

AGENDA

Meeting: Strategic Planning Committee
Place: Council Chamber - County Hall, Bythesea Road, Trowbridge, BA14 8JN
Date: Wednesday 11 December 2013
Time: 10.30 am

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

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

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	11 Dec 2013	0930	North Wilts Room, County Hall

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**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 1 - 22*)

To consider the minutes of the meeting held on 23 October 2013.

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation 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 Wednesday 4 December 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 Planning Applications

To determine the following planning applications:

6a **13/03187/WCM: Units 3 To 5, 2 Porte Marsh Road, Calne, Wiltshire, SN11 9BN** (*Pages 23 - 32*)

6b **13/01593/FUL: Kemble Enterprise Park, Nr Kemble, Gloucestershire, GL7 6BQ** (*Pages 33 - 60*)

7 Date of the next meeting

To confirm the date of the next scheduled meeting as 22 January 2013.

PART II

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

None

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STRATEGIC PLANNING COMMITTEE

DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 23 OCTOBER 2013 AT MAIN FUNCTION ROOM, SALISBURY RUGBY CLUB.

Present:

Cllr Glenis Ansell, Cllr Terry Chivers, Cllr Andrew Davis (Chairman), Cllr Jose Green (Vice Chairman), Cllr Charles Howard, Cllr Bill Moss, Cllr Christopher Newbury, Cllr Nick Watts, Cllr Fred Westmoreland and Cllr Ian West (Substitute)

Also Present:

Cllr Richard Clewer

40 **Apologies for Absence**

Apologies for absence were received from Councillors Graham Wright and Tony Trotman.

Councillor Wright was substituted by Councillor Ian West.

41 **Minutes of the Previous Meeting**

The minutes of the meetings held on 11 September 2013 and 25 September 2013 were presented for consideration. It was,

Resolved:

To APPROVE as a true and correct record and sign the minutes.

42 **Declarations of Interest**

There were no declarations.

43 **Chairman's Announcements**

The Chairman announced that application N/11/02320/WCM - Hills Waste Recovery Facility, Lower Compton, Calne - had not been ready to come to the Committee for the meeting, but it was hoped it would be able to be scheduled for the next meeting of the Committee in November 2013.

44 **Public Participation and Councillors' Questions**

The rules on public participation were noted.

45 **Planning Applications**

Attention was drawn to the updated list of late observations, including an amendment to the suggested conditions for application 13/00673/OUT, which is attached to the council website with the rest of the agenda papers.

46 **13/00673/OUT: Site adjacent A345 road and Longhedge Cottages**

Public Participation

Mr Richard Greenwood spoke in objection to the application.

Mr Paul Brocklehurst, on behalf of the applicants, spoke in support of the application.

Mr Greg Mitchell, planning consultant to the applicants, spoke in support of the application.

Cllr Ron Champion, Laverstock and Ford Parish Council, spoke in support of the application.

The Planning Officer introduced a report which detailed two schemes for the application site, and recommended both for delegation to the Director of Development Services to approve subject to the securing of an appropriate s.106 legal agreement. Key issues for both schemes included the principle of the proposed housing development and its impact upon the area, links to the neighbouring development in construction at Old Sarum, provision of affordable housing and the heads of terms for any proposed s.106 agreement.

It was noted that the application was for outline permission only, and that detailed specifics presented were indicative, with permission for those specifics on design and layout and other matters being required at a future date should the principle of the development, with either scheme, be approved. A proposed roundabout access for the site was included as part of the outline application, and it was noted that an underground gas main running through the site could not be constructed over, and this had been taken into account with proposed designs and layout.

The key difference between scheme A and scheme B was stated to be that scheme A encompassed a larger area, and with a proposed upper limit of 673 houses against 425 for scheme B, as well as the provision of an area of community open space to the north of the site and further employment space.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought of the number of dwellings being constructed in the adjoining Old Sarum development to enable consideration of the total impact from each scheme for the Longhedge site, along with details of the archaeological investigation as part of condition 22. Attention was also drawn to proposed condition 21 as detailed in the late submission papers, which limited the scale of proposed retail units within the site, and the existence of a 1m strip of land surrounding the Old Sarum development which was owned by a third party, and its impact on any proposed linkage between the two developments.

In response to queries it was also confirmed that a large portion of scheme A and smaller section of scheme B included areas that were a departure from

local planning policy as being identified for housing development, and should permission be approved this would need to be advertised as such and referred to the Secretary of State. There were also queries regarding the width of the roads in the proposed development and parking concerns, and it was stated that final details would come with later permissions, but that initial designs had been made to encourage less on-street parking and for roads to be of a suitable width. Additionally, it was stated that it was planned most dwellings would be two storey, although there would be one and three storey dwellings within the site.

The Chairman then announced that as the report presented two different schemes for approval, following legal advice the Committee would consider each scheme separately and vote upon each scheme.

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

Mrs Natalie Moss then read a statement on behalf of the Local Member, Councillor Ian McLennan, who was unable to be present, in support of option A of the application, subject to the imposition of suitable additional conditions.

A debate followed, where the importance of precise wording to limit the number of dwellings permitted on the site was raised, to prevent future additional development. The need for the infrastructure for the site to be suitable for future purposes was noted, with some members having concerns that where an upper limit had not been set or where an unviable amount of dwellings had been initially approved in other applications, and was subsequently expanded upon, infrastructure including roads, schools and green space had become insufficient.

The preference for affordable homes to be available for local residents was mentioned, along with issues of Highway safety and the proposal that any public art financial contribution be utilized for a new changing room facility to serve the playing pitch on the development.

The granting of permission to a site which was a departure from local planning policy was discussed, and how likely it was that the site would inevitably be marked for development considered.

At the conclusion of debate, it was,

Resolved:

That subject to:

- a) **The advertisement of the application as a Departure to Development Plan policies;**
- b) **The referral of the application to the Secretary of State as a Departure from Development Plan policies and the agreement of the said to the issuing of planning permission;**
- c) **Subject to all parties entering into a S106 legal agreement which secures:**

- **Public open space facilities/financial contributions and timing of provision, including a contribution commensurate with the Public Art contribution towards the provision of changing room facilities which incorporate public art.**
- **Provision of on-site affordable housing and timing of provision**
- **Provision of waste and recycling facilities/financial contributions**
- **Provision of educational contributions towards the provision of new school building and land for that new school, and timing of that provision**
- **Financial Contributions towards Stone Curlew project**
- **Financial contribution towards cemetery facilities**
- **Financial contribution towards Wiltshire Fire and Rescue facilities**
- **Transportation contributions and sustainable initiatives and timing of that provision as referred to by WC Highways comments above**
- **Provision of a new roundabout, and associated bus stops and pathways prior to the commencement of any other works**
- **Provision of land for a new retail and neighbourhood centre building and the construction and provision of that facility prior to occupation of 50 percent of the planned development.**
- **A suitably surfaced pedestrian and cycle link to be provided up to the boundary of the application site with the adjacent Old Sarum site including a commuted sum of money for the Council to deal with future linkage provision, and the details of such works.**
- **Provision and timing/phasing of the commercial/industrial land and uses**

To delegate to the Director of Development Services to APPROVE Planning permission for schemes A and B.

Subject to the following conditions:

01. Approval of the details of the layout, scale, appearance of the buildings, the means of access thereto (excluding the roundabout and associated access works subject of this application) and the landscaping of the site (herein called the reserved matters) shall be obtained from the Local Planning Authority in writing, for each housing and employment phase of the development prior to commencement of that phase.

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.

02. Plans and particulars of the reserved matters referred to in condition 01 above, relating to the layout, scale, appearance of any building to be erected, the means of access to the site (excluding the roundabout and associated access works subject of this application) and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

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.

03. Applications for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

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.

04. 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.

05. The number of dwellings hereby permitted on this site shall be limited to a maximum of 673 dwellings in the case of option A, or limited to a maximum of 425 dwellings in the case of option B.

REASON: To ensure that the overall density and layout of the final scheme accords with the mitigation and details agreed as part of this permission and associated legal agreement.

06. The development shall be carried out in general accordance with the illustrative Master Plans and the parameters for the development provided in the Design and Access statement, including the list of general design principles contained in the Development Specification document submitted on 17th September 2013, namely:

Option A

Drawing No. 3281 501 Option A – Site location plan

Drawing no 3821 502 Option A illustrative master plan

Drawing No. 3281 505 Option A Green Infrastructure

Drawing No. 3281 504 Option A Building Heights

Drawing no. 3281 506 Option A Access and movement

Drawing No. 3281 503 Option A Land Use plan

Option B

Drawing No. 3281 501 Option B – Site location plan

Drawing no 3821 502 Option B illustrative master plan

Drawing No. 3281 505 Option B Green Infrastructure

Drawing No. 3281 504 Option B Building Heights

Drawing no. 3281 506 Option B Access and movement

Drawing No. 3281 503 Option B Land Use plan

REASON: For the avoidance of doubt

07 The access to both Option A and Option B schemes shall be carried out in accordance with approved Plan no SK004 Rev A – Access and roundabout arrangements.

REASON: For the avoidance of doubt

Highways

08. The development hereby approved shall accord with the details shown on access roundabout drawing no drawing SK004/A. The roundabout and associated works, including two bus laybys including shelters and real time bus information electronic display boards and pathways and street lighting, shall be provided and made available for use, prior to the first occupation of any the dwellings hereby approved. Notwithstanding any landscaping/planting or drainage details submitted pursuant to the reserved matters applications, and before any works are commenced with regards the highway access works, a scheme for the discharge of surface water from the highway and landscaping works, including timing of works, associated with the highway access works hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the access arrangements, and associated drainage and landscaping has been constructed in accordance with the approved scheme.

REASON: To ensure that an acceptable access and egress is provided prior to occupation of any of the proposed dwellings, in the interest of sustainable development and highway safety and the interests of providing safe and convenient access to public transport for occupiers of the development. Also, to ensure that any highway access works are appropriately landscaped and drained in order to reduce the visual impacts of the works on the wider countryside.

09. Prior to first occupation of any dwelling, a 2 metre wide footway shall have been constructed and made permanently available for use by pedestrians, in accordance with details to be first submitted to and approved by the Local Planning Authority, over the entire frontage of the site, along the western boundary with the A345 road.

REASON: In the interests of safe and convenient pedestrian access to the development.

10. Prior to occupation of the 50th dwelling a temporary bus loop to enable buses to turn within the site shall have been constructed and made available for use, in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority.

REASON: In the interests of enabling public transport to serve the development from an early stage.

Linkages

11. The pedestrian and cycle paths proposed across the site allowing access to Old Sarum along the eastern boundary shown on the indicative layout shall be surfaced, provided, and made available for safe use concurrently with the development being completed, and prior to any of the residential units, school/community facilities/open space/land, or commercial /industrial units first coming into operation or being first occupied. The pathway shall remain available for public use in perpetuity until its formal adoption by the Local Authority.

REASON: In order to ensure that access from and to the wider area is provided at an early stage, so as to enhance the connectivity of the wider community and to allow access to and from facilities and services.

12. The footpath link with Monarchs Way right of way shall be fully constructed and provided prior to occupation of any of the dwellings hereby approved, or as agreed in accordance with an alternative scheme approved in writing by the Local Planning Authority.

REASON: In order to ensure that access from and to the wider area is provided at an early stage, so as to enhance the connectivity of the wider community and to allow access to and from facilities and services.

Protection of amenity

13.No development shall commence until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details the measures that will be taken to reduce and manage the emission of noise and dust during the construction phase of the development and shall specifically address the following:

- i. The movement of construction vehicles**
- ii. Wheel washing and vehicle wash down facilities**
- iii. The storage, transport and management of waste materials and building materials.**
- iv. The recycling of waste materials**
- v. The loading and unloading of plant and materials**
- vi. The location and use of generators and temporary site accommodation**

The approved construction management plan shall be complied with throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction management plan without the prior written permission of the Local Planning Authority.

REASON: In order to limit the impact of the development on surrounding amenity

14.Before the development hereby permitted commences a scheme for the acoustic insulation and protection of residential properties against

road traffic noise and noise from the approved business/commercial uses shall be submitted to and approved by the Local Planning Authority. This scheme shall include details of glazing, ventilation and the measures to be taken to protect external amenity space from noise. All works within the approved scheme shall be implemented before the residential properties are first occupied and shall be maintained at all times thereafter.

REASON: In order to limit the impact of the development on surrounding amenity

Non residential development

15. Before the development hereby permitted commences a scheme of acoustic insulation shall be 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 externally mounted plant and equipment. The approved scheme shall be implemented before the development is first brought into use and shall be maintained at all times thereafter in accordance with the approved details.

REASON: In order to limit the impact of the development on surrounding amenity

16. Before the development hereby permitted commences a scheme of acoustic insulation shall be 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 and vibration from the approved commercial/business uses. The approved scheme shall be implemented before the development is first brought into use and shall be maintained at all times thereafter in accordance with the approved details.

REASON: In order to limit the impact of the development on surrounding amenity

17. Before the development hereby permitted commences a scheme for the discharge and control of fumes, gasses and odours from the approved commercial/business uses shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented before the development is first brought into use shall be maintained at all times thereafter in accordance with the approved details.

REASON: In order to limit the impact of the development on surrounding amenity

18. Before the development hereby permitted commences a schedule for the times of deliveries to and/or collections from the approved commercial/business uses shall be submitted to and approved by the Local Planning Authority. Deliveries and/or collections shall only take place in accordance with the approved schedule and shall not take place at any other time.

REASON: In order to limit the impact of the development on surrounding amenity

19. Before the development hereby permitted commences a schedule for the operating times of the approved commercial/business uses shall be submitted to and approved by the Local Planning Authority. The approved commercial/business uses shall only operate in accordance with these agreed times and shall not operate at any other time.

REASON: In order to limit the impact of the development on surrounding amenity

Neighbour amenity – Longhedge cottages and Longhedge House

20. Prior to any construction works commencing, a construction management plan shall be submitted to and approved in writing by the Local Planning Authority which details the measures to be taken to protect the residential amenities of the occupiers of dwellings directly adjacent to the proposed works during construction. The scheme so agreed shall be carried out in strict accordance with the agreed details.

REASON: In order to limit and reduce the impact of the construction works on the occupiers of residential properties located within immediate proximity of the proposed works.

Restriction of uses within neighbour centre

21. The neighbourhood centre shall be arranged as shown on the submitted indicative layout plan and design and access statement, and shall comprise of a main retail use, limited to Class A1 as defined by the Town and Country Planning use Classes Order 1995 as amended, which shall have a gross floor area of 550sqm. The ancillary neighbourhood uses shall be limited to Class A1, A3, A4, A5, or D1 as defined by the Town and Country Planning use Classes Order 1995 as amended uses only, and any unit or use shall be limited to a maximum of 200 sqm gross floor area. No use shall commence until a scheme for the carrying out, operation, and construction of that use/building has been submitted to and approved by the Local Planning Authority as part of a reserved matters application.

REASON: In order to limit the impact of the development on residential amenity and the impact on the vitality and viability of the city centre.

Archaeology

22. With regards Option A & B, no development shall take place within the application site until a written programme of archaeological investigation, has been submitted to, and approved in writing by the Local Planning Authority. The approved programme of archaeological mitigation has been carried out in accordance with the approved details.

REASON: To safeguard the identification and recording of features of archaeological interest.

Archaeology management plan for community open space

23. With regards Option A, no development shall commence on site until such a time that a management plan to ensure the preservation in situ of the archaeological features/remains described in the Environment Statement to include the provision of archaeological information panels and a timetable for the implementation of the management plan, has been submitted to and agreed in writing by the Local Planning Authority. The management plan shall thereafter be implemented in accordance with the approved plans.

REASON: To safeguard the identification and recording of features of very high archaeological interest with the planned community open space.

Ecology

24. Before development commences, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority which secures protection of habitats and species during the construction period, including pollution prevention measures. The development shall be carried out in accordance with the agreed CEMP.

REASON: In order to prevent pollution of the water environment and to protect habitats and species during the construction period so as to limit the impacts of the development

25. Before development commences, a scheme for water efficiency shall be submitted to and approved by the Local Planning Authority. The scheme should Development shall be carried out in accordance with the agreed schemes.

REASON: In order to improve the sustainability of the scheme in line with Core Policy 19 of the South Wiltshire Core Strategy.

Surface water drainage scheme

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

REASON: To ensure that the development can be adequately drained

Lighting

27. No development shall commence until a lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed to minimise light spill and sky glow, and to minimise light levels along site boundaries and internal transverse planting corridors to below 1 LUX.

REASON: In order to limit the impact of lighting on protected species and habitats

EMP

28. No development shall commence on site, including site clearance, until an Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority which covers the following points:

- a) Landscape framework plan (demonstrating responsibilities for long term management)**
- b) Detailed proposals for habitat retention and creation, methods for establishing new meadows and wetland habitat, design and locations for bat and bird boxes, and habitat management plan.**

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

REASON: To limit the impact of the development on visual and residential amenity and the surrounding natural habitat.

Tree protection during construction

29.No development shall commence (including any works on the highways access hereby approved) until the existing trees and hedging to be retained adjacent to the site boundaries have been protected by means of a scheme submitted to and agreed in writing with the Local Planning Authority prior to works commencing. Development shall be carried out in accordance with the agreed scheme.

The Tree Protection Plan shall show the areas which are designated for the protection of trees, shrubs and hedges, hereafter referred to as the Root Protection Area (RPA). Unless otherwise agreed, the RPA will be fenced, in accordance with the British Standard Guide for Trees in Relation to Construction (BS.5837: 2012) and no access will be permitted for any development operation.

