

AGENDA

Meeting: Strategic Planning Committee
Place: Council Chamber - Council Offices, Monkton Park,
Chippenham, SN15 1ER
Date: Tuesday 30 July 2013
Time: 10.30 am

Please direct any enquiries on this Agenda to Stuart Figini, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718376 or email stuart.figini@wiltshire.gov.uk

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

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Briefing Arrangements:	Date	Time	Place
PARTY SPOKESMEN	30 July 2013	9:30am	Council Chamber Monkton Park

Membership:

Cllr Glenis Ansell	Cllr Christopher Newbury
Cllr Terry Chivers	Cllr Anthony Trotman
Cllr Andrew Davis (Chairman)	Cllr Nick Watts
Cllr Jose Green (Vice Chairman)	Cllr Fred Westmoreland
Cllr Charles Howard	Cllr Graham Wright
Cllr Bill Moss	

Substitutes:

Cllr Trevor Carbin	Cllr George Jeans
Cllr Ernie Clark	Cllr Gordon King
Cllr Stewart Dobson	Cllr Howard Marshall
Cllr Mary Douglas	Cllr Paul Oatway
Cllr Dennis Drewett	Cllr Ian West
Cllr Russell Hawker	Cllr Philip Whalley

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 - 14*)

3 **Declarations of Interest**

To receive any declarations of disclosable 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 (acting on behalf of the Director of Resources) no later than 5pm on **Tuesday 23 July 2013**. 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 **N.13.00308.OUT - Land at Showell Farm, Patterdown Road, Chippenham**
(Pages 15 - 34)

A report by the case officer is attached.

- 7 **12/04038/FUL - Marden Farm Cottages, Rookery Park, Calne, SN11 0LH**
(Pages 35 - 58)

A report by the case officer is attached.

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

STRATEGIC PLANNING COMMITTEE

DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 24 APRIL 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Mark Connolly, Cllr Andrew Davis (Chairman), Cllr Peter Fuller, Cllr Charles Howard, Cllr Julian Johnson (Vice-Chair), Cllr John Knight, Cllr Alan MacRae (Substitute), Cllr Francis Morland, Cllr Stephen Petty, Cllr Leo Randall, Cllr Anthony Trotman, Cllr Fred Westmoreland and Cllr Ian West

14 Apologies for Absence

Apologies for absence were received from Councillor Peter Colmer.

Councillor Alan MacRae replaced Councillor Peter Colmer for this meeting only.

15 Minutes of the Previous Meeting

The minutes of the meeting held on 13 March 2013 were presented and it was

Resolved:

That the minutes of the meeting held on 13 March 2013 be approved as a true and correct record.

16 Declarations of Interest

There were no declarations of interest

17 Chairman's Announcements

The Chairman explained the meeting procedure to the members of the public.

18 Public Participation and Councillors' Questions

The Committee noted the rules on public participation and the manner in which the meeting would be held.

Members of the public addressed the Committee as set out in minute No 19, as detailed below.

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

19 **S/2012/1704 - Wessex Water Pipeline**

The following spoke in support of the application:

- Drummond Mondley, Wessex Water the applicant

The following spoke as a consultee

- Richard Burden – Area of Outstanding Natural Beauty

The Committee received a presentation by the Case Officer, Richard Hughes which set out the main issues in respect of the application. He introduced the report which recommended that planning permission be granted, subject to conditions and a Unilateral Undertaking.

It was noted that the proposal was for a 64km Water pipeline from Corfe Mullen to Salisbury, including works to enlarge existing treatment works sites at Littledown, Codford, Wylde, and Camp Hill and the creation of new sites at Monkton Deverill and Summerslade Down.

Members of the Committee were informed that East Dorset District Council and North Dorset District Council had granted planning permission for those sections of the pipeline that crossed their areas.

Members then raised a number of technical issues in relation to the application including the cessation of abstraction from the Wylde River and the improvement to water levels of the River, lack of response to the consultation from Network Rail, whether the majority of Monkton Deverill and Longbridge Deverill Parish Council's concerns had been responded to and resolved and the length of time that the works will take to complete. Members were reassured by Councillors Trotman and West that when previous Wessex Water works were carried out in their areas, that the work was undertaken with the minimum of disruption and local people were consulted at each stage of the works.

The Committee then heard from the public who had an opportunity to address the Committee with their views, as detailed above.

The Committee then considered the application and debated a number of issues, in particular it was suggested that the Passenger Transport Section should be included in the list of those who would be consulted by Wessex Water as detailed in condition 21 below.

Resolved:

That planning permission be GRANTED, for the following reasons:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and policies DP1, C1, C2, C3, C5, C8, C12, HE2, HE3 HE5 HE7 of the Wiltshire Structure Plan 2016; policies CP41, CP50, CP51, CP52, CP56, CP58 CP68, CP69 of the Draft Wiltshire Core Strategy, policies CP20, CP22 of the South Wiltshire Core Strategy, saved policies G1 G2 G3 G5 G7 G8, C2, C3, C4, C5, C6 C7 C11, C12, C13, C14, C17, C18, C19 CN5 CN8 CN11 CN18 CN19, CN20, CN21, CN22, R17 TR15 of the Salisbury District Local Plan; policies C1 C2, C4, C6, C6A, C9, C15, U6, C17, C27, C31A, C32, C34A, C38 T11, T12 of the West Wiltshire District Plan 1st Alteration 2004, and policies CR1 CR3 of the West Wiltshire Leisure & Recreation Development Plan Document

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

And subject to the following conditions:

1. (a) Details of the appearance, landscaping, layout, and scale and access (hereinafter called "the reserved matters") of the proposed pumping stations and associated development at Monkton Deverill, Codford, and Wylve sites (that has been submitted in outline as indicated in Table 1.2 page 9 of the Planning Statement) shall be submitted to and approved in writing by the local planning authority before any development to construct the new buildings at these sites begins and the development shall be carried out as approved.
- (b) An application for approval of any 'Reserved Matter' shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- (c) The development hereby permitted shall be begun before the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: For the avoidance of doubt

2. The development hereby permitted that is submitted in full (as indicated in Table 1.2 page 9 of the Planning Statement and which relates to works within the Wiltshire area only), namely the pipeline details, the

landscaping/planting details, and the details associated with the storage tank sites at Littledown, Summerslade Down, and Camp Hill (including access to these sites) shall be begun before the expiration of three years from the date of this permission.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted (in so far as it relates to development in the Wiltshire area) shall be carried out in accordance with the following approved plans and documents:

- Planning Statement by Atkins re: Corfe Mullen to Salisbury Transfer Scheme dated November 2012, (to include all drawings listed in Table 1.2), and those drawings as contained with the Environmental Statement (Planning Drawings) document as revised
- Design and Access Statement by Atkins re: Corfe Mullen to Salisbury Transfer Scheme dated November 2012
- Transport Movement Assessment by Atkins re: Corfe Mullen to Salisbury Transfer Scheme Revision C1.1 dated 12/11/12.
- Flood Risk Assessment by Atkins re: Corfe Mullen to Salisbury Transfer Scheme dated November 2012
- Environment Statement Volume 1 Non-Technical Summary by Atkins re: Corfe Mullen to Salisbury Transfer Scheme dated November 2012
- Environment Statement Volume 2 Main Text by Atkins re: Corfe Mullen to Salisbury Transfer Scheme dated November 2012
- Environment Statement Volume 3a - Part 1 and Part 2 - Appendices/Reports by Atkins re: Corfe Mullen to Salisbury Transfer Scheme dated November 2012
- Environment Statement Volume 3b – Technical Appendices – Drawings and Tables by Atkins re: Corfe Mullen to Salisbury Transfer Scheme dated November 2012
- Watercourse works and Water Vole Mitigation Technical Note – dated 7th February 2013

Reason: For the avoidance of doubt

4. Notwithstanding the limitations agreed as part of the CEMP, the temporary contractors' compounds at:

Littletdown WTW
Pitts Farm, Sedgehill (REF LD05)
Public Right of Way EKN 014 (REF LD08), at East Knoyle, off
Wise Lane (PLAN NO B0400/7556 REV A)

Keysley Farm (REF LD11) PLAN REF B0400/7558 REV A)
Monkton Deverill REF LD12 & LD13
Codford WTW REF CF01 & CF02
Sherrington (PLAN REF B0400/ 7801 REV A)
Camp Hill (PLAN REF B0400/7814 REV A)

shall only be accessed during the following times;

Monday to Friday between 07:30 to 18:00
Saturday between 08:00 and 13:00

Reason: To prevent an adverse impact on the living conditions of the occupants of dwellings within very close proximity and to protect the tranquillity of the open countryside
Policy G2 C4 & C5

5. Notwithstanding the limitations agreed as part of the CEMP, the works to construct the section of pipeline adjacent to:

Pitts Farm, Sedgehill (PLAN REF B0400/7554 REV A)
Keysley Farm, Keysley Down (PLAN REF B0400/7559 REV A)
Hill Barn, Monkton Deverill (PLAN REF B400/7560 REV A)
Sherrington (PLAN REF B0400/7801 REV A & B0400/7802 REV A)
Wylve (Dinton Road crossing) (PLAN REF B0400/7806 REV A)
White Cottages & Chilhampton Farm, South Newton (PLAN REF B0400/7814 REV A)

shall only take place during the following times;

Monday to Friday between 07:30 to 18:00
Saturday between 08:00 and 13:00

There shall be no works undertaken in these locations on Sundays or Public Holidays.

Reason: To prevent an adverse impact on the living conditions of the occupants of dwellings within very close proximity and to protect the tranquillity of the open countryside
Policy G2 C4 & C5

6. Unless otherwise agreed in writing by the Local Planning Authority, the Pumping Stations at Monkton Deverill, Codford, and Wylye WTWs shall be designed to achieve a maximum external ambient noise level of 50dB LAeq at a point 5 metres from the facility.

Reason: To prevent an adverse impact on the living conditions of the occupants of dwellings within close proximity and to protect the tranquillity of the open countryside
Policy G2 C4 & C5

7. No development shall commence (in respect of the relevant pumping station sites) until a scheme of noise control measures has been submitted to and approved by the Local Planning Authority specifying the measures that will be taken for the purposes of preventing and controlling the emission of noise from the proposed pumping stations and associated development at the Monkton Deverill, Codford, and Wylye sites. The approved scheme shall be implemented before the related development is first brought into use and shall be maintained at all times thereafter in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason: Further detailed work is required to accurately establish the prevailing background noise environment in the areas of receptors and to establish appropriate noise limits at the location of the receivers (as opposed to 5m from the development) and what will be required to meet them in order to protect residential amenities

Policy G2

8. The proposed electricity generators for the Monkton Deverill and Codford Water treatment works sites shall only be used in emergencies and during essential maintenance and not used at any other time, unless the generator is provided with noise attenuation to a rating level to be agreed with the Local Planning Authority.

Reason: In the interests of the amenity of occupants of adjacent dwellings.

9. No excavation works shall take place until a programme of archaeological work has been implemented. This programme shall be

informed by a written Scheme of Investigation which has been submitted to and agreed in writing by the Local Planning Authority. The Scheme shall cover archaeological fieldwork together with post-excavation work and publication of the results. Excavation work may commence once a Written Scheme of Investigation has been submitted and approved for the area to be excavated.

Reason: To ensure any archaeological remains are documented and collected.

10. All services to the new buildings and structures shall be laid underground, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

11. Prior to any works commencing at the individual sites, the protection of trees shall be in accordance with the Arboricultural Reports, ref: AJE/AF/268000FIN1 (Monkton Deverill), AJE/AF/26797 (Codford), AJE/AF/26813 (Wylve), AJE/AF/26774 FIN 1A (Camp Hill Reservoir) dated October 2012, compiled by Alan Engley, as contained with the Environmental Statement Vol 3a (20), and the position of the tree protection at each site shall be as shown on the Tree Protection Plans dated October 2012, as contained within the Environmental Statement Section 3b Technical Appendices and Drawings, unless otherwise agreed in writing by the Local Planning Authority.

Any new planting shall be carried out in accordance with the agreed plans, and carried out during the planting season immediately following commencement of development. The planting shall thereafter be maintained for five years during which time any specimens which are damaged, dead or dying shall be replaced and hence the whole scheme shall thereafter be retained.

Reason: To protect landscaping during construction and to ensure that any new planting is protected and retained in the interest of biodiversity, and the visual appearance of the countryside and the particular sites.

12. Before particular sections of pipeline works are commenced, a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall contain as a minimum:

- The position of the tree protection at each site. (This shall be as shown on the Tree Protection Plans dated October 2012, as contained within the Environmental Statement Section 3b Technical Appendices and Drawings, unless otherwise agreed).

- A scheme indicating details of those particular sections of hedgerow and those trees to be removed;
- A written planting schedule;
- Timing of planting, and
- A Landscaping Maintenance scheme

The new replacement landscape works shall be carried out in accordance with the agreed scheme. Such details should accord with those outlined by the generic arboricultural method statement – (hedgerow removal for 20m wide working width), and the applicants Landscape Visual Impact Assessment strategy, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect and enhance the appearance and character of the locality and its biodiversity.

Policy G2 C12 C18

13. Prior to works commencing on the each particular site, surface water drainage schemes for each water storage, pumping station and water treatment 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 submitted details shall clarify the intended future ownership and maintenance provision for all drainage works serving the sites.

These attenuation schemes shall provide the water storage volumes set out in Table 1 of the Flood Risk Assessment by Atkins dated November 2012, unless otherwise agreed in writing by the Local Planning Authority (having regard to infiltration capacity of the drainage system). Works shall not commence until surface water drainage and attenuation schemes have been approved by the Local Planning Authority for the pumping stations they relate to, and the schemes shall subsequently be implemented in accordance with the approved details.

Reason: To minimise surface water flooding.

14. Prior to each of the contractors' temporary compounds/pipe stores in Wiltshire listed in Table 11.9 of Volume 2 of the Environmental Statement commencing, details of the works to create each compound, including any access to and visibility splays for the compounds/pipe stores shall be submitted to and approved by the Local Planning Authority. The compounds/pipe stores shall then be constructed in accordance with the approved details, and once the compounds are no longer required in

association with the pipeline works, the land they occupy shall be returned to its former condition in accordance with a reinstatement scheme that shall be agreed in writing by the Local Planning Authority (prior to any reinstatement works being commenced). Any hard surfaced areas shall be permeable to allow rainwater infiltration into the ground.

Reason: In the interests of highway safety and visual amenity
Policy G2

15. Notwithstanding the information provided, details of the embanked side slopes of the storage tanks at Littledown, Summerslade and Camp Hill shall be submitted to and agreed with the Planning Authority prior to commencement of works at these facilities.

Reason: To fulfil the recommendations of the LVIA for landscape mitigation.

Policy G2 C4 & C5

16. Before work commences within the proximity of a watercourse, an Environmental Management Plan shall be submitted and agreed with the Local Planning Authority, providing details of:
- i) any mitigation for marginal and wetland fauna,
 - ii) measures for the prevention of the spread of invasive species,
 - iii) reinstatement of the banks and any aftercare
 - iv) the works are to be carried out in accordance with the Technical Note from Atkins dated 7th February 2013.

The works shall be carried out in accordance with the agreed details

Reason: In the interests of the protection of flora and fauna during construction, and prevent the spread of Signal Crayfish, and to ensure Water Voles are protected during construction.

Policy G2 C12 C18

17. No development shall take place in relation to each section of pipeline or each surface facility until an Environmental Management Plan (EMP) has been submitted to and approved in writing by the local planning authority. This shall deal with the treatment of any environmentally sensitive areas and protected species, their aftercare and maintenance, including a plan detailing the works to be carried out showing how the environment will be protected during the works.

The EMP should also include details of the provision of bird and bat boxes, the provision of barn owl nesting boxes on suitable buildings / trees, and the creation of BAP habitats (eg species rich grassland, broadleaved woodland, native hedgerows and ponds).

Proposals for ecological mitigation shall be in accordance with commitments contained in the ES and delivered in accordance with the agreed Environmental Management Plan (EMP). The EMP will make provision for the updating of survey information prior to each section being commenced and the plan updated to reflect any change in presence or location of protected species. The EMP, in relation to any identified pipeline section or surface facility shall be submitted to and agreed by the planning authority prior to commencement of works to that section or surface facility.

REASON: In order to ensure that ecological mitigation is carried out in the correct manner and at the correct times, in order to ensure that protected species and flora are protected and enhanced as part of the works.

