

AGENDA

Meeting: Northern Area Planning Committee
Place: Council Chamber - Council Offices, Monkton Park, Chippenham,
SN15 1ER
Date: Wednesday 11 September 2013
Time: 6.00 pm

Please direct any enquiries on this Agenda to Kirsty Butcher, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713948 or email kirsty.butcher@wiltshire.gov.uk

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Membership:

Cllr Christine Crisp	Cllr Mark Packard
Cllr Bill Douglas	Cllr Sheila Parker
Cllr Mollie Groom	Cllr Toby Sturgis
Cllr Chris Hurst	Cllr Anthony Trotman (Chairman)
Cllr Peter Hutton (Vice-Chair)	Cllr Philip Whalley
Cllr Howard Marshall	

Substitutes:

Cllr Desna Allen	Cllr Howard Greenman
Cllr Glenis Ansell	Cllr Simon Killane
Cllr Chuck Berry	Cllr Jacqui Lay
Cllr Mary Champion	Cllr Nick Watts

AGENDA

Part I

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

1 **Apologies**

To receive any apologies for absence.

2 **Minutes of the previous Meeting** (*Pages 1 - 18*)

To approve and sign as a correct record the minutes of the meeting held on **21 August 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 Chairman.

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 5.50pm on the day of the meeting**.

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

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this **agenda no later than 5pm on Wednesday 4 September 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 Appeals** (*Pages 19 - 20*)

An appeals update report is attached for information.

7 **Planning Applications** (*Pages 21 - 22*)

To consider and determine planning applications in the attached schedule.

7a **13/01495/FUL - Land East & West of Hill Hayes Lane, Hullavington, Chippenham, Wiltshire** (*Pages 23 - 32*)

7b **13/01018/FUL - Land Adjacent Focus DIY/A350 West Cepen Way, Methuen Park, Chippenham, Wilts** (*Pages 33 - 48*)

7c **13/01191/FUL - Peterborough Arms, Dauntsey Lock, Chippenham, Wiltshire, SN15 4HD** (*Pages 49 - 54*)

8 **Urgent Items**

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

Part II

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

None

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NORTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 21 AUGUST 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Christine Crisp, Cllr Bill Douglas, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Peter Hutton (Vice-Chair), Cllr Simon Killane (Substitute), Cllr Sheila Parker, Cllr Toby Sturgis, Cllr Anthony Trotman (Chairman), Cllr Nick Watts (Substitute) and Cllr Philip Whalley

Also Present:

Cllr Alan MacRae and Cllr Jane Scott OBE

96 Apologies

Apologies were received from Cllrs Howard Marshall and Mark Packard.

Cllr Marshall was substituted by Cllr Killane.

Cllr Packard was substituted by Cllr Watts.

97 Minutes of the previous Meeting

The minutes of the meeting held on 31 July were presented.

Attention was drawn to the following points:

13/01147/FUL – Glen Echo, Lower Kinsdown Road, Corsham SN13 8BB

The minute referred to the local member as being Cllr Linda Packard – this was incorrect and it was agreed that the minutes be amended to read Cllr Sheila Parker.

13/01174/FUL – The Forge, High Street, Malmesbury SN16 9AT

Councillor Sturgis declared a non-pecuniary interest in this item which had not been reflected in the minutes and it was agreed that the minutes be amended to reflect this.

13/01254/FUL – Garages at Stubbs Lane, Kington St Michael, Chippenham SN14 6HX

The Committee's attention was drawn to a query that had been received over the accuracy of the minutes and in particular the wording on page 11 of the agenda.

Resolved:

To approve as a true and correct record and sign the minutes, subject to the amendments detailed above.

98 **Declarations of Interest**

Councillor Sturgis declared a non-pecuniary interest in agenda item 7b – 13/00746/FUL – Hardenhuish Comprehensive School, Hardenhuish Lane SN14 6HR as Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste. He declared he would participate in the debate and vote with an open mind.

99 **Chairman's Announcements**

There were no Chairman's announcements.

100 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

101 **Planning Appeals**

The Committee noted the contents of the appeals update.

102 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications **7a** as listed in the agenda pack.

103 **13/01198/FUL & 13/01226LBC Buildings and Land at Hartham Park, Corsham, SN13 0RP**

The Committee's attention was drawn to the need for two votes on the item, both the planning permission and the listed building consent; and the additional information tabled at the meeting.

Public Participation

Mr Webb, Mrs Webb and Peter Rouse spoke in objection to the application.

Tim Gent, Christie Slade and Allan Bosley spoke in support of the application. Cllr Ashley Juniper, Biddestone Parish Council, spoke in objection to the application.

The officer introduced the report which recommended that, subject to all parties entering into a legal agreement under S106 of the Act, permission be delegated to officers to grant planning permission subject to conditions. He noted several components involved in the design including an art barn, pavilion, maintenance building, gas house / interpretation centre, teaching accommodation, lecture theatre and energy centre; and drew attention to the similarity in design to the existing proposal.

He confirmed that there would be 600 students and 60 teachers, and 365 parking spaces, with 200 reserved for Bath Spa University.

He highlighted the main issues as being the generation of traffic, especially around Hartham Lane, including the junctions at either end of the lane, and in Biddestone.

The Committee's attention was drawn to the existing permission, the late observations, the improvements of the junction with the A4 that were embedded in the permission and the installation of passing places in Hartham Lane.