The Arboricultural Method Statement should specifically include details of how the hard surfacing within the RPA of any retained trees can be implemented, if necessary, without causing root damage.

The Arboricultural Method Statement shall include provision for the supervision and inspection of the tree protection measures. The fencing, or other protection which is part of the approved statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the Local Planning Authority has been given in writing.

REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction.

Strategic planting programme

30. Before any development commences (including the highway access works hereby approved), a detailed Landscaping scheme, showing the proposed strategic planting including the tree belts, intended to help reduce the wider visual impact of the development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of native species, specimen sizes, and long term maintenance and ownership. Such planting shall be carried out in accordance with the agreed scheme.

All new planting and landscaping shown on the agreed plans, shall be provided/planted out on site within 1 calendar year of the commencement of development, unless a scheme of timing of provision is otherwise agreed in writing with the Local Planning Authority.

REASON: In order to ensure that strategic planting areas are provided as soon as practicable following commencement of development, and that any such planting is able to mature to provide an effective screen to the development in the longer term.

Ground water protection

31.The development hereby permitted shall not be commenced until such time as a scheme:

- a) To agree sewage pipework specification
- b) Agree pollution prevention for storage of pollutants
- c) For drainage

has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved.

REASON: To prevent the pollution of controlled waters.

Surface Water management

32.Before development commences, details of a surface water drainage masterplan shall be submitted to and agreed in writing by the Local Planning Authority. The masterplan shall be in accordance with the Flood Risk Assessment (Option A, RSK, Ref:131658, R1(0) dated 18th April 2013, or Option B , RSK, Ref: 131658, R2 (0) 18TH April 2013) and include details of the phasing of surface water drainage infrastructure including source control measures, the hydrological and hydrogeological context of the development, and details of the future responsibility and maintenance. The development shall be implemented in accordance with the approved scheme.

REASON: To prevent the increased risk of flooding as a result of the development in accordance with the NPPF

INFORMATIVES

- 1) As part of any future reserved matters application for landscaping details, an Ecology and Landscape Enhancement Scheme for buffer land adjacent to the River will be submitted. The Scheme will be prepared by a professional ecologist and provide a detailed programme of enhancement measures that will be achieved on land allocated for landscaping in the Landscape Strategy Plan (dwg No. 06136-PO.04). The Enhancement Scheme will be carried out in full and within the timetable laid out within the approved document.**
- 2) The surface water management scheme shall be in accordance with recommendations and findings of the FRA Bradbrook Consulting Revision C November 2012.**
- 3) With regard to the archaeology conditions above the work should be conducted by a professionally recognized archaeological contractor in accordance with a written scheme of investigation agreed by this office and there will be a financial implication for the applicant.**
- 4) The applicant should ensure that they have thoroughly investigated ground conditions and levels of vibration on the development site and use appropriate construction methods and materials to ensure that the occupants of the houses concerned are not adversely affected by vibration and or/reradiated noise caused by Equinox prior to any of the properties being sold or occupied.**
- 5) With respect to the condition related to noise issues, I would highlight that as per correspondence with the acoustic consultants we are not entirely satisfied with the existing noise surveys for this area and in particular due to the use of noise mapping calculations to estimate some noise levels used in the acoustic report. We would advise that further measurements are required to either replace or confirm the predictions concerned when this condition is subject of an application to discharge. We would also highlight that based on the existing data available we consider that the residential properties on the western edge of the residential development are likely to need acoustically treated mechanical ventilation.**
- 6) With respect to conditions above, and as per correspondence and agreement with the acoustic consultant, we would recommend that an appropriate target would be that the cumulative rating noise level should not exceed background and assessed as per BS4142.**

- 7) **With respect to the conditions above if any of the businesses uses may produce significant levels of vibration this issue will need special consideration and should be discussed with this department.**
- 8) **With respect to conditions above the appropriate times for deliveries/collections and operating times will be dependent on the final design and layout. If the applicant wishes to have greater flexibility with opening times / deliveries/collections we would encourage them to carefully consider the layout of the development. Including consideration of the separation of residential from commercial/business uses, the orientation of noisy parts of the development away from residential properties and the use of some commercial/business premises as acoustic barriers.**
- 9) **With regards the affordable housing S106 heads of terms, it is considered that where allowed by Council policy, Laverstock and Ford residents should have priority in relation to the affordable housing stock on this site.**

Councillor Christopher Newbury requested that his objection to the approval for scheme A be recorded.

Councillors Charles Howard and Terry Chivers requested that their abstention from the approval for scheme A be recorded.

Councillor Jose Green requested that her abstention from the approval for scheme B be recorded.

The Committee also commended the Local Member for their detailed and comprehensive assessment of the applications as read to the meeting.

47 **13/02254/FUL: Five Rivers Leisure Centre, Hulse Road, Salisbury, SP1 3NR**

Public Participation

Patricia Fagan, Shadow Community Operations Board, spoke in support of the application.

The Planning Officer introduced a report which recommended that planning permission be granted. Key issues were stated to include the principle of the proposed extensions to the current Leisure centre as part of the transformation into a community campus, the impact upon local amenity and the local highways, and the design and appearance. It was noted that the building contained significant amounts of parking spaces to the rear, and that no objection had been received from the Highways officers.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought regarding new entrances, including for the police teams that would be based in the building, and details of how the site's historic use as a landfill site prevented the complete parking areas to be covered in tarmac.

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

The Local Member, Councillor Richard Clewer, then spoke in support of the application.

A debate followed in which the access to the site was acknowledged as an existing concern, and whether the alterations to the use of the site would adversely impact the highways issue to a significant degree. The expanded facilities for disabled users was noted, and the design of the proposed extensions was assessed for suitability.

After debate, it was,

Resolved:

That Planning Permission be GRANTED for the following reason:

The proposed development is considered to be an acceptable redevelopment of an existing leisure centre for similar extended and enhanced purposes. Subject to the imposition of relevant and necessary planning conditions, the development would not have an unacceptable impact upon highway safety, amenity, ecology or the landscape and would have the effect of enhancing sports, leisure and community facilities to the local community as well as improving the appearance of the site and wider public realm. The proposal is considered to comply with the provisions of the National Planning Policy Framework as well as saved policies G1, G2, D1, C10, R1A and R1B of the adopted South Wiltshire Core strategy.

Subject to the following conditions:

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

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

- 2. No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

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

- 3. No development shall commence on site until details showing ventilation and extraction equipment within the site (including details of its position, appearance and details of measures to prevent noise emissions) have been submitted to and approved in writing by the**

Local Planning Authority. The ventilation/extraction equipment shall be installed prior to the building/extension hereby approved being first occupied and shall thereafter be maintained in accordance with the approved details.

REASON: In the interests of the amenities of the area.

- 4. In complete accordance with the submitted details, use of the all weather pitch, including operation of the associated floodlighting, shall cease at 22:00hrs each day and shall not resume use and operation until the following day at 08:30hrs, unless otherwise agreed with the Local Planning Authority in the form of a new and separate planning permission in that regard.**

REASON: So as to avoid unnecessary and unacceptable noise and disturbance from the use and operation of the all-weather pitch.

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

- A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2012 and a plan indicating the alignment of the protective fencing;**
- A specification for scaffolding and ground protection within tree protection zones in accordance with BS5837:2012**
- A schedule of tree works conforming to BS3998.**
- Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;**
- Plans and particulars showing the siting of the service and piping infrastructure;**
- A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification;**
- Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and**
- Details of all other activities, which have implications for trees on or adjacent to the site.**

REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

6. The development shall be carried out as specified in the approved Arboricultural Method Statement (AMS), and shall be supervised by an arboricultural consultant.

REASON: To prevent trees on site from being damaged during construction works.

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

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

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

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

REASON: To enable the local planning authority to ensure the retention of trees on the site in the interests of visual amenity.

8. The development hereby permitted shall be carried out in accordance with the following approved plans:
Location Plan no 2904(L) 001

Existing Site photographs no 2904(L)005
Existing site plan no 2904(L)010
Proposed site plan no 2904(L)011 rev B
External Works plan no 2904(L)012 rev D
Proposed All Weather pitch plan 2904(L)020 rev B
Existing Basement floor plan 2904(L)040
Existing Ground Floor Plan 2904(L)041
Existing first floor plan 2904(L)042
Existing Roof Plan 2904(L)043
Proposed ground floor plan 2904(L)050
Proposed first floor plan 2904(L)051
Proposed Roof plan 2904(L)052
Existing South Elevation 1 plan 2904(L)101
Existing South Elevation 2 plan 2904(L)102
Existing North Elevation 1 plan 2904(L)103
Existing North Elevation 2 plan 2904(L)104
Existing West and East elevations plan no 2904(L)105
Existing Minor elevations 2904(L)106
Proposed 3D views plan no 2904(L)110
Proposed elevations plan no 2904(L)111
Proposed elevation 1 plan no 2904(L)112
Proposed elevation 2 plan no 2904(L)113
Proposed elevation 3 Plan no 2904(L)114
Proposed elevations 4,5 and 6 plan no 2904(L)115
Police compound fencing detail plan no 2904(L)116
Bin Store detail plan no 2904(L)117
Screen entrance wall plan no 2904(L)118
Cycle shelter details plan no 2904(L)119
Existing site sections plan no 2904(A)170
Proposed site sections plan no 2904(A)171
473477/P003 – Revision P2 : External Lux Levels for Planning –
Football Pitch

All plans are revision A unless stated.

Additional documents

Flood risk assessment by Hydrock dated May 2013
Noise and Acoustic report reference 5520/DO/pw dated July 2013 by
Acoustic consultants Ltd
Transport assessment by Key transport consultants Ltd dated July
2013 including appendices
Design and Access statement by the Bush Consultancy dated 23rd
July 2013
External Lighting statement by Halcrow dated 22nd July 2013
Preliminary ecological appraisal by Alec French architects dated
September 2012
Biodiversity Enhancement Strategy dated October 2013 by the
landmark practice
Construction Working Method statement dated October 2013 by the
landmark practice

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

9. The development hereby approved shall be carried out in accordance with the details and recommendations of the biodiversity Enhancement Strategy and Construction Method statement dated October 2013 and produced by the landmark practice.

REASON: In order to protect wildlife within the vicinity of the site.

10. Prior to the occupation of any of the new buildings, the subject of this application, a car parking management plan shall be submitted to and approved by the local planning authority. The plan shall set out measures for ensuring that long stay parking on the site does not arise, as well as measures for dealing with offenders. The car parking shall at all times be managed in accordance with the approved plan.

REASON: To ensure that adequate parking provision exists on the site to accommodate forecast demand.

11. All 345 parking bays on the site, as indicated on the approved drawings, with the exception of the 50 space overspill parking area on the proposed reinforced grass area, shall be clearly permanently marked for each parking bay, before the beneficial use of any of the additional uses proposed on the site. All car parking spaces shall be provided before the beneficial use of any of the additional uses proposed on the site.

REASON: To ensure that individual parking bays can be readily identified, and in the interest of efficient use of sufficient parking provision.

12. 56 cycle parking spaces shall be provided in accordance with the approved drawings before the beneficial use of any of the additional uses proposed on the site.

REASON: In the interests of encouraging sustainable transport to the site.

13. Prior to the occupation of any of the new buildings, the subject of this application, details of the provision of the proposed community bus, its funding arrangements and its proposed route and timetabling shall be submitted to and approved in writing by the local planning authority. The Community bus shall be operated in accordance with the agreed routeing and timetabling, unless alternative arrangements are agreed by the local planning authority.

REASON; In the interests of encouraging use of sustainable transport modes to access the site.

14. Prior to the commencement of the development, details of the parking provision and fencing and gating arrangements for the secure police parking area shall be submitted to and agreed by the local planning authority.

REASON: In order to ensure that no parking spaces in the vicinity of the secure compound gates are obstructed.

15. Prior to the commencement of the development a construction traffic management plan shall be submitted to and approved by the local planning authority. Construction traffic shall be managed in accordance with the plan throughout the construction period. The plan shall include provision to restrict peak hour construction traffic to and from the site, as well as details of the routes proposed for access and egress for lorries.

REASON: In the interest of highways safety and local amenity.

16. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1. A preliminary risk assessment which has identified:**
 - a) all previous uses**
 - b) potential contaminants associated with those uses**
 - c) a conceptual model of the site indicating sources, pathways and receptors**
 - d) potentially unacceptable risks arising from contamination at the site.**
 - 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.**
 - 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.**
 - 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.**
- Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.**

REASON

Due to past site uses as a landfill site; construction could mobilise contaminants with the potential to pollute controlled waters.

17. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set

out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

REASON

Due to past site uses as a landfill site; construction could mobilise contaminants with the potential to pollute controlled waters.

18. 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.

REASON

Due to past site uses as a landfill site; construction could mobilise contaminants with the potential to pollute controlled waters.

19. Piling or any other foundation designs / investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON

Piling or any other foundation designs / investigation boreholes using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

20. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, in accordance with the Flood Risk Assessment (Hydrock, Ref: R/2519/001, May 2013), has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details

before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

REASON

To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system.

INFORMATIVE

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws the prior written consent (Flood Defence Consent) of the Environment Agency is required for any proposed works (permanent or temporary) or structures in, under, over or within 8 metres of the top of the bank of the River Avon, designated a 'main' river. The need for this consent is over and above the need for planning consent. The applicant is advised to contact Daniel Griffin on 01258 483421 to discuss the scope of our controls.

INFORMATIVE

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

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

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at:

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

INFORMATIVE

It is requested that the applicant investigate further with Wiltshire Councils highways department, the need for and practicalities of the installation of traffic lights at the junction of the A345 (Castle Road) and Butts road in order to ease both existing and increased traffic from the new campus development.

(Duration of meeting: 2.10 - 4.10 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic & Members' Services, direct line 01225 718504, e-mail kieran.elliott@wiltshire.gov.uk

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

REPORT TO THE STRATEGIC PLANNING COMMITTEE

Date of Meeting	11 December 2013		
Application Number	13/03187/WCM		
Site Address	Units 3 To 5, 2 Porte Marsh Road, Calne, Wiltshire, SN11 9BN		
Proposal	Section 73 application: Temporary Change of Use to a Recyclables Management Facility with ancillary activities without compliance with condition 5 of N.11.03354 (to allow loading outside of the building)		
Applicant	Hills Waste Solutions Ltd		
Town/Parish Council	CALNE		
Electoral Division	Calne North	Unitary Member	Cllr Glenis Ansell
Grid Ref	400151 171991		
Type of application	Full Planning		
Case Officer	Jason Day		

Reason for the application being considered by Committee

Councillor Glenis Ansell has requested that this application be determined by the Committee for the following reasons:

- Relationship to adjoining properties
- Environmental or highway impact
- Concern about why the alleged Health & Safety issue did not arise in the original application.

1. Purpose of Report

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

2. Report Summary

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

- Reasons for imposing Condition 5
- Noise and operating hours
- Impact on residential amenity and the local environment.

3. Site Description

The application site is located within the established Porte Marsh Industrial Estate, located on the northern fringe of Calne. It comprises an existing building situated at the southern end of the Estate.

The external yard area is hard surfaced and provides adequate space for vehicle turning and parking. Fencing that once enclosed the front of the site has been removed and it would appear that others are making use of the yard for parking.

A mix of B2/B8 uses neighbour the application site, with areas of residential development and a school to the south. Access is from Porte Marsh Road, the main distributor/link road through the Industrial Estate, onto the A3102 which links to the A4 to the south.

The site has been operating in its current use since 2011 for the reception, sorting and distribution of plastic and cardboard waste from the council's kerbside collection service.

4. Relevant Planning History

N/11/01816/WCM – Temporary Change of Use to a Recyclables Management Facility, with ancillary activities – approved September 2011.

N/11/03554/WCM - Section 73 application: Temporary Change of Use to a Recyclables Management Facility, with ancillary activities without compliance with condition 6 of N.11.01816 [to change operation hours] – approved 19 December 2011

5. Proposal

The application has been made under section 73 of the Town and Country Planning Act 1990 to carry out the previously approved development of the Recyclables Management Facility without complying with condition 5 of permission ref:

N/11/03554/WCM in order to allow the loading of vehicles with sorted and baled plastic and cardboard recyclable waste outside of the building.

Condition 5 of the permission currently reads:

No deposition, processing, handling or transfer operations shall take place on site outside the confines of the building hereby approved for this purpose and no loose waste materials shall be deposited or stored on the adjacent open area.

The applicant seeks to amend the wording of condition 5 to read:

No deposition of untreated materials or processing shall take place outside of the building hereby approved for this purpose and no loose materials shall be deposited or stored on the adjacent open area.

6. Planning Policy

Wiltshire and Swindon Waste Development Control Policies DPD
Policy WDC2: Managing the impacts of waste management

7. Consultations

Calne Town Council – Object. Members commented that Hills are already breaching some of the conditions placed on the earlier application. It was noted that the facility is operating outside of its agreed times with the doors open. Complaints have been received from residents in the vicinity. Members requested that a member of the enforcement team investigate these issues.

Members felt strongly that by moving the loading/unloading operations outside, the issues already experienced by local residents will surely worsen. There will almost certainly be an unacceptable increase in noise, pollution and littering.