Policy G2 C12 C18

18. Prior to commencement of works at the Monkton Deverill Water Treatment Works site, details of the passing bay along the adjacent lane serving the site (to include visibility splays and any removal of hedgerow or vegetation) together with landscaping details, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the improvements shall be undertaken in accordance with the approved details and remain as such in perpetuity.

Reason: In the interests of highway safety.
Policy G2

19. Prior to commencement of works at the Camp Hill WTW site, details of the improvements to the junction with the A360 (to include visibility splays and any removal of hedgerow or vegetation) together with landscaping details, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the junction improvements shall be undertaken in accordance with the approved details and remain as such in perpetuity.

Reason: In the interests of highway safety
Policy G2

20. Prior to commencement of works at the Littledown WTW site, details of the improvements to the junction with the A350 (to include visibility

splays and any removal of hedgerow or vegetation) together with landscaping details, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the junction improvements shall be undertaken in accordance with the approved details and remain as such in perpetuity.

Reason: In the interests of highway safety

Policy G2

21. Prior to each section of pipeline being commenced, a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority. Any such CEMP shall cover the following issues as a minimum:

- Hours of working and operation along the route, with particular regard to works with 100metres of any dwellinghouse
- Dust/Noise/Fumes/Vibration mitigation measures
- Lighting, including how the impact on adjacent receptors will be reduced
- The use and operation of the Rights of Way, including details of liaison with the Council's Rights of Way department, Passenger Transport Section and the relevant Parish Council and local community
- Transport/lorry routes including details of liaison with the Council's Rights of Way and Highways department and the relevant Parish Council and local community
- Phasing of pipeline works across the Wiltshire area so that works do not occur all at one time
- Impact on private water supplies
- Surface water attenuation measures to comply with Environment Agency advice

REASON: In order to ensure that the detailed impacts of the works are mitigated in a manner which addresses local concerns and those of the relevant authorities.

Policy G2 – protection of amenities

22. Prior to works commencing at each of the storage tank and pumping station sites, details and samples of the materials to be used for the buildings/structures, hard surfaces, and boundaries shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the impact on the landscape character

Policy G2

Informatives:

Codford - Notwithstanding the details hereby agreed, as part of any future reserved matters application in relation to the enlarged Codford treatment site, the LPA will expect the submitted details to address the concerns of the LPA which considers the appearance of the bunded reservoir to be oppressive and uncomfortable, it is too high in relation to the surrounding landscape and dominates the proposed pumping station. As discussed, consideration should be given to both lowering the height of the balance tank and to review the configuration of the process plant to see if this can be consolidated which will provide the opportunity to 'harden' the structures and reduce the security requirement at the perimeter.

Monkton Deverill - Notwithstanding the details hereby agreed, as part of any future reserved matters application in relation to the enlarged Monkton Deverill treatment site, the LPA will expect the submitted details to address the concerns of the AONB, the Parish Council and other third parties regards the use of regressive materials, and the visibility of the works in the landscape. Consideration should be given to adjusting the orientation and design of the building, including the telemetry mast, and landscaping and boundary fencing. This is notwithstanding the issues raised regards noise attenuation.

Routes of traffic – The applicant will be aware that some concern has been expressed regards the routing of construction traffic through narrow rural road systems and the possible use of rights of way by vehicles. The LPA will expect the applicant to have discussed and agreed any such matters with the relevant highway authorities and with any affect third parties, including local Parish Councils prior to any works commencing on site. The applicant will be aware that some concerns have been expressed in this regard in relation to the Monkton Deverill, Wylde, East West Knoyle and Steeple Langford areas.

TRO requirement – The applicant will do doubt be aware of the need to separately discuss and agreed any temporary Diversions or other highway works which affect rights of way with the Highways Department of this Council, and the separate requirements of the Traffic Regulations Order system.

Environment Agency

- i) If, during development, contamination not previously identified is found to be present at the site then no further development (unless

otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

- ii) Any facilities for the storage of oils, fuels and chemicals shall be provided with secondary containment that is impermeable to the substance being stored and water. In this regard, details of bunding for any oil, fuel or chemical storage facility shall be submitted to and approved by the Local Planning Authority prior to their construction and the use of the storage facility. The minimum volume of the secondary containment shall be at least equivalent to the tank capacity plus 10%. If there is more than one tank in the secondary containment, the capacity of the containment shall be at least the capacity of the largest tank plus 10%, or 25% of the total tank capacity, whichever is greatest. All fill points, vents gauges and sight gauge must be located in the secondary containment. The secondary containment shall have no opening used to drain the system. Associated above ground pipe work should be protected from accidental damage. Below ground pipe work should have no mechanical joints, except at inspection hatches and either leak detection equipment installed or regular leak checks. All fill points and tank vent pipe outlets should be detailed to discharge downwards into the bund.
- iii) Surface water attenuation features should not be located within areas at risk of fluvial, surface water, ground water or other source of flooding. Schemes should be designed in accordance with best practice guidelines set out in PPS25 Practice Guide (which is still current and supports the NPPF) paras 5.47 - 5.54.

There must be no interruption to the existing surface water and/or land drainage arrangements of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively.

The Environment Agency (EA) takes no responsibility for incorrect data or interpretation made by the Flood Risk Assessment (FRA) authors. The EA response does not constitute approval of the FRA or supporting calculations nor do they constitute EA consent or approval that may be required under any other statutory provision, byelaw, order or regulation. The responsibility for the FRA and proposal details and calculations remains with the developer or his agents. Flood risk cannot be eliminated and is expected to increase over time

as a result of climate change and our response does not absolve the developer of his responsibility to ensure a safe development.

- iv) Prior written Flood Defence Consent from the Environment Agency will be required for all works (permanent and temporary) in, under, over or within 8m of the Main Rivers that will be affected by this scheme. The need for this consent is over and above the need for planning approval. Applicants should contact Daniel Griffin (Tel: 01258 483421) for more advice.
- v) The prior written Land Drainage Consent of the Lead Local Flood Authority (Wiltshire Council) will be required for works that could affect the flow of an ordinary watercourse. Applicants should contact Danny Everett of Wilts CC (Tel: 01249 445554) for more advice.
- vi) 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 a SWMP should contain depends on the estimated build cost, excluding VAT. The duty of care for waste must also be complied with. Because all waste movements need to be recorded in one document, having a SWMP will help to ensure compliance with the duty of care. Further information can be found at <http://www.netregs.co.uk>

(Duration of meeting: 10.30 - 11.40 am)

The Officer who has produced these minutes is Stuart Figini, of Democratic & Members' Services, direct line 01225 718376, e-mail stuart.figini@wiltshire.gov.uk

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

WILTSHIRE COUNCIL STRATEGIC PLANNING COMMITTEE

Date of Meeting	30th July 2013		
Application Number	N.13.00308.OUT		
Site Address	Land at Showell Farm, Patterdown Road, Chippenham		
Proposal	Outline Application for Employment Development Comprising 50,000sqm, Incorporating Class B1(b), Class B1 (c), B2 with Ancillary B1 (a), B8 and Ancillary B1 (a) Uses Including Means of Access, Car Parking, Servicing, Associated Landscaping and Works.		
Applicant	Crest Strategic Projects Ltd		
Town/Parish Council	Lacock/Corsham		
Electoral Division		Unitary Member	Councillor Tonge
Grid Ref	390778 171115		
Type of application	Outline		
Case Officer	Charmian Burkey	01249 706 667	Charmian.burkey@wiltshire.gov.uk

Reason for the application being considered by Committee

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

1. Purpose of report

To consider the above application and to recommend that planning permission be Delegated to Officers to allow the signing of an appropriately worded S106 agreement.

2. Report summary

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

- Principle of development/policy setting.
- Access & Highways.
- Effect on landscape setting of area.
- Effect on listed buildings on site and the Heritage Asset.
- Ecology
- Design, appearance and layout
- Amenity of local residents.
- Sustainability.
- Other matters.

The application has generated 14 letters of comment from local residents – 13 raising objections and 1 in support. Lacock Parish Council strongly objects. Corsham Town Council supports the application.

3. Site Description

The application site lies south west of Chippenham about 2 miles from its centre and 6.5 miles from J17 of the M4 motorway. The site is 18ha owned by Crest Nicholson and is mainly open fields and hedgerows with the A350 bounding the site to the south west, the B4528 (Patterdown Road) to the north east and the railway line to the north west. The grade II listed complex of buildings of Showell Farm lie to the south.

4. Relevant planning history

98/02692/OUT – Construction of a business park incorporating B1, B2 & B8 uses, on site facilities, park and ride and means of access – Dismissed at Appeal.

99/00450/OUT – Construction of a food processing factory with ancillary storage/staff welfare and office accommodation plus loading and car parking. – Dismissed at Appeal.

12/00710/SCO – Screening and scoping opinion – No EIA required.

5. Proposal

The proposal for consideration is in outline and is for 50,000sqm of employment development incorporating Class B1 (b ie research and development), Class B1 (c ie industrial process), B2 with ancillary B1 (a ie office other than financial or professional services), B8 & ancillary B1 (a) together with associated access, servicing, landscaping and car parking.

The access arrangements are for a new roundabout onto the A350 and pedestrian/cycle access onto the Patterdown Road.

Additional planting (including a bund along the southern boundary) is proposed.

A revised parameters plan has been negotiated, which reduces the heights of the buildings from 12-15m in height down to 10-12m in height on 3 out of the four plots and 8.5m on the 4th. A revised plan is awaited. There is also an agreement to reduce the bunding height whilst maintaining sufficient height in the landscaping.

6. Planning Policy

North Wiltshire Local Plan 2011: Policy C3 (general development control criteria), Policy NE15 (landscape character of countryside), HE4 (Development or alteration affecting a listed buildings); Policy BD3 (Business Development on Unallocated Sites).

Wiltshire Core Strategy policy CP10 identify the site as an employment allocation.

The National Planning Policy Framework (hereafter referred to as NPPF) supports sustainable development in relation to building strong and competitive economy states that “*significant weight should be placed on the need to support economic growth through the planning system*” (para 19). There are no explicit policy considerations provided in relation to determining planning applications for economic growth in the rural areas.

In determining planning applications, the NPPF requires local planning authorities to take account of the desirability of sustaining and enhancing the significant heritage assets, with greater weight given to the asset’s conservation. It recognises that significance can be harmed or lost through development within the setting of the historic asset and requires that any harm or loss has clear and convincing justification (Paras 131-132).

7. The Application Process.

The application was submitted in 21st February 2013 following significant pre-application discussions with officers.

In support of the application the applicants have submitted the following documents:

- Plans – parameters plan; illustrative masterplan; site access roundabout.
- Planning report.
- Design and access statement
- Economic and property market case.
- Archaeological assessments.
- Statement of Community Engagement.
- Landscape and Visual Impact Assessment.
- Heritage Statement.
- Phase 1 Ecological Appraisal.
- Ecological Summary Report.
- Badger Report.
- Tree Inspection for Barn Owls report.
- Wintering Birds Survey.
- Invertebrate Site Evaluation Report.
- Reptile Survey Report.
- Great Crested Newt Survey.
- Bat Survey Report.
- Breeding Bird Survey.
- Dormouse Survey.
- Hedgerow Assessment.
- Transport Assessment.
- Flood Risk and Drainage Report.
- Utilities Report.
- Acoustic Report.
- Ground Conditions Report.
- Lighting Strategy.
- Sustainability Strategy.
- Framework Travel Plan.

All documents are available on the file and inform many of the consultation responses.

8. Consultation

Corsham Town Council state that the site has good transport links and provide needed employment land.

Lacock Parish Council strongly object and comment on the relevance of the planning history of the site where there are 2 called in applications. One relates to an outline planning application in 1998 for the construction of a business park, the other to the construction of a food processing factory. In refusing the applications the secretary of State referred to a number of reasons but the ones most relevant to this application are:

- i) The site is regarded as open countryside being on the far side of the railway embankment, which defines the urban boundary of Chippenham. Development would represent a harmful encroachment in this area which makes a significant contribution to the rural gap between Chippenham and Lacock.
- ii) The site is not well served by public transport, access by foot is ruled out and cycling is unattractive along the Melksham Rd and potentially hazardous.
- iii) The proposals conflict with the setting of the Grade II listed buildings at Showell farm.

The contention by the applicants is that the proposal is significantly different as it is now allocated. The parish council cannot accept that the site should be allocated and has lodged an objection. It

maintains that development of Showell would lead to a harmful encroachment into the open countryside. The railway marks the south boundary of the urban edge of Chippenham and as the embankment is such a huge physical feature, nothing can change this demarcation.

Whilst the area covered by this application is slightly smaller, it will still have an adverse effect on the listed buildings.

Planning policy – the Council's plan 2011 confirms the Inspector's view that the land is in the open countryside. The Core Strategy is an emerging plan which is subject to Examination in Public.

They consider it premature to determine the present planning application in advance of the Inspector's findings.

The issue of the site being poorly served by public transport and being unattractive to alternative means of transport cannot be overcome by the current application which requires other potential applications for housing to provide and/or contribute to the infrastructure. As there is no guarantee that this will be delivered, this is a further reason to justify refusing this application. The planning report makes a comment on p39 at para 5.69 that there are justified reasons to refuse the application on transportation grounds. Presumably this refers to not only their comments but that it could be regarded that the positioning of a new roundabout on the A350 so close to Lackham roundabout is unsatisfactory.

The Council is concerned about deficiencies in the scope of the visual impact assessment in that there is a lack of photomontages at the time the proposed development is completed. In particular, there is no photomontage from Viewpoint 1 from the B4528.

Whilst appreciating that the application is in outline, there is concern about potentially unimaginative design for the development. There is also concern for plot 300 with the potential for development of the area having a particularly damaging effect on the visual amenity of the surrounding area.

The Council considers the application to be premature as there is no need for the employment space due to the large number of vacant premises in Chippenham.

Spatial Planning Officer's comments are summarised below.

The National Planning Policy Framework 2012 is a material consideration and the proposal is in accordance with the economic aspect of sustainable development as it will be promoting economic growth and will contribute to improving people's quality of life in Chippenham and Wiltshire by providing land to create jobs. The Wiltshire Core Strategy is at an advanced stage and carries weight. Chippenham is identified as a Principal Settlement with a strategic importance and a focus for development. The proposed Delivery Strategy set out in Core Policy 2 recognises that in some settlements new jobs have not necessarily been delivered alongside new homes. It therefore seeks to strengthen communities by allowing appropriate growth to provide for the most sustainable pattern of development. It goes on to say that it is a requirement that employment land will be delivered in the early stages of mixed use development proposals. The proposed strategy for Chippenham is based on delivering significant job growth, which will help improve self containment of the town by providing more jobs for local people – '*new employment provision in Chippenham is a priority and will help to redress the existing levels of net out-commuting*' (para 5.48).

In Core Policy 10, Showell Farm is identified as a strategic employment site to provide 18ha employment land. The Workplace and Employment land review 2011, which is part of the evidence base for the Core Strategy, re-assessed the commercial viability of proposed employment sites and concluded that Showell Farm is suitable for B8 uses, has good access to M4 and no identified major constraints and is deliverable in the short term (Table 6.2 page 71). The proposal will deliver flexible and affordable work space which will help reduce out commuting. Showell farm forms part of a mixed use urban extension called South West Chippenham strategic site, which will also provide 800 houses and community facilities. The application is in advance of the housing and community facilities application. The applicants have included a plan from the Green Infrastructure Strategy which shows the full extent of the South west Chippenham Strategic site and gives an indication of linkages between Showell farm the housing and Chippenham Town. The application would need to show how it meets the requirements as set out in the Wiltshire Core Strategy Appendix A development templates and the applicants have submitted a range of documentation to show this.

Core Strategy Core Policy 2 states that masterplans should be being developed for each site ' in partnership with the local community, local planning authority and the developer, to be subsequently approved by the council as part of the planning application process'. A masterplan has been submitted together with a Statement of Community Engagement which demonstrates that the proposals have been the subject of local consultation.

Highway Officer 's comments are available in full on the file but the key points are contained below: *He originally commented on the Sustainability Statement as follows:*

There are no details submitted with the planning application to illustrate how pedestrian and cycle provision between the site and the town centre will be provided. Drawings have been submitted showing that the eastern verge of Patterdown road will be converted to facilitate provision for pedestrians and cyclists. However, no details are provided to show linkages to the site or how the junction at Queens's Bridge will be addressed.

The Transport Assessment does not clarify how the temporary pedestrian/cycle arrangements on Patterdown Road will operate until such time as the Strategic Housing site has been developed to upgrade facilities. The Transport Assessment, design and Access Statement and Sustainability Statement all acknowledge the shortcomings of the Patterdown Road arrangement by highlighting its temporary nature pending development of the Strategic SW Housing site.