The Committee then had the opportunity to ask technical questions of officers and it was confirmed that the number of parking places, being 365 in the proposal, was the same as available now and in the existing permission. The amount of additional traffic was seen as small, and a transport assessment found that a significant majority would turn south to the A4. The Committee was informed that an advisory could be added to suggest traffic turning onto Hartham Park Lane a left turn only.

Members of the public then had the opportunity to address the committee as detailed above.

As the application affected two divisions, two local members addressed the Committee. Cllr Jane Scott OBE, local member for By Brook, explained that she had looked at it from two perspectives. As Leader of Wiltshire Council she acknowledged the importance of the scheme, noting how it would lead to richer communities. Being the representative for Biddestone for many years she drew attention to the need to protect it given its location in the Cotswold Area of Outstanding National Beauty, and stressed the need to work together in order to both protect and make progress. She raised concern over delivery traffic coming through the village, requesting that suppliers were closely worked with to ensure this did not happen and that construction traffic was directed all off the A4 and not given an exit off Hartham Park Lane, with strong monitoring being in place to enforce this. She confirmed that she would like to see the exit on to Hartham Park Lane as no left turn, or changes made to the exit to make the left

turn difficult and hoped that the establishment of the code of conduct for students would be done in conjunction with Biddestone Parish Council.

Cllr Alan Macrae, local member for Corsham Pickwick drew attention to the restaurant on the site which had previously been closed but was now open and adding to the traffic. He noted the importance of the proposal to the surrounding areas and supported Cllr Scott's request for construction traffic to come from the A4. He drew attention to the sewage problems suffered by Hartham hamlet over the past 20 years, seeing the proposed drainage strategy as an advantage to residents, and noted the additional capacity to look at more passing places if required.

During the debate that followed the Committee discussed the need to consult with Biddlestone Parish Council and Corsham Town Council when establishing the code of conduct for students. The location of Sainsburys and Macdonalds in Cepen Park South was highlighted as potentially being attractive to students and this should also be addressed within the code of conduct. Concern was raised over the both delivery and construction traffic and the proposal of a construction method statement was welcomed.

Resolved:

In the matter of 13/01198/FUL:

Subject to all parties entering into a legal agreement under s106 of The Act in respect of

- 1. Improvements of the Hartham Lane/A4 junction**
- 2. Provision of passing places on Hartham Lane, together with arrangements for performance monitoring and provision of additional passing places should unacceptable delays be identified.**
- 3. Provide and operate a 40 person capacity low carbon (electric/hybrid) bus link between the site and central Corsham in perpetuity (including provision of alternative, in the event of a breakdown),**
- 4. Creation, agreement, implementation and regular review of car parking management plan.**
- 5. Establishment, agreement and implementation of a code of conduct for students and staff in relation to travel to the site and car parking, with defined disciplinary measures for any students not complying with management arrangements. Such a code of conduct shall have been drawn up in consultation with Corsham Town Council, Biddestone and Slaughterford Parish Council and shall specifically set out measures to avoid students and staff making use of the Sainsbury's and McDonalds car parks at the Western edge of Chippenham,**
- 6. Establishment, agreement and implementation of a travel plan for the entire site (and all uses taking place), with the principal**

objective to reduce car trips to the site at all times during the academic year

7. Control of access to the site

Then:

To delegate to Officers for Planning Permission to be GRANTED for the following reason:

The proposed D1 educational development is considered to suitably co-exist and reinforce existing business activities at Hartham Park. Although greater in scale than development previously permitted at the site which is situated away from identified settlements, the use of suitably worded planning conditions and planning obligations, are considered to successfully mitigate against the generation of unacceptable levels of traffic upon the surrounding highway network and potential adverse impacts upon highway safety. As such, the proposal is considered to comply with the provisions of Policies C3, NE4 and NE9 of the adopted North Wiltshire Local Plan 2011, as well as meeting the dimensions and principles set out within the National Planning Policy Framework. In other respects the proposal is considered to preserve the special historic interest of the listed buildings and, subject to the imposition of suitably worded planning conditions, not to present an unacceptable impact upon the ecological value of the site nor the amenities of neighbouring residential properties in accordance with Policies C3 and HE4 of the North Wiltshire Local Plan 2011.

Subject to the following conditions:

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

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out strictly in accordance with the approved plans and documents subject to such minor amendments to the development as may be approved in writing under this condition by the local planning authority.

Plans

SAV01 Site Location Plan
AP(0)05E Proposed Site Plan
AP(0)07H Proposed Lower Ground Floor Plan
AP(0)08H Proposed Ground Floor Plan
AP(0)09H Proposed First Floor Plan
AP(0)10D Proposed Roof Plan

AP(0)11G Proposed Elevations
AP(0)12G Proposed Elevations
AP(0)13G Proposed Elevations
AP(0)20B Proposed Pavilion
AP(0)22 Proposed Art Barn
AL(0)05I Proposed Energy Centre Plans
AL(0)06G Proposed Energy Centre Elevations
AL(0)40A Existing and Proposed Sticke Court
202.01M Landscape Masterplan
202.02G Landscape Drawing
202.05D Landscape Proposals
AL(0)82 Condition Wall Condition Survey (1)
AL(0)83 Conditional Wall Condition Survey (2a)
AL(0)84 Conditional Wall Condition Survey (2b)
AL(0)85 Conditional Wall Condition Survey (b)
AL(0)91A Condition Survey Sticke Court
AL(0)101 Gas House Condition Survey