Members felt strongly that if the facility cannot operate safely, in compliance with health & safety regulations as it currently does, then the building/site is not fit for purpose. Members strongly objected to this application on the following planning grounds; Local Plan 2011 – Core Policy C3 (iii), (ix) and NE18 Noise & Pollution - para 6.50

Environment Agency - no objections, in principle, to the proposed development but recommends that if planning permission is granted an informative be included advising that the proposed development may require a variation to its current exemption or Environmental Permit from the Environment Agency.

Strategic Landscape Team – No comment

Environmental Health – No adverse comments

8. Publicity

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

11 letters of objection were received in response to the application and 1 response in support of the proposal.

Summary of key relevant points raised:

- The temporary arrangement has been in operation now for approximately two years, with Hills Recycling seeming to manage adequately so far and we question the need to alter the existing arrangements.
- The facility has been operating past 22:30 hours causing a noise nuisance.
- The existing operations already cause a noise nuisance, including when the doors are left open.
- The prospect of allowing longer operating hours, combined with the inevitable increase in noise and detritus generated by outside loading will be intolerable

- This recycling operation, although of arguably inert materials, does already generate considerable smells from contaminated milk bottles; this was very evident to passersby and local residents during the hot weather this summer.
- The site operates close to residential properties, schools and amenities
- The proposal would result in an increased risk of litter, dust, odour, flies, rats and gulls.
- The existing planning permission requires the site to operate with doors closed
- Loading/handling of loose waste outside the building will considerably increase the risk of a litter problem on the adjacent public highway, especially during high winds
- Concern was expressed that permission being granted without particular conditions being attached and also rigorously enforced would really mean "carte blanche" for the applicant to do as suits them best without regard for the local environs or residents.
- It has been the cleanest and best organized on the estate. However in going past it virtually every night it seems to be running at virtually the physical limit of the factory now. Any increase in or outside will need the excellent management its got now with no slippage or fall in standards as very very quickly chaos would result.
- Since the arrival of Hills we have seen a steady deterioration to the immediate environment with increased rubbish on roads, smell, traffic noise, an increase in the seagull population and the damage to the road infrastructure
- increased health risks, such as our children developing Asthma and other lung disease as a result of dust pollution.

9. Planning Considerations

This is an application under Section 73 of the Town and Country Planning Act 1990. This section provides for applications to be made for planning permission without complying with conditions applied to a previous permission. Thus it is possible to apply for conditions to be struck out, or for their modification or relaxation.

The section 73 procedure for such applications requires the planning authority to consider only the question of the condition(s) subject to which planning permission should be granted. If it is decided permission should be granted subject to conditions differing from the previous permission the planning authority may grant planning permission accordingly. Alternatively, if the planning authority decides that permission should be granted subject to the same conditions as in the previous permission, then it should refuse the application.

In determining this application, it will be necessary to consider the condition, the reason for it, its function, the degree to which it makes the development acceptable, and therefore whether the variation would in this context be acceptable.

The Porte Marsh Recyclables Management Facility currently operates under a conditional planning permission granted in December 2011 (ref. N/11/03554/WCM). Condition 5 of that permission requires that all operations associated with the Facility take place inside the confines of the building. This application proposes the 'variation' of condition 5 to allow outside loading of processed and baled plastic and

cardboard waste onto lorries for transportation to off-site reprocessing facilities for recovery or recycling.

9.1 Reasons for imposing Condition 5

Condition 5 reads “*No deposition, processing, handling or transfer operations shall take place on site outside the confines of the building hereby approved for this purpose and no loose waste materials shall be deposited or stored on the adjacent open area*”.

The reason given for imposing the condition is “*to ensure an acceptable form of development is achieved in the interests of the appearance of the site and local amenity.*”

The reason is supported by policy WDC2 of the Wiltshire and Swindon Development Control Policies DPD which seeks to control significant adverse impacts of waste management development on, among other matters, amenity, visual aspects of development, vibrations, noise and light.

The applicant considers that the proposal would address health and safety concerns associated with loading operations that are currently required by the existing planning permission to take place within the building.

The health and safety concerns have arisen due to the Council’s municipal plastic and cardboard collection service proving to be more successful than anticipated, leading to more cramped working conditions.

It must therefore be judged firstly whether there would be any adverse impact associated with outside loading and secondly if so whether the impact would be significant to the degree that it would outweigh the need to address the health and safety concerns.

9.2 Noise and operating hours

Calne Town Council and some members of the public that have responded to the planning application are of the view that the current planning permission restricts operating hours for the facility and requires the doors to remain shut. However, there are no requirements to keep the doors closed during operation.

The only related restrictions to the running of the facility are imposed by condition 6 which imposes restrictions on the days and times deliveries of waste to the site and the dispatch of materials may take place. Outside loading would be related to the dispatch of waste and consequently would be restricted to take place within the delivery and dispatch hours imposed by condition 6, should planning permission be granted.

The dispatch vehicles would be loaded using a forklift truck. Given that the context for the site is an industrial estate, where the use of forklift trucks for loading and unloading is commonplace and where HGVs will continue to arrive and depart from the site, it is considered extremely unlikely that the loading of vehicles outside of the

facility as proposed, within the hours imposed by condition 6 would result in an excessive noise impact on sensitive receptors.

9.3 Impact on residential amenity and the local environment

The Town Council and members of the public have raised concerns about the potential for dust, odour, littering and the encouragement of vermin that would be caused by allowing operations to take place outside of the building.

Additional details submitted by the applicant show that outside loading of vehicles would take place two or three times per day. The loading activity would last 45 minutes to 1 hour. No changes are being proposed to the internal operations of the building. All deposition of plastic and cardboard when it arrives at the facility and all processing would still be carried out inside the confines of the building.

The site is used for the reception, sorting and bulking up of plastic and cardboard waste. No recycling of cardboard or plastic takes place at the site and no putrescible waste is received at the site. The plastic and cardboard would be compacted and baled inside the building. The bales would then be taken from inside the unit by forklift truck and loaded straight onto a lorry. Consequently the proposal to load vehicles outside is not considered to present a risk of an increase in vermin or flies and would be extremely unlikely to result in the creation of significant or excessive amounts of dust, litter or odour.

Given that there will be vehicles arriving and departing from the site during the same times that the loading would be taking place it is highly unlikely that the proposal to load vehicles outside would result in an excessive or significant impact on the visual appearance of the site or the privacy of neighbouring uses.

Although it does not appear to be intentional, the variation to the wording proposed by the applicant would (potentially) allow for the deposition and storage of materials outside of the building for prolonged periods. This flexibility and scope for using the outside hard standing as a storage area for reclaimed/baled materials is considered unnecessary to achieve the objective of addressing health and safety concerns. It could potentially also impact on the appearance of the local area.

It is considered that the loading of vehicles inside the building now presents a health and safety risk to site staff, and that this consideration should carry significant weight. However, whilst the anticipated impact of the proposed outside loading is considered negligible, this should not outweigh the need to maintain the visual appearance of the site when loading is not taking place, where it can be avoided. The time that the materials are outside of the building should therefore be restricted to those periods when loading is taking place, thereby minimising potential impact on residential amenity. It is therefore considered the wording proposed by the applicant should be amended so the condition reads as follows:

Except for the loading of reclaimed baled materials onto vehicles for dispatch, no deposition, processing, handling or transfer operations shall take place on site outside the confines of the building hereby approved for this purpose, and no loose waste materials shall be deposited or stored on the adjacent open area.

10. Conclusion

The changes to the Council's municipal waste collection service, to include separate plastic and cardboard collections, have been more successful than originally anticipated and is resulting in the building at Porte Marsh being operated to its limits. This has raised health and safety concerns for staff loading vehicles. Within the context of the Porte Marsh Industrial Estate, the loading of vehicles outside using a forklift is not out of keeping with the site surrounds. Any adverse impact associated with outside loading is considered to be negligible and would not outweigh the health and safety benefits achieved from doing so.

Recommendation:

Planning Permission be granted subject to the following conditions:

1. The use hereby permitted shall be discontinued and the site cleared of any plant, machinery or materials associated with the use on or before 31 October 2014, unless before that date, planning permission has been applied for and granted for a longer period of use.

REASON: To ensure the development is carried out in accordance with submitted application and approved details.

2. The site signage shall be retained in accordance with the approved scheme titled Discharge of Conditions 2 and 3: Site Signage and Lorry Routing Plan v 2.1, dated 15.09.2011, with the signage being maintained thereafter at the site exit for the duration of the development hereby permitted

REASON: In the interests of safeguarding local amenity.

3. The routing of HGVs to and from the site shall be in accordance with the approved Lorry Routeing Plan, titled Discharge of Conditions 2 and 3: Site Signage and Lorry Routing Plan v 2.1, dated 15.09.2011. The approved Plan shall be implemented for the duration of the development hereby permitted.

REASON: In the interests of safeguarding local amenity.

4. No waste other than those waste materials defined in the application details shall enter the site.

REASON: Waste material outside of the aforementioned would raise alternate additional environmental concerns, which would need to be considered afresh.

5. Except for the loading of reclaimed baled materials onto vehicles for dispatch, no deposition, processing, handling or transfer operations shall take place on site outside the confines of the building hereby approved for this purpose, and

no loose waste materials shall be deposited or stored on the adjacent open area.

REASON: To ensure an acceptable form of development is achieved in the interests of the appearance of the site and local amenity.

6. Deliveries of waste to the site and dispatch of materials, inclusive of movement of vehicles to and from the site, shall be confined to between the hours of:

07.00 to 18.00 Mondays to Fridays

07.00 to 13.00 on Saturdays

07.00 to 18.00 on Saturdays that follow Public/Bank Holidays

No waste shall be delivered or accepted or dispatched on Sundays or Bank or Public Holidays, other than as indicated below:

07.00 to 18.00 Good Friday, Easter Monday, Early May Bank Holiday, Spring Bank Holiday and Summer Bank Holiday, plus any special bank holidays announced in a particular year by HM Government;

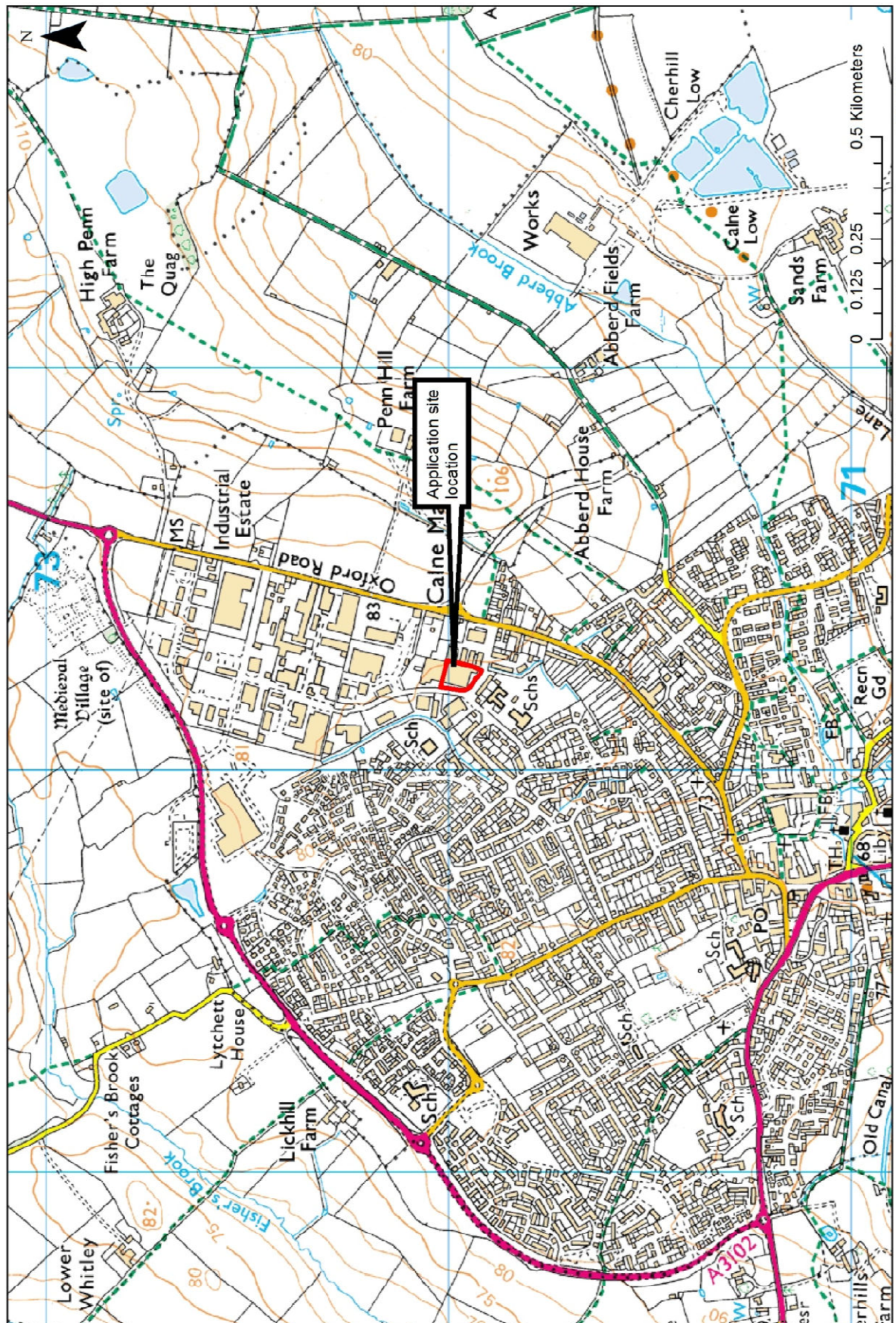
13.00 to 18.00 on Saturdays immediately following the Christmas Day and Boxing Day Holidays; and

13.00 to 18.00 on two consecutive Saturdays that immediately follow New Years Day.

Operations shall not take place on Sundays or on Christmas Day, Boxing Day or New Year's Day.

REASON: In the interests of limiting the effects on local amenity.

Appendix 1: Site Location Plan



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Report to the Strategic Planning Committee

Date of Meeting	12 December 2012		
Application Number	N.13.01593.FUL		
Site Address	Kemble Enterprise Park, Nr Kemble, Glos, GL7 6BQ		
Proposal	Hybrid Application (Full and Outline) For Employment Development Class B1 and B8 Uses. Resubmission of planning application 11/01531/FUL		
Applicant	Kemble Business Park Estates Ltd		
Town/Parish Council	Crudwell		
Electoral Division	Minety	Unitary Member	Councillor Chuck Berry
Grid Ref	395674 195945		
Type of application	Hybrid		
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 REFUSED.

2. Report summary

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

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

The application has generated 2 letters of comment from local residents – raising objections. Crudwell Parish Council raise no objections. Kemble Parish Council's comments are awaited.

3. Site Description

The application site forms part of the former RAF Kemble, located within Wiltshire and relates to an existing employment site known as Kemble Airfield Enterprise Park. The site is located within open countryside with Kemble village being some 1.5km to the north. There are sporadic houses in the locality.

The site comprises of a group of buildings towards the front of the site, many of which are already in business use. Further into the site are 2 pairings of listed hangars and to the north 3 listed hangars, some of which are in business use. There is also a listed Water Tower which is evident when entering the site and forms a focal point when driving in. The remainder of the site is largely open with a gentle slope south to north and very little vegetation or trees.

4. Relevant planning history

10/04375/SCO – Request for Screening and Scoping Opinion.

11/01531/FUL – As this application (with amendments) refused for the following reasons:

- The proposal is located within open countryside and on a Greenfield site within a former MoD site. The proposals are not considered to be limited expansion or redevelopment of an existing premises; are not well related to any existing settlements and are considered to be remote, involving development of an open area. The proposals are thus considered to conflict with policies BD5 and NE20 of the North Wiltshire Local Plan 2011 and Wiltshire Core Strategy Policy 37.
- The proposals lack sufficient detail to ensure that they preserve or enhance the setting of the Grade II listed hangars on site and are thus contrary to Policy HE4 of the North Wiltshire Local Plan 2011, Wiltshire Core Strategy Policy 58, section 12 of the National Planning Policy Framework 2012 and the guidance given in S.16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- The proposals are set within an open landscape and of a scale, massing and design that is considered to have a detrimental impact on the “special” character of the area and its openness, causing the built form to coalesce, contrary to policy NE15 of the North Wiltshire Plan 2011, Wiltshire Core Strategy Policy 51 and Section 11 of the National Planning Policy Framework 2012 on conserving and enhancing the natural environment.
- The proposal is sited within a remote location with poor public transport facilities and the sustainability proposals put forward by the applicants are considered to be insufficient to outweigh the harm caused and thus the development is considered to be contrary to Policies T1 and T2 of the North Wiltshire Local Plan 2011 and policies DP1 and DP3 of Wiltshire Structure Plan 2011 together with Wiltshire Core Strategy Policies 60 and 61 and advice within the National Planning Policy Framework 2012 about delivering sustainable development.

5. Proposal

The proposal for consideration is in hybrid form (seeking outline permission for part of the site and full for the remainder) to allow a phased approach to the development of the site, whereby buildings are only constructed once their end users have been established and their exact specifications known. The proposal is different from application 11/01531/FUL in that:

1. Building 1, which is the gatehouse building, has been amended in terms of its illustrative design. It now advocates a more traditional design rather than the contemporary design previously put forward.
2. Building 2 has been moved to lie more within the main complex of buildings to minimise landscape impact and to remove impact on nearby listed buildings. The scale of the building remains unchanged.
3. Building 3 has similarly been moved to relate better to the existing complex of buildings.
4. Building 4 is submitted in detail form. The design has been amended following comments by officers and Strategic Committee Members. The floor area remains as previously submitted.
5. Building 5 – This was originally split into 2 smaller warehouse buildings with an element of ancillary office space. However, this current submission removes one of the reduced size hangars, substantially reducing the built form.