The proposal is for a safety strip leaving the existing roadside verge, which would need to be paved and retained by kerbing. The available widths are modest, and there are several signs, the posts of which obstruct width even further. Drawing 20399-008-SK016 shows in diagrammatic form how a possible 1m pedestrian safety strip might be provided. The arrangement is said to be temporary, pending provision of full standard pedestrian and cycling provision within the strategic housing site. However, there is no certainty as to when this might come forward.

In the previous appeal on the site, the Inspector made reference to the fact that the site is not well served by public transport and that pedestrian and cycle access along Patterdown was neither attractive nor safe. The mitigation works proposed are too vague insofar as they are undefined, and no reasonable conclusion as to their acceptability can be reached.

Existing bus services on Patterdown Road are not sufficient to provide a real sustainable and an upgrade on services would be required.

Saved policy T4 (Cycling, Walking and Public Transport) is not met and nor is the equivalent policy in the Emerging Core Strategy (Policy 61).

Following a meeting out on site and topographical surveys , he is now satisfied that a reasonable route for pedestrians can be provided within the controlled land (highway verge), providing for a serviced path, the majority of which could be 2m in width. There are limited lengths of road where a reduced width of circa 1m is all that can be achieved. He is now of the opinion that the provision of a surfaced route that connects with the existing paved footway of Patterdown Road would be sufficient to render an objection on the grounds of sustainability indefensible, and a matter that could, in the absence of any other objection be dealt with by way of a planning obligation.

However, the proposal makes a presumption that a southern link road for Chippenham is required to connect to the A350 via the site. This is not planned and would provide the least important link as a route to Patterdown Road would achieve the objective. The Southern Link Road is not included in the Infrastructure Delivery plan for Chippenham.

The proposed access off the A350 is contrary to Policy 62 of the Draft Core Strategy. The need for the access has not been demonstrated to be overriding of the policy. There is already a superfluous number of roundabouts between Malmesbury Road and Lackham roundabout. Another roundabout would adversely affect the efficiency of the route, contrary to CP66, which seeks selective improvements.

The Emerging Chippenham Transport Strategy states "*It is considered essential that the strategic role of the A350 be protected*". Although the A350 link between Chequers and Lackham roundabout is not the busiest, its Strategic role must be protected. He considers that protection includes strictly observing CP62 so that journey times are not increased unnecessarily, as the cumulative impact over time will be severe.

He comments on the applicant's rationale to overcome CS policy 62 as follows:

- The economic case to override the policy is not independent, and there is no justification to support the view that the marketing advantages of a site junction on the A350 should subjugate the policy

- The argument that Showell Farm and the adjacent housing site in this section of the A350 is not accepted. The built-up reference is as much to do with the physical attributes of the road and the prevailing conditions on it eg The speed limit. The logical extension of this would extend to any development proposal involving buildings, on any non built up length of the Primary Road Network (PRN) outside of the built up area.
- The agent argues that the access off the A350 allows a gateway site which can compete in the sub-regional market (with Swindon in particular). However, without the access the site is viewed as secondary which puts it in a much larger pool for a still limited number of occupiers. These occupiers are unlikely to meet the lending criteria in this economic climate to make the development viable or to meet the funds required for a new build when there is an ample supply of second hand property. With access on the A350, deliverability is approx. 5 years. Without it, there is no time limit if it is deliverable at all. Highways comment that the report which states this is not independent and the nature of the development is that it won't attract passing trade. It is also noted that the master plan does not show buildings with direct access off the A350, but from roads leading off the principal internal road.
- The agent comments about the proposal delivering a twin roundabout system replicating the 3 other junction arrangements along the A350, adjacent to the built up/urban area of Chippenham. Highways state that the reference to twin roundabouts is misleading as although there are junctions close together, those junctions which don't serve the main radial routes for Chippenham were necessary to serve major development (which in a large part funded the western bypass) as there was no other reasonable alternative.
- The agent states that Patterdown Road is unsuitable for HGVs as it is a rural route with listed buildings fronting it. However, highways consider that as the road was formerly part of the PRN, its structure is sufficient to accommodate the proposed development.
- The agent writes that there will be no delays at the proposed junction and therefore there will be minimal impact on proposed journey times. However, Highways respond by saying that whilst delays for individual vehicles may be described as minimal, there will nevertheless be delays, caused by traffic having to slow down to 30mph throughout the roundabout (a design prerequisite), and by some traffic having to yield. The effect at the Lackham roundabout, should the site access from the B4528, would involve only the yield element of delay to A350 traffic.

In summary the site is identified as a strategic site in the emerging Core Strategy. The access proposals as submitted do not comply with policies, saving and emerging, relating to the protection of the A350 Primary Route, or for the provision of acceptable sustainable transport options to provide for a real choice of transport for future trips generated by the proposed development. He recommends refusal.

Senior Conservation Officer – The tallest buildings at 15m have been kept furthest away from the listed farm buildings, still leaving a 12m block nearest to the farm. The combination of solid blocks of buildings, bunds of 4 m and contrived landscaping will cause significant harm to the setting of the listed building. A development comprising those scale buildings shown in plot 300 (8.5m) would be far less harmful. The trees shown as screening the railway at the far end of the site may have to be removed as part of the scheme for electrification of the railways. The proposed development would be contrary to the NPPF (2012) as it would cause significant harm to the setting of the listed buildings.

The Council's Conservation Officer believes that the proposed revision reducing the buildings' height parameters will lessen the degree of harm to the setting of the heritage assets and considers the proposal is now not sufficiently at odds with the requirements of s66 of the Town and Country (Listed Buildings and Conservation Areas) Act 1990 and section 12 of the National Planning Policy Framework to warrant refusal.

Council Landscape Officer – A full response is available on file but is summarised below:

- The site is indicative employment in the preferred "South west Chippenham Strategic site " allocation within Wiltshire's emerging core strategy.

- The Wiltshire Pre-submission Core Strategy document in appendix A contains; development templates for strategic allocations, landscape infrastructure requirements:
 1. Site to be well screened with native tree and shrub planting.
 2. The very open rural character at Lackham roundabout will need to be respected in the design of any commercial development.
 3. Bunds should be avoided to create screening, while landscape features such as stone walling on Showell Road should be retained.
 4. Development should consider views from PROW and the high visual sensitivity of the Lacock to Lyneham limestone ridge. Development should maintain the visual integrity, open views and characteristics to the east and avoid harsh urban edges fronting open countryside.
- The Wiltshire Core Strategy Consultation – topic paper 12 high lights the following Landscape and Visual considerations for the Showell Farm site: relevant Management objectives; Brief description of local character; Capacity to accommodate change.
- In conclusion the Landscape Officer says that there is no in principle objection , but considers the scale of some of the buildings, promoting B8 warehouse and distribution use, to be detrimental to the identified landscape sensitivities and ultimately the capacity for the site and adjoining landscape to accommodate change sensitively. The submitted landscape and visual impact tables confirm this. The proposed landscaping along the eastern and southern boundary will not be sufficient to effectively screen the scale of building promoted. The development will introduce harsh urban blocks and elevated building edges and skyline features for many years to come which will not be successfully assimilated into the local landscape. He appreciates the attempt to use cladding and colour to break up the large building elevations and that the buildings and landscaping are indicative, but in the short term (1-15 years) the impact of such huge buildings will be adverse and damaging to the local landscape character. The silhouette of the buildings at 12-15m will be highly visible from the countryside facing the river corridor and from further locations. The effect will be more acute in winter.
- The principle concerns are in relation to the 12-15 metre height of the buildings in this location and the effectiveness of the proposed landscape buffer treatment to provide effective screening to avoid the creation of harsh new building lines and exposed upper elevations fronting open countryside. A reduction of proposed building heights and massing of large buildings in combination with more effective buffer planting would help minimise the landscape and visual effects of the expansion of Chippenham.

On the revised parameters plan, which is expected, the Council's landscape officer is more comfortable with the proposals.

Council's Environmental Health Officer comments that the lighting report is thorough and aims to achieve a high standard of protection to the surrounding environment, in that it is designed to minimise sky glow, glare and light intrusion. Having said this it is acknowledged that bringing new development into an agricultural landscape will introduce new light sources. The applicant has submitted a higher standard than required in ILP E1 zoning which would be expected in AONBs and National Parks. Whilst targeting this higher standard the cumulative effect is likely to lead to an ILP E2 zoning criteria. This should be conditioned.

There is unlikely to be any contamination on site but a condition requiring a desk top investigation is required. Also conditions about what to do if contamination is found, is required.

The Noise from vehicles information is based on sound methodology and vehicle noise would not be considered to impact unacceptably on the residential properties nearby.

Council Ecologist states that the site is predominantly arable fields of relatively low ecological value. However, these are bounded by a network of predominantly species-rich hedgerows, with the exception of a species poor hedgerow in the north of the site which support several mature standard trees. All hedgerows are ecologically valuable and all qualify as BAP habitat. All species rich hedgerows would be removed by the proposals and all species poor ones retained. As mitigation it is proposed to provide a buffer for retained trees and hedgerows, while the proposed landscaping would comprise mainly native species on the southern and eastern margins of the site

and the management, creation and enhancement of hedgerows are proposed in order to improve their ecological value. Other recommendations for habitat creation and enhancement within the ecology report include green roofs, Sustainable Urban Drainage Systems and 'wildlife corridors'.

Protected species : -

- Great Crested Newt – A breeding population is present to the north east of the site although the breeding pond is 400m away. A pond to the north-west could not be surveyed. Proposed mitigation includes retention and enhancement of the hedgerows network and creation of wildlife corridors through the site.
- Dormice – hedgerows provide a suitable habitat but there is no evidence of use. The site will be enhanced by planting of berry bearing shrubs.
- Breeding birds- 29 species were recorded including red and amber listed birds. Mitigation includes removing species rich hedging outside the breeding season and the retention and creation and favourable management of all other hedgerows; the creation of wetland features.
- Wintering birds – 26 species were recorded including 3 amber and 4 red listed species and large flocks of field fare and redwing, predominantly using hedgerow habitats. Proposed mitigation includes the retention, creation and favourable management of hedgerows.
- Reptiles – populations of slow worm and grass snake were recorded on the site. Mitigation includes the creation of new hedgerows with a wildflower grassland margin on either side.
- Invertebrates – Potentially valuable habitats are limited to hedgerows. It is proposed that part of the hedgerow network would be retained and new hedgerow planting would be created/enhanced for invertebrates.

Surveys did not reveal any roosts for bats although some trees have the potential to support roosts as do the nearby Showell Farm and Showell Cottages (not surveyed). Activity surveys recorded 12 species of bat foraging and commuting through hedgerows including the rare Bechenstein and Greater Horseshoe Bats; this is notable given the location of the site and the habitats present and it has been assessed as being of regional significance for this species assemblage. Leisler's bat has also been recorded, which is very rare in Wiltshire.

The current proposals will involve the removal of most of the existing hedge network and this is likely to have an adverse effect upon the bats' use of the site and also make most of the site unsuitable for light sensitive species. It is proposed to mitigate this by the planting of new hedgerows/woodland belts around the southern and eastern margins of the site, which should provide alternative foraging habitats and commuting routes around the site once matured, although routes through the site would be lost for all species except pipistrelle, noctule, serotine and Leisler's bats. The bats are considered to be most likely to enter/leave the site to the east and south. The route to the east would be retained, but the route to the south would be lost as a roundabout has been located on this commuting route. The proposals would have a negative effect upon the gap and light sensitive bats.

Consideration of the Statutory tests in relation to bats concludes that although the development will have negative effects on some species of bats, the effects upon these species at a population level would not be likely to constitute a disturbance under Article 12 of the Habitats Directive and that there would be no likely significant effects upon the Bath and Bradford Bats SAC which might require appropriate assessment under Article 6.

The main impact of the development is clearly the loss of the mature species rich hedgerow network and the effects its loss would have on the species associated with it. The layout removes most of the hedgerows and it may take up to 10 years for the hedges to reach sufficient maturity to support the current assemblages of species. For some the disturbance would be experienced for several generations. It is therefore recommended that the existing mature species-rich hedgerow network be translocated to the margins of the plots. This would significantly reduce the ecological impacts of the development in the short term.

The retained and replacement hedgerows will also require a buffer in order for it to function properly as a wildlife corridor. This is shown in most areas but must be extended across the site. It is recommended that a 5m ecological buffer is established between all hedgerow/woodland areas and all hardstanding/buildings; this ecological buffer should comprise of predominantly wildflower grassland/SUDS features with scattered woody specimens. The site is easily large enough to accommodate these features which can be secured by way of a planning condition.

The success of the mitigation strategy will be reliant upon securing favourable management of the ecological features across the site at an early stage and throughout the life of the development. An

ecological Monitoring and Management Plan should set out the parameters for the creation of ecological features to be addressed through reserved matters applications and landscaping schemes, and set out a mitigation and monitoring scheme to be implemented alongside the development, ensuring the effective delivery of the proposed compensation and enhancement measures.

Suggested conditions to relate to:

1. Implementation of all recommendations of the submitted ecological reports.
2. Translocation of the existing species rich hedgerow network to landscaped areas within the site.
3. A 5m ecological buffer between all hedgerow/woodland habitat and hard development.
4. A lighting scheme and lux plan.
5. An ecological monitoring and management plan.

Environment Agency has no objection in principle due to its location in Flood Zone 1. However, due to the scale of the development failure to maintain surface water drainage schemes could result in flood risk elsewhere. They consider that the management and maintenance of surface water drainage scheme may be more appropriately addressed in a S106 agreement.

Wessex Water

Does not object, but indicates key issues to consider.

Archaeology

Recommend that a programme of archaeological works is carried out in advance of construction as investigations in 2004 uncovered the remains of a pre-historic settlement in the northern area of the site. However, not all the redline area has been subject to archaeological investigation.. Conditions are recommended.

Wiltshire Fire and Rescue

Request a contribution of £24k towards their services. However, this is not supported by full policy backing and is not being pursued.

8. Publicity

The application was advertised by site notice and neighbour consultation. Because of the recommendation, the application has been advertised as a Departure with the consultation period expiring on 8th August 2013.

14 letters of objection have been received (including the Showell Protection Group and one from a planning consultant. All letters are available in full on the file and the web) and 1 letter of support. Summary of objectors' key relevant points raised:

- Premature.
- Unsustainable. Poor bus service. Will encourage car journeys.
- Does not comply with NPPF especially sections 2 & 4.
- Undeliverable due to access.
- Undeliverable due to lack of local demand for the unit sizes being promoted.
- Contrary to the Inspector's decision of 14 years ago.
- Coalescence with Lacock.
- Congestion already and the number of roundabouts between here and junction 17 of the M4.
- Effect on landscape quality of the area.
- The Inspector at the EiP was presented with arguments for the spatial allocations to the south west of Chippenham fundamentally undermine the Plan and are in themselves

unsound. The proposed development at Showell Farm will not fulfil the strategic objectives of the Core Strategy but will frustrate them.

- The creation of a new employment only zone outside the settlement boundary will create jobs in a remote location causing more out commuting and cause inevitable decline in the town centre due to pressure to develop a new local centre.
- The spatial site allocation is based upon a wholly unsound premise that it is a mixed use site with functional land linkages between the two. The application is premature and should demonstrate genuine mixed use credentials.
- The proposal will inevitably include a B1 element and this will make the sequential assessment near impossible and will lead to a negative impact on the town centre.
- The site is allocated in the Wiltshire and Swindon Minerals Waste Development Framework Proposals Map (2009), which suggests the land is within a mineral safeguarding area.

9. Planning Considerations

Principle of development & policy setting

Policy weighting

The National Planning Policy Framework (NPPF) is the relevant national planning policy document and locally the North Wiltshire Local Plan 2011, where its policies are not in conflict with those of the NPPF.

The Wiltshire Core Strategy has now been submitted to the Secretary of State. This is an advanced stage in its production and undergoing its Examination in Public and, therefore, considerable weight should be given to the emerging policies within core strategy where there are no significant outstanding objections to that policy.

Application of policy

- Principle of development/policy setting.

In planning policy terms, the application site is located in the open countryside, but is allocated through the Core Strategy as an employment site through Core Policy 10 which allocates 18ha employment together with 800 new homes.