IMA-13-010 Plan 12A A4 Hartham Lane Proposed Junction Improvements
IMA-13-010 Plan 14 – Proposed Passing Place
IMA-13-010 Plan 15 – Proposed Passing Place at PV access
IMA-13-010 Plan 16 – Passing Places / Highway Works along Hartham Lane
IMA-13-010 Plan 17 – Passing Places / Highway Works along Hartham Lane
IMA-13-010 Plan 18 – Highway Works – North of Hartham Park
IMA-13-010 Plan 19 – Passing Places along Hartham Lane Inter-visibility

Documents

Design and Access Statement (revision C, July 2013)
Heritage Statement prepared by Mitchell Taylor Workshop
Sticke Court Photographic Record (May 2013) prepared by Mitchell Taylor Workshop
Hartham Park Sticke Court Schedule of Works Rev A prepared by Mitchell Taylor Workshop
Hartham Park Gas House and Works Schedule of Works Rev A prepared by Mitchell Taylor Workshop
Planning Statement prepared by Savills
Transport Assessment incorporating Travel Plan prepared by IMA
Landscape and Visual Appraisal prepared by the Landscape Agency
Statement of Community Involvement prepared by Grayling
Drainage Strategy
Hartham Park, Corsham Updated Ecological Appraisal prepared by Waterman (document reference E12338-100-R-1-2-1-SP)

Building Inspection and Bat Survey Report prepared by Soltys Brewster (document reference E1345601/Doc01)

All dated 18th July 2013 unless otherwise indicated

REASON: To ensure that the development is implemented in accordance with this decision in the interests of public amenity, but also to allow for the approval of minor variations which do not materially affect the permission.

- 3. No development shall commence until details of the proposed and existing levels across the site (including details of the finished floor levels of all buildings hereby permitted) have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the details so approved.**

REASON: In the interests of securing a satisfactory form of development that minimises impact upon the locality and listed buildings.

- 4. The detailed landscaping around the new buildings and parking area shall be carried out in accordance with the detailed landscape proposals (shown on Landscape Agency drawing 202-05D).**

This approved, detailed landscaping scheme shall be implemented within one year of either the first occupation or use of the development, whether in whole or in part, or its substantial completion, whichever is the sooner, and shall be maintained thereafter for a period of not less than five years. The maintenance shall include the replacement of any tree or shrub which is removed, destroyed or dies by a tree or shrub of the same size and species as that which it replaces, unless otherwise agreed in writing by the local planning authority.

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

- 5. A phased landscaping scheme and implementation programme for the site is to be submitted to the Local Planning Authority within one year from first occupation of the development and is to be agreed in writing with the Local Planning Authority. Unless otherwise agreed in writing, this strategy is to be in accordance with the approved Landscape Masterplan (The Landscape Agency drawing 202-01 rev M) and Landscape Concept (The Landscape Agency drawing 202-02 rev G).**

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

6. All development shall be carried out in accordance with the Section 3 of the submitted Bat Survey Report (Soltys Brewster, Ref. E1345601) and all mitigation measures therein implemented in full.

REASON: In the interests of securing development that does not adversely impact upon the ecological value of the area.

7. Renovation works to Sticke Court shall only be carried out between the months of October-November or March-April inclusive, unless supervised by a bat licensed ecologist.

REASON: In the interests of securing development that does not adversely impact upon the ecological value of the area.

8. No lighting shall be installed on any building (or on the site in connection with the development hereby approved) until details of a phased lighting scheme including lux plan shall be submitted to and approved in writing by the local planning authority. The approved scheme shall demonstrate how current light levels in the vicinity of Sticke Court, Tying Wood and the 'ice house' (as shown on Figure 1 of the submitted Ecology Appraisal; Watermans, Ref. E12338-100-R-1-2-1-SP) will be maintained or how any increase will be minimised. The lighting shall be installed in accordance with the details so agreed and shall remain in that condition thereafter.

REASON: In the interests of securing development that does not adversely impact upon the ecological value of the area.

9. Prior to commencement of development a scheme for the protection of all areas of calcareous grassland (as shown on Figure 1 of the submitted Ecology Appraisal; Watermans, Ref. E12338-100-R-1-2-1-SP) is submitted to and approved by the local planning authority. All construction works shall be carried out in strict accordance with the approved protection scheme.

REASON: In the interests of securing development that does not adversely impact upon the ecological value of the area.

10. Unless otherwise agreed in writing, the external walls and roofs of the proposed buildings shall be constructed and finished in accordance with the materials shown on the approved drawings.

REASON: For the avoidance of doubt and to secure a suitable form of development that respects the character and appearance of the listed buildings and surrounding locality.

11.No raw materials, finished or unfinished products or parts, crates, materials, waste, refuse or any other item shall be stacked or stored outside any building on the site without the prior approval in writing of the local planning authority.

REASON: For the avoidance of doubt and to secure a suitable form of development that respects the character and appearance of the listed buildings and surrounding locality.

12.Other than those windows shown on the plans hereby approved, no further windows shall be inserted into the western elevation of the office building unless otherwise agreed in the form of a specific planning permission in that regard.

REASON: In the interests of neighbour amenity.