The proposal is for:

- 2 warehouse buildings with integrated office space , 1 in full and the other in outline totalling (Building 4 =8460sqm B8 storage and 1, 395sqm B1 office space; Building 5 = 4650sqm of B8 and 700sqm of ancillary office space).
- 2 office buildings (1,395sqm and 2790sqm of B1 use).
- 1 gatehouse building (administrative space, security office and office use 1,600 sqm).
- A total of 25, 855 sqm

The location of each building is identified in a development zone within the layout plan. The proposal also involves provision for a new roundabout access from the A429. Provision is to be made for around 250 car parking spaces on site and it is anticipated that approx 250-300 new jobs will be created when fully developed and occupied.

The application is accompanied by a Planning Statement which indicates that it is an aspiration to develop renewable forms of energy at the site including an element of renewable energy in both heating and power systems.

6. Planning Policy

North Wiltshire Local Plan 2011: Policy C3 (general development control criteria), Policy NE15 (landscape character of countryside), Policy NE20 (redevelopment of redundant MoD sites), BD5 (Rural Employment); HE4 (Development or alteration affecting a listed buildings).

Wiltshire Core Strategy: Core Policy 37 (relating to the redevelopment of redundant MoD sites), Core Policy 41 (Sustainable Construction and low carbon energy), Core Policy 58 (Ensuring the Conservation of the Historic Environment), Core Policy 51 (Landscape), Core Strategy Policy 60 (Sustainable Transport) .

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. However, para 28 does require development plan policy to *“support the sustainable growth and expansion of all types of businesses and enterprise in rural areas, both through the conversion of existing buildings and well designed new buildings”*.

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 June 2013 following the Committee’s decision to refuse application 11/01531/FUL. Throughout this former application and the discussions held since the submission of this application, officers, in particular, stressed a strong policy presumption against the development on its unsustainable location, size, form and design in relation to the listed buildings and open landscape.

It has been stressed that the only possible way forward for such a significant increase in built form with significant policy objection would be for exemplar sustainability credentials, together with a design more in keeping with the scale and setting of the Grade II listed hangars, which reflects the site’s former use for the MoD. This was stressed by way of meetings prior to the submission of the 2011 application which were held to discuss possible designs, giving examples of buildings which had faced some of the problems faced by the applicant and remaining open minded throughout the process to a possible solution.

No formal pre-application advice was sought on the revisions now being considered..

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

- Plans elevations and artistic impressions.
- Design and Access statement.
- Landscape Visual Impact Assessment
- Transport Assessment.
- Statement of Community Involvement (not updated since previous submission)
- Desk based Archaeological Assessment.
- Ecological Survey Report.
- Employment Travel Plan.
- Phase 1 Habitat Survey.
- Planning Statement.
- Bat Survey.
- Botanical Survey Report.
- Tree Survey.
- Outline Drainage Strategy.

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

8. Consultation

Spatial Planning Officer. Comments form basis of “Principle of Development” section below. However they can be summarised as:-

1. The proposals represent a substantial increase in business floorspace at the established Kemble Business Park, with an estimated 250-300 jobs created and the ability of the premises to meet the needs of an existing business on site and new investors. The applicant considers that there are no alternative sites to meet these needs.
2. The Planning statement states that “*The application proposal is considered to be sustainable development in that it provides new employment land in a location suitable for the indigenous growth of established local businesses*”. The Core Strategy sets out how sustainable development is defined and this site, for planning policy purposes is in open countryside, where new floor space is considered generally unsustainable and therefore restricted. Whilst National Policy recognises the economic needs of rural areas, this needs to take account of the scale and type of development.
3. The applicant attempts to justify the proposal in accordance with the wider strategic interests of Wiltshire, stating that it is a Strategically important site. Although the site is in employment use, it is remote from where additional employment land is focussed over the plan period and has not been identified as a Principal Employment Area within the Core Strategy.
4. It is unclear how the proposal would relate to the priority sectors identified in para 6.10 of the Core Strategy, particularly as no end users have been identified.
5. It is recognised that the Transport Assessment has been updated since the 2011 application, with a revised junction capacity for the A429/A433 junction and proposed site access roundabout and a multi modal assessment using up to date TRICS data. However, the Travel Plan has not been enhanced and it is still not clear whether the proposal has the ability to change travel patterns to more sustainable modes.
6. The applicant places significant weight on the proposed development securing the retention of existing employers in Wiltshire, but there is little evidence within the application and the proposals could result in new speculative development. Speculative development could undermine deliverability of strategic employment sites, contrary to Core Policy 34 and would conflict with sustainable development principles. In the absence of any clear evidence, it is impossible to justify that the development is in the wider strategic interest of Wiltshire. In addition there is a lack of information about the sequential approach and impact assessment for B1 office floorspace.
7. Despite restrictive national and local policies, it could be argued that as the site is already established in employment, that some additional employment at the site may be acceptable. However, this would depend on the scale and sustainability, including positive improvements on site that would secure a genuine change in travel patterns to modes other than cars. The impact on the historic environment is also an important consideration, given the listed buildings on site.
8. Whilst the aspiration is for BREEAM excellent, in terms of renewable energy there appears to be limited information provided about what renewable energy sources will power the building.

In conclusion, despite the changes (including a reduction in floorspace) the conclusion is the same as the previous application. It is still considered that the proposal would be contrary to the extant and emerging development plan, as well as national planning policy that would lead to a significant expansion of employment floorspace in a countryside location that is remote from settlements and cannot be regarded as sustainable development.

Whilst undoubtedly the proposals will secure new jobs in the area, based on the existing patterns of employees working on the site, these would be likely to be drawn from a wide area and mainly outlying towns where development plan policies seek to provide new employment. The proposals have merit in their approach to sustainable construction and proposed use of renewable energy. However, this does little to outweigh the concerns raised in terms of the need to secure a sustainable pattern of growth and harm to listed buildings.

The robustness of the evidence underpinning the application is insufficient to provide confidence that the proposals relate to the genuine expansion and/or retention of existing businesses on the site helping to retain these businesses within Wiltshire. In the absence of the ability to manage the end user the proposals could very well result in speculative development.

Highway Officer - Reiterates his previous comments which were: The Transport Assessment is acceptable insofar as those sections relating to Wiltshire are concerned. The new junction at the access will be required prior to the commencement of any development on the site and he is satisfied that there will be no significant adverse effect on the highway network within Wiltshire. Gloucestershire Council will need to comment on the effect on the A429/A433 junction.

On a policy basis the site is located within open countryside with minimal public transport provision and in the current financial climate even that is in doubt. Although a minibus shuttle service is proposed, this is only guaranteed for 3 years and will only effect a minimal amount of journeys. There is little scope for cycling and the development will be largely car dependent. It is an unsustainable location.

On a more detailed point the landscaping to the middle of the roundabout is not acceptable. The future maintenance liability, which the developer would be expected to pay. For effective roundabouts the drivers must be able to see, not only approaching vehicles, but also their direction indicators. He recommends refusal on sustainability grounds.

Senior Conservation Officer – Objects strongly and her comments form the basis of the section on the impact on the listed buildings, the Heritage Asset and the character of the area in general, but can be summarised below:

1. There are several listed buildings on the site: Building M3 (type C) on the right hand side when entering the site; Buildings M1 and M2 (Type D) a pair of hangars set behind M3 on the right hand side; Building 6 (The water tower and works service buildings) which is a focal point at the end of the main avenue; Site A (lamella Hangars) a pair of hangars set some way to the west of the entrance; Site E (Type L hangars) a pair of hangars set some way to the south west of the entrance, not far from site A. Some of these building types are seen on the Cotswold side, plus a 5th variation Type E.
2. Kemble, by virtue of its range of 5 different hangar types including the structurally advanced parabolic form is the most outstanding and strongly representative of the 24 Aircraft Storage Units planned and built by the Air Ministry for the storage of vital reserve aircraft in the period 1936-1940.
3. Apart from the cluster of 3 hangars at the entrance, the hangars were in pairs around the airfield in a dispersed form to provide further protection from air attack.

4. The proposals are to erect building 4 adjacent to the 2 Lamella Hangars on site A incorporating bunding to reduce the built form.
5. It is unclear why the new roundabout requires the curvature of the site entrance road, which as a straight road has the listed water tower as its focal point.. Widening the avenue means that the wide verges in front of the buildings will be cut back, with resultant harm to the setting.

Council Landscape Officer reiterates that his comments remain as previously stated and these were: A policy background to his comments which principally relate to the submitted information under 'Landscape Character and Visual Impact Assessment, prepared by Nicholas Pearson Associates (NPA) March 2011. On the whole he concurs with the NPA report. However, he stresses that the resulting effects from the proposed lighting of buildings (15%) minimum rooflights across the curved roof of building 4, light columns at road junctions and on roads, glare and reflection from a large array of solar panels and the effects of any illuminated signage has not been included. Given the scale of the proposed development, these could generate significant additional landscape and visual impacts within the rural landscape and upon the historic setting of the listed buildings.

In detail the local characterisation work makes inadequate reference to the wider significance and localised context in relation to the heritage assets on site ie The distinct hangar pairings and the importance of the open ground between. The size of the buildings and their siting in close proximity with the hangars causes individual buildings to visually coalesce into much larger clusters of built mass which will be unduly dominant in the rural scene.

The existing trees on site have been evaluated and surveyed. 83 out of the 160 on site are to be removed. The survey identified 6 as category 'R' trees and it is assumed that the remaining 77 are to enable development in zone A1 & A2. Some of the trees are assigned Category C, however, the majority are B1 and B2. The existing trees on site seen suggest that the group to the south side of M3 contain some fine trees, which are a significant group of predominantly B1 trees. They collectively provide an important mature greening and screening function to the cluster of utilitarian buildings and reduce the dominance of the M3 hangar side elevation within zones A1 and A2 along the existing access road. As many of them should be retained as is possible as they make a significant contribution to place making.

Trees in other parts of Zone A1 & A2 are generally of lesser quality.

As it is difficult to understand which trees are proposed for removal further information should be sought.

It will take longer than the 15-20 years proposed for the mitigation planting to screen the development. Any permission should include a tree protection plan.

Council's Environmental Health Officer has no objections but states that as there is potential for land contamination to be present from historical uses any permission should contain a condition to undertake investigation. He also requires a lighting scheme and a noise condition.

Council Ecologist – The currently proposed scheme is similar in terms of general layout and associated ecological impacts, which will involve the demolition of some buildings supporting bat roosts and loss of calcareous / neutral grassland habitats. Given the managed nature of the site I'm satisfied that the site is unlikely to have changed significantly since the last bat survey was carried out and would not require an update. I am therefore still satisfied that permission may be granted in accordance with relevant policies and legislation subject to conditions requiring:

- Pre-commencement submission and approval of an Ecological Management Plan for the site
- Implementation of bat mitigation measures set out in the submitted bat report

County Sustainable Growth Team – Core Strategy policy 41 requires large developments to submit a Sustainable Strategy and although the Core Strategy is not yet adopted this policy should be given weight. Core Policy C1 of the adopted North Wiltshire Local Plan 2011 is the current development plan policy.

The Design and Access Statement submitted with the application refers to high sustainability credentials and have submitted a BREEAM pre-assessment which just makes it into the excellent category.

The use of a hybrid planning application should not distract planners from the requirement to make submitted developments sustainable. There is a clear requirement under Wiltshire Core Policy 41 for a detailed energy strategy and a broader requirement under North Wiltshire Policy C1 to demonstrate energy conservation measures. Since the architects are, by their own admission, experienced in the design and delivery of sustainable and low energy buildings it should not be impossible for them to demonstrate precisely how Building Four will satisfy the BREEAM requirements.

The minimum carbon emissions reduction of 25% can be demonstrated by a Simplified Building Energy Model (SBEM) calculation. Furthermore, a renewable energy strategy for Building Four must be submitted.

As an example, it is noted that there is a substantial south facing roof but only six 90 sq m photovoltaic arrays are shown on the roof plan while the access statement maintains that this is "a large array". 540 sq metres of pv panels would equate to 330 panels (at 1.6 m² per panel) generating at best an annual yield of 61,000 kwh. While this is a substantial output it is trivial compared to the building's 10,370 m² footprint and cannot be considered exemplar. CIBSE Energy Benchmarks GuideTM46 (by which EPCs are calculated) demonstrates this further.

A typical warehouse electrical benchmark is 35 kWh/m² (with a further 160 kWh/m² for fossil fuels used in space heating) while an office electrical benchmark is 90 kWh/m² (with 120 kWh/m² for fossil fuels). This, using the floorspace figures (8640 and 1395 m²) submitted would give an annual electrical benchmark based energy requirement alone for the building of 434,925 kWh (and 1,549,800 kWh space heating requirements). The photovoltaic panels would therefore generate just over 7% of the buildings electrical requirements. If the building is to obtain the target "A" (0-25) rated energy performance certificate a substantially higher renewables figure would be necessary.

The space heating requirement is more considerable and the design addresses this partially with references to U values below Part L building regulation requirements and low carbon innovations such as trombe walls. Furthermore it suggests that the warehouse will only require “trace heating” against frost. Given the architects’ experience in sustainable building it would be better to quantify this in kWh.

This is essential given the statement that Building Four is to set the standard for the other buildings on site. Although these are submitted in outline, no overall energy strategy has been discussed. This should be explored as a condition.

The proposal demonstrates an understanding of the energy requirements of low energy building by an experienced low carbon practice but a full energy strategy must be submitted and approved in writing as a condition for the detailed application.

Environment Agency comments are awaited, but they did not object to the previous application.

Wessex Water raise no objections but as the water and sewerage supplier note that they do not supply mains water to the site.

Council’s Drainage Engineer states that if the detailed design were to keep the foul and surface water discharges separate and attenuated on site before being released into the ground and the infiltration rate testing proves to be favourable and the attenuation storage be designed to hold everything over the Greenfield Discharge Rate and up to the 1:100 storm event plus a climate change allowance there would be no objections.

Cotswold District Council has no objections.

Gloucestershire County Council States that they acknowledge the Transport Assessment’s calculations that the proposal will lead to an increase in trip generation and the need for improvement works at the A429/A433 which can be conditioned in any approval as set out in Appendix15 of the Transport Assessment.(ATL – this would need to be by way of a legal agreement).

Kemble and Oaksey Parish Councils comments are awaited.

Crudwell Parish Council broadly support the proposal although refer to traffic slowing that can be gained via the new roundabout. There are concerns about the increase in HGVs using the site and the possibility of 24 hour usage.

Highways Agency’s comments are awaited, but they did not object to the previous application.

The Council’s Economic Development Team supports the application as it will allow businesses to expand on the site and attract new businesses creating new local jobs. The proposal meets with the requirements of Policy Bd5 of the North Wiltshire Local Plan 2011 in the re-use of existing buildings and the provision of new buildings which are well related to the site. Core Policy 35 of the Emerging Core Strategy says that it is important to retain existing employment uses to maintain the choice of sites for employers and allow business expansion.

8. Publicity

The application was advertised by site notice and neighbour consultation.

3 letters of objection have been received. Summary of key relevant points raised:

- Surface water flooding due to the increase in hard surfacing.
- The sewerage system is privately owned – is it capable of dealing with the increase?
- The bunds are insufficient to shield the residential properties.
- Landscaping will be important – see size of bunding
- In accurate ownership plans.
- Potential loss of boundary trees.
- The site is not sustainable.
- Increase in noise.
- Light intrusion into open countryside.
- Local Plan policies point employment towards major settlements.
- There are vacant buildings on site which should be used and no justification for them not being used has been put forward.
- The ecological report is superficial
- Lack of sustainable transport options to the site. The sustainability transport document suggests a Temporary shuttle bus service, but there is no mention of how staff will be compelled to use it, nor what will happen after the 3 years.
- Need to impose speed limit at roundabout.
- The line of conifers behind The Firs should remain.

Cotswold Airport has not commented on this application, but previously stated:

- *They received no direct contact about the proposal. They could have supplied a matrix of maximum build heights together with advice on materials, lighting etc.*
- *The airport's functions and associated development are in fact safeguarded by the relevant CDC development Plan policy.*
- *It is acknowledged that buildings exist, but safeguarding must consider long term strategic policies of the airport. The proposal has failed to take into account the operational requirements of the airport.*

They also share those objections stated above.

Cotswold Airport has also stated that they believe that the building does infringe the transitional slope of the runway and it would infringe even more if the ground level of the building is raised as shown. This could be detrimental to their business and affect their ability in the future to install and provide an instrument approach for aircraft. They are also concerned about wind curl on landing aircraft that may be produced from a building so close to the runway.

9. Planning Considerations

Principle of development & policy setting

Policy weighting

The National Planning policy Framework and the North Wiltshire Local Plan (NWLP) 2011 run in tandem with each other, where they are not in conflict. The NWLP is the adopted plan for the determination of this application.

The Wiltshire Core Strategy has now been through its Examination in Public and the Secretary of State's report is awaited. This is an advanced stage in its production 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

In planning policy terms, the application site is located in the open countryside although part of the site is an established employment site. The nearest settlement is Kemble, some 1.5 km to the north.