The site has been mooted for some time as a potential employment site and applications were considered in the late 1990s for 2 applications for employment and food processing plant (98/02692/OUT & 99/00450/OUT). The application site was larger in these cases as the land extended down towards Lackham roundabout. Both applications were called in and refused by the Secretary of State because of their location in the open countryside, relationship to the grade II listed buildings at Showell Farm, the unsustainable location and whether there was an urgent and overriding need for the development. The Secretary of State concluded that there was no immediate overriding need and the issues raised were sufficient to justify refusing the application.

However, things have moved on and changed since these applications. The site is now allocated in the Core Strategy as part of the south west of Chippenham expansion to provide 18ha of employment together with 800 houses. The housing land will be associated with a large green space which will help provide links to the town centre and encourage alternative means of transport as well as potentially providing workers for the employment allocation. Chippenham suffers from considerable out-commuting to Swindon, Bath and Bristol and it is hoped that by providing high quality employment and housing, this can be significantly lessened.

Whilst the Core Strategy is going through its EIP at the moment, the Council has encouraged this employment to come forward ahead of time as the need to provide new

high quality employment opportunity is seen as a key factor to address the out-commuting that currently occurs. A Statement of Common Ground between The Council and the Applicants (Crest Strategic Projects) was prepared for the EiP for the whole of the strategic site (ie employment and housing). A planning application for the housing is stated to be coming forward in early 2014. The consortium (ie those with an interest in the land) has submitted a vision statement which includes an indicative masterplan for the entire site. Both parties agree that this site has been chosen because of its strategic nature, offering employment creation potential and significant housing numbers. The site can deliver employment land early in the plan period. The evidence submitted demonstrates that the South west Chippenham allocation is achievable and deliverable within the timescales proposed.

- Access & Highways.

The proposal is for access from the A350 bypass by way of a new roundabout. The roundabout can be designed to accommodate any future duelling of this road. The layout of the roundabout with the road as it is and the plans supplied are acceptable to the Highways officers.

The site lies between the A350 and Patterdown Road and it was expected that access would be off Patterdown Road at a junction which also serves the new housing site. However, the applicants have shown an access from the A350, citing that this is necessary from an economic point of view to attract the “primary” users who are both required to fund the site and also to be the calibre of occupiers that Chippenham needs to compete with other centres. The roundabout will be approximately 400m from the Lackham roundabout.

Core Strategy Policy 62, which continues the tenor of policy T8 of the Wiltshire and Swindon Structure Plan 2016 (originally saved although now revoked), states that: *proposals for new development should not be accessed directly from the national primary route network outside built-up areas, unless an overriding need can be demonstrated.* In the supporting text the exceptions will only be made where the type of development is such that it requires primary route location, such as a roadside service facility.

The roundabout junction is therefore contrary to this policy and whilst Highways acknowledge that apart from the inevitable slowing of traffic, the fact that the section of road is not the busiest, there is an overriding need to protect the strategic role of the primary network. The provision of a another roundabout where there is already a superfluous amount (between Malmesbury Road and Lackham roundabout) would adversely affect the efficiency of the route, contrary to Core policy 66 which seeks improvements. They do not accept the economic argument put forward, which they consider not to be independent.

Whilst it is therefore clear that a highways reason for refusal could be generated and justified, this must be weighed against the very strong need for economic growth in Chippenham and the deliverability of this site to meet this need. There is no highways danger issue to be resolved. The location of the roundabout is contrary to policy, but given its location in the less busy section of the A350, the impact is likely to be less than in other sections.

Additionally, Core Strategy Policy 62 does not specify what “overriding” need is limited to; just suggesting that it is for such things as road side facilities. It could be argued that the economic need for new employment is an overriding need and since the applicants are unwilling to provide a main access off Patterdown Road, allowing the new roundabout is the only practical way to deliver the site.

It has been suggested by officers that a condition which precludes development of the roundabout commencing until a contract is signed for a “primary” type user, would ensure

that the applicants stick to their argument that such a user is not possible without the access.

- Sustainability.

The NPPF makes a presumption in favour of sustainable development. The site is not well served by public transport or other means of transport at the current time. The delivery of the associated housing site, as part of the South West of Chippenham Strategic Allocation, would provide alternative links to the town centre and thus make it sustainable. In the meantime the applicants propose to deliver a temporary path alongside Patterdown to link into existing footways and cycles paths to town. Whilst the Highways Officer was initially sceptical about this, he has since agreed that the path is deliverable to a satisfactory standard, although no acceptable plans to show this have been received. On this basis the Highways officer has withdrawn his objection on sustainability grounds subject to a legal obligation about the delivery of this “temporary” route. It is therefore considered that the application is NPPF compliant on sustainability.

- Effect on landscape setting of area.

The landscape officer has given a comprehensive report on the submitted Landscape and Visual Impact Assessment – available in full on the file and summarised above. There is no in principle objection. The proposed reduction in building heights as shown on the revised Parameters Plan (reduced to a maximum of 12m to the north and 10m to the south) together with in principle reduction in height to the proposed bunding to the south, is welcomed by the landscape officer. The landscaping is indicative at this stage but gives an indication of the native structure planting proposed on a reduced height bund. Ordinarily bunding would not be encouraged, but if carefully contoured, it will help hide the lower sections of the building whilst the landscaping matures.

There is no escape from the fact that the built form will have the potential to form a relatively harsh new urban edge to the new southern boundary of Chippenham, but these effects can be reduced in part by structure planting and by the use of colour and form of the buildings to help break up and filter views. The proposed building form will be visible from some far vantage points, but in the context that Chippenham is identified as a principle settlement for growth, it is not considered that this is a significant enough reason to warrant a refusal, especially as any alternative employment site is also likely to have some impact.

The Council’s Landscape Officer is more comfortable with the proposal given the expected revision to the buildings’ height parameters, and the final landscaping scheme (including bunds). The final appearance of buildings can be controlled by means of planning conditions.

- Effect on listed buildings on site and the Heritage Asset.

Showell Farm and Oak Lees House are sited to the east and south of the site. Codastones and 3 & 4 are on the opposite side of the road to the east. Oak Lees is not listed but Showell Farm is grade II and within the complex there are other dwellings formed from conversions which are curtilage listed. Unlike the scheme submitted in the 1990s, the site is wholly to the North of Showell Farm. The land in closest proximity is to be developed for smaller starter units of no more than 8.5m in height and there will be significant landscaping in between.

Again, undoubtedly there will be some impact on the listed buildings and their setting and those buildings which are not listed. However, unlike the previous application the built form will be to the north of these buildings rather than surrounding it. However, the proposed

mitigation and distance to the nearest buildings shown on the master plan (approx 60m to Oak Lees and 110m to Showell Farm) are considered to be sufficient to ensure that the Heritage Asset is not detrimentally affected and now that there are proposed revisions reducing the buildings' height parameters which will further lessen the degree of harm to the setting of the heritage assets. It is therefore not considered that the proposal is sufficiently at odds with the requirements of s66 of the Town and Country (Listed Buildings and Conservation Areas) Act 1990 and section 12 of the National Planning policy Framework to warrant refusal.

- Ecology

The application was accompanied by a full set of surveys which have been viewed by the Council's ecologist. The application site supports a diverse range of wildlife including some rare bats and the habitats and pathways through the site will be disturbed or removed by the development. Mitigation is proposed in the planting of new hedgerows and managed grassed areas together with ponds.

The impacts would be greatest in the short to medium term, reducing over time provided that the mitigation strategy is secured and implemented, in which case the outcome could be positive for some species, whilst remaining negative for others ((breeding/wintering birds/commuting bats). However, these negative effects would not trigger any statutory reasons for refusal (subject to securing the mitigation measures).

It is considered that conditions can be used to mitigate the main impacts of the development and that it would not be possible to substantiate a reason for refusal on ecological grounds.

- Design, appearance and layout

The application is in outline (with just access to be approved at this stage), but a parameters plans was submitted with the application which indicated building heights and landscaping. The original heights at 12-15m were considered to be overly large (especially given the overall scale of the buildings) and following negotiations, the applicants have agreed to reduce the parameters to 10-12m. The buildings to the south of the site (ie those nearest the open countryside) will be 10m and those nearest the railway 12m. The buildings closest to the residential properties are more akin to starter units and are to be approx 8.5m in height.

The design and materials of the units are reserved for later approval, but officers have stressed to the applicants the need to design the buildings to reduce their impact and use materials to soften their appearance.

The indicative masterplan for the site shows the site divided into four plots and the application is for 50,000sqm of floorspace overall. The area to the east is shown as smaller units, although this layout is not up for approval. The other 3 sections show 3 large units with associated car parking and works including indicative planting. There are a number of indicative SUDS ponds within the development.

The key design principles have been cited by the applicant to be to provide large enough plots to meet the likely needs of their target sector; to retain existing key hedgerows; to provide a new access gateway from the A350 with a main access spine; to design a central space that gives a sense of arrival and gives identity; to minimise the impact of Showell Farm; to located service areas away from the service spine road and away from the listed buildings; to ensure the design layout will integrate with the housing layout identified in the strategic allocation; to retain a southern edge through significant planting; to provide trees within the site to create a woodland canopy and to enhance wildlife corridors on the northern and southern boundaries and to retain the L-shaped hedgerow within the site.

The indicative land budget is : net developable area: 12.56 ha; existing and proposed planting/landscape areas 4.29Ha and access and highways areas 1.05ha.

The principles indicated are supported by officer sand set the scene for a well design employment site with sufficient “greening” to mitigate the impact of the large buildings to an acceptable standard. The details submitted with any reserved matters application will ensure that these design ideals will be implemented.

- Amenity of local residents.

The closest units are indicated to be approximately 60m to Oak Lees and 110m to the main house at Showell Farm. A substantial band of landscaping, together with bunding is proposed between the site and these properties (in particular). The noise assessment submitted indicates that vehicle noise will not be an issue and when dealing with the reserved matters (when the actual uses in the units will become apparent) the noise to be generated by the use can be assessed and dealt with appropriately.

The outlook from the rear of these properties will be altered ad there is no denying that in the short term at least, the buildings are likely to be very visible. That said, the finalised design is not available at this stage and the impact on these properties, as well as the wider area will be very much part of that process.

The site is allocated for employment and whatever is built there will have an impact, but these impacts are not considered to outweigh the benefits of delivering a key employment site and are not sufficient to warrant a planning refusal.

- Other matters.

The Wiltshire and Swindon Minerals Core Strategy 2009 identifies a Mineral Resource Zone Policy MSC1 (Bristol Avon) at Chippenham. However the zone shown on the Key Diagram for the Core Strategy is adjacent to but does not include the Showell Farm site.

Consideration was given to the minerals zone and policy as part of the Core Strategy site selection process for Chippenham, particularly in relation to the South West Chippenham strategic site. The adopted Minerals Planning Policy (MSC6) aims to ensure that wherever practicable developers extract minerals prior to or in phase with non minerals development, in order to ensure workable resources are not needlessly sterilised by development. The developers promoting the South West Chippenham strategic site carried out an assessment and indicated that the minerals in this area are not viable as a going concern, but indicated an opportunity to extract the minerals prior to development (for example as part of flood prevention measures).

When the Core Strategy was submitted in July 2012, the advice to date indicated that the extraction of minerals is likely to be problematic due to a high water table and poor quality of minerals.

One of the objectors has raised additional issues, many of which have been addressed through the EiP process. The comment that there is no demand is refuted via the Workspace Strategy which forms part of the evidence base for the Core Strategy. The application site was identified because of its links to the M4 and lack of major constraints, which would ensure its early delivery..

The objector talks about coalescence with the village of Lacock, but this is some distance away and cannot be seen from any vantage point in the site

The application will need to be accompanied by a legal agreement (s106) to deal with highway matters.

- Conclusion

The site is allocated via policy CP10 as part of the South West of Chippenham Strategic site and is the employment element of that scheme. The Core Strategy is at an advanced stage now (going through the Examination in Public) and carries significant weight. Therefore, even though under the current policies of the North Wiltshire Local plan 2011, the land is in open countryside, the allocation gives it considerable weight for the determination of this application.

Issues to do with ecology, landscape, listed buildings and environmental health can be dealt with by way of the reserved matters and/or planning conditions.

The only outstanding issue is the potential conflict of the new roundabout onto the A350 with Core policy 62. Highways have objected to the application on the basis of this policy and its stance that new roundabouts should not be permitted onto the primary network route unless an overriding need can be demonstrated. Whilst the supporting text indicates that roadside facilities are what is envisaged by “overriding need”, there is no actual definition and it could be argued that the future economic growth of Chippenham represents that overriding need.

There is no identified harm to the safety of road users by the introduction of the roundabout just an inconvenience of slowing on what is a relatively quiet section of the road. Highways seek to protect the function of the whole of the primary road network.

In this case it is considered that the benefit of providing quality employment on an allocated site outweighs the potential to cause a traffic slowing in the locality and that the positives of economic development should be cited as the “overriding need”.

The Recommendation is therefore Delegation to officers to allow the consultation period of the Departure Notice to expire, to await the submission of the agreed revised parameters plan and draw up a suitably worded S106 agreement to deal with highways matters 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 No works for the construction of the roundabout onto the A350 hereby permitted or any part thereof shall commence until a valid construction contract has been entered into under which one of the parties is obliged to carry out and itself complete the works of development of any of plots 100, 200 or 300, the site for which planning permission consent has been granted under application reference 13/00308/OUT and any subsequent reserved matters application or such other amendment approved by the Local Planning Authority; and; evidence of the construction contract has first been submitted to and approved by the Local Planning Authority.

REASON: In the interests of the highway function and economic growth.

4 The development shall be carried out in accordance with the parameters plan

Reason: To protect the setting of the Grade II listed buildings nearby and the landscape character of the area.

5 No development shall commence within the 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.

6 No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been undertaken and until:

- a) The Local Planning Authority has been provided with written confirmation that, in the opinion of the developer, the site is likely to be free from contamination which may pose a risk to people, controlled waters or the environment. Details of how this conclusion was reached shall be included.
- b) If, during development, any evidence of historic contamination or likely contamination is found, the developer shall cease work immediately and contact the Local Planning Authority to identify what additional site investigation may be necessary.
- a) In the event of unexpected contamination being identified, all development on the site shall cease until such time as an investigation has been carried out and a written report submitted to and approved by the Local Planning Authority, any remedial works recommended in that report have been undertaken and written confirmation has been provided to the Local Planning Authority that such works have been carried out. Construction shall not recommence until the written agreement of the Local Planning Authority has been given following its receipt of verification that the approved remediation measures have been carried out.

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

- 7 Prior to the commencement of the development hereby permitted a full lighting scheme for the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of the visual amenity of the countryside and local residents.

- 8 All fixed plant and machinery shall be so sited and designed in order to achieve a rating level of -5dB below the lowest measured background noise level, determined at each of the nearest noise sensitive receptors ie Holywell Guest House, Showell Cottages and Showell Farm.

Reason: To protect residential amenity.

- 9 The parking provision for all individual units on the site shall be in accordance with the requirements of the Wiltshire local Transport plan (LTP3) Car Parking Strategy, with quantum of parking not below the minimum standard for the appropriate planning use class, and areas of parking used for no other purpose.

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

- 10 No development shall commence on site until details of the stopping up of all existing accesses, both pedestrian and vehicular, have been submitted to and approved in writing by the Local Planning Authority. That stopping up shall take place in accordance with the approved details within one month of the first use of the approved access. No later than one month after the first occupation of the development, the sole means of vehicular and pedestrian access to the development shall be as shown on the plans hereby approved.

REASON: In the interests of highway safety.

- 11 No development shall commence on site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for the provision of such works, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until these details have been constructed and laid out in accordance with the approved details, unless an alternative timetable is agreed in the approved details.

Reason: In the interests of highway safety and convenience.

- 12 No development shall commence on site until details of the provision for the loading, unloading and parking of goods vehicles within the site have been submitted to and approved in writing by the Local Planning Authority. No part of the development hereby approved shall be first brought into use until provision has been made. This space shall be maintained for such purpose at all times thereafter.

Reason: To ensure adequate provision is made for loading/unloading and lorry/van parking within the site in the interests of highway safety.

- 13 The buildings hereby permitted shall not be greater in height than the following parameters: Plot 300 8.5m; plot 400 10m and plots 100 & 200 12m as indicated on drawing DR-411-102 Rev 01.

Reason: To protect the setting of the nearby listed buildings and the open character of the surrounding landscape.

- 14 Prior to the first occupation of any of the development hereby permitted, the cycle/path

along Patterdown Road as indicated on the approved plans, shall be provided in accordance with details to have first been submitted to and approved in writing by the local planning authority, unless and until the cycleway/footway linking to the town centre, through the remainder of the South West of Chippenham Strategic Allocation in the Wiltshire Core Strategy, is provided.

reason: To ensure that sustainable routes to the town centre are provided.

