMITTEE

<b>Date of Meeting</b>	<b>16 November 2011</b>		
<b>Application Number</b>	<b>11/00134/FUL</b>		
<b>Site Address</b>	<b>Westinghouse Recreation Ground, Park Avenue, Chippenham, Wiltshire</b>		
<b>Proposal</b>	<b>Redevelopment of Westinghouse Recreation Ground to provide 76 dwellings, associated landscaping and creation of new vehicular access following the demolition of dwellings 33 and 35 Park Avenue</b>		
<b>Applicant</b>	<b>Linden Homes LLP</b>		
<b>Town/Parish Council</b>	<b>Chippenham</b>		
<b>Electoral Division</b>	<b>Chippenham Cepen Park and Redlands</b>	<b>Unitary Member</b>	<b>Councillors Phillips and Rooke</b>
<b>Grid Ref</b>	<b>390855 173841</b>		
<b>Type of application</b>	<b>FULL</b>		
<b>Case Officer</b>	<b>S T Smith</b>	<b>01249706633</b>	<b>simon.smith@wiltshire.gov.uk</b>

#### Reason for the application being considered by Committee

The Director of Development considers that this application raises issues that should be considered by the Strategic Planning Committee since, if granted planning permission, would involve the loss of sport, recreation and leisure facilities that are used by the wider rather than just the local community.

#### 1. Purpose of Report

To consider the above application and to recommend that planning permission be GRANTED subject to the imposition of planning conditions.

The Chippenham Town Council object to the application. The following numbers of letters have been received as a result of local publicity: 125 in objection (plus petition with 250 signatories); 55 in support, plus petition (with 81 signatories).

#### 2. Main Issues

To consider the proposed development in the context of the sites relationship to the northern approach to Chippenham and adopted North Wiltshire Local Plan 2011 policies C3 and H3. Specifically, to consider the following:

- Principle of development and policy context
- Loss of sporting facilities
- Density, layout, appearance

- Access and highways issues
- Impact upon neighbours

### 3. Site Description

The site comprises of 2.184 hectares (5.396 acres) of land, located south of Bristol road encompassed by Park Avenue on the Northern and Western boundaries. The site is currently accessed by a lane to the north of the site connecting to Park Avenue and another lane, which is the main existing site access, to the east of the site connecting to Bristol road.

The site predominantly consists of grass playing surfaces, which until recently was used by the private Westinghouse Sports Club: of four tennis courts, a bowling green, and cricket pitch. Several buildings are located on the site: most significantly the clubhouse used by the bowling club and pavilion, up until recently, used by the cricket team.

The site is lined with mature trees along its North Western boundary containing a mix of sycamore, horse chestnut, maple and lime. There are also two trees with Tree Preservation Orders (TPO) on the site one allocated on the west border (copper Beach) and the other on the south (sycamore).

Contextually, the site sits in a predominantly residential area. In general terms two storey, semi-detached suburban housing on the north, west and east of the site, and bungalows at the south. Adjoining the site to the south east is Redlands Primary School.

4. Relevant Planning History		
Application Number	Proposal	Decision
10/03997/SCR	Request for an opinion as to whether EIA is required in respect of residential development	EIA not required

### 5. Proposal

The proposal is for the redevelopment of the site to provide 76 dwellings, including 30% affordable housing and 5% low cost housing. The proposed development is to consist of a mixture of detached, semi-detached, terrace and apartments. The building heights will be predominately two storey, but with 4 no. blocks of flatted units to be of three storey height. Parking provision is to be made for 153 cars with vehicular and pedestrian access to be the via a new entrance into the site formed from the demolition of existing dwellings 33 and 35 Park Avenue.

Landscaping of the site is to take the form of two open space areas; each of approximately 0.2 hectares in area (0.4Ha in total). The two areas of open space are positioned, not co-incidentally, in locations subject to TPO trees or subject to no build covenants.

It should be noted that this application will need to be considered concurrently with a separately submitted application to provide additional sporting facilities at the Chippenham Rugby Club (11/00420/FUL refers). That application is, in effect, so as to allow, where considered necessary by Sport England, the replacement of those sporting facilities that would be lost as a redevelopment of the Westinghouse Sports Club site.

### 6. Consultations

Chippenham Town Council –

- *“Recommend refusal on the grounds that planning issues concerning style of dwellings, site access and highway matters, amenity loss and noise impact on the established surrounding communities have not been satisfactorily resolved. The application is prejudicial to progression of Wiltshire’s Local Development Framework with particular regard to the Core Strategy and the Green Infrastructure Strategy and has not resolved any outstanding major issues.”*

Spatial Planning Officer –

- Confirmation that the Westinghouse Sports Club site has been removed from the Core Strategy because it was not considered to be of strategic importance to deliver the emerging housing strategy for Chippenham. This decision was not in response to any request to remove the site.
- The fact that the application site is no longer identified in the emerging Core Strategy does not have a bearing on the determination of the current planning application.
- There is already an established policy framework within which the planning application should be determined.

Highway Officer –

*"The layout is generally acceptable with all the required pedestrian facilities in place. I have some details issues but these do not affect the layout and are such that can be addressed at the S38 stage if the roads are to be adopted. They primarily relate to the control of visitor parking and may result in some shuffling of parking allocations, although the no of spaces for each dwelling would not change.*

*Overall there is now no highway objection to this application subject to the following conditions being applied to any permission granted"*

Urban Design Officer -

- The number of dwellings appears to have been reduced slightly to achieve side access to rear gardens from the road and ease the car parking which is an improvement in response to previously stated concern.
- It is unfortunate that the pedestrian link alongside the school has been removed
- ‘Secured by Design New Homes 2010’ (ACPO) discourages footpaths to the rear of properties in terms of safety and security and in this regard the long Wessex Water access drive located between rear gardens and without intermediate public access could be problematic if used as an open publicly accessible route into the development. If the route is to be retained by Wessex Water clear surveillance along the route from each end and operational access to it could be achieved by keeping the route largely free of shrubbery with robust but attractive high open barred steel gates at either end through which the route can be seen.

Police Architectural Liaison Officer –

- The existing access would attract unwanted attention, it could also cause issues for those existing houses backing onto it. Whilst a robust metal gate at both ends and signage would help, this type of set up could also act like a 'red rag to a bull' for youths wanting to gain entry to areas where they are not allowed. If this gating is to happen, suggest keeping the area as free from planting as possible to allow for natural surveillance across the site from the nearby new houses so at least some informal policing can take place. Ideally this area should be closed off totally and the path removed. Anecdotal evidence shows that these areas are open to abuse and generally fall into a bad state of repair.