The proposal is for the following in hybrid form (i.e. partly full, partly in outline):

- 2 warehouse buildings with integrated office space, 1 in full and the other in outline totalling (Building 4 = 8460sqm B8 storage and 1, 395sqm B1 office space; Building 5 = 4650sqm of B8 and 700sqm of ancillary office space).
- 2 office buildings (1,395sqm and 2790sqm of B1 use).
- 1 gatehouse building (administrative space, security office and office use 1,600 sqm).
- A total of 25, 855 sqm

The application is accompanied by a Planning Statement, which states that a high standard of sustainable construction is proposed to reduce energy input and that the proposal will promote the development of renewable forms of energy on site. A number of options are being explored.

The key policy criteria are set out in the Planning Policy Section above.

The proposal represents a substantial increase in floorspace at Kemble Business Park, with the potential to create 250-300 jobs in realistic terms (although there is potential for up to 809). The proposed development will provide new premises to meet the needs of existing businesses on the site, as well as providing for new businesses to locate on the site. The site, which is a former MoD site lies in open countryside, some distance from any centres of population, with very poor public transport links, where the development of new floorspace is generally considered unsustainable in principle.

The planning policy context is set out below:

- The site lies within open countryside where policy BD5 of the NWLP 2011 state that development proposals for business development will be permitted where they..... "iii) Involve the limited expansion or replacement of an existing premises, where the development would be more acceptable and sustainable than might be achieved through conversion...". The development is for 25, 855sqm additional floorspace, which cannot be considered to be limited.
- Policy NE15 of NWLP 2011 relates to the landscape character of the area and will only allow development which does "not adversely affect the character of the area and

features which contribute to the local distinctiveness. i) The setting and relationship between ...buildings and the landscape; iv) the topography of the area avoiding sensitive skylines, hills and not detracting from important views” The application site is prominent from several locations but very visible as rising ground driving from south to north on the A433. The landscape is currently open with hangars visible but their very form makes them easily absorbed into the landscape and skyline.

- Policy NE20 of NWLP 2011 relates to the re-use of military establishments in the countryside and permits the change of use or conversion of buildings to B1 and B8 uses where i) the proposal involves removal of unsightly buildings; ii) The proposal is in a form, bulk and general design in keeping with the local area. Proposals for the development of the open areas will not be permitted.
- Policy HE4 states that development affecting a listed building will only be permitted where it preserves or enhances the building, its setting and any features of special architectural or historic interest that it possesses. The section below will substantiate this reason.
- Wiltshire Core Strategy Core Policy 37 states that redevelopment, conversion or change of use of redundant MoD sites and buildings will be supported provided that they are well related to an existing settlement in terms of both location and scale. Sites that are remote from settlements should only be considered where the existing buildings and infrastructure on site are suitable for redevelopment, conversion or change of use. The focus will be on employment led development and other uses should be determined through a master planning approach.
- Wiltshire Core Strategy Core Policy 51 deals with landscape and requires that development will not have an adverse effect on the landscape character, while any negative effects must be mitigated through sensitive design and landscape measures. Proposals should be informed and sympathetic to the distinctive character areas identified in the relevant Landscape Character Assessments and any other relevant assessments and studies. The Council’s Landscape Officer has commented on the impact of the development on the ‘special’ character of the area and how it would alter the open character causing the built form to coalesce.
- Wiltshire Core Strategy Core Policy 58 encapsulates how development should protect, conserve and where possible enhance the historic environment. This is dealt with in the section below.
- Wiltshire Core Strategy Core Policies 60 and 61 considers sustainable transport and the Council’s promotion of it by promoting alternatives to the private car. The proposal does not achieve this aim in that it promotes use of the private car as little public transport or alternatives are available and those suggested by the applicants are weak and may have limited longevity.
- Policy T1 of NWLP 2011 is relevant as it looks to minimise the need to travel and promote developments which are sustainable in their location and choice of travel modes.
- Policy T2 of NWLP 2011 refers to travel assessments and travel plans to identify the impact of development and travel plans to set out sustainable forms of travel to and from the development.

Effect on listed buildings on site and the Heritage Asset and general character of the area

The site was formerly open fields with a few farms until the 1930s when it was developed as an airfield. There are low lodge buildings with a main gate off the A429, a drive leading into the site with a listed water tower at the head of it. Mature trees line the entrance drive and the buildings are set well back from the hard surfaced area, giving visual width to the route. The hangar buildings are grouped by type, in twos and threes on the site, with careful spacing between the grouped buildings.

Specific comments in relation to each of the proposed buildings follow:

Building 1 –

The existing entrance buildings are single storey brick with a clay tile roof and very little glazing. They very much set the scene for the buildings behind, but remain unobtrusive. The proposal is for a very much larger building, set forward of the existing building line (towards the A429) and although only in outline, the indicative drawings show an improved design, which better reflects the military setting. There is still concern that the building projects forward to the roundabout and will be highly visible to road users, particularly those travelling south.

Buildings 2&3 –

These buildings have been moved from their original position on the open ground to the north of the site. Their revised location is, for building 2 on land in the place of existing buildings to be demolished to the south of the existing business park. Building 3 is on open land to the south west of the existing group of buildings forming the business park.

Both buildings are in outline, but indicative drawings have been submitted indicating 2 and 3 storey buildings of modern design. The illustrative master plan indicates earth bunding to the south of the buildings but no details of levels have been submitted. No visuals to allow the authority assess the impact of significant buildings in the existing roofscape have been submitted so that it cannot be assessed as to how such buildings will relate in scale to the listed hangars and water tower and the general character of the existing building.

Building 4 is the aspect of the built form which is in full and as such details of the building have been provided. The building will measure 113m x 75m with a 100m x 10m office addition to the north. The building is to have an eaves height of 11.2m to eaves and a curved roof with a maximum height of 12.6m. The existing parabolic hangars rise to a maximum of 12m. The building has skylights to give 15% coverage, maximising daylight levels.

The south elevation is used for access and includes 18 sectional-overhead doors for loading, 6 of which are accessed via excavated ramps. The loading area is covered by a canopy stretching the full length of the building.

The lower levels are masonry blockwork with a continuous line of glazing above which will help reduce the need for artificial lighting. The offices are clad principally in timber and the sides in a composite system.

The roof rises in an arch and falls to meet grass bunds at either end. The opportunity to incorporate a grass roof is exploited by carrying the rise of the bunds over the line of the office roof. Plant is located beneath the roof within a louvred enclosure.

The submitted plans do not show the building in the context of the listed hangars which are 60m to the south west and 90 m to the west. However, the plans do show that the hangars measure 86m x 52m. Their overall height is relatively similar, but due to the overall scale and architectural style of the building, its impact is considered to be unacceptable.

The impact of building 4 in the open landscape will be huge. Whilst some bunding is proposed, this is arguably introduces an alien feature into what is an open and gently sloping site. In any event, bunding cannot possibly fully integrate this vast building into the open landscape.

The building shows a canopy to the southern elevation at a height of 6.2m and a depth of nearly 6m. This will be a significant structure of a highly visible nature on the southern elevation which is the most publicly visible.

The proposed building, so close to the grade II listed buildings, will significantly and adversely affect their setting, so that they are dwarfed by a modern building which bears little resemblance to their architectural style. There are large and raised glazing areas which will illuminate the building when viewed from vantage points in the wider countryside. The southern loading bay will need to be light during the winter months, which will add to the overall impact of the building. The existing hangars have little external lighting and certainly not of the scale now proposed.

Building 5A and 5B have been reduced so that now only one of the buildings is proposed. The design shown in the indicative plans (they are in outline) relates better to the grade II listed hangars to the south and south west, but it will “clutter” the open setting of these hangars to the detriment of their setting, destroying the twinning pattern of the hangars that was so important in the war years.

The building would be on an open area of land and therefore directly in conflict with policies C3, NE15 and NE20 of NWLP 2011 and Wiltshire Core Strategy Policies 37 and 41.

Access

Wiltshire Highways Engineer is happy with the proposed junction alterations and the introduction of a roundabout subject to some modifications. He is satisfied that the local road network can accommodate any additional traffic.

Gloucestershire Highways are happy with the proposal subject to some improvements to the A429/A433 junction. (S106)

Design, appearance and layout

Throughout the pre- application and application discussions the agents/applicants have constantly been asked to ensure that the buildings they propose relate in scale and form to the buildings which exist on site.

The only building for which full permission is sought is building 4 to the north of the site. This building is designed as a rectangular building with an overall height of 12.6m (a reduction of 1.4m) and a length of 113m and depth of 75m, with a further projection on the northern side of 100mx10 and a projecting canopy on the south side of 6m at a height of 6m. The south elevation has the 16 loading bays which will be lit and will be highly visible in this open landscape from several public vantage points but most notably the A429 and the land which links the A429 to the lane immediately to the south.

The current grade II listed hangars are much smaller in scale and have curved bitumen roofs which have a dark matt surface, which helps absorb any impact they may have, into the landscape. The agents have supplied some comparison elevations to try to give comfort about the impact of the building in the landscape, especially when compared to the nearby listed buildings. Whilst the reduction in height of the proposed building 4 is welcomed, it is still a vast building set amongst other smaller more functionally architectural and with its requirement for external lighting (and glazing to allow natural daylight, is still considered to be a gross intrusion into the open countryside and on which there is no policy support.

Other matters

The airport has previously objected to this building (and potentially the others) because of its size and form. Whilst Safeguarding is not a planning reason for refusal, the practicality of building structure 4 is cast into doubt because of it.

10. Conclusion

Throughout the process the agents have been advised that there is a policy presumption against the proposal because of adopted and emerging planning policies and its highly unsustainable location, as well as the scale of the proposed development. Despite the restrictive planning policies at both national and local level, it is recognised that the site is an established employment use and the proposal would have positive economic benefits in terms of job creation. As such, some additional development at the site might be acceptable to help safeguard existing businesses on site. However, due to the rural location of the site there is a limit to what could be considered to be a reasonable level of increased floorspace. Furthermore, a robust Travel Plan supporting access by sustainable forms of travel would be important to encourage and support access by modes other than the private car.

While it is acknowledged that the re use of this former MoD site for employment uses has helped safeguard and protect historic buildings on the site, the application does not offer any additional benefits that would help secure their survival in the longer term that may help offset the harm to listed buildings. In fact their long term future may well be compromised by this application as they may well be left to deteriorate without targeted maintenance investment. That said, without further investment it could be argued that only the current amount of investment will prevail. What is tangible is the effect that the buildings will have upon the listed buildings, which as per the arguments set out above, is not considered to be acceptable.

The applicant has been advised that the sustainability credentials must be so exemplary that an argument can be made to outweigh other concerns. Officers do not consider that this is the case with this application. The proposal does have positive and enhanced sustainability credentials, but these are not of a magnitude to outweigh other concerns. The

prospect of securing approx 300 jobs is to be welcomed, although no end users have been identified. Notwithstanding this, the prospect of such jobs cannot be considered to outweigh the issues set out above.

In addition to this, although only building 4 is in detail, the sketches that have been submitted for info of the other buildings do not relate in architectural style to those on the site and are of significant scale, which even in principle, are not considered to be appropriate.

Building 4 is of significant scale and it has not been sufficiently demonstrated that it will not overshadow and dominate the existing listed hangars on site.

11. Recommendation

The recommendation is for REFUSAL for the following reasons:-

- 1) The proposal is located within open countryside and on a Greenfield site within a former MoD site. The proposals are not considered to be limited expansion or redevelopment of an existing premises; are not well related to any existing settlements and are considered to be remote, involving development of an open area. The proposals are thus considered to conflict with policies BD5 and NE20 of the North Wiltshire Local Plan 2011 and Wiltshire Core Strategy Policy 37.
- 2) The proposals lack sufficient detail to ensure that they preserve or enhance the setting of the Grade II listed hangars on site and are thus contrary to Policy HE4 of the North Wiltshire Local Plan 2011, Wiltshire Core Strategy Policy 58, section 12 of the National Planning Policy Framework 2012 and the guidance given in S.16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 3) The proposals are set within an open landscape and of a scale, massing and design that is considered to have a detrimental impact on the "special" character of the area and its openness, causing the built form to coalesce, contrary to policy NE15 of the North Wiltshire Plan 2011, Wiltshire Core Strategy Policy 51 and Section 11 of the National Planning Policy Framework 2012 on conserving and enhancing the natural environment.
- 4) The proposal is sited within a remote location with poor public transport facilities and the sustainability proposals put forward by the applicants are considered to be insufficient to outweigh the harm caused and thus the development is considered to be contrary to Policies T1 and T2 of the North Wiltshire Local Plan 2011 together with Wiltshire Core Strategy Policies 60 and 61 and advice within the National Planning Policy Framework 2012 about delivering sustainable development.