13.The proposed repairs and enhancement to the Gas House and Walls will be carried out in accordance with the Gas House and Courtyard Walls Schedule of Work (reference RM/BT/2717 rev A, June 2013) and drawings 2717/AL(0)82, 2717/AL(0)83, 2717/AL(0)84, 2717/AL(0)85 and 2717/AL(0)101. The works will be completed before first occupation of any part of the development hereby permitted.

REASON: To secure the future of the listed buildings on the site.

14.The proposed repairs and enhancement to the Sticke Court will be carried out in accordance with the Sticke Court Schedule of Works (reference RM/BT/2717 rev A, June 2013) and drawing 2717/AL(0)91A. The works proposed to the fabric of the building (1-38 and 45 - 47 in the above schedule) shall be completed and a specification and timetable for the works to the floors and balconies will be agreed within 1 year of first occupation of any part of the development hereby permitted.

REASON: To secure the future of the listed buildings on the site.

15.Prior to the commencement of development, a surface water drainage scheme for the site (which shall include full details for its management and maintenance in perpetuity), based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, in accordance with the submitted 'Drainage Strategy / Statement', shall have been submitted to and approved in writing by the local planning authority. Development shall be carried out in complete accordance with that approved drainage scheme unless otherwise agreed in the form of a separate planning permission in that regard.

REASON: In the interests of securing a form of development that is adequately drained.

16.The development hereby approved shall not be first brought into use until that part of the service road, which provides access to it, has been constructed in accordance with the approved plans, and all parking places for use only by users of the permitted development, and bus waiting area and approach routes have been clearly marked, in accordance with a scheme which shall have been submitted to and approved in writing by the Local Planning Authority beforehand.

REASON: To ensure that the development is served by an adequate means of access, parking and passenger transport service.

17.Prior to the first use of the development hereby permitted, a bus stop area within the site shall be constructed, together with a connecting footpath, in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority. The details for the bus stop shall include a shelter.

REASON: To provide adequate amenity for the bus users, in the interests of sustainable transport.

18.Prior to the first use of the development hereby permitted, a covered and secure cycle stand for not less than 10 cycles shall be constructed, in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority beforehand.

REASON: To provide adequate amenity for the cycle users, in the interests of sustainable transport.

19.Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting or amending that Order with or without modification), the proposed development shall remain used for the planning use classes permitted (substantively D1 non-residential institution) and there shall be no change of use unless otherwise agreed in the form of a separate planning permission in that regard.

REASON: So as to allow consideration of any proposed change of use and assessment of its suitability for the locality.

20.No development shall take place, including any works of demolition, until a Construction Method Statement has been

submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works
- viii. the routing of all traffic associated with the construction phase and measures to be employed so as to avoid its routing through Biddestone village

REASON: In the interests of neighbour amenity and so as to minimise disturbance associated with the construction phase of development.

Informatives

- The applicant is advised of the need to submit plans, sections and specifications of the proposed retaining wall for the approval of the Highway Authority in accordance with Section 167 of the Highways Act 1980. (For information, this relates to retaining walls which are wholly or partly within 4 yards (3.65metres) of a street and which is at any point of a greater height than 4'6"(1.40 metres) above the level of the ground at the boundary of the street nearest that point.) Works within the highway will be subject to the requirement for a s278 agreement with the highway authority.
- Attention is drawn to the Legal Agreement relating to this development or land which has been made pursuant to Section 106 of the Town and Country Planning Act 1990, Section 111 of the Local Government Act 1972, Section 33 of the Local Government (Miscellaneous Provisions) Act 1982 or other enabling powers and the Deed of Variation dated 21/06/2011.
- That the developer be advised that where any species listed under Schedules 2 or 4 of the Conservation (Natural Habitats etc.) Regulations 1994 is present on the site in respects of which this permission is hereby granted, no works of site clearance, demolition or construction shall take place to the Gas House or to building 36 (as described in the Building Inspection and Bat Survey

Report completed by Soltys Brewster (July 2013)) in pursuance of this permission unless a licence to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been produced to the local planning authority.

In the matter of 13/01226/LBC:

Resolved:

To delegate to Officers for Listed Building Consent to be GRANTED for the following reason:

The proposed works of repair and rehabilitation, will enhance the essential architectural and historic character of the building and bring it back into beneficial use, in accordance with S.16(2) of Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 12 of the National Planning Policy Framework.

Subject to the following conditions:

- 1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.**

REASON: To comply with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2. The works hereby permitted shall be carried out in accordance with the following documents (including plans) incorporated into this decision:**

Design and Access Statement (revision C, July 2013)

Heritage Statement prepared by Mitchell Taylor Workshop

Sticke Court Photographic Record (May 2013) prepared by Mitchell Taylor Workshop

Hartham Park Sticke Court Schedule of Works Rev A prepared by Mitchell Taylor Workshop

Hartham Park Gas House and Works Schedule of Works Rev A prepared by Mitchell Taylor Workshop

AL(0)82 Condition Wall Condition Survey (1)

AL(0)83 Conditional Wall Condition Survey (2a)

AL(0)84 Conditional Wall Condition Survey (2b)

AL(0)85 Conditional Wall Condition Survey (b)

AL(0)91A Condition Survey Sticke Court

AL(0)101 Gas House Condition Survey

All dated 18th July 2013

REASON: To ensure that the works are implemented in accordance with this decision in the interests of the listed building.