- The Open land to the southern part of this site would be overlooked by a number of properties however the parcel of land at the rear of 5-10 could be abused as it is not overlooked and would be attractive to people wanting to gather covertly this would cause issues for the new houses (5-10) and also the rear of existing properties.
- The boundary fencing of units 5-10 need buffer zones to protect their boundary fencing, as does any property backing onto public access land.
- There are numerous alleyways on the site, some in between properties and some providing rear access. These need to be gated, and the ones between properties need gates flush with the front elevation to avoid recessed areas.
- Several parking areas are not overlooked (11-12, 57,63,70 and 61,62,76,75) also access to one of the rear parking areas appear to be via an under croft entrance. These types of access areas should be avoided as they can be open to abuse and gatherings unless gated.

NOTE: the issues raised above have since been addressed by the application to the satisfaction of the Police Architectural Liaison Officer (email of 30th August 2011). The issue of the existing access, the PLO acknowledges the need to keep it open for utilities.

Tree Officer –

Awaiting final comments in response to revised tree survey/protection plan (PHL237-1 rev.C) and accompanying information.

Housing Officer –

- Housing need in Chippenham is high – 1304 households on register seeking affordable housing in area
- The proposed mix of houses/apartments and tenure in the application reflects local housing need
- Proposed affordable housing will be provided in clusters of no more than 15 units, as required by policy
- Support the proposal to enable an increase in affordable housing in Chippenham to meet an identified housing need.

Council Ecologist –

- Considers the site, buildings and trees thereon to provide only limited potential to support bat roosts and is of the firm opinion that the Council would not breach the Habitats Directive in the event of planning permission being granted.
- The site does not provide a habitat for reptiles.
- Raises no objections subject to the imposition of planning conditions in respect of timing of development to avoid impact on breeding birds, lighting scheme to protect bat foraging areas/commuting corridors and provision of bat/bird boxes.

Environmental Health Officer –



- Analysis of historic maps reveal adjacent land was used as a quarry in the late C19th and early C20th, but had been filled in by 1923 with housing starting to be built on the land by 1936.
- Submitted desk study identified possible contamination of site and recommends further investigation.
- Given available historic information available and the age and location of adjoining filled land, concludes that reasonable for planning condition to be imposed on any planning permission to ensure investigation/remediation prior to the commencement of development.

#### Public Open Space –

- No objections subject to legal agreement ensuring laying out and maintenance of public open space.

#### Education –

- Require a financial contribution to be brought forward in the order of £257,397 and £50,000 for primary and secondary school provision respectively.

#### County Archaeologist – No objections subject to conditions.

#### Wessex Water –

- Surface water strategy has been agreed with developers – includes a new length of sewer existing site via track at the Eastern corner of the field connecting to public surface water sewer prior to outfall at Hardenhuish Brook.
- Expectation that a planning condition be imposed on any planning permission to ensure a suitable point of connection is established for foul drainage of the site prior to the commencement of works.
- Confirmation has now been received that drainage of existing properties along Park Avenue is drawn to the front of the houses where it connects to the existing public sewers. Following demolition of Nos. 33/35 Park Avenue, existing properties adjacent the access will either connect to the existing public sewer or the new sewerage network part of the proposed development.
- Expectation that new surface water sewer to be routed via the existing access track would remain open (not disposed of to adjoining neighbours) so as to secure access for future operational maintenance and repair.

#### Sport England –

- Following submission of further supporting evidence, it has been established that: (a) existing tennis clubs in Chippenham do have spare capacity to accommodate new members displaced from redevelopment of the application site plus any increased demand in the future; and (b) existing bowls clubs in the town would welcome new members displaced from the redevelopment of the application site – confirmed by England Bowls.
- That the proposed mitigation measures for the Chippenham Rugby Club site to compensate, *inter alia*, for the loss of cricket facilities through redevelopment of the application site, are considered satisfactory.

#### Environment Agency –

- Following receipt of suitable Flood Risk Assessment, raise no objections subject to conditions.

## 7. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

Fifty three (55) letters of support received, including a petition of support raised eight (81) signatures and letters of support from the ECB and RFU with regard to the mitigation package for Westinghouse cricket Club relocation to Chippenham rugby Club. Summary of key relevant points raised:

- Provides the cricket club with great facilities
- Ensure the long term survival of the cricket club
- Improve the rugby facilities
- It will benefit the sporting youth of Chippenham and encourage participation
- Boost the local economy
- Provision of affordable housing
- Provision of local amenities
- The development will provide open space for public use

One hundred and twenty five (125) letters of objection received and a petition of two hundred and fifty signatures (250) received. Main issues raised:

- Loss of recreational facilities; bowling green and tennis courts
- Increased road congestion, and enhanced parking problems
- Queries the capability of current drainage and sewerage systems
- Proposal contradicts principles in PPS3
- Issues with building density and building heights (3 storey)
- The demolition of two houses on Park Avenue
- Issues with the boundary fence; why is it being kept? Who will be responsible for its maintenance?
- Current local primary schools already at maximum capacity
- The proposal is being built on Greenfield land not Brownfield
- Questions over the demand for the housing proposed
- Trees on site have TPO's
- Wildlife conservation- Bats
- The design of the proposal will promote anti social behaviour; disused lanes
- Existing properties adjacent the site overlooked by the new proposed dwellings

## 8. Planning Considerations

### Principle of development and policy context

Some local objection has been received on the basis that development of the site would prejudice the ability of the Council to properly plan and deliver future housing development in Chippenham. Indeed, it has been argued that granting planning permission for development of this site would undermine the formulation of the Core Strategy and other associated policy documents as the Green Infrastructure Strategy.

However, it is the view of Officers that such an approach would be entirely incorrect, and if used as a basis to refuse planning permission would be unreasonable, and by extension, present all the

attendant difficulties in a potential appeal situation. National guidance in PPS1 precisely warns Local Planning Authorities of the potential unreasonableness of refusing planning permission purely on grounds of prematurity, particularly where the proposal for development has an impact only on a small area (paragraph 17).