15 Prior to submission of a reserved matters application for the site, an Ecological Monitoring and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Ecological Monitoring and Management Plan shall include the following elements:

- A framework demonstrating how and where the 'Ecological Management and Enhancement Measures', as set out in Table 4-1 of the submitted 'Ecological Summary Report' (Ref. eg12459TP), shall be implemented across the site
- A scheme for the translocation of the existing species-rich hedgerow (where this cannot be retained) to landscaped areas within the site
- A programme for monitoring the ecological effects of the development

The approved Ecological Monitoring and Management Plan shall set a framework for all reserved matters applications, which shall only be permitted where in accordance with the approved Ecological Monitoring and Management Plan, and will include timescales for implementing the approved measures. The site shall be managed in accordance with the approved Ecological Monitoring and Management Plan in perpetuity unless agreed in writing by the Local Planning Authority, and monitoring reports shall be submitted to the Local Planning Authority in accordance with the monitoring programme therein.

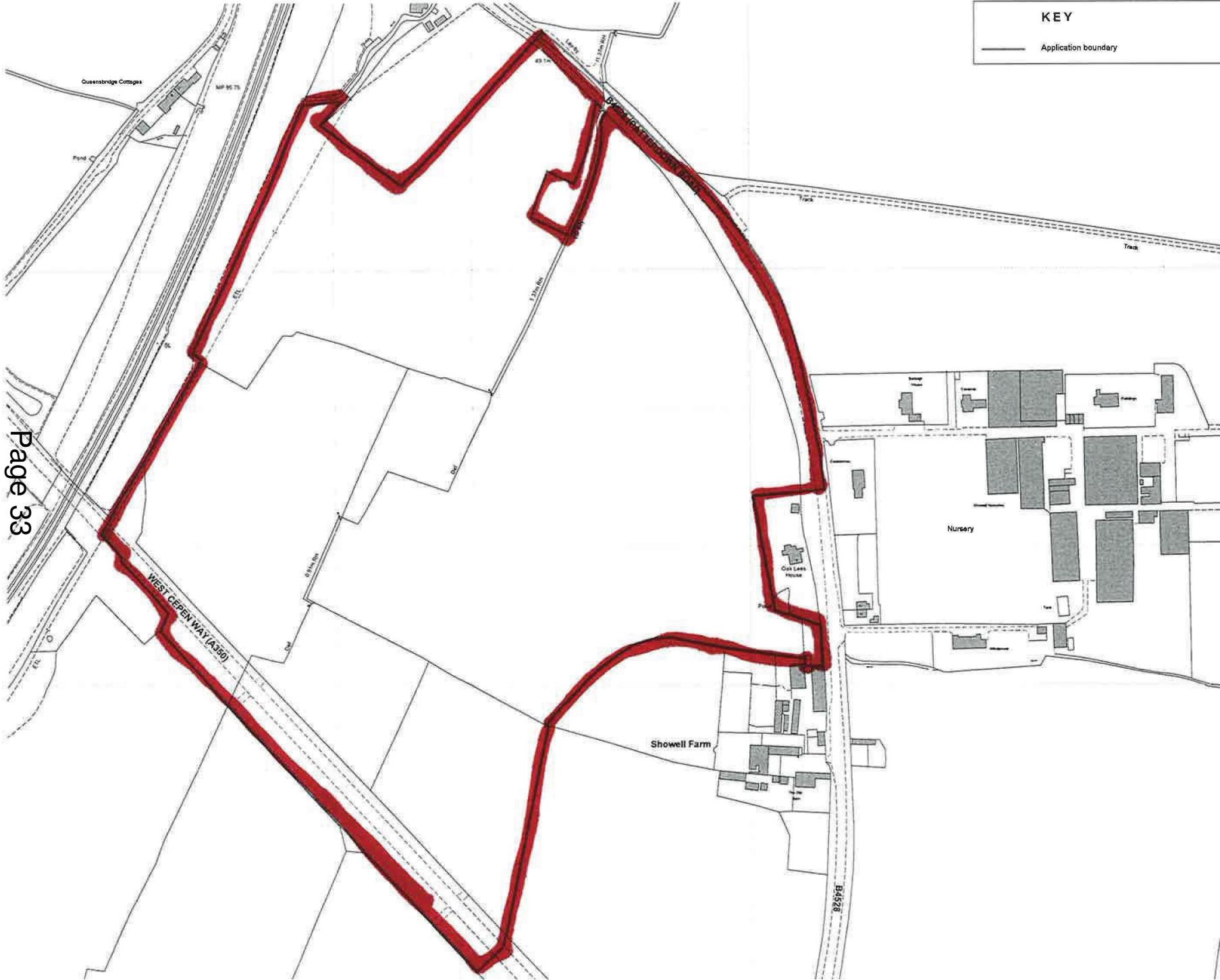
Reason: To maintain and enhance biodiversity and protected species in accordance with NE10, NE11, NE14 and Circular 06/2005

16 Any reserved matter application shall be supported by a lighting plan for that phase of development (including a lux plot). Any approved lighting plan shall demonstrate that light spill will be minimised through sensitive lighting design and timers, and that light levels shall be maintained at current lux levels or below 1 lux in the following parts of the site, as identified in the Ecological Monitoring and Management Plan or through any subsequent ecological survey reports:

- Confirmed bat roosts / flight lines / foraging areas;
- Bat boxes; and
- Darkened corridors to be maintained through the site.

Lighting levels shall be maintained across the site in accordance with the approved lighting plan(s), unless otherwise agreed in writing with the Local Planning Authority.

Reason: Circular 06/2005 and the Habitats Regulations (2010)



KEY
 — Application boundary

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 Figured dimensions only are to be taken from this drawing. All dimensions are to be checked on site before any work is put in hand.

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00	Issued for planning	PH 21Nov12	NM
Revision	Description	Drawn	Checked

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Client's Name
 Crest Nicholson

Site Name
 Showell Farm Chippenham

Drawing title
 Application boundary plan

Scale
 1 : 1250 @ A1, 1 : 2500 @ A3

14666	DR-411-101	00
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APPROVAL

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WILTSHIRE COUNCIL

Report No.

STRATEGIC PLANNING COMMITTEE

Date of Meeting	30 th July 2013		
Application Number	N12.04038.OUT		
Site Address	Marden Farm, Rookery Park, Calne, SN11 0LH		
Proposal	<p>A Hybrid Application Comprising: A Full Planning Application for a Specialist Dementia Care Facility Comprising of 75 Dementia Care Beds and a 10 Bed Palliative Care Unit with Associated Service Building, Visitor and Staff Parking and Associated Service Access and Landscaping. Outline Proposal for Residential Development Comprising of up to 125 Units with Affordable Housing, Associated Parking, Gardens, Amenity Space and Public Open Space, Community Orchard, Allotments, Ecological Enhancements, Sustainable Drainage and Vehicular Access Off Stockley Lane. All Matters Except for Access Reserved for Future Consideration.</p>		
Applicant	Gleeson Strategic Land and N Notaro Homes Ltd		
Town/Parish Council	Calne TC & Calne Without PC		
Electoral Division	Calne South & Cherhill/Calne Rural	Unitary Member	Councillors Hill and Crisp
Grid Ref	400135 169472		
Type of application	Hybrid		
Case Officer	S T Smith	01249 706 633	Simon.smith@wiltshire.gov.uk

Reason for the application being considered by Committee

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

1. Purpose of report

To consider the above application and to recommend that planning permission be REFUSED.

2. Report summary

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

1. Principle of C3 residential (the outline element of the application)
2. Principle of C2 care home (the full planning application element of the application)
3. Presumption in favour of sustainable development
4. Housing requirement and 5 year land supply
 - Recent decisions
5. Meeting local housing need
 - Dementia care home
 - Affordable housing

6. Design, layout and landscaping
 - Outline element of submission – nursing home
 - Detailed element of submission – C3 residential
 - Impact on landscape
7. Access and highway issues
 - Accessibility
 - A4/Stockley Lane junction
 - Access to Stockley Lane
 - Access to The Rise
 - Other matters
8. Flood Risk and drainage
 - Surface water
 - Foul water
9. Ecology
10. Impact upon neighbour amenity

The application has generated 156 letters of objection, with 1 letter of support. Both the Calne Town Council and the Heddington Parish Council object to the application.

3. Site Description

Situated some 2.5km South-West of Calne town centre, the Marden Farm site is a 14.0Ha mixture of undeveloped fields, farm buildings and four residential properties and their associated gardens. Previously part of an intensive agricultural holding (Rookery Farm), the agricultural fields have not been cultivated for several years and the farm buildings themselves benefitting from permission for business uses.

Positioned at the edge of Calne, the site remains entirely outside of the Settlement Framework Boundary, as defined by the adopted North Wiltshire Development Plan 2011, thereby rendering the site as part of the countryside. Residential development to the immediate North of the site (Rookery Park) represents the extremity of the town's limits. To the north of the site is the John Bentley School with its playing fields adjoining the site in the north east corner. Land to the south and west of the site is agricultural and currently used for mixed farming.

The site has a gently sloping topography. The land falls gently away to the north, east, south east and south from locally higher ground within the vicinity of the redundant farm buildings (located at 91m AOD). The northern part of the site drains northwards to a small brook which runs along the northern boundary. A ditch runs along the eastern boundary which flows southwards with a feeder ditch crossing the field east of the piggery. The southern part of the site generally falls to the south and south east to drain into a ditch along the southern boundary. The land to the south and south west is largely level. To the east the land falls to the south east through the residential area. The land to the north of the site rises gently up to a low ridge some distance north of the site beyond John Bentley School. To the west the land rises very gently to a low ridge.

4. Relevant planning history

08/00849/FUL - Replacement of Existing Office Building (Retrospective) – Approved 30/07/08

08/02041/OUT - Erection Of Thirteen Dwellings After Demolition Of Existing Semi-Detached Bungalows – Refused 13/10/08

5. Proposal

Submitted as a hybrid application, the proposal comprises two elements. The full application element relates to a proposed 85 bed specialist dementia care facility, positioned to the South-

East corner of the site. The balance of the application is submitted in outline only, with all matters reserved for later consideration except for means of access. This outline element of the application refers (up to) 125 dwelling houses together with associated parking, landscaping, allotments and public open space.

The site is proposed to be accessed at two points. The Stockley Lane access is to remain the principle point of vehicular access/egress with the access to the Rise presented as an access for pedestrian and emergency vehicles only, unless a bus service is identified to serve the site. The applicant has confirmed a willingness to secure a pedestrian linkage from the site to the adjoining John Bentley School playing field, already an informal linkage.

6. Planning Policy

National Planning Policy Framework (NPPF)

The NPPF was introduced as a principal material consideration in the determination of planning applications in March 2012. It introduces the presumption in favour of sustainable development at para 14 as a 'golden thread' running through plan making and decision taking. Conceptually, the NPPF confirms the following :

- The need to plan positively,
- the need for a 5yr supply of housing,
- the status to be afforded the development plan,
- development management issues

North Wiltshire Local Plan 2011 (NWLP)

The NWLP was adopted in June 2006 and constitutes the statutory development plan. The following policies within it have been "saved" beyond 2009 by the Secretary of State until a subsequent adopted policy document supersedes them :

- C1 - Sustainability
- C2 – Community Infrastructure
- C3 – Development Control Policy
- NE4 – Areas of Outstanding Natural Beauty
- NE9 – Protection of Species
- NE1 1 – Conserving Biodiversity
- NE14 – Trees and the Control of New Development
- NE15 – The Landscape Character of the Countryside
- HE6 – Locally Important Archaeological Sites
- T1 – Minimising the Need to Travel
- T2 – Transport Assessments and Travel Plans
- T3- Parking
- T4 Cycling, Walking and Public Transport
- H1 – Required Level of Residential Development
- H4 – Residential Development in the Open Countryside
- H5 – Affordable Housing in Rural Areas
- CF3 – Provision of Open Space

The direction of the above NWLP policies is considered entirely consistent with National Planning Policy Framework as they define what is considered sustainable development locally. The NPPF introduces the principle that development should have regard to the presumption in favour of sustainable development. In these circumstances para. 215 of the NPPF states that due weight should be given to these relevant policies.

Draft Wiltshire Core Strategy

Upon adoption, the Wiltshire Core Strategy (WCS) will replace many policies and proposals in the NWLP. It has reached an advanced stage of preparation with the examination currently underway. It is anticipated that the plan could be adopted by the end of 2013 or at least the Inspectors report received.

The WCS introduces a housing requirement for the period to 2026 presented by Housing Market Areas. The Local Planning Authority regard this as the most recent expression of housing need in the county, with Topic Paper 15 providing the background to the housing requirement set out within the draft WCS. It is, however, recognised that the WCS is still under formal examination, albeit expecting to conclude on 19th July, with potential adoption date of Autumn 2013. Para 216 of the NPPF states that weight can be afforded to emerging policies according to how advanced in the process the plan is, the consistency of the plan with the NPPF and the extent of unresolved objections.

The spatial strategy (core policy 1 and core policy 2) sets the foundations for how 'sustainable development' is defined and applied in Wiltshire. The strategy recognises the importance of delivering new jobs and infrastructure alongside future housing. Core policy 3 seeks to ensure that infrastructure is delivered alongside development.

Within the WCS, Calne is identified as a market town with the ability to support sustainable patterns of living and the potential for significant development where that development enhances services and facilities and promotes better levels of self containment (core policy 1).

Core policy 2, however, is clear in that there is a presumption of sustainable development within defined limits of development and that development outside these limits should be brought forward through a community led planning document which identifies specific sites for development. The area strategy for Calne strengthens the need for housing growth to be carefully balanced with job creation and town centre improvement. Furthermore development should be phased to ensure infrastructure and employment provision supports the development of the town (para 5.40).

Core policy 8 identifies the level of housing growth appropriate for Calne and does not identify a specific strategic housing site to provide this growth. Instead sites should come forward through a community led planning document.

7. Consultations

Calne Town Council –

“Members strongly objected to this application on the following planning grounds; The proposed development is outside the local development framework boundary. The proposal is in contravention of Local Plan 2011; Housing Topic Area H4 (i) and (ii) and Core Policy C2. Members felt strongly that there is insufficient infrastructure in place to support a development of this scale and nature. Members had huge concerns over the proposed access in and out of the development and the impact the increased traffic will have on an already overloaded road network (Core Policy C3 (viii))”

Calne Without Parish Council –

“...the design approach is wrong considering that the proposed open spaces should be on the side of the site nearest the school playing areas. There are also concerns on the longer term ownership of these spaces and the possibility of future development. Council consider there are significant constraints that are not being addressed, particularly with access, to and from the site, which is proposed through the existing housing and to Stockley Lane. The roads of the current housing are narrow with much on road parking. The proposed new road is close to the bend in Stockley Lane that is already an area of highway pressure. Additional traffic from the housing and the vehicles and visiting traffic to the care home will only add pressure to the existing roadways. Are they capable of supporting the increased traffic? Increased traffic will either turn left to further log jam Calne or travel through Calne through the very narrow roads of Blacklands to the A4 and/or Devizes. It would also be beneficial for the proposed housing on this side and far from Calne centre to include shops and additional facilities such as Doctor’s surgery. Unfortunately this is yet another proposed development in the Calne area prior to any agreed Neighbourhood Plan. Calne Without Parish Council is therefore not in favour of the proposed development due to the concerns highlighted.”

Hedddington Parish Council –

“...wish to record an objection to the proposal on the grounds of the adverse impact it is believed the proposal will have upon the already poorly maintained and inadequate lanes that are currently used as rat-runs on the following routes: Sandy Lane/Hedddington Common/Broads Green/Stockley; Sandy Lane/Hedddington/Stockley; Whetham/Broads Green/Stockley. The daily use of these rat-runs has increased considerably over past two years as a means of avoiding increasing delays and congestion on the A4 through Calne. It follows that the new residents of the proposed development would use the same routes.”

Spatial Planning Officer –

Recommends that the application be refused planning permission. Comments form basis of “Principle of Development” section below.

Highway Officer –

“The TA supporting the application identifies that the site is poorly provided for in terms of proximity to local facilities, services and employment. However, the site is reasonably provided for in terms of local footpaths and footways, facilitating journeys on foot. Dedicated cycle provision is locally poor, despite Stockley Lane forming part of the Sustrans and Wiltshire cycle network, and only provides for leisure trips.