3. No development shall commence until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:
- i. Large scale details of proposed alterations to the balcony to the sticke court (1:10 elevation, 1:2 sections)
 - ii. Large scale details of the reinstated chimney stack to nursery offices (1:5 section).
 - iii. A detailed specification of repairs (including, where appropriate, a schedule of proposed internal finishes to walls, ceilings and floors) to all structures included in the quinquennial report.
 - iv. Full details of proposed alterations to existing walls, including any structural works associated with the new development; and of proposed new walls, fences and other means of enclosure.
 - v. Large scale details of internal and external joinery (including any metal windows, doors and screens) to former gas works, and glazed link to reception building (1:10 elevation, 1: 2section, including vertical and horizontal cross-sections through openings).
 - vi. Large scale details of external joinery (including any metal windows, doors and screens) to the interpretation centre (1:10 elevation, 1:2 section).
 - vii. Large scale details of any proposed access steps, ramp and railings to interpretation centre.
 - viii. Large scale details of eave and verge to reception building
 - ix. Full details of proposed flues and means of providing ventilation

The works shall be carried out in accordance with the details so approved. The precise extent of repair works set out in s.3.3 above shall be agreed on site and in writing with the Local Planning Authority prior to commencement of works.

REASON: In the interests of the listed building.

104 **N/13/00746/FUL - Hardenhuish Comprehensive School, Hardenhuish Lane, Chippenham, SN14 6HR**

Public Participation

There were no speakers registered for this item.

The officer introduced the report which recommended that permission be granted subject to conditions. He drew attention to 2 errors within the report, firstly that the local member had been incorrectly named as Cllr Nina Phillips, and this should be corrected to Cllr Nick Watts, and secondly within section 2 – Main issues it referred to Section 106 contributions and he confirmed that no Section 106 contributions were being sought.

He highlighted the condition limiting deliveries and collections to a two hour time slot which addressed concerns over the impact of additional vehicle movements and confirmed that environmental health had no concerns over noise nuisance.

The Committee was then given the opportunity to ask technical questions of officers and it was understood that the noise would be similar to that of a gas boiler and result in no increase in background noise.

No member of the public registered to speak.

The local member, Cllr Nick Watts spoke in support of the application.

During the debate that followed the committee discussed the collection of ash and whether it was unreasonable to restrict collections to the specified times.

Resolved:

To GRANT planning Permission for the following reason:

The proposed development, will not harm the setting of the adjacent Grade II* listed building or the amenity of adjoining residential dwellings. The proposal therefore accords with Policies C3, NE9, NE16, CF1 and HE4 the adopted North Wiltshire Local Plan 2011 and Sections 10 and 12 of the National Planning Policy Framework.

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 samples of the timber cladding to be used on the development 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.

POLICY- C3

3. The biomass boiler plant shall at all times achieve a Rating Level of 35 dB(A) at the boundary contiguous with the school and the neighbouring residential properties. Measurements and assessment shall be carried out in accordance with BS4142:1997.

REASON: In the interests of neighbouring amenity.

POLICY: C3.

4. No deliveries of fuel in connection with the development hereby approved shall take place outside of the hours of 16.00hrs – 18.00hrs on weekdays. No deliveries of fuel shall take place at weekends or bank holidays.

REASON: In the interests of residential amenity.

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

Location Plan – Received 8 March 2013
2888(L) H041 – Received 8 March 2013
2888(L) H051 – Received 8 March 2013
2888(L) H010A Rev A – Received 1 May 2013
Supporting Statement – Received 16 June 2013

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

POLICY – C3, NE9, NE16, CF1 and HE4.

105 **13/01636/FUL Stonewell House The Street Burton Wiltshire SN14 7LU**

Public Participation

Mr Leat spoke in support of the application
Cllr David Pearce, Nettleton Parish Council spoke in objection to the application.

The officer introduced the report which recommended that planning permission be granted subject to conditions. He drew attention to the upper floor design which was set in from the ground floor and therefore further away from the boundary with the neighbour. He explained that there was no adverse impact on the street scene or neighbouring properties.

Member then had the opportunity to ask technical questions of officers and it was confirmed that the stone used would be the same as the existing stone.

Members of the public then had the opportunity to address the committee as detailed above.

The local member, Cllr Jane Scott, then addressed the committee and confirmed that whilst the parish council held strong views about overdevelopment in her view the applicant had listened to advice. She drew attention to the many extensions in the area and cottages that had only courtyard gardens and whilst accepting the parish council's view she felt the application was in an acceptable form.

In the debate that followed it was confirmed that permission for extensions could be granted by officers but would come to committee if called in.

Resolved:

To GRANT planning permission for the following reason:

The proposal by means of its location, design, limited scale and use of materials sits comfortably with the host dwelling and area in general, conserving the natural beauty of the Cotswolds Area of Outstanding Natural Beauty in which it is located. The proposal will not have an unacceptable detrimental impact on the amenities currently enjoyed by the occupants of the neighbouring residential properties. The proposal is therefore considered to accord with the aims of policies C3, H8 and NE4 of the North Wiltshire Local Plan 2011.

Subject to the following conditions:

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

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

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

Site location plan 1:1250 received on 7 June 2013
Drawing number D.DL.13/02/01A received on 7 June 2013

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

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

4. The natural stonework to be used externally on the proposed development shall match that of the existing building in terms of type, colour, size, dressing and bedding of stone, coursing, type of pointing and mortar mix, unless otherwise agreed in writing by the Local Planning Authority prior to works commencing.