It is the case that there is an established policy framework within which this application should be determined. The site is within the Settlement Framework Boundary of Chippenham, where the principle of residential development is already established as acceptable. In this context there is no reason to look beyond planning policy that is already in existence in the form of the adopted North Wiltshire Local Plan 2011 in order to reach a conclusion on this application. There may be convincing reasons why the Development Control Committee may resolve to refuse planning permission, but what any emerging Core Strategy document may or may not say at some point in the future should not be one of them. Equally, whether the site is defined as "brownfield" or "greenfield", as assessed against the definition contained in PPS3, is considered to be largely inconsequential.

### Loss of sporting facilities

Although in private ownership, the application site is in planning terms nevertheless still considered a sports facility, comprising pitches, playing field, courts and associated buildings. Not only that, it is a sports facility positioned in a centralised position in the town, geographically accessible by much of the population. Its closure in recent years does not dilute the significance of the site from a land use planning perspective and it is this loss through residential re-development which must be addressed by mitigation and compensation. The approach and concept of appropriate mitigation and compensation is set out in Policy CF2 of the adopted Local Plan, national planning guidance in PPG17 as well as the national Playing Field Policy operated by Sport England.

The application site provides facilities for the following activities: cricket pitch and related pavilion and changing facilities, bowling green, 4 no. tennis courts, clubhouse and car parking. The planning application has been submitted complete with a package of information and measures to ensure re-development of the site would not strip the town of needed sporting facilities. It comprises two components:

1. Survey and investigation to prove that existing tennis and bowls clubs in the town do have spare capacity and would welcome new members displaced from the Westinghouse site.
2. A proposed creation of new cricket pitch and associated facilities at the Chippenham Rugby Club site – also involving an extension to the rugby pavilion and floodlighting so as to allow the two sports to co-exist and be properly managed. This proposal has been the subject of a separate planning application (reference 11/00420/FUL) to be considered concurrently.

Based upon the above, Sport England have signalled their satisfaction with the proposal and conclude that the replacement sporting facilities at the Rugby Club site would adequately make up for the loss of the application site as such. The Council's own Sports Development Manager has also confirmed that, in his view, existing tennis and bowls provision in the town is sufficient and would not require replacement.

Sport England's consideration of the adequacy of the replacement sporting facilities to compensate for those lost on the development site is based upon the quantity and quality of the provision, but also upon their accessibility. In the context of a non-objection from the acknowledged expert body, any residual concerns over the unfavourable comparison between the Westinghouse site and the Rugby Club sites in terms of the location characteristics in relation to the town, cannot reasonably be used as a reason to refuse planning permission.

Clearly, in the event of the Development Control Committee resolving to grant planning permission, an agreement under s106 of The Act must be entered into by all parties to ensure delivery of the replacement sporting facilities at the Rugby Club site.

### Density, layout, appearance

The development of 76 units on a site of 2.14Ha in area results in a density of 35.5dph. However, whilst excluding land for the existing accesses, it does include the 0.4Ha given over to open space on the site. Therefore as a means of assessing acceptability of a proposal, a density calculation merely produces an arbitrary number and does not in itself allow for a realistic judgement to be reached over whether a proposal is appropriate to its locality.

A visual comparison of the submitted layout with the surrounding context easily reveals the new development to consist of houses with generally smaller gardens than the majority of those existing dwellings surrounding the site – Beechwood Road, Park Avenue and Bristol Road in particular, perhaps being more comparable to the bungalows on Redland. Discounting the proposed public open space on the site, it is likely that the proposed density of development would indeed exceed that of its surroundings. However, this does not also therefore mean that the proposed development would appear incongruous or out of character.

Although as of June 2010, guidance in PPS3 no longer requires new development to have regard to an indicative minimum (previously 30dph), it does continue to advocate the efficient use of land and the need to not automatically conclude that an intensification of development is unacceptable (paras. 45-51). Rather, PPS3 requires a judgement to be made over whether a proposed development is well designed, laid out and built in the right location: would the proposal successfully integrate into the locality. In this particular instance whilst the density may be above existing development in the immediate vicinity, it is not inappropriately so. Rather, the proposed development is more likely to be perceived as the most recent phase of development in an environment where there is development of varying ages, design approach and density.

The layout of development relies upon a singular point of access from Park Avenue, which has been formed by the demolition of a pair of semi-detached properties. It follows that the layout is defined by an adopted two way road leading to a series of individual driveways, parking courts and eventually a cul-de-sac turning area. The dwellings themselves predominantly front onto the internal road providing for a strong street scene and a series of focal points as the road turns which good urban design demands. Two areas of public open space are to be provided at the Eastern and Western extremities, totalling 0.2Ha, and securing the future of the TPO and other trees at the boundaries.

The dwellings consist of a balanced mix of detached, semi-detached and flatted units, a total of 22 of which are to be affordable (approximately 30% of total). Their aesthetic is considered to display more character than the average house found on many modern housing estates – with welcome features such as dominant hipped roofs and nicely proportioned fenestration, typically found on inter-war housing that can be seen in Park Avenue and Bristol Road.

Although predominantly two storey properties, some concern locally has been raised about the appropriateness of the 4 no. three-storey blocks of flats to be arranged at the southern third of the site. It has been commented that three storey development flatted development (approximately 8.3m to eaves and 10.8m to ridge) is incongruous in the locality, which without exception is defined by two storey individual houses.

It is undeniable that existing development surrounding the site definitively does not consist of three storey development or flats and that this element of the proposal would represent a departure from that norm. However, such a difference should in the first instance be seen as merely a difference and not an automatic reason to refuse planning permission. Paragraphs 49 and 50 of PPS3, in effect, warn that a slavish following of existing developments design, layout or intensity is not

always necessary. Rather a balanced consideration is required as to appropriateness of the proposed development, with the quality and actual visual effect of what is being proposed given due weight. In this particular case, the three storey elements of the development are positioned deep within the site, the development itself and not the existing properties surrounding the site, forming its context. This considered to allow for a perceived gradation of change when entering the site from Bristol Road and Park Avenue and not an abrupt in character and style as is suggested by many of the objections received. Ultimately, however, this is a judgement that the Development Control Committee must reach.

### Access and highways issues

Consistently, all iterations of the layout have made use of a newly created vehicular access to the site via existing properties Nos.35/37 Park Avenue, which are to be demolished. All other accesses to the site, including the existing, are to be extinguished. The Council's Highway Officer has raised no objection to the principle of development nor to the singular point of entry to the site from Bristol Road/Park Avenue. The concerns of local residents over the capacity of the junction at Bristol Road to cope with additional traffic or the number of cars parked on Park Avenue that may create a highway safety issue are understood, but of course, in the context of a lack of objection from the Highway Officer, it is not considered reasonable to refuse planning permission on such grounds.