Bus services for the site have an uncertain future, with consultation on local routes in the area due to be consulted upon later this year. There can be no guarantee that the bus tops in Fairway and The Rise will be maintained at their current level of service. Because the site is not particularly accessible, it is essential that local bus services are protected; a planning obligation is required to secure funding for a satisfactory level of provision in this regard, for at least 5 years.

Existing traffic levels on Stockley Lane are currently modest; the development is forecast to increase flows by 33% in 2017 at the A4 end of the road.

The junction of Stockley Lane with the A4 is of a poor standard. Visibility to the left is sub-standard, and visibility to the right can be obstructed by vehicles parking on the roadside verge, which has recently been hardened to reduce verge damage. Capacity is not an issue at this junction, but potential delays caused by right turning traffic can be expected to increase. Facilities for pedestrians needing to cross the A4 in this vicinity are poor, although both uncontrolled and controlled crossing points are available in the vicinity of the footpath link from The Rise. A remodelling of the junction is required, together with measures to prevent parking within the visibility splay.

The site is proposed to be accessed at two points. The Stockley Lane junction access is acceptable in principle. The proposed access to The Rise is presented to be for emergency vehicles only, unless a bus service is identified that would pass through the site. There appears to be no reason why The Rise should not be used as an alternative access to the site on a limited basis; it would be a less attractive route than via the Stockley Lane access, and would therefore present only limited additional traffic to The Rise. If it is open to limited traffic it will allow greater local accessibility, and enable a more efficient servicing arrangement, providing time and cost savings to providers such as the postal services and refuse collection services.

The TA identifies that local footpaths might be improved to provide reduced journey lengths for prospective residents/employees. In particular, it would appear an improved link to the John Bentley School and leisure centre would improve site accessibility. There is evidence of pedestrian demand on the existing verge to the south of the proposed access to Stockley Lane; this is required to be paved.

The accesses to the dementia care facilities are acceptable, but the turning space provided for refuse collection is very tight and would benefit from a minor redesign of the access area.

It is unclear what parts of the site access are intended to be addressed under reserved matters. I have assumed that detailed permission is sought in relation to the access to Stockley Lane as far as the western boundary of the dementia facility, including the facility, and that means of access for the remainder of the site seeks detailed permission for access from an extension of that access road and a connection to The Rise.

I am not clear as to what the masterplan for the outline part of the site intends in respect of road hierarchy and prospectively maintainable highways. The TA refers to much of the site as 'private drives' and 'green lanes', both providing for access to refuse vehicles and operating as shared surfaces. The D&A Statement expands on this, but is not clear how the roads will operate, nor is any vehicle swept path analysis offered to demonstrate that the roads would be adequately sized. It also states that lighting will be reduced on the 'green lanes' and 'private drives' but does not acknowledge British Standards requirements.

I recommend the following:-

No objection subject to planning conditions and a planning obligation to secure:

- *A financial contribution to secure bus services to serve the site for at least five years*
- *A commitment to provide or assist with the upgrade access between the site and the John Bentley School/Leisure Centre.*
- *A surfaced footway on Stockley Lane south of the proposed site access.*
- *and the following conditions:*
- *Improvements of Stockley Lane junction with A4"*

Environmental Health Officer –

No objections subject to the imposition of planning conditions.

Council Leisure and Amenity Officer (public open space) – (Extracts from full response):

Open space and play provision

"In order to make the development acceptable in planning terms, the proposed development has a Public Open Space requirement of 8160m², of which 735m² should be play provision. Whilst an exact figure has not been provided, the Illustrative site layout plan (1111/04) shows an area of Open Space far in excess of the planning requirement. Conclusion: In accordance with the current Local Plan there would be sufficient Open Space provided as part of this development

The Illustrative site layout plan (1111/04) shows a play area on the formal Open Space. There is no indication as to the size of the play area or confirmation that it will be equipped. As submitted the proposals do not satisfy the play element of CF3. Conclusion: In accordance with the current Local Plan the proposed development would generate a requirement for Play, this has not been satisfied under the current proposals

The developer must ensure the Open Space land is secured as Open Space in perpetuity. The developer has indicated that the land will be transferred to a management company. This would be acceptable, although it is the Council's preferred option for Open Space to be transferred into public ownership. Conclusion: The Open Space must be secured as Open Space in perpetuity; preferably the land will be transferred into Public ownership

Playing pitch

Playing Pitch provision comes under the category of Leisure, Sport and Recreation in accordance with Policy C2 of the Local Plan, therefore the contribution is necessary to make the development acceptable in planning terms. Marden Farm will generate an additional 125 dwellings. Using an average of 2.3 persons per dwelling, the development generates a requirement for 3478.75m² of playing pitch provision.

The cost of providing Sports Pitches is £9.49 per m². This is based on figures from the current Sport England Guidance. £9.49 × 3478.75m² = £33,013. This money would be used to upgrade facilities at Stanley Park, Chippenham. Conclusion: In order for the development to be acceptable in planning terms, a contribution of £33,013 for playing Pitch Provision will be sought

Cemeteries

Environment Services have received a request from Calne Town Council to seek a contribution for a cemetery extension in association with this development. Cemeteries come under the category of community facilities, in accordance with Policy C2 of the Local Plan, therefore the contribution is necessary to make the development acceptable in planning terms. All residents of the Parish of Calne are entitled to be buried within the Parish. This will apply to the residents of the Marden Farm development. The population in Calne is currently around 16,500 and Calne Cemetery is almost at capacity. The cost for providing new cemetery space is £41.65 per m² (based on SPONS external works and landscaping book) 80m² × £41.65 per m² = £6,122.55. Conclusion: in order to mitigate the effect of the proposed development a contribution of £6,155.55 towards expanding Calne Cemetery is required.”

NOTE: The Leisure and Amenity Officer has confirmed that the above, and any identified deficiency in the scheme as submitted, may be addressed through appropriate clauses with a legal agreement under s106 of The Act.

Council Housing Enabling Officer

“This site is not within the current local plan, therefore the emerging draft core strategy policies will apply as follows;

Core Policy 43 and Core Policy 45 apply to this proposal. Affordable housing provision of 40% will be provided on sites of 5 or more dwellings at nil subsidy subject to housing need. “

NOTE: Discussions have been undertaken with the developer regarding the delivery of extra care accommodation on the site, so as to meet locally identified housing needs. Agreement to the principle of such delivery has been reached with the applicant and in the event of a grant of planning permission, should form part of the Heads of Terms to any associated agreement under s106 of The Act.

Council Ecologist –

“Although there are several ecological constraints to the development of this site (including bats, great crested newt, breeding birds, hedgerows, mature hedges with trees and waterbodies) the applicant has submitted a very robust ecological assessment, and I agree with its findings and recommendations. All valuable ecological receptors have been identified and the illustrative design appears to respect most of these where possible, although some impacts will be unavoidable and a wide range of ecological mitigation and enhancement measures are also proposed, while full details and implementation could be secured through a landscape and Ecological Management Plan for the site. Given the impacts upon European Protected Species (bats and great crested newt) I have also carried out a ‘three tests’ judgement...”

...I am satisfied that the application could now be determined in accordance with Wiltshire Council's responsibilities under the Habitats Regulations. I therefore have no objection to the application, subject to securing the submission, approval and implementation of a Landscape and Ecological Management Plan for the entire site through a suitably worded condition.”

Council Urban Design Officer –

Following an iterative series of meetings a revisions to the submitted Masterplan and Design and Access document, the Urban Design Officer is satisfied that all concerns have been addressed. No objection to the proposal is therefore raised.

Council Landscape Officer -

“The CRoW Act 2000, under section 85 (1) places a duty on public bodies that, “In exercising or performing any functions in relation to, or so as to affect, land in an Area of Outstanding Natural Beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.”

It is my view that the submitted Landscape appraisal has sufficiently evaluated the potential for resulting effects on views to and from the North Wessex Downs AONB and also the potential for proposed development to effect the setting of the AONB. In my opinion, the appraisal's assessed effects are reasoned and accurate in this regard.

Generally I concur with the summary and conclusions contained in the submitted LVA, section 7.0 (7.10 to 7.16, Pages 38-39).

The LVA & LS includes a description of the Development Proposals in section 5 and outlines the Landscape Strategy which forms an integral part of the development Master Plan. The development strategy states that the proposals have been fundamentally guided by the findings of the LVA and the principal constraints & opportunities identified on Plan 4. The Landscape Strategy lists ‘principal objectives’ to guide successful integration of new development into the receiving landscape context and states the details illustrated on Plan 5 are “intended to form the basis for a detailed reserved matters application following planning consent”.

If the LPA are minded to grant consent, then it will be important for local and wider landscape interests, to ensure these identified ‘principle objectives’ are carried forward within any subsequent reserved matters application/s. I recommend the LPA should secure this within the scope of carefully worded planning condition.

The strategy also identifies the opportunity for implementation of tree planting in the larger outlying areas of proposed open space that are remote from the built development areas, either ahead of, or within the first phase of development. I support this approach as a positive opportunity, and see no reason why this should not be secured by a planning condition, as this will help achieve some

of the longer mitigating screening benefits and wider landscape integration to be realised much earlier.

Conclusion: I raise no policy reason/s which would result in a recommendation to support a landscape reason for refusal."

Council Archaeologist –

"I would advise there is a need here for archaeological evaluation to be undertaken prior to the determination of any planning application on this site. Depending on what is found during the evaluation, there may also be the subsequent need for further archaeological work to be done by condition.

I would recommend it should be collected via an archaeological evaluation by geophysical survey and/or trial-trenching, undertaken and reported on before this application is determined. The work must be carried out by a professional, qualified archaeologist, according to a brief set out by this office. The cost of such works will fall to the applicant."

Council Education Officer – (extracts from full response)

"The proposed development generates a need for 34 primary and 24 secondary places, based upon 125 units = 87 open market (less 5 being demolished), and 38 affordable units to which our standard 30% discount applies, reducing them by 11 units. Taken together, this gives me 109 qualifying properties for assessment. I am unable to make any exclusions for one bed properties as no detailed housing mix has been supplied. The designated area schools here are Priestley Primary and John Bentley at secondary level.

This assessment is specific to the planning application submitted, and so any changes to housing number or mix e.g. the inclusion of one bed units, will necessitate a new assessment. The required contribution is to be secured by way of an S106 agreement to which standard payment terms will apply. In this case, they will include payment phased 50% upon or prior to commencement of development on site, and the remaining 50% at the midway point of construction i.e. before commencement of construction of the 63rd housing unit.

The cost multiplier quoted is valid on S106s signed up until the end of the current financial year, as per our current Policy. It is therefore unlikely that an agreement regarding this development will reach signature and engrossment by 31 March. In line with best practice, the multipliers will be reviewed for the 2013/14 financial year, and they will apply to any agreements sealed from 1 April 2013 onwards. There is likely therefore to be a change in the sum quoted as the total contribution required, above. "

Environment Agency –

No objections subject to conditions.

Highway Agency –

"From the information supplied in your letter, we are content that the proposals will not have any detrimental effect on the Strategic Road Network. On this basis, we offer no objections to the application."

8. Publicity

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

157 letters in total received in response to publicity. 156 of which were in objection to the scheme, including those letters from the CPRE. Summary of key relevant points raised:

- Highway safety would be compromised by additional traffic
- Already a traffic problem in and around this part of Calne, which this proposal would exacerbate
- Traffic likely to turn right out of development and use lanes to travel towards Chippenham, Devizes and Melksham
- Junction between Stockley Lane and A4 cannot cope with additional traffic
- Poor visibility at point of access onto Stockley Lane (especially looking right when egressing from site)
- Doubt that there enough local need for a dementia care scheme of this scale
- Noise and disruption from construction phase
- Overlooking into back garden s of houses on Fairway
- Building would take place on Greenfield land
- Calne does not need more housing - recent permissions for 100s of houses
- Impact upon local drainage and flooding
- Impact upon ecology of site
- Noise and disturbance from vehicles accessing the site and the car park/deliveries of nursing home have an adverse impact upon properties at Fairway and The Knowle
- Nursing home buildings out of keeping with locality
- Nursing home too large to deliver personalised and social care – not a realistic model for care and would fail government and CQC requirements for such.

9. Planning Considerations

Principle of C3 residential development (the outline element of the application)

In considering planning applications, Section 38(6) of the Planning and Compulsory Purchase Act states that:

“determination[s] must be made in accordance with the plan unless material considerations indicate otherwise”.

The adopted North Wiltshire Local Plan 2011 (NWLP) comprises the lawful development plan. Policy H4 of the adopted NWLP 2011 controls new residential development in the open countryside. Outside of the Settlement Framework Boundaries defined within the plan, residential development is strictly controlled and only permitted if in connection with the essential needs of agriculture or forestry, or it is a replacement dwelling. The C3 residential element of the proposal under consideration is neither.

Since the proposal is outside of the Settlement Framework Boundary of Calne and is, by definition, therefore development in the open countryside, the C3 residential element of the proposed development must be considered contrary to policy H4 of the North Wiltshire Local Plan, the statutory Development Plan.

Emerging policy within the Wiltshire Core Strategy (WCS) is a material planning consideration with some weight. Core Policy 2 sets out the broad delivery strategy for development defining the limits of development and confirming that development outside of those limits will only be permitted to take place where brought forward through a community led planning document. This proposal is not being brought forward in this way, thereby failing the requirements of this policy.

Core Policy 8 of the WCS sets out the Calne spatial strategy. It confirms Calne as the Market Town in the Community Area. It also confirms that no strategic housing sites allocated in Calne. The proposal would be contrary to the strategy set out by this policy.

Principle of C2 care home (the full planning application element of the application)

The adopted NWLP 2011 does not explicitly carry a policy relating to nursing accommodation (usually regarded as a C2 use class – “residential institutions”). Nevertheless, Policy H7 relating to affordable housing and Policy CF1 relating to community facilities are considered analogous and do both envisage respective development being, in principle, acceptable on sites that lay outside of, but adjoining, the Settlement Framework Boundary of towns and villages. Such development must not raise unacceptable impacts or fail the provisions of other policies within the development plan.

The WCS recognises that Wiltshire has an ageing population and encourages the care of the elderly within their local community (para 6.51). WCS core policy 46 relates to meeting the needs of Wiltshire’s vulnerable and older people and allows for specialist accommodation outside of but adjacent to the defined limits of development in exceptional circumstances (ie where there is evidence of genuine local need, environmental considerations are not compromised, facilities and services are accessible and the scale and nature of the proposal is appropriate to the settlement). The dementia care beds and the palliative unit would fall into this category of accommodation.

Presumption in favour of sustainable development

The National Planning Policy Framework (NPPF) introduces the presumption in favour of sustainable development at paragraph 14 as a ‘golden thread’ running through plan making and decision taking. In this context, there are two main considerations in relation to what constitutes sustainable development in Calne:

- i. Is Calne as a whole considered to be a sustainable location for development in the context of Wiltshire and
- ii. Is this specific site considered to be sustainable development in the context of Calne?

In the NWLP and the emerging WCS, Calne is identified as a market town where there is a concentration of services and facilities and where development is appropriate to support its role and function. It is, therefore, identified as one of the communities capable of promoting sustainable development in the context of Wiltshire.

It is also necessary to consider the nature of development. The emerging WCS recognises that reducing levels of out commuting from many of Wiltshire’s settlements is perhaps the most important strategic challenge for Wiltshire (para 2.7, WCS) and includes in its spatial vision *‘market towns and service centres will have become more self contained and supported by the necessary infrastructure. With a consequent reduction in the need to travel.’* (p15, WCS). The strategy for Calne aims to *‘maintain the economic base in the town with mixed growth of employment alongside housing, thus improving the self containment of the settlement.’* (para 5.41 WCS). There is concern that Calne is growing in a manner that does not match a growth in the economic base of Calne with housing growth which could lead to greater out commuting.

Evidence supporting the WCS concludes that Calne has a low level of economic self containment and therefore many residents travel out of Calne for work. It is a location that has a weaker employment market than its neighbours (eg Devizes and Chippenham) and does not attract a lot of inward investment. Areas within Calne are also identified as in the lowest 20% in England in relation to both income and employment deprivation (Source: Indices of Multiple Deprivation 2010). Into this economic environment there have been two recent appeal decisions that will introduce a further 354 homes to Calne without accompanying employment investment. This

application will introduce a further 125 homes. In combination it is considered that these developments will lead to further out commuting and reinforce the growing 'dormitory' nature of the town. This application does not, therefore, sustain or enhance the town's role but will have a potentially negative effect on levels of commuting.