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

106 **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.03 - 7.50 pm)

The Officer who has produced these minutes is Kirsty Butcher, of Democratic Services, direct line 01225 713948, e-mail kirsty.butcher@wiltshire.gov.uk

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

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**Wiltshire Council
Northern Area Planning Committee
11th September 2013**

Forthcoming Hearings and Public Inquiries between 02/09/2013 and 31/03/2014

Application No	Location	Parish	Proposal	Appeal Type	Date
09/01315/CLE & 11/00435/ENF	OS 7400, Hicks Leaze, Chelworth, Lower Green, Cricklade	Cricklade	Use of Land for Storage and Dismantling of Cars, Vans, Lorries, Plant and Machinery for Export and Recycling; Siting of One Caravan for Residential Use	Public Inquiry	05/09/2013
11/02574/OUT	Land at Widham Farm/Widham Grove, Station Road, Purton, SN5	Purton	Outline Planning Application for up to 50 Dwellings, Access and Associated Works Following Demolition of Two Dwellings	Public Inquiry	17/09/2013

Planning Appeals Received between 08/08/2013 and 02/09/2013

Application No	Location	Parish	Proposal	DEL or COMM	Officer Recommendation	Appeal Type
12/03464/OUT	Land off Park Road, Malmesbury, Wiltshire, SN16 0QW	Malmesbury	Residential Development (77 Dwellings); Community Building (Use Class D1); Public Open Space and Associated Works Including Construction of a New Access (Resubmission of 11/01382/OUT).	DEL	Refusal	Public Inquiry
13/00913/FUL	Braydon Brook Barn, Eastcourt, Malmesbury, Wiltshire, SN16 9HP	Crudwell	Demolition of Single Storey West Wing and Rebuild on a Larger Footprint, Erection of Detached Double Garage, Demolition of One Garden Wall and Erection of Two New Garden Walls and Landscaping.	DEL	Permission	Informal Hearing

There are no Planning Appeals Decided between 08/08/2013 and 02/09/2013

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Agenda Item 7

INDEX OF APPLICATIONS ON 11/09/2013

	APPLICATION NO.	SITE LOCATION	DEVELOPMENT	RECOMMENDATION
7a	13/01495/FUL	Land East & West of Hill Hayes Lane, Hullavington, Chippenham, Wiltshire	Installation of Solar PV facility on 17.50ha site to produce up to 7mw of renewable electricity, including access roads, temporary security lighting, electrical buildings.	Permission
7b	13/01018/FUL	Land Adjacent Focus DIY/A350 West Cepen Way, Methuen Park, Chippenham, Wilts	Erection of B1 Office and A3/A5 Restaurant/Cafe/Drive-Through and Associated Access/Exit, Parking and Landscaping	Permission
7c	13/01191/FUL	Peterborough Arms, Dauntsey Lock, Chippenham, Wiltshire, SN15 4HD	Change of Use of Public House to a Single Dwelling	Refusal

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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Report No.

Date of Meeting	11 September 2013		
Application Number	N/13/01495/FUL		
Site Address	Land East & West of Hill Hayes Lane, Hullavington, Wiltshire		
Proposal	Installation of Solar PV facility on 17.50ha site produce up to 7MW of renewable electricity, including access roads, temporary security lighting electrical buildings		
Applicant	Mr Wearmouth		
Town/Parish Council	Hullavington Parish Council		
Electoral Division	By Brook	Unitary Member	Cllr Jane Scott OBE
Grid Ref	388633 182644		
Type of application	Full		
Case Officer	Chris Marsh	01249 706657	chris.marsh@wiltshire.gov.uk

Reason for the application being considered by Committee

The application has been called in by Cllr Scott, in order to consider the visual impact and highways implications of the development.

1. Purpose of Report

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

Hullavington Parish Council has objected to the application on highways and landscape grounds.

2. Main Issues

The main issues in considering the application are:

- Principle of development
- Impact on the character and appearance of the area
- Impact on highway safety

3. Site Description

The application relates to a pair of arable fields situated to either side of Hill Hayes Lane, an unclassified country road linking the West of Hullavington to the small village of Norton, to the northwest. The site is surrounded on its remaining sides by agricultural land, although a railway line and associated embankment runs close to the northernmost corner of the East field. Hill Hayes Lane itself bisects the application site from northwest to southeast and is the principal means of access to the land in question, with traditional agricultural accesses to both fields at their southern ends and around their midpoint along the road between them. The land is situated in undesignated open countryside; with the nearest landscape designation, an Area of Outstanding Natural Beauty, lying with its closest point approximately 3km southwest of the site. A small stream runs close to the southern site boundary, however due to its relief the land is entirely within Flood Zone 1.

4. Relevant Planning History		
Application Number	Proposal	Decision
N/13/00034/SCO	Scoping Opinion in Respect of a Proposed Solar Park	Scoping Opinion

5. Proposal

The proposed development comprises the installation of solar photovoltaic panel arrays sufficient to generate up to 7MW of electricity, together with associated infrastructure in a master control building, seven inverter enclosures and access tracks. The panels are to be arranged in rows across both fields on an East-West axis, maintaining adequate separation between rows – around 10.0m - so as to maximise solar gain from the South. Each array of 24no. panels is to measure 12m x 3.4m, although angled backward on a 35° angle so as to stand 3.0m high in total. The panels agreed through negotiation with the applicant are of the crystalline type, enabling them to be mounted on steel supports that are driven directly into the earth, to a depth of 800mm, at 4no. fixings per array with no other reinforcement. Maintaining the proposed 10m separation between row fixings for efficiency and the 1.0m gap beneath each panel will enable the land to be grazed by sheep and thus retain some kind of agricultural function. Following advice from the County Archaeologist, the applicant has confirmed that the indicative archaeological exclusion areas identified in the submitted masterplan will not be required and panels instead laid out in the most energy-efficient pattern.