The scheme includes and intention to retain the existing access as open land, albeit securely closed to all forms of access at either end. This is a direct consequence to the proposed routing of the surface water sewer along its length for connection to existing public sewer on Bristol Road.

Concerns regarding the potential for the retention of the existing access as open land (as opposed to it being closed and disposed to adjoining neighbours gardens) to become a magnet for crime and anti-social behaviour have long been raised - a point debated by the Police Architectural Liaison Officer. However, it is clear that Wessex Water do require that land to remain open and available for operational maintenance if and when necessary (known as "easement") - difficult to ensure if the land is in several private ownerships. Wessex Water do point out that, for these very reasons, their own design guidance specifically requires new sewers to be routed through accessible land and away from rear gardens.

Equally, to simply require a different routing of the new sewers to connect at Bristol Road would be complicated by relative land levels (to achieve appropriate fall) and, inevitably, cost and viability. An alternative routing of the sewer (even if it were possible) via Park Avenue itself would also involve extensive construction works and all the additional disturbance that would cause.

In the context of the above, and the ability to robustly secure either end of the existing access (as pointed out of the Police ALO), this issue is not thought to justify a reason to refuse planning permission.

### Impact upon neighbours

The development site shares common boundaries with existing properties at Park Avenue, Beechwood Road and Redlands. It is undeniable that existing residents looking out across the site will experience an abrupt and significant change to their view – from large open playing field to urban form. However, a change to an existing outlook is simply that, and does not necessarily result in an unacceptably oppressive form of development, loss of amenity or, therefore, a reason to refuse planning permission.

To a large extent the amenities of existing residents at Park Avenue backing onto the site are protected by reasonable rear gardens and intervening public open space, out-buildings and boundary treatments (nevertheless, a specific planning condition requiring an alteration to window positioning in plot 01E is considered necessary). Similarly, residents at Beechwood Road are protected against direct and unacceptable overlooking by the positioning and orientation of the proposed new units.

The Westlea Bungalows at Redlands are positioned close to the southern boundary of the site, with truncated rear gardens. As such, the proposed layout has needed alteration so as to ensure overlooking and any feeling of oppression from built form. Overlooking has been avoided through a combination of distance, positioning of windows and out-buildings so as to block direct view.

Noise and disturbance to immediate neighbours from use of the proposed new access to the site has been considered a potential concern. Such disturbance could be from the general increase in activity, car headlights or, for instance, children playing. In order to assess this potential, the applicants have submitted a Noise Assessment document which attempts to use scientific method to compare the existing situation with that proposed. However, it is often the case that noise and disturbance from such sources is rather more intangible and less easy to meaningfully define through a simple measure of decibels. Nevertheless, the broad conclusions of the submitted Noise Assessment are thought to be sound when consideration is given to the Park Avenue and Bristol Road, which, presumably, must already be a substantial generator of noise and disturbance from manoeuvring cars, headlights, pedestrians and children playing etc.

## **9. Conclusion**

The level and nature of local concern and objection to this proposal is entirely understandable since it involves taking an open and largely undeveloped sports facility and turning it into hard urban form. However, those objections do not readily translate into material planning considerations or defensible reasons to refuse planning permission. Indeed, on the substantive question of the loss of the site as a sports/recreational facility, it is clear that effective mitigation can be put in place to ameliorate such a loss.

The application must be considered against established planning policy. Any prediction over the future scope, meaning and interpretation of emerging planning policy should not greatly influence the process of determining this application or any conclusions reached.

In coming to this recommendation, regard has been had to the Draft National Planning Policy Framework document, recently issued for consultation. However, this document is still in draft form and is likely to be changed as a result of the consultation process. As such, at this point in time, little weight can be afforded to it in the context of this planning application.

## **10. Recommendation**

Subject to all parties entering into a legal agreement under Section 106 of The Act in respect of the following issues:

- Financial contribution towards the provision of education facilities
- Provision and maintenance of public open space
- Provision of affordable housing on site
- To ensure mitigation package of replacement sporting facilities proposed under planning application 11/00420/FUL is provided prior to development taking place

Then:

Planning Permission be GRANTED for the following reason:

The proposed development is considered to be of a density, layout, scale and appearance that is appropriate to the context of its surroundings and without significant impact upon amenities of existing residential occupiers. Subject to the imposition of appropriately worded planning conditions and, critically, a legal agreement that ensures delivers community infrastructure and a compensatory package of replacement sporting facilities that would be lost as a result of redevelopment of the application site, the proposal is considered to comply with the provisions of adopted North Wiltshire Local Plan policies C2, C3, NE11, NE14, NE17, T3, H3, H5, CF2 and CF3 together with national policy guidance contained in PPS3, PPS9, PPS17, PPS23 and PPS25.

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. No development shall commence on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied / brought into use.

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

3. 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.

4 (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

5. No dwelling on the development hereby approved shall be occupied until sufficient space for the parking of 153 vehicles together with a vehicular access thereto has been provided in accordance with details submitted to and approved in writing by the Local Planning Authority. The said space shall not be used other than for the parking of vehicles or for the purpose of access.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

7. No development shall commence on site until details of the storage of refuse, including details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved refuse storage has been completed and made available for use in accordance with the approved details and it shall be subsequently maintained in accordance with the approved details thereafter.

REASON: In the interests of public health and safety.

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

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

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

REASON: To ensure that the proposal is provided with a satisfactory means of drainage.

10. No development shall commence on site until a scheme to deal with contamination of the land has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the public, buildings and the environment when the site is developed. The site shall be fully decontaminated in accordance with the approved scheme before any part of the development is first occupied.

REASON: In the interests of public health and safety.

11. No development shall commence within the application site until:

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



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

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

12. Prior to the commencement of development full and complete details of the proposed treatment of the existing access to the site shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall include means of enclosure at each end, surfacing of the land and method of ensuring future security of the land so as to prevent the land becoming a focus for noise, disturbance and anti-social behaviour. Development shall be carried out in complete accordance with the details so agreed.

REASON: So as to secure a satisfactory treatment of this part of the application site and to prevent an adverse impact upon the amenities of neighbouring residents.