Furthermore there is concern that local infrastructure will not be in place to support this level of growth. Policy C2 of the NWLP and Policy CP3 of the WCS require that infrastructure is in place to support new development. The WCS policy is supported by a draft Infrastructure Delivery Plan, with specific requirements identified for Calne based on the levels of growth proposed in the Calne area strategy. The cumulative impact of this application and those recently approved needs to be assessed to ensure that local service and community infrastructure can support the development. For example, the draft Wiltshire Infrastructure Delivery Plan (IDP) identifies a need for additional GP provision (which, it must be acknowledged, was identified as an issue without a 75 bed dementia care unit in the town). Additionally it is not clear what a housing provision over and above that anticipated in the IDP may have on schools (a further 125 homes would result in around 100 homes over the minimum proposed in the WCS) Bringing forward large sites, in excess of the WCS draft requirements, in this unplanned way could have a significant impact on local infrastructure.

Although the proposal is at a settlement considered in planning policy to be sustainable in the context of Wiltshire, this site is not considered to be sustainable development in terms of its potential impact on the strategy to seek to improve the self containment Calne and because of the potential impact on local infrastructure. Proposals of a strategic nature should come forward through a community led planning document to ensure all the implications of expanding Calne can be considered and equivalent economic growth encouraged to balance housing growth.

Housing requirement and 5 year land supply

At paragraph 47 of the NPPF, the LPA is required to '*use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area*', to provide 5 years worth of sites against local targets and plan for a mix of housing. The provision of a 5 year supply of housing is therefore a material consideration in the appraisal of this application.

In relation to the adopted development plan the Council can clearly demonstrate a 5 year supply of housing against WSSP requirements to 2016, although it is accepted that these housing requirements are out of date. (Housing Land Supply Statement 2012.)

The WCS, supported by Topic Paper 15 on the housing requirement, provides more up-to-date local evidence of housing need in Wiltshire and currently being examined (examination due to be completed 19th July 2013). It is anticipated that the plan could be adopted by the end of 2013 or at least the Inspectors report received. Against these targets, including the sites proposed for allocation in the WCS, the Council consider there is a 5 year supply of housing in Wiltshire.

Furthermore, the Council also consider that there is a 5 year supply of housing when assessed against the requirements of the (now revoked) draft RSS, although the Council do not consider that this forms the requirement against which the land supply assessment should be undertaken.

All recent appeal decisions have acknowledged that assessing 5 year supply of housing is at a snapshot in time. There have been decisions in the north Wiltshire area since April 2012 that have increased the supply of housing considerably (1000+ homes).

In addition to the above, the NPPF requires a consideration of the historic delivery of housing at a town and community area level so as to inform future supply projections. At April 2012, both Calne as the Market Town (at 97%) and Calne Community Area (at 93%) the vast majority of the housing requirement has already been identified (assuming that the 354 dwellings granted on appeal in 2012 are developable within the plan period) and so there is considered to be no requirement to identify additional sites at present to maintain a continuous supply. The WCS presents the housing requirement as 'at least' figures. However, the proposed changes clarify when it is appropriate for the requirement to be exceeded (proposed change 16 to para 4.28).

- Recent decisions

Dating from July 2012, two appeal decisions for housing proposals at Calne (200 dwelling at Land off Oxford Street APP/Y3940/A/12/2169716 & 200 dwellings at Land off Silver Street APP/Y3940/A/12/2171106) were allowed, the Inspector concluding that the Council did not at that time have a 5 years supply of deliverable housing and that there were no adverse impacts that would outweigh the benefits of providing the market and affordable housing being proposed. Those permitted developments in themselves adding to the supply for Calne, the Council's Spatial Planning Team do continue to consider that a sufficient land supply can now be demonstrated. Indeed it is the case that additional evidence was presented to the WCS Public Examination to demonstrate the delivery of the Strategic Sites is viable within the next 5 years (NOTE: the Calne Community Area scheduled to be considered at the WCS Hearings on 16th July).

Although a little older, the appeal decision at Sandpit Road, Calne (appeal Ref: APP/Y3940/A/09/2108716) from 2010 does assess the relative merits of an "aggregated" or "disaggregated" approach to housing land supply. Concluding that validity of differentiating the situation with regards to supply in the NW area, outside of the West of Swindon locality, the Inspector nonetheless concluded that the land supply issue was such that para.52 of PPS3 (the then in force planning guidance on housing) would be enacted. It should be noted that both PPS3 and the draft Regional Spatial Strategy, upon which the Inspector was basing their conclusions have now been revoked.

Dating from March 2012, the Inspector considering the land at Park Road, Malmesbury site (77 dwellings, appeal ref: APP/Y3940/A/11/2159115) confirmed that the Council could demonstrate a 5 year supply of deliverable housing within the North and West Housing Market area (within which Calne sits). In that context, the proposal was considered to be contrary to development plan policy regarding development in the countryside and the factors which weighed in favour of the proposals were not considered sufficient to overcome the policy presumption against the development.

The site at Filands, Malmesbury is the subject of an appealed refusal to grant planning permission for 177 dwellings (appeal ref: APP/Y3940/A/2183526). The existence of a 5 years land supply for housing (thereby rendering the development contrary to the Development Plan) was used by the Council as a reason to refuse planning permission. Whilst a decision notice has been issued by the Planning Inspectorate, it was done so in error and was subsequently withdrawn on 19th March 2012. The situation is currently the subject of a High Court Challenge by the appellant.

Prematurity and Neighbourhood Planning

The Localism Act 2011 introduced significant changes to the planning system. The development plan now comprises local plans and at a lower tier, neighbourhood plans. The opportunity for local communities to have greater control over development in their area through neighbourhood planning is, therefore, now established. The NPPF reflects the Localism Act 2011 and empowers local communities to develop neighbourhood plans (paragraphs 183-184).

Once adopted, neighbourhood plans become part of the statutory development plan and should be given full weight in accordance with the NPPF. Communities are able to identify sites for growth within neighbourhood plans and to embrace localism Wiltshire Council took this opportunity to

enable communities to identify 'non-strategic' sites for development through neighbourhood plans, as outlined above in Core Policy 2. This approach was introduced in the Wiltshire Core Strategy Consultation Document 2011.

As previously identified, no specific sites are allocated at Calne (Core Policy 8). Instead, it is envisaged that sites will be identified through a community led planning document (Core Policy 2). Work has indeed commenced on such a community led planning initiative. In 2012 the town council produced a 'Vision and Scoping Report' which identified a number of key projects for the town. Consultation on the findings of the 'Vision and Scoping Report' took place during the winter 2012. Workshops have been held in January 2013 to discuss how to deliver the objectives of the vision and scoping report and there is commitment from the community to producing:

- i. Town centre master plan
- ii. Renewable energy scheme as part of a front-runner funded Neighbourhood Development Order (NDO), with an established steering group
- iii. Neighbourhood plan to address wider housing and employment issues
- iv. Regeneration plan for Porte Marsh industrial estate.

Whilst work on a community led plan has progressed since the recent housing appeals in Calne in July 2012 (Land off Oxford Street appeal ref: APP/Y3940/A/12/2169716 & Land off Silver Street appeal ref: APP/Y3940/A/12/2171106), it does, however, remain embryonic. Critically, it has not been scrutinised or adopted as part of the development plan. Whilst the Council's Spatial Planning Team remain rightly concerned that to grant planning permission for the proposed development could undermine the momentum gained in Calne to produce a neighbourhood plan, but as recent appeal decisions elsewhere in the administrative area have demonstrated (most particularly in Malmesbury), at this stage, little weight can be attached to such community led plan as a document or process.

Meeting local housing needs

- Dementia care home

The application is submitted in hybrid format, with the nursing home element of the proposal seeking full planning permission. It comprises a 75 bed specialist dementia care home, complete with 10 bed palliative care unit. Albeit with covered linking corridors, the care home is to be substantively separated into four single storey buildings, each with communal areas but one of which forming the palliative care unit and services.

The Council's Adult Social Care Team recognises the aging population of Wiltshire (Calne being no exception) and the corporate need to address the issues that naturally follow. In broadly welcoming the principle of a development which seeks to meet that need, caution is raised in two respects. Firstly, as a private enterprise, there is no guarantee that the proposed care home would meet the needs of local population; rather, it being likely that residents would derive from anywhere in the country and only a proportion of the bed spaces being taken by local residents. Secondly, the scale and operating model is not one that the Council regard as necessarily fitting local circumstances or market, the Council's own models for providing such accommodation preferring complexes of smaller numbers of bedrooms.

Indeed on this second point, the Council's 'Wiltshire's Older People Accommodation Development Strategy' suggests that local need would not necessarily support a care facility of this scale. Nevertheless, the Adult Social Care Team recognise that whilst not the Council's own preference for providing such facilities, the joint applicant (N Notaro Homes Ltd) is an established provider of such care and will have undertaken their own market investigations based on their own operating

model. As such there is not believed to be a reason to dispute this aspect of the application in the context of a form of development that renders an early “conversion” to C3 residential unlikely.

In relation to access to services and facilities (as required by Policy CP46 of the WCS), the site is reasonable related to the centre of Calne where the majority of services are provided with a bus stop on the A4. This policy is in line with advice in NPPF at para 50 which requires LPAs to *‘plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community’*

It should be noted that this element of the application would result in the delivery of employment opportunities to Calne (estimated by the application to be 109 FTEs). This should be regarded as a positive material consideration in the context of the NPPF, which confirms the contribution played by a strong, responsive and competitive economy in the definition of sustainable development.

- Affordable housing

Ostensibly the applicant seeks support for their application from the emerging WCS. In this context, Core Policy 43 and Core Policy 45 of the WCS must apply to this proposal, whereby affordable housing provision of 40% will be provided on sites of 5 or more dwellings at nil subsidy subject to housing need. This would equate to 50 of the dwellinghouses, if the entire 125 dwellings being proposed were to be built.

Iterative discussions have been undertaken with the developer regarding the delivery of extra care accommodation on the site as part of the affordable housing requirement, so as to meet locally identified housing needs. Agreement to the principle of such delivery has been reached with the applicant (letter from Gleeson Strategic Land, dated 8th July) and in the event of a grant of planning permission, should form part of the Heads of Terms to any associated agreement under s106 of The Act.

Design, layout and landscaping

The NPPF (Section 7) attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The guidance also states that permission should be refused for development of poor quality that fails to take into account the opportunities available for improving the character and quality of an area and the way it functions.

- Detailed element of submission - nursing home

The nursing home element of the application is submitted in detailed application form. A view should therefore be formed as to the acceptability of this aspect of the proposal on the basis of the plans as submitted. With a combined footprint of 5,275m², the nursing home takes the form of four separated single storey buildings (albeit with corridor links), set in a crescent like pattern within a landscaped garden area. A central parking area for 40 spaces (plus cycle parking) nestles in a central position between, accessed from the main access road leading to Stockley Lane. The building themselves are of a nuanced design with low-slung pitched roof (providing a ridges and eaves height of some 5.9m and 2.8m, respectively) complete with raised clerestory style lights and a mixed aluminium/sedum covering. The walls are to be a mix of timber cladding and a buff coloured brick.

The Council’s Urban Design Officer has confirmed his general satisfaction with this aspect of the proposal. In large part, this is due to the applicant’s deliberate choice of the Eastern part of the wider Marden Farm site, as the topographic low point, being most suitable to accommodate the largest buildings. The potential visual impact of the building on the wider landscape from its

stepped siting on the lower slope of the site (which falls away from roughly east round to the south).

To further aid integration into the landscape, the aluminium roof, all associated fixtures, and external wall facings could reasonably be the subject of a suitably worded planning condition, specifying a non reflective finish, and not overly light, dark, or bright in colour to ensure the building does not unduly stand out in the wider landscape and where it may be seen on the skyline. This suggests a mid grey colour roof finish and weathered silver grey timber wall cladding and for the window frames/panes of the significant areas of high level clerestory glazing to reduce light reflectance from the sun path, for example the device of angling the window frames/panes slightly off vertical. Equally, measures to mitigate potential light pollution from internal lighting through the high level glazing could also be addressed via a planning condition.

The selection of plant species/colours for the sedum roof should aim to merge the roof into the landscape and seek to avoid the prominent red bloom that has been experienced on other developments.

- Outline element of submission – C3 residential

The outline element of the submission seeks permission for up to 125 dwellings, complete with all associated infrastructure. The accompanying Design and Access Statement states that a mix of detached, semi-detached and terraced dwellings would be predominantly 2 storey in height, relying upon a limited palette of locally sourced materials but with “detailing design to promote identity” (p.50). The layout would be arranged with a hierarchical street pattern (designated as “Main Street”, “Green Edges”, “Private Drives” and “Courtyards” p.38-42) of descending roadway widths and formality, the “Green Lane” and “Private Drives” envisaged as a shared use type surface. A corresponding gradation of density of development would follow the same pattern, with “Main Street” following the principle routes into the development being the highest density on the site, the “Green Lanes” area, feathering the western edge of the public open space, envisaged as the lowest.

The Illustrative masterplan when considered in conjunction with the concepts and principles set out within the Design and Access Statement, is considered to demonstrate that a development of the quantum proposed can in principle be accommodated on the site. Precisely the purpose of an outline submission, where all matters relating to layout, landscaping, appearance and scale are reserved for later consideration.

A series of iterative meetings has taken place between the Council’s Urban Design Officer and the applicant, so as to develop agreed themes and principles that should be taken account of with any future Reserved Matters submission. Matters discussed ranging from the intangible (but no less important), such as the need to deliver a feel and character to the development through the articulation and expression of built form, spaces, legibility and the linkages between them, to the rather more prosaic, such as car parking, private garden and external storage space. Those meeting have resulted in supplementary design information being submitted to the satisfaction of the Council’s Urban Design Officer.

Initial concerns regarding the amount of public open space proposed to be delivered within the application site (variously labelled as play areas, formal parkland, informal parkland, informal meadows and community orchard) have been balanced by a recognition as to its purpose. Whilst the quantum of development would not justify the amount of public open space shown (when considered against adopted NWLP policy), it is synonymous with the most elevated part of the site, and therefore it is integral to the success of the scheme that it remains free from development. Of course, the fear that elements of the open space could at some point become a second phase of development remains present, but it must be conceded that, even if the land were somehow excluded from the development site entirely, that fear would remain. The grant of a permission that confirms the land’s designation as public open space (or similar) at least provides a degree of security, particularly if the land were to be transferred to Council ownership or a private management company made up of the new residents.

- Impact on landscape

Although well defined by landscaped boundaries, the site is nevertheless on the periphery of Calne, and is visible from elevated ground, most notably at Cherhill. Whilst likely impossible that absolutely no views will be had of such a large development from the wider landscape, care has been taken by the developer to ensure the most elevated parts of the site have been avoided altogether. The position and extent of public open space not being accidental, since it forms the most elevated part of the site. Similarly, the position of the nursing home buildings is the topographic low point.

The submitted Landscape Visual Assessment (LVA) and Strategy documents, form an integral part of the development Master Plan. The development strategy as a whole states that the proposals have been fundamentally guided by the findings of the LVA and the principal constraints & opportunities identified on Plan 4. The strategy also identifies the opportunity for implementation of tree planting in the larger outlying areas of proposed open space that are remote from the built development areas, either ahead of, or within the first phase of development. This approach is supported as a positive opportunity, and could be secured by a planning condition, as this will help achieve some of the longer mitigating screening benefits and wider landscape integration to be realised much earlier. The Council's Landscape Planning Officer is satisfied with its conclusions and outcomes of the LVA and landscape Strategy.

The Landscape Planning Officer advises that, in the event of planning permission being granted, it would be reasonable and necessary for the identified 'principle objectives' of the LVA are carried forward within any subsequent reserved matters applications and therefore should be the subject of carefully worded planning conditions. There is no reason to disagree with this suggestion.

Access and highway issues

- Accessibility

Whilst some distance from the town centre of Calne, both the Council's Highway and Spatial Planning Officers agree that the site is reasonably provided for in terms of local connectivity to services and facilities by means other than by the private car. There is no reason to diverge from this view. In contrast, however, the Highway Officer does note that bus services for the site do have an uncertain future, with consultation on local routes in the area due to be consulted upon later this year. There can be no guarantee that existing bus stops in Fairway and The Rise will be maintained at their current level of service. In the event of planning permission being granted, the Highway Officer advises that a planning obligation would be required to secure funding for a satisfactory bus connection, for at least a 5 year timeframe.