Site Boundary

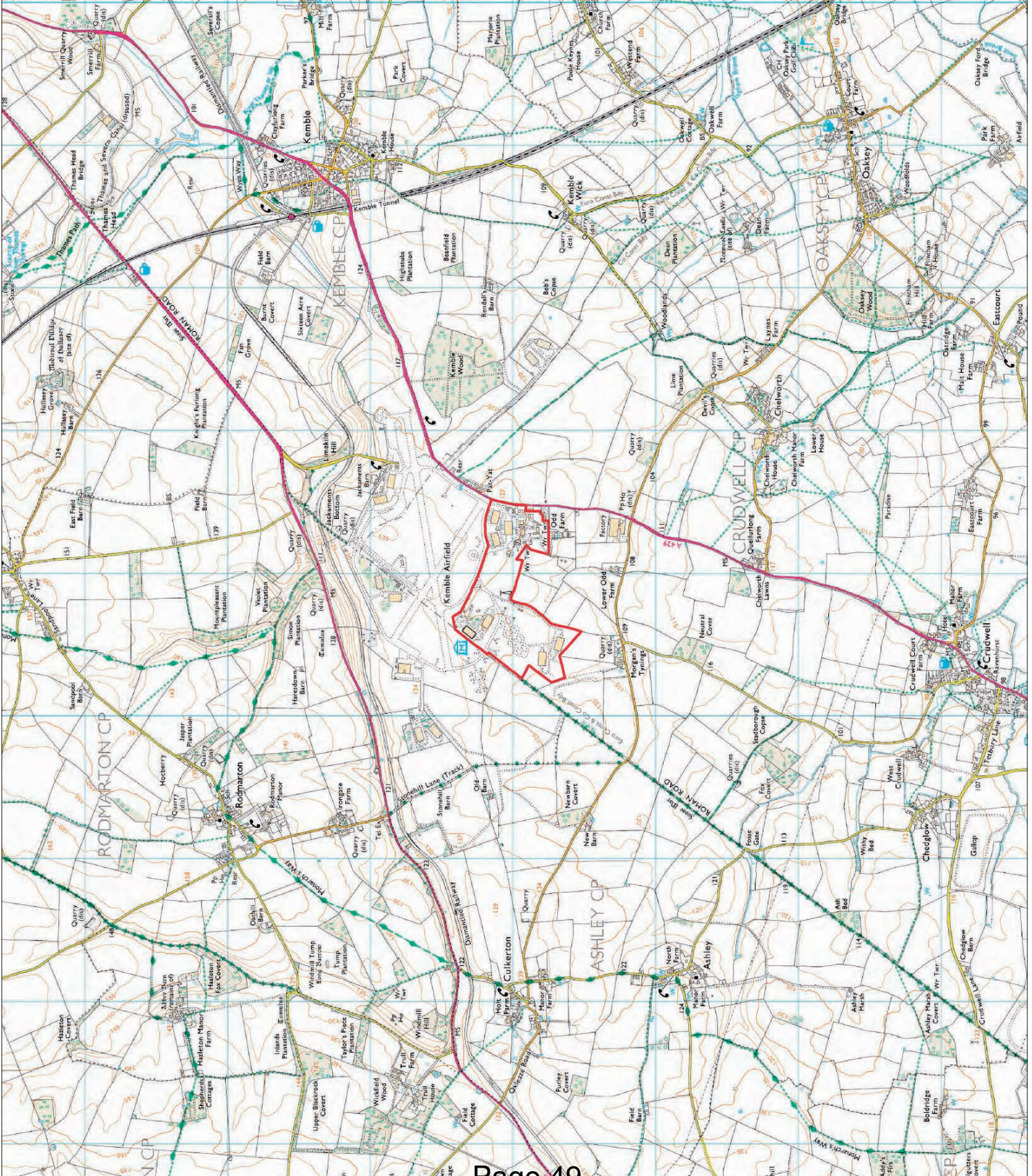


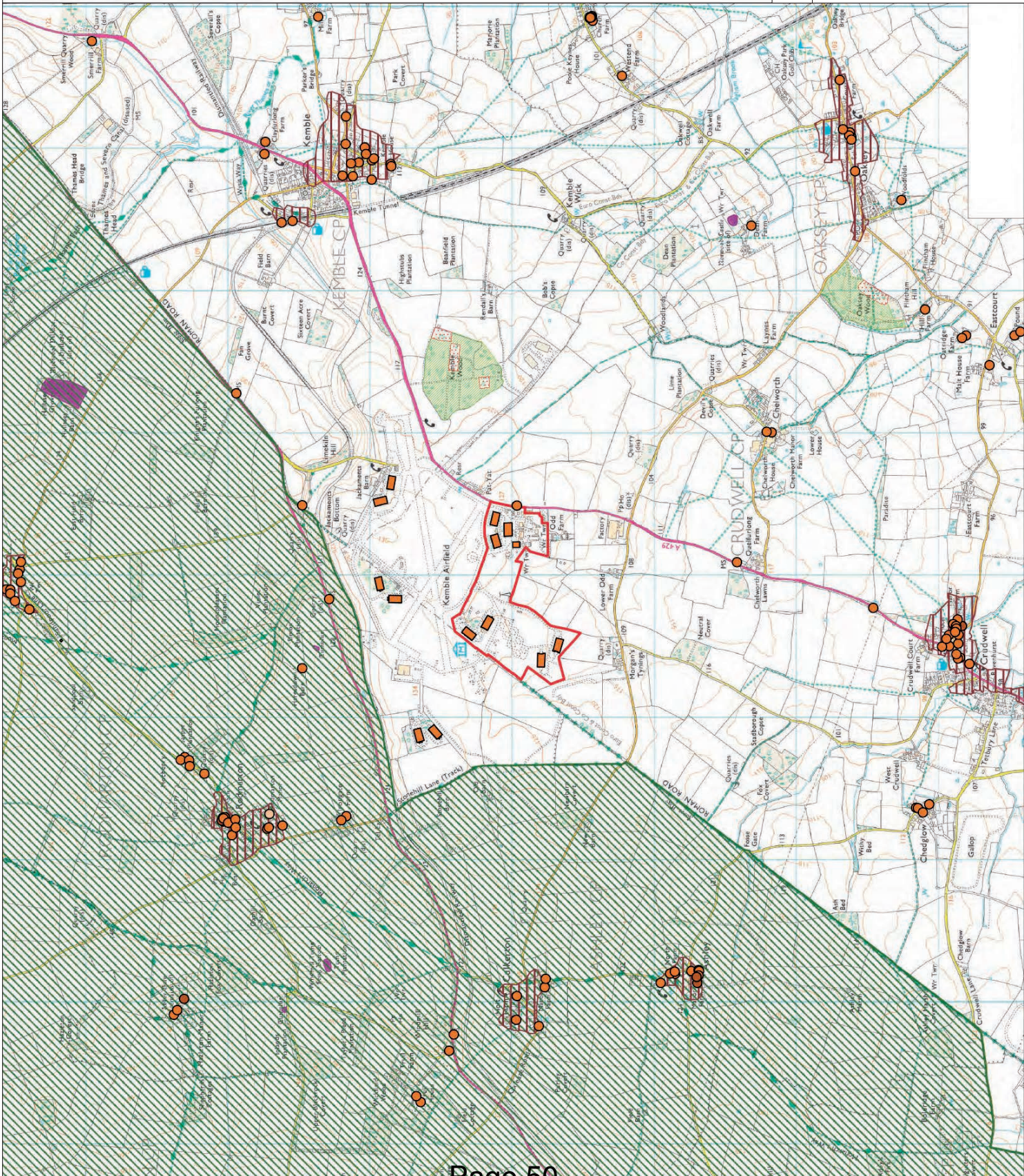
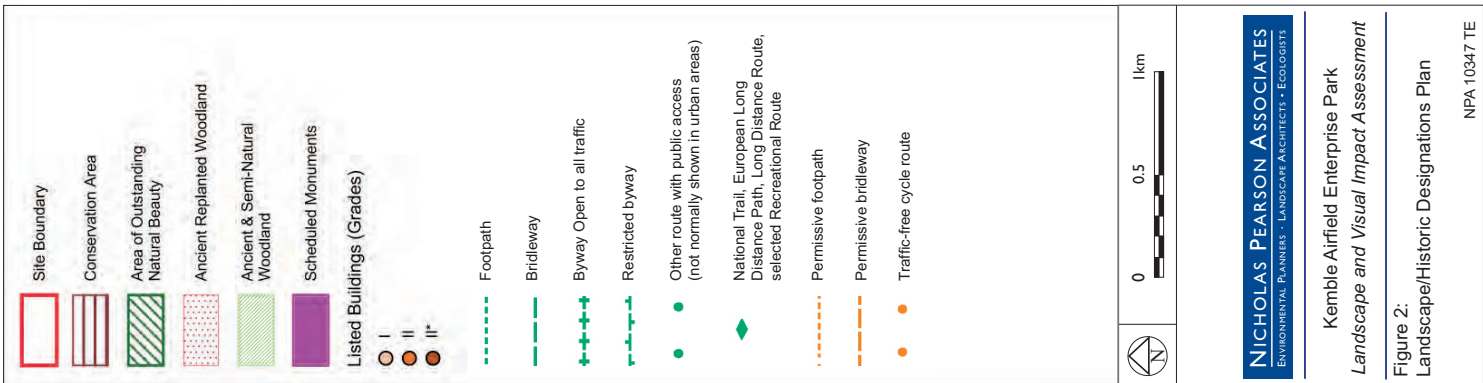
NICHOLAS PEARSON ASSOCIATES
ENVIRONMENTAL PLANNERS · LANDSCAPE ARCHITECTS · ECOLOGISTS

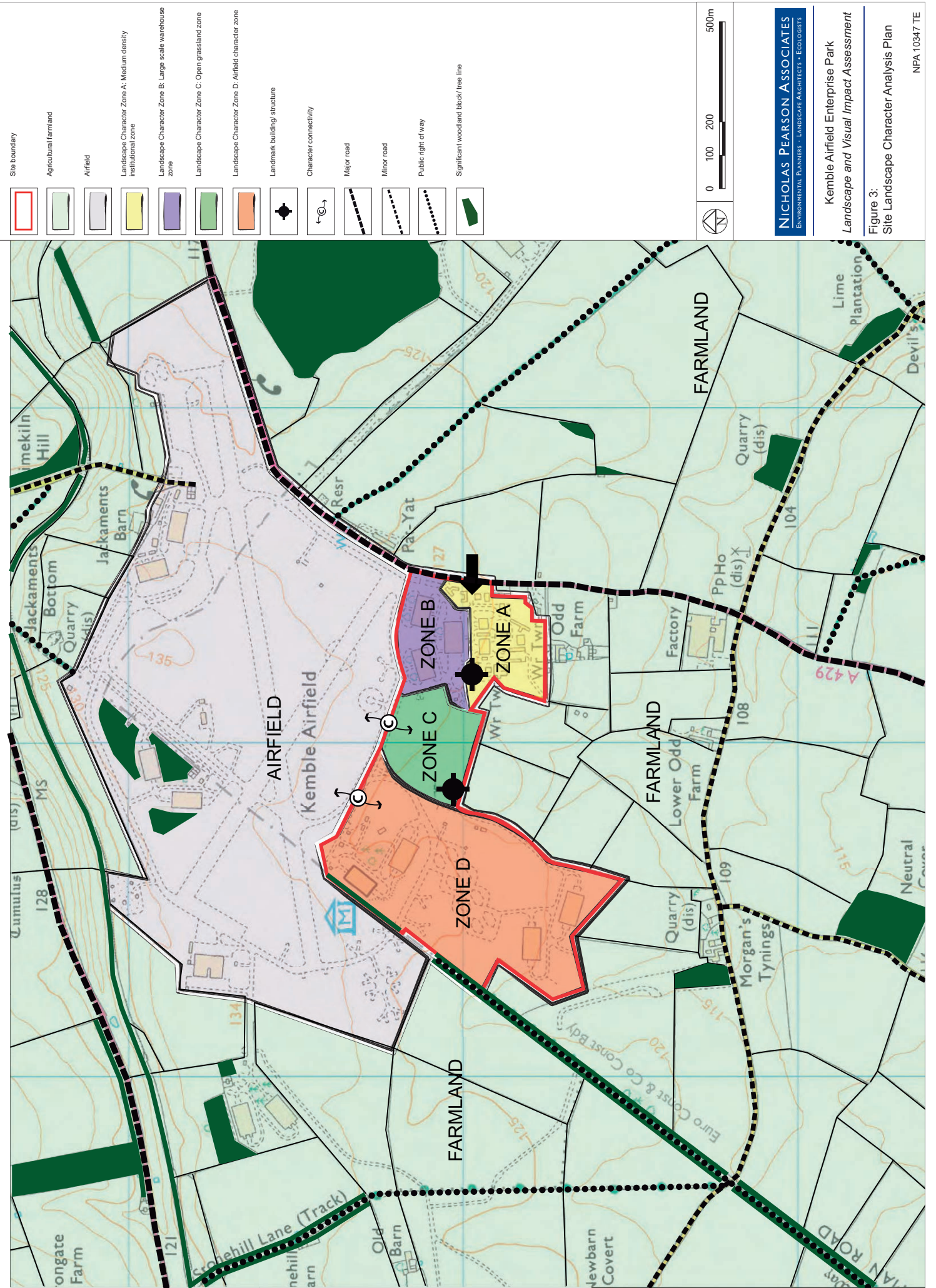
Kemble Airfield Enterprise Park
Landscape and Visual Impact Assessment

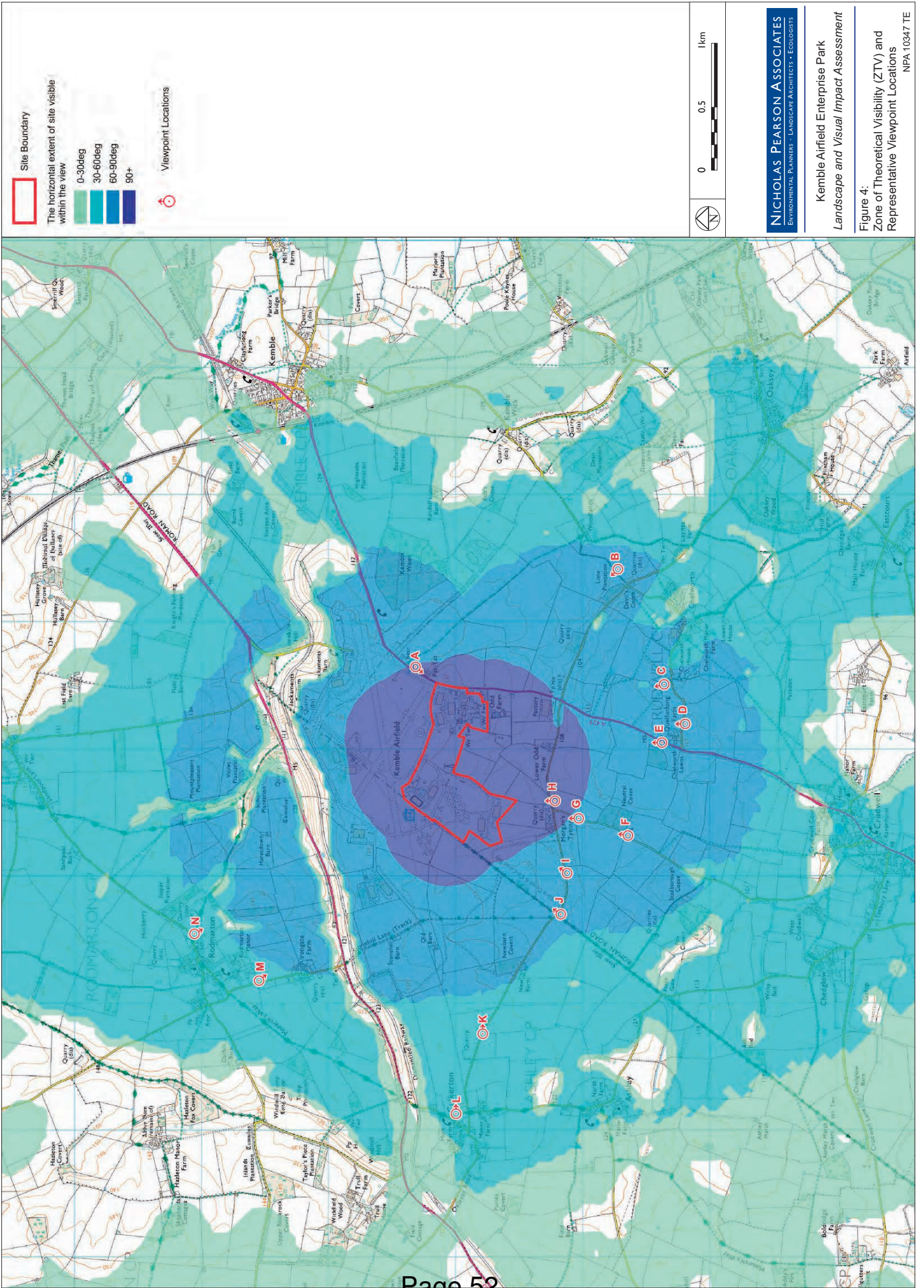
Figure 1:
Site Location Plan

NPA 10347 TE









Site Boundary

The horizontal extent of site visible within the view

- 0-30deg
- 30-60deg
- 60-90deg
- 90+

Viewpoint Locations



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Kemble Airfield Enterprise Park
Landscape and Visual Impact Assessment

Figure 4:
Zone of Theoretical Visibility (ZTV) and
Representative Viewpoint Locations
NPA 10347 TE

Site boundary

Prominent view

Visual barrier

10m contour

Visual landmark

Main road

Minor road

Public right of way

Significant woodland block/ tree line

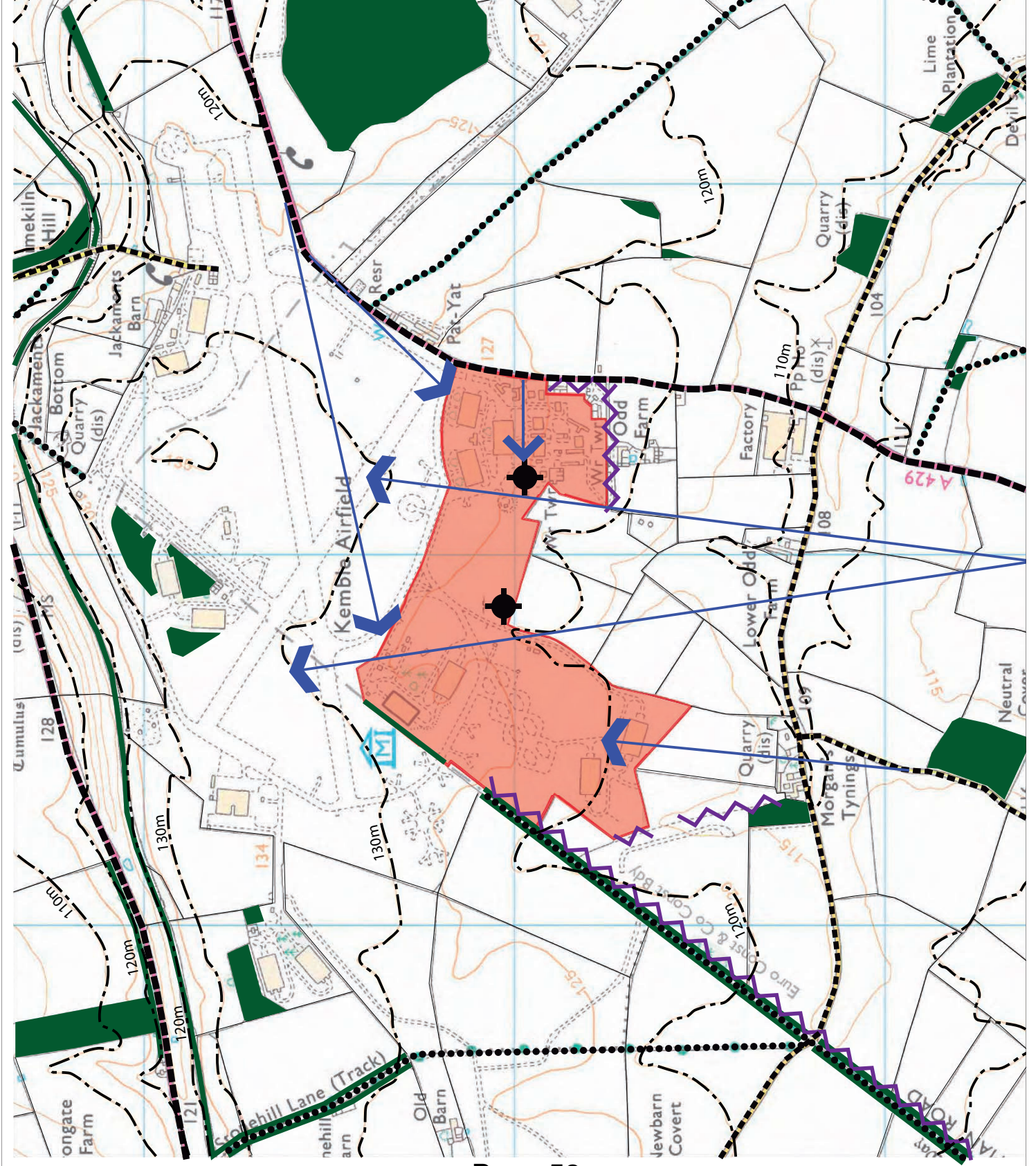
0 100 200 500m

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Kemble Airfield Enterprise Park
Landscape and Visual Impact Assessment