13. Prior to the commencement of development an Ecological mitigation Plan shall have been submitted to and agreed in writing by the Local planning Authority. Such a Plan shall include: (a) the timing and supervision of construction works so as to avoid unnecessary damage to active birds nests; (b) a scheme for lighting across the site (both construction and any permanent lighting) to ensure protection of bat foraging areas and commuting corridors; (c) the provision of bat and bird boxes within the development. Development shall be carried out in complete accordance with the agreed details.

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

14. Notwithstanding that demonstrated on submitted plan reference 3341/205 – type E rev.A, the first floor bedroom 1 window in the rear elevation of plot 01 E shall not be created and shall instead be substituted with an alternative window inserted in to the south-east side facing elevation of that property. Development shall be carried out in complete accordance with this planning condition unless otherwise agreed in writing with the Local Planning Authority prior to the commencement of construction of plot 01 E.

REASON: In the interests of securing the amenity of existing residents in Park Avenue.

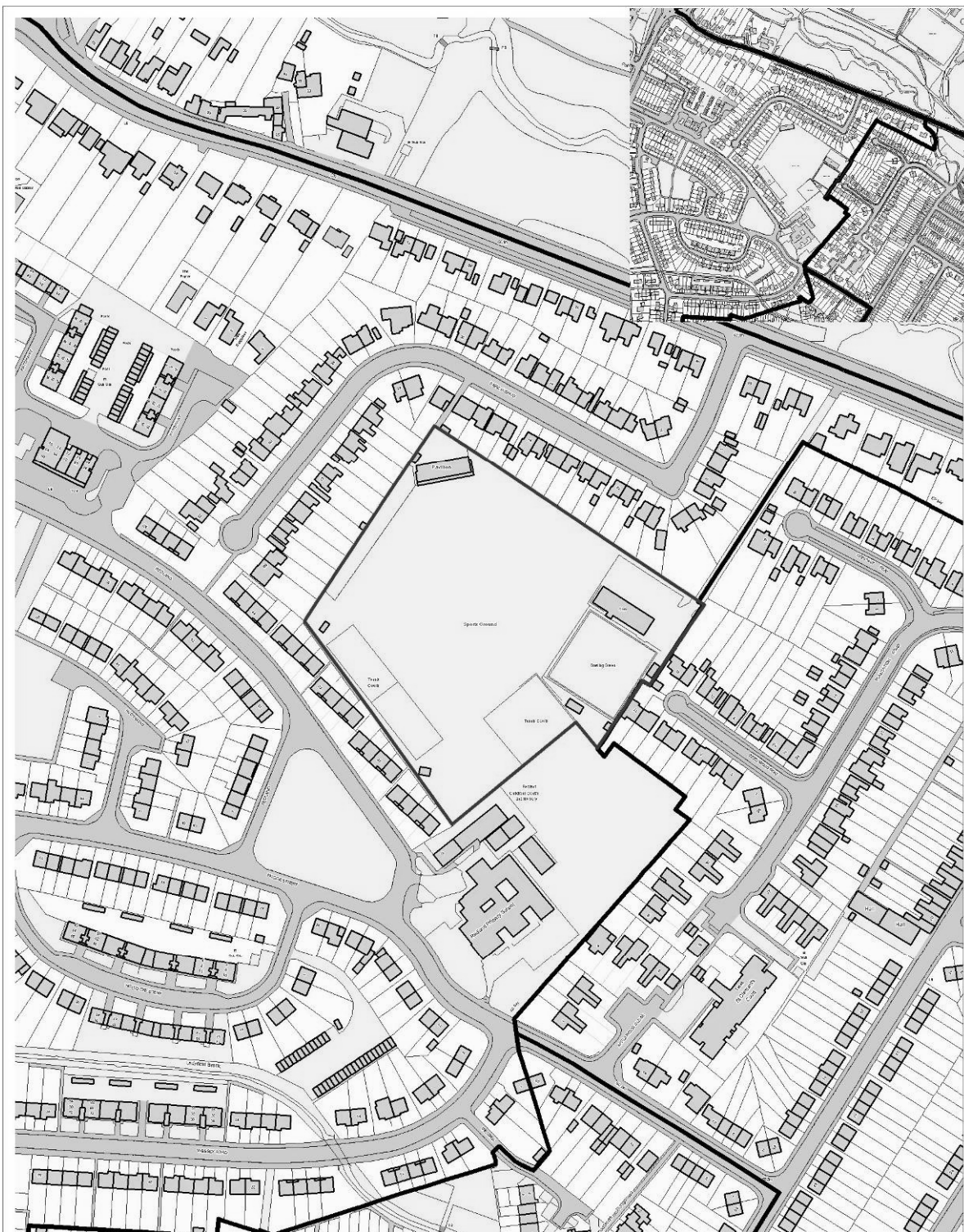
15. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

Location plan 3341/101 rev.A (date stamped 14<sup>th</sup> January 2011)  
Site plan 3341/103 rev.T (date stamped 29<sup>th</sup> July 2011)  
Adoption and management 3341/110 (date stamped 29<sup>th</sup> July 2011)  
Site survey 3341/102 (date stamped 14<sup>th</sup> January 2011)  
Existing trees plan 3341/105 rev.A (date stamped 14<sup>th</sup> January 2011)  
Existing buildings to be demolished 3341/106 rev.A (date stamped 14<sup>th</sup> January 2011)  
Street elevations sections AA-CC 3341/108 rev.B (date stamped 29<sup>th</sup> July 2011)  
Street elevations sections DD-FF 3341/109 rev.B (date stamped 29<sup>th</sup> July 2011)  
House type A floor plans and elevations 3341/201 rev.B (date stamped 14<sup>th</sup> January 2011)  
House type B floor plans and elevations 3341/202 rev.B (date stamped 14<sup>th</sup> January 2011)  
House type C floor plans and elevations 3341/203 rev.A (date stamped 14<sup>th</sup> January 2011)  
House type D floor plans and elevations 3341/204 rev.A (date stamped 14<sup>th</sup> January 2011)  
House type E floor plans and elevations 3341/205 rev.A (date stamped 14<sup>th</sup> January 2011)  
House type F floor plans and elevations 3341/206 rev.A (date stamped 14<sup>th</sup> January 2011)  
House type G floor plans and elevations 3341/207 rev.B (date stamped 14<sup>th</sup> January 2011)  
House type H floor plans and elevations 3341/208 rev.A (date stamped 14<sup>th</sup> January 2011)  
House type J floor plans and elevations 3341/209 rev.A (date stamped 14<sup>th</sup> January 2011)  
House type K floor plans and elevations 3341/210 rev.A (date stamped 14<sup>th</sup> January 2011)  
House type L floor plans and elevations 3341/211 rev.A (date stamped 14<sup>th</sup> January 2011)