In addition to the solar arrays themselves, the development also comprises the erection of 7no. inverter enclosures positioned along a hardcore partial access track at the centre of each field. Of these buildings, three are to be situated on the West field and four on the East, together with a master control building to the immediate North of the eastern field access. Each inverter enclosure is a utilitarian structure akin to a shipping container and constructed from sheet metal, which is to be painted to minimise its visual impact. These will be 3.2m in height and occupy a poured concrete foundation measuring 8.7m x 2.4m. All are to be orientated on an East-West axis and connected to the power lines, which travel in a similar direction across the site. The control building is larger and is to feature a mono-pitched corrugated sheet roof, lending it a scale of 4.5m to its ridge and 3.6m to eaves, the latter on the eastern side of the building. This facility is to be situated on a square footprint measuring 4.9m in each direction, again standing on a poured concrete foundation 0.8m deep. The final finish of the buildings is yet to be agreed.

Having undertaken survey work and through consultation with the Council's Landscape Architect, the applicant has submitted a scheme for the visual mitigation of the scheme, reinforcing boundary treatments where necessary. The entire perimeter of the site is to be enclosed by 2.5m-high stock-proof fencing, arranged as painted mesh panels 2.5m square. Like the panels themselves, the fencing is to be held in place by driving the 100mm supporting posts into the earth below.

Access to the two parts of the site is to be obtained via the existing field entrances to the North of the midpoint of their boundaries with Hill Hayes Lane, where a splayed access with a visibility of 110m from the highway edge can be achieved. To each side of the highway, a mixed aggregate track is to extend a short distance into the site before turning to reach the inverter enclosures at a length of approximately 170m each. The track is to be of simple construction, with a geotextile base topped with 225mm of Type 1 aggregate and a surface of 75mm Type 2 aggregate. A Construction Method Statement has been submitted in respect of proposed vehicle movements to, from and within the site, taking measures to control the size, number, frequency and timing of deliveries to the site, as well as the route taken to gain access. This document also details the creation of an on-site compound to provide the day-to-day parking and other facilities necessitated by a project of this size.

It is proposed that at the end of a 25-year period commencing with the initial construction phase or at such time that the facility reaches the end of its serviceable life, if sooner, the panels and associated buildings, structures and infrastructure are to be removed. These works would be undertaken in accordance with an agreed schedule of works, effectively amounting to a reversal of the construction process and similar in terms of timescale and transport. The applicant's Construction Method Statement also proposes that any damage incurred to the highway at Hill Hayes Lane as a result of construction/decommissioning works will be rectified immediately.

6. Consultations

Hullavington Parish Council – objections, citing the increased construction traffic, inadequacy of access, loss of agricultural land and visual landscape impact

Landscape Architect – no objection, subject to conditions

Highways – no objection, subject to conditions

County Ecologist – no objection, subject to conditions

County Archaeologist – no objection

Rights of Way – no objection

Agricultural Consultant – no objection

Environment Agency – no objection, subject to conditions

Network Rail – no objection

Wessex Water – no objection

7. Publicity

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

Nine letters of objection and three comments were received.

Summary of key relevant points raised:

- Visual impact on landscape
- Loss of agricultural land
- Impact on highway safety and traffic
- Lack of local benefit

One letter of support has been received, citing the scheme's environmental benefits.

8. Planning Considerations

Principle of development

In principle, new renewable energy projects are supported by local and national planning policy, with a strategic commitment to decentralising energy production and meeting climate change objectives. Policy NE16 of the adopted Local Plan (Renewable Energy) states that projects such as this will be support unless would cause demonstrable harm to a designated historic area or natural landscape.

Paragraph 98 of the National Planning Policy Framework makes clear that applicants need not demonstrate a need for renewable energy schemes as justification and should approve all such applications where the adverse impacts have been adequately mitigated.

The Parish Council, amongst other considerations, has cited the loss of Grade 2 agricultural land as a reason for objecting to the application. The Council's independent agricultural consultant has, however, noted that this relates to the highest quality present at the site, which also comprises a significant proportion of Grade 3 land, such that the fields would not normally be protected. The continuing capacity to fulfil some agricultural function through the grazing of sheep further limits the effective impact of the development. The development would not compromise the viability of the owner's overall holding, which extends in total to 157ha freehold and 4.5ha leasehold.

Impact on the character and appearance of the area

Although not individually designated as a special landscape area, the site falls within the bounds of Policy NE15 of the adopted Local Plan (The Landscape Character of the Countryside), which seeks to guard against the most harmful development in the open countryside. The Council's Landscape Officer has confirmed that the submitted Landscape and Visual Impact Assessment (LVIA) is adequate for the purposes of assessing the implications of the development in this regard. The applicant proposes to reinforce the existing field boundaries where possible, particularly at the southern site edges where the greatest reduction in visual perceptibility is achievable. The additional landscaping is to comprise principally the introduction of further native trees, mainly along the North and West edges of the West field and the eastern boundary of the East field, and the gapping-up of hedgerow adjacent to the highway with the addition of further sparse tree planting, the implementation and maintenance of which can be secured by condition.