Figure 5:
Site Visual Amenity Analysis Plan

NPA 10347 TE



Approximate Extent of Site



Representative Viewpoint A: View south-west from A429

Importance of View: Moderate

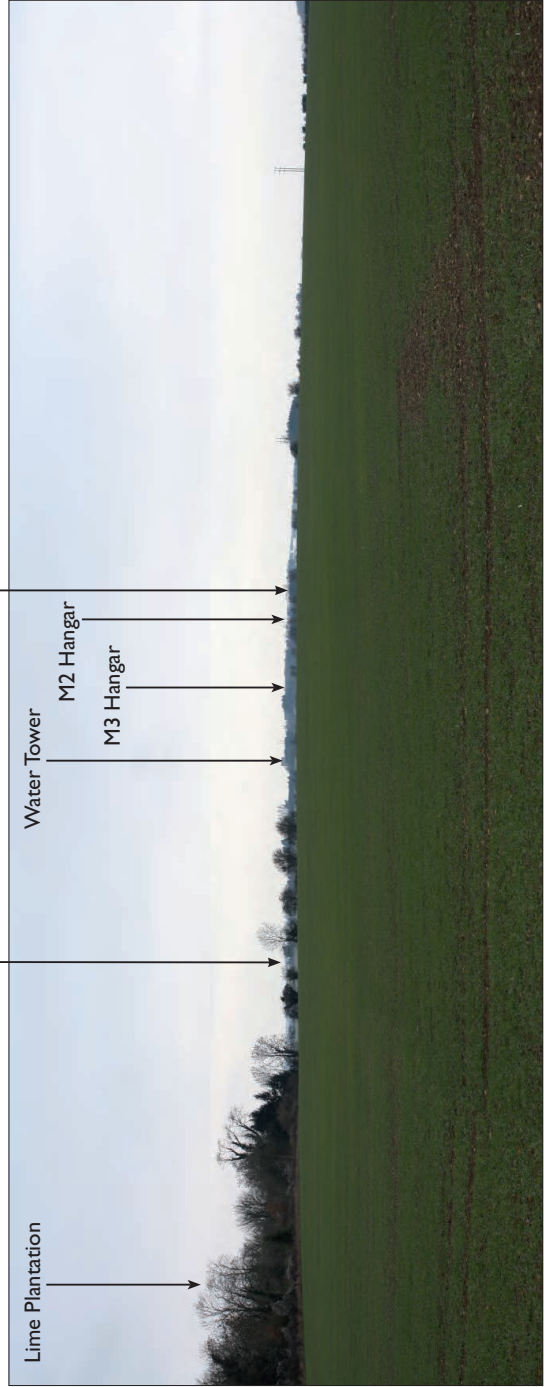
Sensitivity to Change: Moderate

"Year 1 Winter" = Minor Adverse

"Year 15 Winter" = Neutral (Elements of Minor Beneficial and Minor Adverse)

Visual Impact Significance:

Approximate Extent of Site



Representative Viewpoint B: View north-west from public right of way

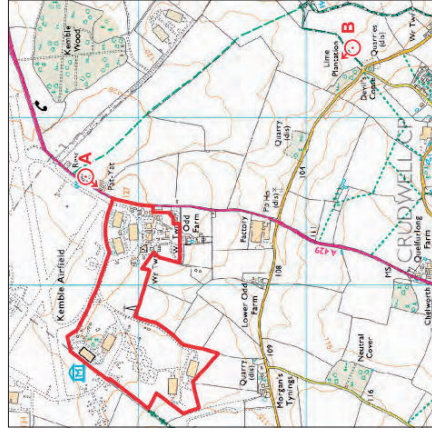
Importance of View: High

Sensitivity to Change: Moderate

"Year 1 Winter" = Minor Adverse

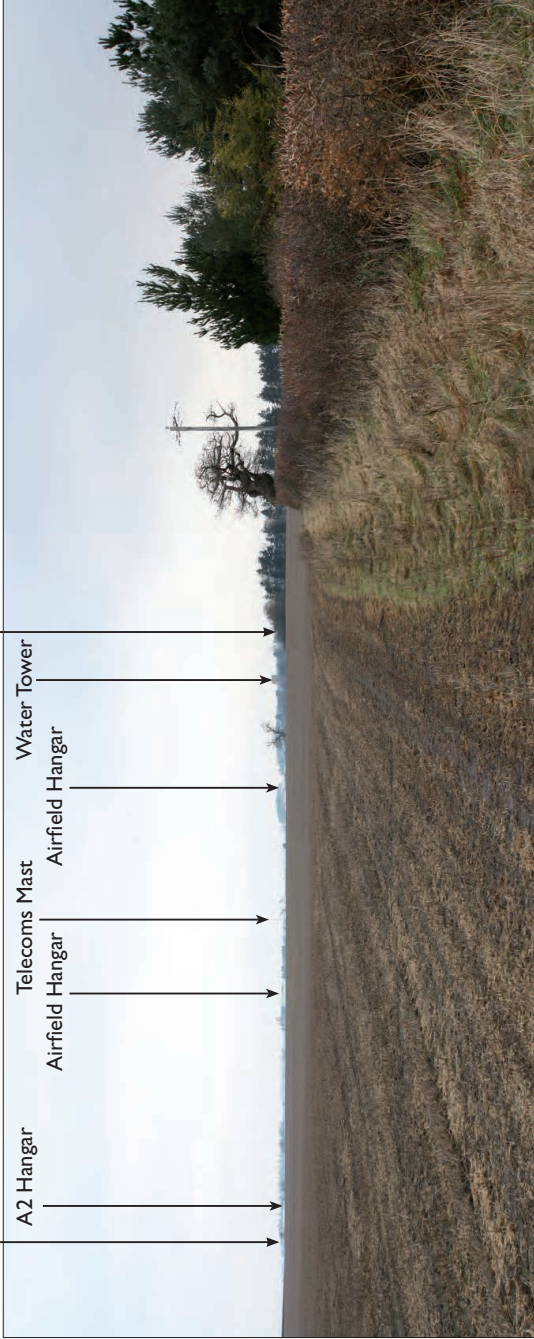
"Year 15 Winter" = Neutral

Visual Impact Significance:



Representative Viewpoint Location Plan

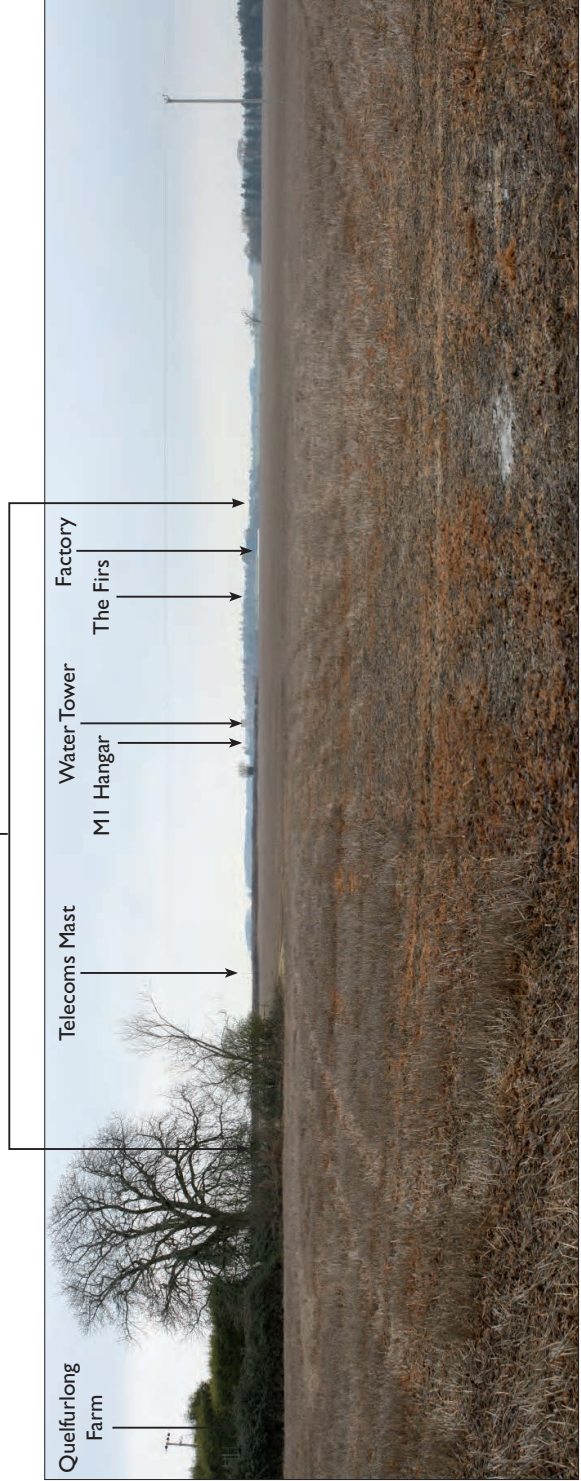
Approximate Extent of Site



Representative Viewpoint C: north north-west from public right of way

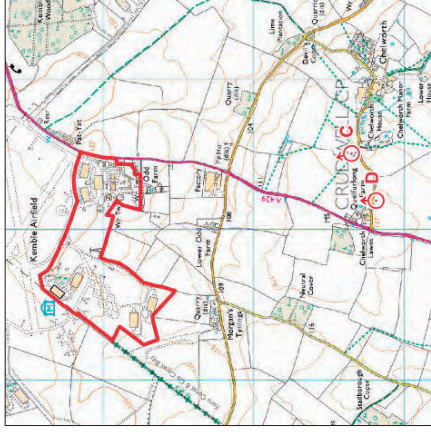
Importance of View: *High*
 Sensitivity to Change: *Moderate*
 Visual Impact Significance: "Year 1 Winter" = *Minor-Adverse*
 "Year 15 Winter" = *Neutral*

Approximate Extent of Site

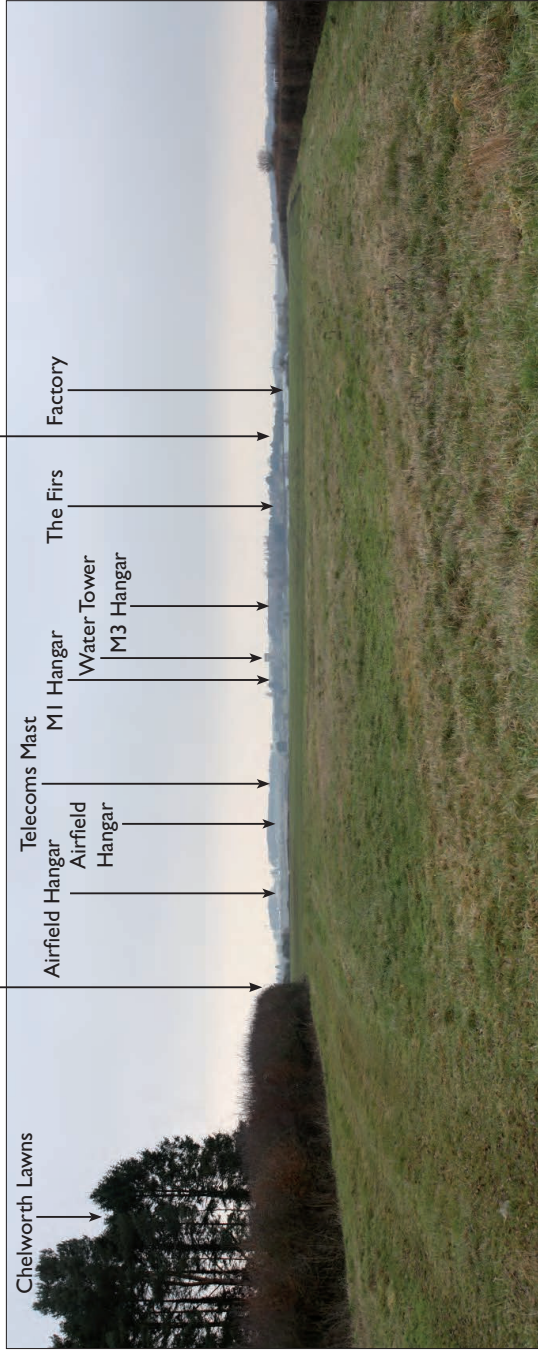


Representative Viewpoint D: View north from minor road

Importance of View: *High*
 Sensitivity to Change: *Moderate*
 Visual Impact Significance: "Year 1 Winter" = *Minor-Adverse*
 "Year 15 Winter" = *Neutral*

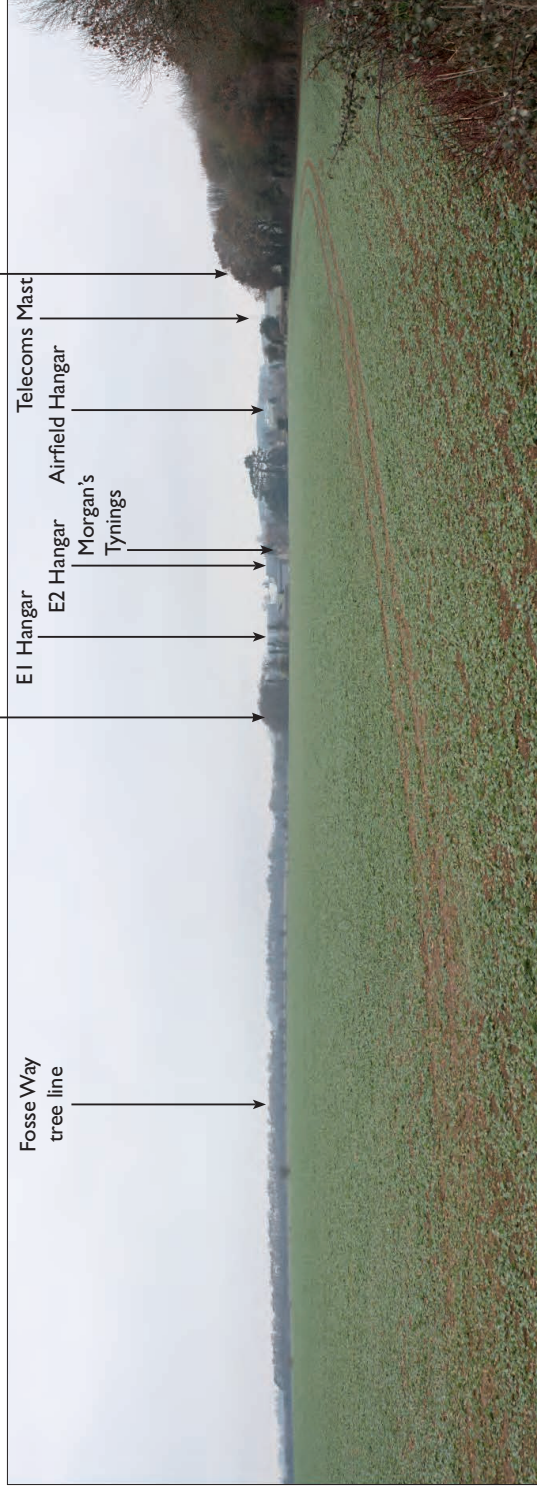


Representative Viewpoint Location Plan



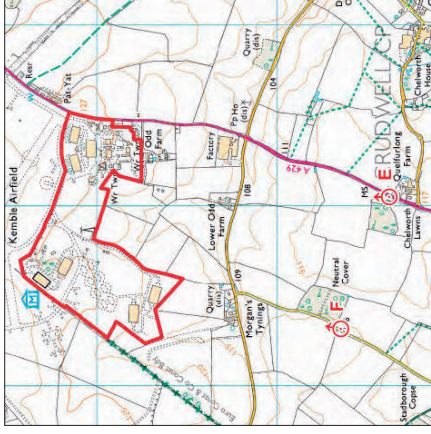
Representative Viewpoint E: View north from A429

Importance of View: Moderate
 Sensitivity to Change: Moderate
 Visual Impact Significance: "Year 1 Winter" = Minor Adverse
 "Year 15 Winter" = Minor Adverse



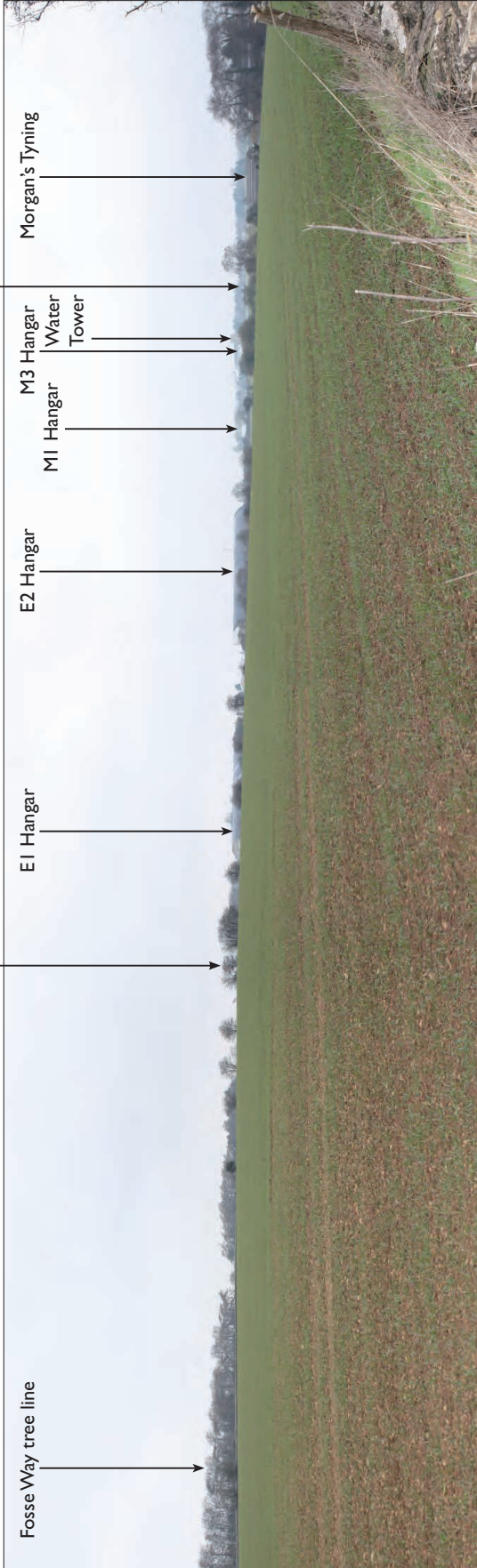
Representative Viewpoint F: View north-east from minor road