House type M floor plans and elevations 3341/212 rev.A (date stamped 14<sup>th</sup> January 2011)  
Apartments block 1 floor plans 3341/301 rev.A (date stamped 14<sup>th</sup> January 2011)  
Apartments block 2 floor plans 3341/302 rev.A (date stamped 14<sup>th</sup> January 2011)  
Apartments block 3 (affordable) floor plans 3341/303 rev.C (12<sup>th</sup> May 2011)  
Apartments block 1 elevations 3341/304 rev.A (date stamped 14<sup>th</sup> January 2011)  
Apartments block 2 elevations 3341/305 rev.A (date stamped 14<sup>th</sup> January 2011)  
Apartments block 3 elevations 3341/306 rev.C (date stamped 12<sup>th</sup> May 2011)  
Single garage floor plans and elevations 3341/401 rev.A (date stamped 12<sup>th</sup> May 2011)  
Double garage floor plans and elevations 3341/402 (date stamped 14<sup>th</sup> January 2011)  
Triple garage floor plans and elevations 3341/403 rev.A (date stamped 12<sup>th</sup> May 2011)  
Cycle store units 33-44 floor plans and elevations 3341/404 rev.A (date stamped 12<sup>th</sup> May 2011)  
Cycle store units 15-26 floor plans and elevations 3341/405 rev.A (date stamped 12<sup>th</sup> May 2011)  
Sheds floor plans and elevations 3341/406 (date stamped 14<sup>th</sup> January 2011)  
Quad garage floor plans and elevations 3341/407 (date stamped 29<sup>th</sup> July 2011)  
Single garage – type 02 floor plans and elevations 3341/408 (date stamped 29<sup>th</sup> July 2011)  
Double garage – type 02 floor plans and elevations 3341/409 (date stamped 29<sup>th</sup> July 2011)  
Landscape principles PHL237-1 rev.C (date stamped 14<sup>th</sup> July 2011)  
Drainage Strategy 10051-C001 rev.D (date stamped 30<sup>th</sup> August 2011)

Planning Supporting Statement (date stamped 14<sup>th</sup> January 2011)  
Design and Access Statement (date stamped 14<sup>th</sup> January 2011)  
Design and Access Statement addendum (dated August 2011)  
Sustainability Statement (date stamped 14<sup>th</sup> January 2011)  
Construction Management Plan (date stamped 14<sup>th</sup> January 2011)  
Site Waste management Plan (date stamped 14<sup>th</sup> January 2011)  
Flood Risk Assessment (date stamped 14<sup>th</sup> January 2011)  
Archaeological Desk-Based Assessment (date stamped 14<sup>th</sup> January 2011)  
Transportation Assessment (date stamped 14<sup>th</sup> January 2011)  
Statement of Community Engagement (date stamped 14<sup>th</sup> January 2011)  
Hydrock Desk Study (date stamped 14<sup>th</sup> January 2011)  
Additional letters and information Hydrock/Wessex Water (date stamped 24<sup>th</sup> February 2011)  
Ecology and Protected Species Survey (date stamped 14<sup>th</sup> January 2011)  
Reptile Survey (date stamped 14<sup>th</sup> June 2011)  
Arboricultural Implications Assessment (date stamped 14<sup>th</sup> January 2011)  
Westinghouse Sports Ground Mitigation Package (date stamped 14<sup>th</sup> January 2011)  
Supporting Evidence Tennis and Bowls Provision (date stamped 11<sup>th</sup> March 2011)  
Westinghouse Mitigation Package Appendix 1 (date stamped 14<sup>th</sup> January 2011)  
Westinghouse Mitigation Package Appendix 2 (date stamped 14<sup>th</sup> January 2011)  
Westinghouse Mitigation Package Appendix 3 (date stamped 14<sup>th</sup> January 2011)  
Westinghouse Mitigation Package Appendix 4 (date stamped 14<sup>th</sup> January 2011)

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



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## WILTSHIRE COUNCIL

### STRATEGIC PLANNING COMMITTEE

<b>Date of Meeting</b>	<b>16 November 2011</b>		
<b>Application Number</b>	<b>11/00420/FUL</b>		
<b>Site Address</b>	<b>Chippenham RFC, Allington Fields, Chippenham, Wiltshire, SN14 0YZ</b>		
<b>Proposal</b>	<b>Erection of Cricket Pavilion, Cricket Nets, Installation of Floodlighting and Extension to Kitchen and Changing Rooms in Existing Building</b>		
<b>Applicant</b>	<b>Linden Homes LLP</b>		
<b>Town/Parish Council</b>	<b>Chippenham</b>		
<b>Electoral Division</b>	<b>Kington</b>	<b>Unitary Member</b>	<b>Councillor Greenman</b>
<b>Grid Ref</b>	<b>389648 174129</b>		
<b>Type of application</b>	<b>FULL</b>		
<b>Case Officer</b>	<b>S T Smith</b>	<b>01249706633</b>	<b>simon.smith@wiltshire.gov.uk</b>

#### **Reason for the application being considered by Committee**

This application is submitted in parallel with application 11/00134/FUL for the redevelopment of the Westinghouse Sports Club site, Park Avenue, Chippenham. This application comprises proposals intended as a mitigation package of new and improved sports facilities so as to compensate for the loss of such facilities lost at the Westinghouse Site through redevelopment.

The application for the redevelopment of the Westinghouse Sports Club site is to be considered by the Committee. Because of its linkage, it is thought proper that this application be considered contemporaneously.

#### **1. Purpose of Report**

To consider the above application and to recommend that planning permission be GRANTED subject to the imposition of planning conditions and all parties entering into a legal agreement under s106 of The Act.

The Chippenham Without Parish Council do not object to the application but raise the issue that the present access to the site can cause a road safety hazard – especially when special events are held at the ground.

Three (3) letters of objection have been received.