The TA identifies that local footpaths might be improved to provide reduced journey lengths for prospective residents/employees. In particular, it would appear an improved link to the John Bentley School and leisure centre would improve site accessibility. The Highway Officer confirm his opinion that the existing cross-field footpath route is unattractive and not well placed in relation to the development, with a better route being feasible at the side of the field and/or partly within the grounds of the school. In this respect, and as part of an associated agreement under s106 of The Act, it is considered reasonable to seek to secure a package of measures and commitments from the developer that would enable an improvement to this footpath link to the site.

- Stockley Lane/A4 junction

The Council's Highway Officer notes that existing traffic levels on Stockley Lane are currently modest; with the submitted Transport Assessment forecasting an increase flow by 33% in 2017 at the A4 end of the road. The junction of Stockley Lane with the A4 is known to be of a poor standard. Visibility to the left is sub-standard, and visibility to the right can be obstructed by vehicles parking on the roadside verge, which has recently been hardened to reduce verge

damage. Notwithstanding the concerns of local residents, the Highway Officer notes that capacity is not an issue at this junction, but potential delays caused by right turning traffic can be expected to increase. Whilst this may be an inconvenience, it is not thought by the Highway Officer to be a reason to refuse planning permission, and, whilst acknowledging the concerns of local residents, in the absence of actual evidence to the contrary, there is no reason to disagree.

Facilities for pedestrians needing to cross the A4 in the vicinity of the junction with Stockley Lane are poor, although both uncontrolled and controlled crossing points are available in the vicinity of the footpath link from The Rise. A remodelling of the junction is required, together with measures to prevent parking within the visibility splay. A scheme for this to be undertaken has been agreed in principle between the applicants and the Council's Highway Officer.

- Stockley Lane access

Turning to the intended method of vehicular access to the site. The application seeks to create a main new access onto Stockley Lane (to the East of the site, following the demolition of a dwelling fronting Stockley Lane, which is now under the control of the applicant), whilst retaining the existing road access to The Rise (to the Northern corner of the site), which would be for emergency vehicles only, unless a bus service is identified that would pass through the site.

A simple priority junction access to the site from Stockley Lane is proposed. The access road has a carriageway width of 6m and 6m radii to Stockley Lane. The carriageway width is sufficient to allow two large vehicles to pass each other and a vehicle swept path analysis has been undertaken by the applicant, which demonstrates that refuse and emergency vehicles can negotiate the junction safely. Either side of the proposed access road are 2m footways. The proposed northern footway links into the existing footway provision along the western side of Rookery Park. A further footway is proposed along the western verge of Stockley Lane between the proposed access and The Knowle to improve pedestrian access. The Highway Officer confirms that in his view The Stockley Lane access is acceptable in principle. Again, whilst the concerns of the neighbours are understood and sympathy must be expressed, in the absence of an evidence base to demonstrate the contrary, it would be unreasonable for the Council to withhold a planning permission on this basis.

Stockley Lane is subject to a 30mph speed limit in the vicinity of the proposed access, with the national speed limit change being located to the south of the bend in Stockley Lane. To an extent, the bend in Stockley Lane itself acts as a speed attenuation feature. For precisely the same reason, concerns have been raised by local residents regarding the safety of the access to the site from Stockley Lane, and in particular the "dog-leg" in the road restricting visibility to the right (toward Stockley/Heddington) when egressing from the site. Guidance in Manual for Streets requires splays of 2.4m X 43m for roads in 30mph speed limit areas, which Stockley Lane is. The actual available visibility in the southerly direction towards the bend is approaching 2.4m X 70m and thus significantly exceeds the minimum requirement.

The Highway Officer confirms that, in his view, the Stockley Lane access is acceptable in principle. As the acknowledged expert specifically employed by the Council to take a dispassionate view on such matters, the conclusions of the Highway Officer must also be the expressed position of the Council. Whilst the concerns of the neighbours are understood and sympathy must be expressed, in the absence of an evidence base to demonstrate the contrary, it would be unreasonable for the Council to withhold a planning permission on this basis.

- The Rise access

The Highway Officer confirms his view that there appears to be no reason why The Rise should not be used as an alternative access to the site on a limited basis. However, it is clear that the applicants have listened to the comments received during the community engagement undertaken prior to the submission of the planning application and that there is no intention by the applicant to alter the proposition in this respect (ie. that it is to be used as a pedestrian access and for emergency

purposes only). In this context, it is not thought necessary to insist that the access to The Rise be opened up to general use.

- Other matters

The Highway Officer expresses his desire for clarity over the masterplan for the outline part of the application in respect of road hierarchy and prospectively maintainable highways. The TA refers to much of the site as 'private drives' and 'green lanes', both providing for access to refuse vehicles and operating as shared surfaces. It should, however, be noted that the outline element of the application is submitted with all matters reserved (with the exception of access) and it is therefore possible for such matters to be the subject of separate consideration as part of any Reserved Matters submissions in respect of layout, appearance, landscaping and scale.

Flooding and drainage

- Surface water

The application site is confirmed to be within Flood Zone 1 (low risk of flooding). The Environment Agency have agreed with this view. Due to the size of the application site, a Flood Risk Assessment has been undertaken and submitted with the application. The FRA establishes baseline conditions, run-off rates and devises a sustainable urban drainage solution to accommodate the proposed development.

At present, surface water runoff from the northern half of the site discharges in a north- easterly direction through the existing ditch network into the watercourse along the northern boundary. The ditch along the eastern boundary discharges into an existing 600mm diameter pipe under the site access and into the existing watercourse. An existing pond is located in the low-lying north-eastern corner of the site and overflows into the watercourse in times of heavy rainfall.

Surface water runoff in the southern half of the site discharges in a south-easterly direction via the existing ditch network into the existing 225mm diameter pipe which passes through The Knowle land and discharges into an existing ditch running along the eastern edge of Stockley Lane. During the 1% annual probability flood event (the 1 in 100 year flood) the existing surface water discharge rate is estimated at 87.5 l/s into the northern watercourse, and 44.6 l/s into the existing 225 diameter pipe near The Knowle. At present these outfalls are freely discharging and unattenuated, and are possibly the cause of flooding issues reported by residents at The Knowle/Stockley Lane area.

As required by local and national policy, the proposed surface water drainage system for the entire development is to incorporate Sustainable Drainage Systems (SuDS) and limits the discharge to the existing greenfield discharge rate. A proposed reduction in discharge rates vs existing is required due to no infiltration drainage solution possible as the site geology is impermeable clay. At a macro level, the SuDS network is to consist of permeable paving, swales, cellular storage and attenuation ponds. The SuDS system will provide conveyance, surface water attenuation and surface water treatment via filtration through permeable paving and natural cleansing through vegetation and reeds within the swales and ponds prior to outfall. The proposed green SuDS (swales and ponds, the latter of which would not be dry-scrapes) would naturally enhance the natural habitats, as integrated into the ecological mitigation package. At a micro scale, rainwater harvesting is proposed via water butts in rear gardens to store rainwater for irrigation during dry spells reducing the demand on potable water.

The surface water drainage system will be designed to attenuate surface water runoff from the development onsite during the 1 in 100 year flood event, including a 30% increase to rainfall intensities so as to allow for the predicted impact of climate change over the next 100 years. The discharge rates will be limited to the existing greenfield rate, also offering over 50% reduction to existing 1 in 100 year discharge rates. Specifically, it is predicted that the northern catchment will be limited to 32.8 l/s (vs existing 87.5 l/s) and the southern catchment will be limited to 15.2 l/s (vs

existing 44.6 l/s) during the 1 in 100 year flood event. It is anticipated that the Council would assume future responsibility for the maintenance of the drainage system.

The concerns of local residents are understood, since intuitively, the loss of a predominantly Greenfield site to hard urban form will be perceived as leading to an increase to surface water run-off. However, it must be assumed that the system proposed and the calculations supplied will be both effective and accurate. In that context, it is therefore the case that the development will in fact offer a reduced level of flood risk offsite for flood events up to and including the 1 in 100 year flood event. The Environment Agency have indicated their satisfaction with the proposals and, in the absence of an evidenced argument to the contrary, it would be unreasonable to refuse planning permission on this issue.

- Foul water

With regard to Foul Drainage, due to the lack of evidence indicating an onsite pipe network, it is believed that foul effluent from the existing farm discharges into a septic tank which would require regular emptying by a tanker.

Foul effluent from the development will discharge via a Wessex Water adopted gravity sewer network, pumping station and rising main into Wessex Water's existing public sewer in 'The Rise' north-east of the site and connect under a Section 106 Water Industry Act agreement. Wessex Water has previously confirmed that a foul water capacity study will be required to establish whether any network improvement works are required to facilitate the development and any such improvements would be the responsibility of the developer. Agreement between the developer and Wessex Water will need to be reached under separate legislation, and as such there is no reason for a planning permission to be withheld.

Ecology

Local Plan Policy NE9 states that planning permission will not be granted for development which would have an adverse effect on badgers or species protected by Schedules 1, 5 or 8 of the Wildlife and Countryside Act 1981 as amended by section 74 of the Countryside and Rights of Way Act 2000 or Schedule 2 of The Conservation (Natural Habitats) Regulations (1994) and Protection of Badgers Act 2000. Similarly, policy CP 50 of the Core Strategy seeks to protect and enhance nature conservation interests and biodiversity.

An Ecological Impact Assessment has been submitted in support of the application. The assessment confirms the site as improved/semi-improved grassland. Potential habitats identified were the hedgerows, three residential buildings, the central complex of agricultural buildings as well as various streams, ditches and ponds (most particularly to the northern part of the site). Several ecological constraints to the development of the site (including bats, great crested newt, breeding birds, hedgerows, mature hedges with trees and waterbodies) were identified.

Notwithstanding the constraints, the Council's Ecologist is of the opinion that the applicant has submitted a very robust ecological assessment. All valuable ecological receptors have been identified and the illustrative design appears to respect most, where possible, although some impacts will be unavoidable, a wide range of ecological mitigation and enhancement measures have been incorporated into the scheme (the timing of construction to avoid bird nesting season, hedgerow retention, reptile translocation and exclusion, bat boxes and house together with a "wildlife corridor" and ponds). Full details and implementation could be secured through a landscape and Ecological Management Plan for the site.

Impact upon neighbour amenity

It is undeniable that existing residents looking out across the site will experience an abrupt and significant change to their view – from open fields 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.

Clearly the majority of the application is submitted in outline only, it being the case that the final layout, appearance, landscaping etc. will almost certainly be different from that shown on the submitted masterplan, as is allowed for under a Reserved Matters submission. Nevertheless, to a very large extent the masterplan does demonstrate that the amenities of existing residents at The Rise, Fairway and The Knowle, all of which back onto the site, are able to be protected by reasonable rear gardens and intervening landscaped space, out-buildings and boundary treatments, whilst simultaneously delivering an attractive development without encroaching upon the highest parts of the site, currently shown as being reserved for public open space and meadows.

Being the detailed portion of the submission, the impact of the nursing home is for immediate consideration. In most cases between some 20-30m, the degree of separation between the proposed buildings and the common boundaries of existing residential properties at The Knowle and Fairway does allow for the unacceptable impacts upon amenity (overlooking, oppressiveness and noise/disturbance) to be avoided. Given the intended occupants, the defined gardens associated with the nursing home are not likely to be generators of excessive noise – certainly no more than a typical domestic garden. Indeed, the single storey design (complete with sedum roof) of the building themselves, does allow for a respectful ridge and eaves height, further diminishing their likely impact. Fixed plant/air-conditioning etc., its positioning and design, could be controlled via planning condition.

The applicant has incorporated strengthened boundary treatments where the site adjoins existing properties (page 51 of Design and Access Statement), as well as a new 2.0m close boarded fence to Fairway, which in the event of planning permission being granted, could be the subject of a suitable worded planning condition.

The insertion of the new access to serve the entire site is, understandably, of great concern to the nearest neighbours. At some 6.0m (with 2.0m footways either side) in width, the access road is of a typical scale, but would of course be an appreciable step-change to the perceptions of the nearest neighbours. Although sympathy for sensibilities should rightly be expressed, it is nevertheless the case that an appropriate distance would still be retained either side of the highway to those existing neighbours, so as to allow for a decent buffering from the noise/disturbance typically associated with traffic movements. The applicant has confirmed their intention to plant additional hedging as well as regularly spaced trees to aid such integration.

Similarly, the concerns of existing neighbours also extends to the noise and disturbance generated by the car park to the nursing home. Nestled centrally to the spread of 4 nursing home buildings, the car park is some 20m+ from the rear gardens of properties at Fairway. This, when combined with the strengthened planting across the common boundary is considered sufficient to mitigate noise and disturbance from manoeuvring cars, headlights in winter evenings etc. The nursing home buildings themselves shield the car park from properties at The Knowle.

10. Conclusion

It is considered that the application is contrary to the adopted development plan which comprises the adopted NWLP 2011.

In relation to proposed market housing (the outline element of the application) it is also considered that the application is contrary to core policy 2 of the emerging core strategy as it is outside the defined limits of development for Calne and has not been identified through a community led planning policy document. Furthermore, the cumulative impact of this application with the recently approved housing sites at Oxford Road and Silver Street will lead to an in-balance of new homes and new jobs in Calne fuelling out migration contrary to the strategy for Calne outlined in the

Wiltshire Core Strategy. As the council can demonstrate a 5 year supply of housing and a demonstrable supply of deliverable housing sites, this additional housing, brought forward without a community led plan is not appropriate. There are, however, considered to be no site specific reasons why the development should not take place.

The element of the application relating to the nursing home accommodation (the full planning element of the application) is considered to be consistent with emerging Core Policy 46. There are no site specific reasons why development should not take place and this element of the application would deliver new employment to Calne, albeit of a specific nature.

There is no ability for the Council to separate the application into components, by granting permission for the nursing home element of the scheme whilst refusing permission for the new dwellinghouses. Since the proposal for 125 new open market homes is considered to be contrary to emerging and adopted policy, as expressed in the NWLP and the emerging WCS, there can be only but one recommendation, and that must be for refusal.

11. Recommendation

Planning Permission be REFUSED for the following reasons:

- 1 In accordance with paragraph 187 of the National Planning Policy Framework (NPPF), this planning application has been processed in a proactive way. However, due to technical objections or the proposal's failure to comply with the development plan and/or the NPPF as a matter of principle, the local planning authority has had no alternative other than to refuse planning permission.

By reason of the proposed development being located in the open countryside, outside of the defined Settlement Framework Boundary, the application would be contrary to the provisions of Policy H4 of the adopted North Wiltshire Local Plan 2011. There are no material considerations in terms of benefits that could be delivered as part of the development, which would be sufficient to outweigh development plan policy.
2. The proposal is premature to the progression of Wiltshire's Local Development Framework (LDF) and the Wiltshire Core Strategy document for the area, and prejudicial to the Council's plan-led approach to sustainable development and the phasing of future growth. In accordance with the NPPF there is a deliverable 5 year supply of land for housing in place and there are no other material considerations that outweigh this position. It is also premature in terms of the identification and means of delivery in respect of any infrastructure in step with development to be focused in Calne over the plan period. As such, the balance of considerations is such that planning permission should not be granted having regard to policies CP2 and CP8 of the Draft Wiltshire Core Strategy and guidance in the National Planning Policy Framework, in particular at paragraphs 12, 14, 17, 47, 49, 150, 183, 184, 185, 196, 209, 210, 211, 212, 214, 215, 216.
3. The proposed development fails to provide or secure adequate provision for affordable and/or extra care housing, public open space, play equipment and footpath connections to the town adjoining school and leisure centre, all of which should take place on the site. In addition, the proposal fails to secure contributions towards education provision in the locality, contributions towards public transport, contributions towards leisure provision, contributions towards improving cemetery capacity, contributions towards waste collection as well as the lack of a scheme or

contribution to secure the on-going maintenance of open space and play equipment on the site, all of which should take the form of an off-site financial contribution in lieu of on-site provision. The application is therefore contrary to Policies C2, H5 and CF3 of the adopted North Wiltshire Local Plan 2011.

Informative:

The Council and the applicant have undertaken detailed and without prejudice negotiation and discussion as to the package of community infrastructure that would be expected to be delivered as part of the development in the event of planning permission being granted. It is understood that the Council and applicant have reached broad agreement of the likely Heads of Terms that would form an agreement under s106 of The Act and that the package of community infrastructure would comply with Regulation 122 of the Community Infrastructure Levy Regulations 2010. In the event of such an agreement under s106 of The Act being satisfactorily reached, reason for refusal 03 would be addressed.