Importance of View: Moderate
 Sensitivity to Change: Moderate
 Visual Impact Significance: "Year 1 Winter" = Neutral
 "Year 15 Winter" = Neutral



Representative Viewpoint Location Plan

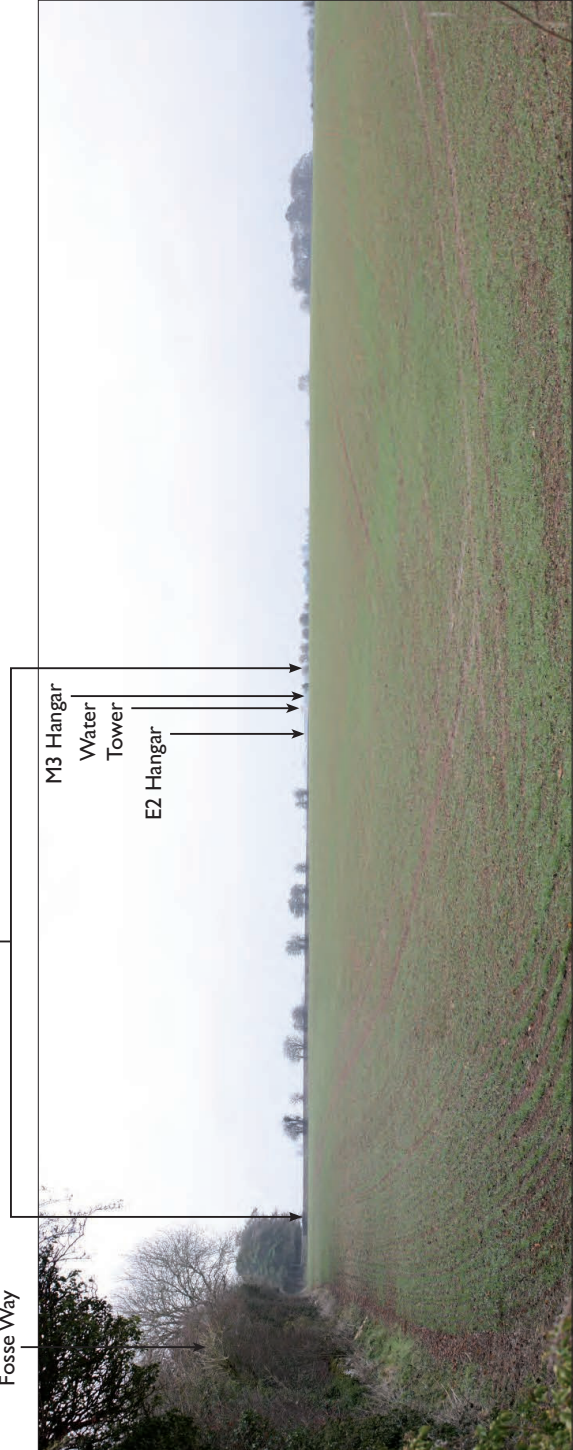
Approximate Extent of Site



Representative Viewpoint I: View north-east from Oxleaze Road

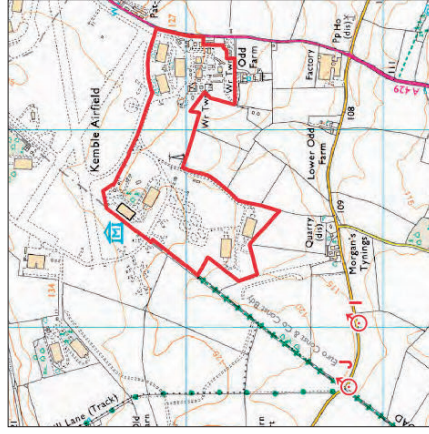
Importance of View: Moderate
 Sensitivity to Change: Moderate
 Visual Impact Significance: "Year 1 Winter" = Minor Adverse
 "Year 15 Winter" = Minor Adverse

Approximate Extent of Site Visible

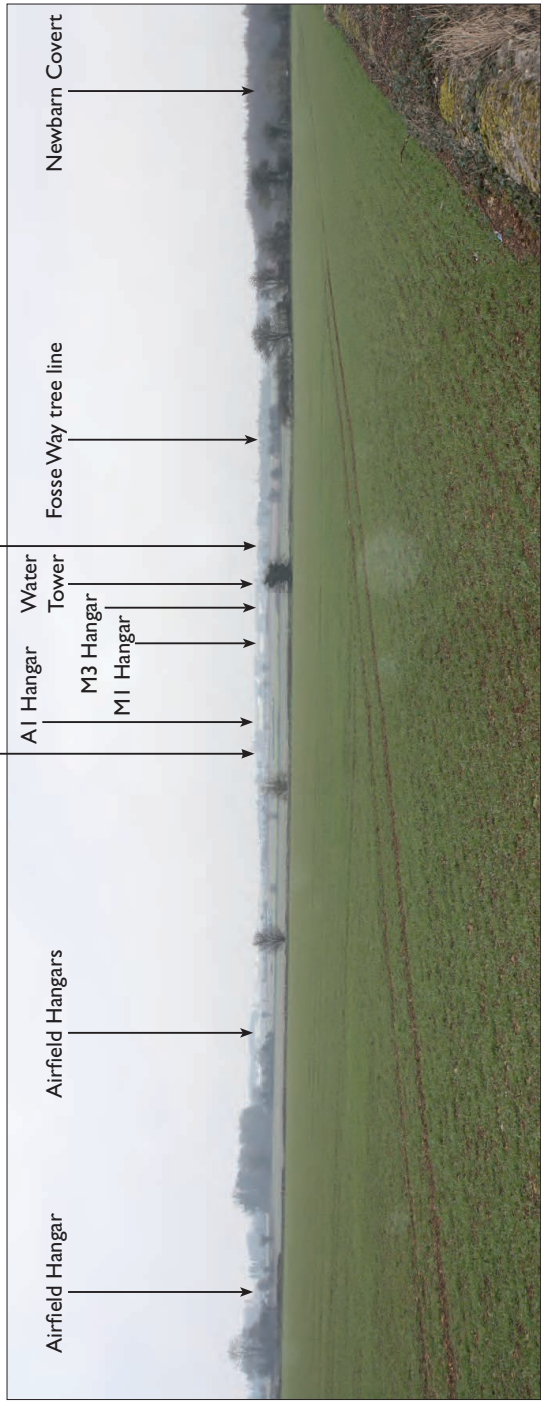


Representative Viewpoint J: View north-east from Oxleaze Road/ Fosse Way

Importance of View: Moderate
 Sensitivity to Change: Moderate
 Visual Impact Significance: "Year 1 Winter" = Neutral Impact/No Change
 "Year 15 Winter" = Neutral Impact/No Change

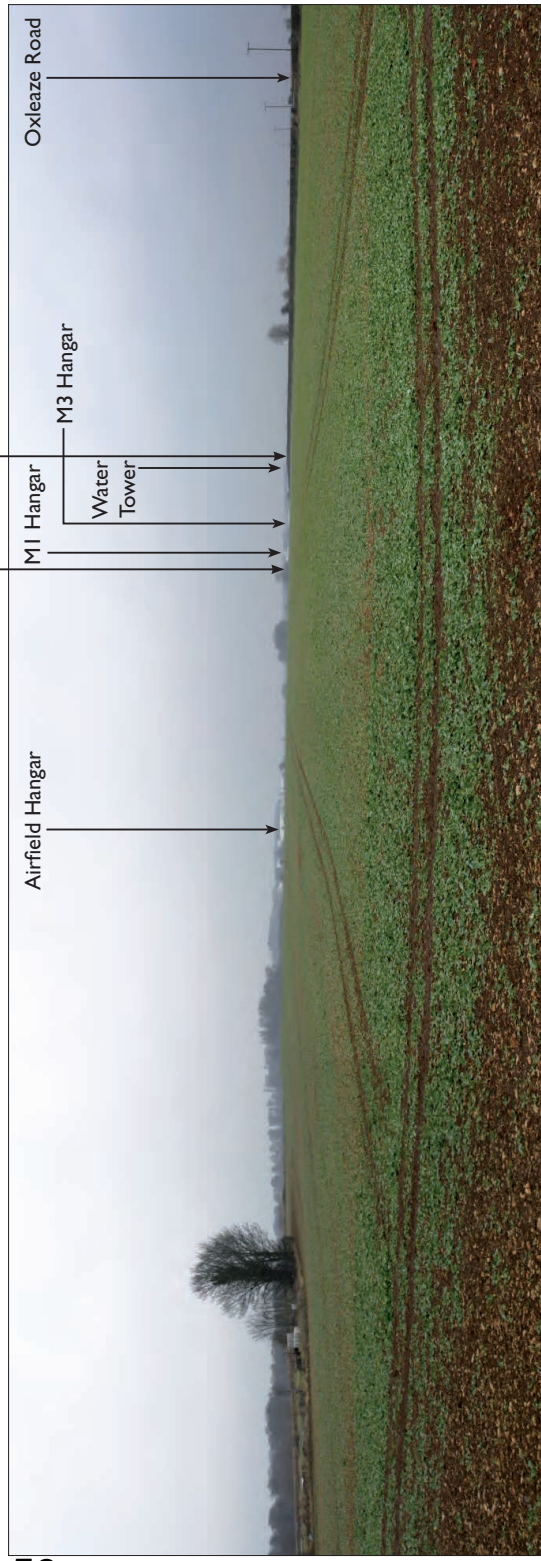


Representative Viewpoint Location Plan



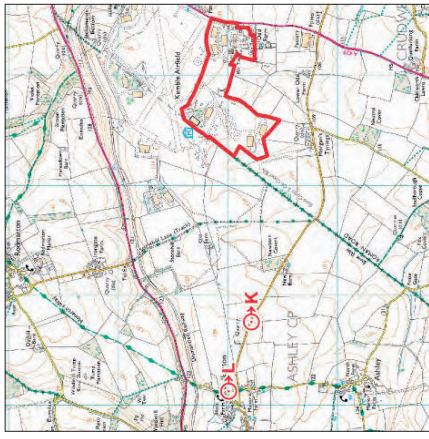
Representative Viewpoint K: View east from Oxleaze Road within AONB

Importance of View: High
 Sensitivity to Change: Moderate
 Visual Impact Significance: "Year 1 Winter" = Minor Adverse
 "Year 15 Winter" = Minor Adverse



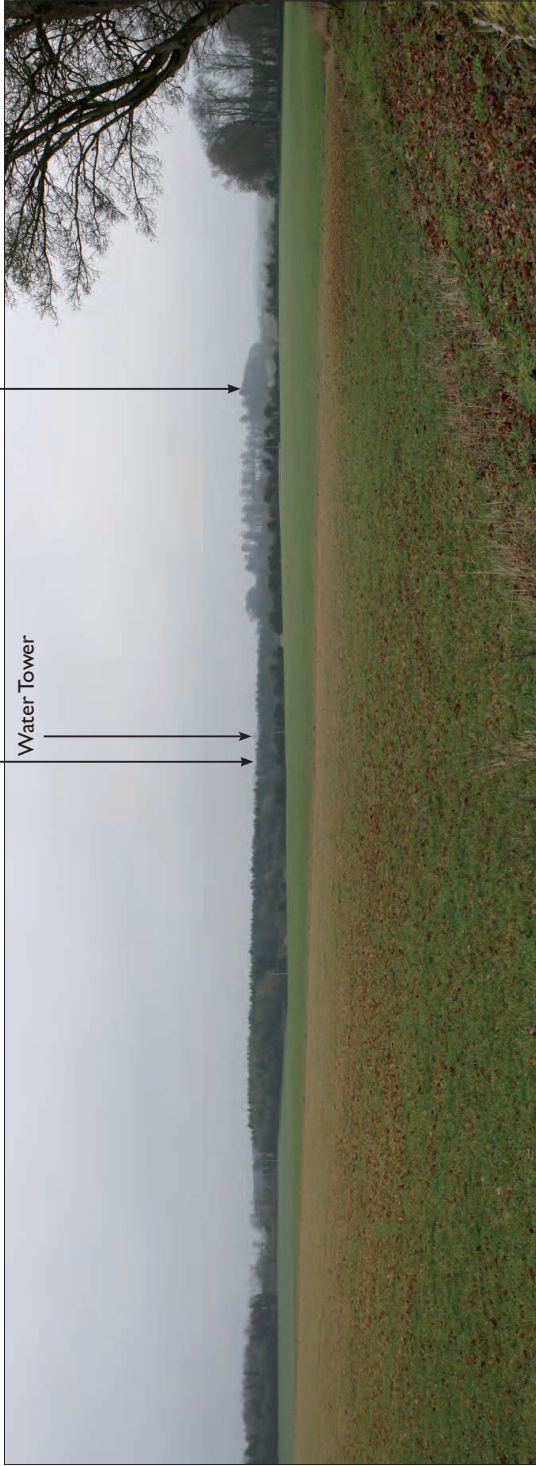
Representative Viewpoint L: View east from Monarch's Way/ minor road at Culkerton within AONB

Importance of View: High
 Sensitivity to Change: Moderate
 Visual Impact Significance: "Year 1 Winter" = Neutral Impact/No Change
 "Year 15 Winter" = Neutral Impact/No Change



Representative Viewpoint Location Plan

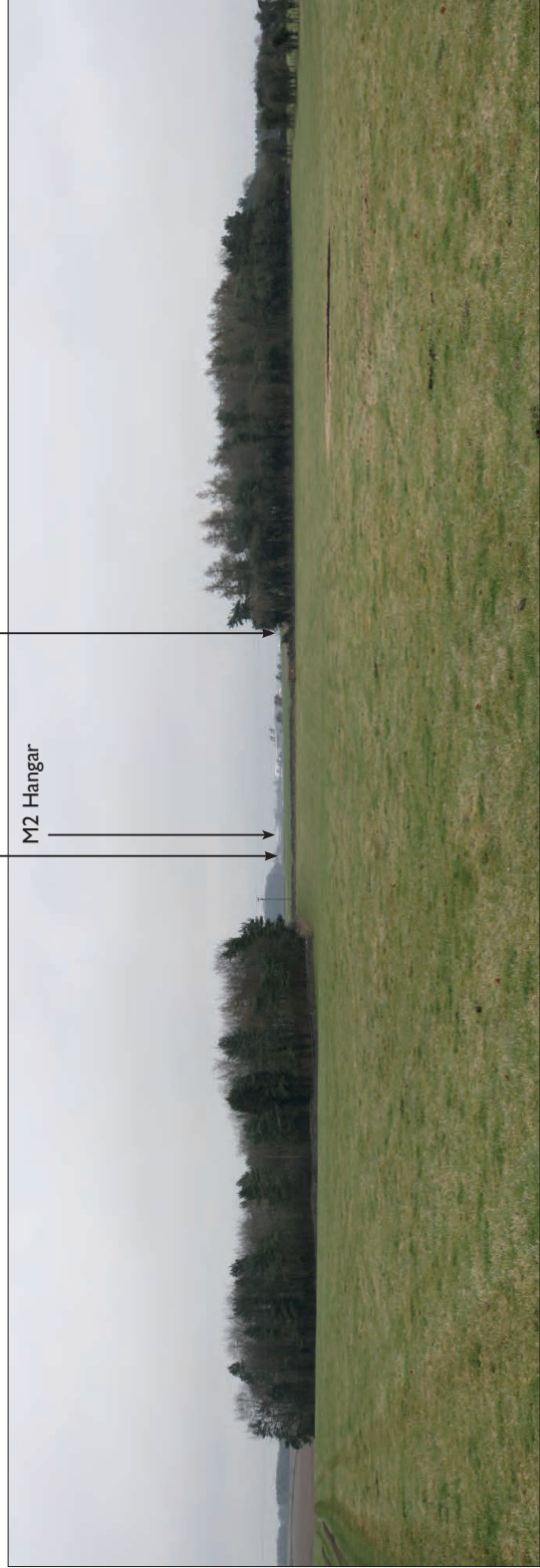
Approximate Extent of Site



Representative Viewpoint M: View south east from Stonehill Lane near Rodmarton Manor within AONB

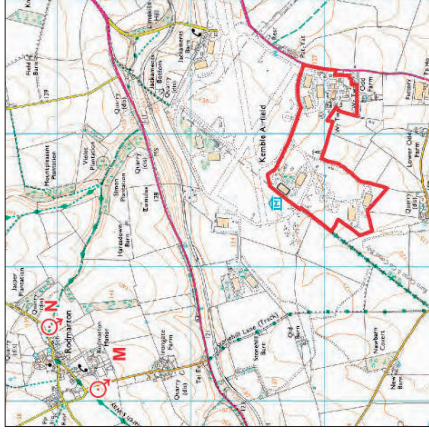
Importance of View: High
 Sensitivity to Change: Negligible
 Visual Impact Significance: "Year 1 Winter" = Neutral Impact/No Change
 "Year 15 Winter" = Neutral Impact/No Change

Approximate Extent of Site



Representative Viewpoint N: View south east from Monarch's Way national trail within AONB

Importance of View: High
 Sensitivity to Change: Negligible
 Visual Impact Significance: "Year 1 Winter" = Neutral Impact/No Change
 "Year 15 Winter" = Neutral Impact/No Change



Representative Viewpoint Location Plan