#### **2. Main Issues**

To consider the proposed development in the context of the sites relationship to the northern approach to Chippenham and adopted North Wiltshire Local Plan 2011 policies C3, NE15 and CF2. Specifically, to consider the following:

- Principle of development and policy context
- Loss of sporting facilities at Westinghouse Sports Ground
- Visual appearance in landscape

### 3. Site Description

The application site comprises of 10.7 hectares of land, and comprises the existing rugby club grounds, pitches and associated car parking. The site is located to the immediate West of the A350 West Cepen Way and opposite the Bumpers Farm industrial area. Road access to the rugby club is via Frogwell, approached from the Allington direction. Pedestrian access is possible from the Chippenham direction via the Frogwell footbridge.

In planning policy terms, the entire site is part of the open countryside.

4. Relevant Planning History		
Application Number	Proposal	Decision
04/00054/FUL	Floodlighting installation consisting of four 18.0m static columns with 3 x 1500w floodlights per column	Permission 23/02/04

### 5. Proposal

The proposal is for the creation of a new cricket pavilion, cricket practice nets, extension to the existing rugby clubhouse (in the form of additional changing rooms and kitchen extension) and 12 no. new floodlights for new/re-orientated rugby pitches.

It should be noted that this application will need to be considered concurrently with a separately submitted application to redevelop the Westinghouse Sports Club site, Chippenham with 76 dwellings (11/00134/FUL refers). This application, in effect, comprises the compensatory sports facilities that would need to be created so as to mitigate against the loss of such facilities at the Westinghouse site.

It is, however, also possible for this application to be determined entirely independently of any decision to grant or refuse planning permission for the proposed Westinghouse redevelopment application (ie. a refusal to grant planning permission under concurrent application 11/00134/FUL should not automatically result in this application also being refused planning permission).

### 6. Consultations

Chippenham Town Council –

*“Regarding the proposal to erect a cricket pavilion at Allington Fields, you should have already received a letter which notes the Parish Council does not raise an objection. However we have received some views from members of the public who also raise no objections but point out that the present access to the ground can present a road safety hazard at certain times of the week especially when special events are held at the club and ground. They ask whether the Highways Department could be asked to comment on an access straight on to the dual carriageway? Local councillors certainly have witnessed grid lock on the current access and further development will tend to exacerbate this.”*

Highway Officer – No objections

Council Ecologist – Following submission of Phase I Ecological Survey and Reptile Survey, no objections subject to conditions.

County Archaeologist – “It looks like there is already drainage in and there is no significant disturbance planned. I do not have any further comments on the proposals.”

Sport England – (in respect of the application for the redevelopment of the Westinghouse Sports Club site)

- Following submission of further supporting evidence, it has been established that: (a) existing tennis clubs in Chippenham do have spare capacity to accommodate new members displaced from redevelopment of the application site plus any increased demand in the future; and (b) existing bowls clubs in the town would welcome new members displaced from the redevelopment of the application site – confirmed by England Bowls.
- That the proposed compensatory sports facilities at the Chippenham Rugby Club site are sufficient to make up for the loss of cricket facilities through redevelopment of the application site.

Environment Agency – No objections subject to imposition of suitable drainage conditions.

## **7. Publicity**

The application was advertised by site notice, press advert and neighbour consultation. Three (3) letters of objection have been received. Main issues raised:

- Westinghouse Cricket Club should remain where it is and not be moved to the rugby club site
- Object to this application because it is dependent upon the loss of the sports facilities at the Westinghouse recreation ground.
- Already suitable facilities at the Westinghouse site. Not enough mitigation as the redevelopment would result in loss in sports provision overall – including bowls green and four tennis courts.
- New facilities would be at edge of town and would be less accessible to people of all ages who do not have access to car.
- No safe pedestrian or vehicular infrastructure in place

## **8. Planning Considerations**

### Principle of development and policy context

The application is for the creation of new sports/leisure facilities, entirely contained within the boundaries of an existing sporting facility: the Chippenham Rugby Club. Policy CF2 of the adopted North Wiltshire Local Plan 2011 is worded so as to allow for the principle of the improvement of existing leisure facilities; precisely the situation set out by this application.

The proposal does however continue to need to be considered against more detailed development control criteria set out by Policies C3 (development control core policy) and NE15 (landscape character of the countryside).

### Loss of sporting facilities at Westinghouse Sports Ground

Although in private ownership, the Westinghouse Sports Club site is, in planning terms, still considered a sports facility:- comprising pitches, playing field, courts and associated buildings. Not only that, it is a sports facility positioned in a centralised position in the town, geographically accessible by much of the population. Its closure in recent years does not dilute the significance of the site from a land use planning perspective and it is this loss through residential re-development which must be addressed by mitigation and compensation. The approach and concept of appropriate mitigation and compensation is set out in Policy CF2 of the adopted Local

Plan, national planning guidance in PPG17 as well as the national Playing Field Policy operated by Sport England.

The Westinghouse site provides facilities for the following activities: cricket pitch and related pavilion and changing facilities, bowling green, 4 no. tennis courts, clubhouse and car parking. The planning application to redevelop the Westinghouse site has been submitted complete with a proposed package measures to ensure re-development of the site would not strip the town of needed sporting facilities. That package comprises two components:

1. Survey and investigation to prove that existing tennis and bowls clubs in the town do have spare capacity and would welcome new members displaced from the Westinghouse site.
2. A proposed creation of new cricket pitch and associated facilities at the Chippenham Rugby Club site – also involving an extension to the rugby pavilion and floodlighting so as to allow the two sports to co-exist and be properly managed.

It is the second of the two components that is the subject of this application now under consideration and as such, should be considered concurrently with the application to redevelop the Westinghouse site.

Based upon the above, Sport England have signalled their satisfaction with the proposal and conclude that the replacement sporting facilities at the Rugby Club site would adequately make up for the loss of the application site as such. The Council's own Sports Development Manager has also confirmed that existing tennis and bowls provision in the town is sufficient and would not require replacement.

The adequacy of the replacement sporting facilities to compensate for those lost on the development site is fully debated under the associated application to redevelop the Westinghouse site. This application for new facilities at the rugby club site can, and should, be considered on its own merits.

Nevertheless, in the event of the Development Control Committee resolving to grant planning permission for the redevelopment of the Westinghouse Sports Club site, an agreement under s106 of The Act must be entered into by all parties to ensure delivery of the replacement sporting facilities at the Rugby Club site.

#### Visual appearance in landscape

Policy NE15 of the adopted North Wiltshire Local Plan 2011 is applicable to all proposals for development in the countryside in the north of Wiltshire. It states:

**The landscape of North Wiltshire and its locally distinctive characteristics shall be conserved and enhanced, development will be permitted if it does not adversely affect the character of an area and features that contribute to local distinctiveness.**

**Development shall take into account:**

- i) **The setting of, and relationship between, settlement and buildings and the landscape.**
- ii) **The pattern of woodland, trees, field boundaries, other vegetation and features.**
- iii) **The special qualities of watercourses and waterbodies and their surroundings such as river valleys.**
- iv) **The topography of the area avoiding sensitive skylines, hills and not detracting from important views.**



## **The best and most versatile agricultural land shall be protected from non-agricultural development.**

Whilst the rugby club site is positioned in the open countryside, outside of the confines of Chippenham, it is nonetheless closely related to the A350 West Cepen Way and existing industrial buildings at Bumpers Farm industrial estate. Furthermore, several of the rugby pitches are floodlit and the A350 served by street lighting. Contextually, therefore, the rugby club site is already conspicuous in the wider landscape and is far better related to the built up town than the countryside beyond.

The proposed new cricket pavilion, nets, extension to the existing rugby club house, reorganisation of pitches and installation of additional floodlighting is considered to be of typical appearance and an entirely expected form of development on this site and would entail no substantive impact upon the landscape over and above that already associated with the existing rugby club facilities.

The 12 new floodlighting columns themselves are to be 12.0m in height and are intended to be of typical appearance. The specification of the floodlights is also typical of modern equipment so as to minimise light spillage and glare. The sites distance from any residential properties and existing lighting on and nearby the site renders excess light pollution unlikely.

### Access and highways issues

Concern has been raised by the Parish Council regarding the adequacy of the vehicular access to the rugby club, considered to be especially evident when there are special events being held. In order to assess how the surrounding highway network might cope with a potential increase in traffic accessing the site, the Council's Highway Officer has been consulted. He concludes that no objection should be raised to the proposal. In the absence of an expert view to the contrary, it is not considered reasonable to refuse planning permission on the grounds of highway safety.

## **9. Conclusion**

This proposal is for the enhancement of existing sports facilities at the existing Chippenham Rugby Club site. Regardless of how the associated planning application for the redevelopment of the Westinghouse Sports Club site is determined, this proposal will accord with planning policy which, in principle, seeks to allow the improvement of such existing facilities. The detail of the proposed improvements are considered to be entirely appropriate in the context of an established sports facility and would not have an adverse impact upon the wider landscape or any nearby residential properties.

## **10. Recommendation**

Subject to all parties entering into a legal agreement under Section 106 of The Act in respect of the following issue:

- To ensure mitigation package of replacement sporting facilities proposed are provided prior to the redevelopment taking place of the Westinghouse Sports Club site, if granted planning permission under application 11/00134/FUL.

Then:

Planning Permission be GRANTED for the following reason:

This proposal for the improvement of existing sporting facilities is considered to accord with Policy CF2 of the adopted North Wiltshire Local Plan 2011 and guidance contained in PPS17, which, in principle, seeks to allow the improvement of such existing facilities. The detail of the proposed improvements are considered to be entirely appropriate in the context of this established sports

facility and would not have an adverse impact upon the wider landscape or any nearby residential properties and would therefore also comply with the provisions of Policies C3 and NE15 of the adopted North Wiltshire Local Plan 2011.

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. Prior to the commencement of development full and complete details of the proposed appearance and positioning of the floodlight columns shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in complete accordance with the details so agreed.

REASON: So as to secure a satisfactory form of development reflective of the existing site and for the avoidance of doubt.

3. Unless otherwise agreed in writing with the Local Planning Authority beforehand, any scrub and hedgerow removal shall be carried out outside of the breeding bird season (March – August inclusive). In the event that such vegetation removal is required during the breeding bird season, all relevant areas should first be subject to an inspection by a suitably experienced ecologist, the results of such an inspection shall have been submitted to and agreed in writing with the Local Planning Authority before any removal takes place. IN the event that an active nest is recorded, such removal works shall be suspended until such time as the nest is no longer in use.

REASON: So as to ensure the development does not have an adverse impact upon the value of the site as a habitat for breeding birds.

4. Prior to the commencement of development full and complete details of the proposed floodlighting shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall include a demonstration of the lighting levels across the site, and full measures to reduce light spill as far as is possible through best practice techniques.

REASON: For the avoidance of doubt and so as to ensure the proposed floodlighting does not result in a unnecessary level of light spillage, particularly so as to avoid an adverse impact upon ecology and semi-natural features including ponds, hedgerows and trees both within and surrounding the site.

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

#### Plans

Location plan 3416/001 (date stamped 3<sup>rd</sup> February 2011)  
Existing block plan 3416/002 (date stamped 3<sup>rd</sup> February 2011)  
Existing site plan 3416/003 (date stamped 3<sup>rd</sup> February 2011)  
Existing floor plan 3416/004 (date stamped 3<sup>rd</sup> February 2011)  
Existing elevations 3416/005 (date stamped 3<sup>rd</sup> February 2011)  
Proposed block plan 3416/010 (date stamped 3<sup>rd</sup> February 2011)  
Proposed site plan clubhouse and training pitch 3416/011 (date stamped 3<sup>rd</sup> February 2011)  
Proposed site plan – pitches, pavilion and flood lights 3416/012 (date stamped 3<sup>rd</sup> February 2011)

Proposed floor plans 3416/013 (date stamped 3<sup>rd</sup> February 2011)  
Proposed elevations 3416/014 (date stamped 3<sup>rd</sup> February 2011)  
Proposed floor plans and elevations 3416/015 (date stamped 3<sup>rd</sup> February 2011)  
Proposed cricket nets plans and elevations 3416/016 (date stamped 3<sup>rd</sup> February 2011)

Planning Supporting Statement (date stamped 3<sup>rd</sup> February 2011)  
Design and Access Statement (date stamped 3<sup>rd</sup> February 2011)  
Design and Access Statement addendum (dated August 2011)  
Flood Risk Assessment (date stamped 25<sup>th</sup> March 2011)  
Archaeological Desk-Based Assessment (date stamped 14<sup>th</sup> January 2011)  
Phase 1 Ecological Survey (date stamped 3<sup>rd</sup> February 2011)  
Reptile Survey (date stamped 14<sup>th</sup> June 2011)  
Westinghouse Sports Ground Mitigation Package (date stamped 3<sup>rd</sup> February 2011)  
Proposed floodlighting details (CB Associates) (date stamped 3<sup>rd</sup> February 2011)

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



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