In terms of the visual impact of the development, the greatest visual change to the landscape will be localised. Local people using local circuit footpaths (e.g. dog walkers), North of Hullavington settlement will see partial views of the proposed solar PV development (mainly the western field) which is clearly shown in 'Photoview 3' and 'Photomontage A'. The local elevated farmsteads to the South and southwest overlooking the western field to the western side of Hill Hayes Lane will also view development to some degree. Inter-visibility between these receptors and the development site is likely to become greater in winter, when deciduous trees and hedges lose their leaves, and the visual filtering function of this vegetation is reduced. It is also the case that development will be visible from some residential (two-storey) properties along the northwest facing settlement edge, although views of proposed development from gardens and ground floor living rooms are much less likely.

By reason of the relief of the land, together with the siting, design and scale of the apparatus required, the visual impact beyond the immediate vicinity is likely to be limited. It is the view of the Landscape Officer that the proposed development will not result in any significant wide reaching negative landscape or visual effects that would cause landscape or visual harm to the Cotswolds AONB, which lies some 2.5km to the southwest and 3km to the North, or its setting. In this regard, it is considered that the proposal accords with Policy NE4 of the adopted Local Plan (Areas of Outstanding Natural Beauty). Omitting any permanent security lighting from the scheme will avoid any additional light pollution, which would otherwise harm the rural character of the area and in terms of the AONB likely prove considerably more intrusive than the apparatus itself.

Unlike onshore wind farm developments, which might be targeted to similarly-profiled sites, the proposed solar arrays and associated apparatus will emit only a negligible level of noise, certainly insufficient to be detected beyond the site boundary. It is not considered, therefore, that the development will have any significant adverse environmental or amenity impacts.

Impact on highway safety

A number of local concerns have been raised in relation to the highways impact of the development during the construction and decommissioning phases. Whilst disturbance resulting from the implementation of a planning permission is generally only to be afforded limited weight in the decision-making process, it is considered reasonable in this instance to pursue a strategy to minimise this impact as practicable. Having particular regard to the type, frequency and number of vehicles anticipated, together with the constrained nature of much of the approaching highway, a Construction Method Statement has been submitted by the applicant to cover these phases.

The Construction Method Statement is the result of earlier engagement with the Council, identifying two alternative routes to the site - one through the village of Hullavington itself before turning northwest on Hill Hayes Lane and one from the North leading through the smaller hamlet of Norton. Although neither is ideal for the purposes of articulated vehicles, the latter route minimises disruption to local vehicle movements, particularly during peak hours, and avoids passing the local school. The sections affected by the route that are single-track and/or have limited visibility are considered to be acceptably limited as to avoid a significant highway risk in either case.

Although concerns have been raised, it is considered that the submitted management plan goes as far as reasonably necessary toward mitigating against the highways impacts of the construction and decommissioning phases. In development control terms, potential disruption during such times can only be afforded limited weight in any case, although it is reasonable to require appropriate measures to ensure that long term detriment is avoided. To this end, it is also proposed by the applicant that any damage incurred to the highway surface at Hill Hayes Lane by construction traffic is promptly remedied at their own expense under S38 of the Highways Act.

The scheme employs adequate measures for the management of construction traffic on site, including sufficiently wide visibility splays at site entrances and a temporary hard standing on each field for the parking and turning of vehicles. As such, the general impact on the local highways network will be contained to movements to and from the site in exclusivity.

Once operational, the level and type of traffic to be associated with the proposed development is undoubtedly minimal, and indeed this matter is little contended. It is anticipated that typical movements will be limited to single journeys by van for routine and emergency maintenance as and when required. The highways officer has confirmed that this level of vehicular movement should be easily incorporated into the existing use of the surrounding road network without any significant disruption. The retention of the entrances will enable adequate visibility and turning space for these smaller vehicles.

Conclusions

It is considered that the proposed development as a whole contributes toward sustainability objectives and as such is inherently justified in principle. The site is well suited to its intended function, and occupies a relatively unassuming position that will prevent any wide-reaching landscape impact, especially on the Cotswolds AONB. The arrangement of the site and enhancement of boundary landscaping will mitigate against the scheme's immediate visual impact so far as reasonably possible so as to have a very limited effect on the setting of Hullavington itself. It is considered that the anticipated highways impact of the development during the construction and decommissioning phases has been minimised so far as reasonably necessary, such that an objection on these grounds would be unreasonable.

10. Recommendation

Planning Permission be GRANTED or the following reason:

The proposed development, by reason of its siting, size, scale, design and materials, will not adversely affect the character or appearance of the host landscape or the setting of the Cotswolds AONB, nor will it result in detriment to highway safety once operational. As such, the proposal accords with Policies C2, C3, NE4, NE15 and NE16 of the adopted North Wiltshire Local Plan 2011 and Sections 10 and 11 of the National Planning Policy Framework.

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

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

- 4 No development shall commence on site until full construction details of both access points for the construction phase and operation phase have been submitted and approved in writing by the Local Planning Authority. These details shall include how the design incorporates the swept path (for lorry of 16.6m). The access shall be properly consolidated and surfaced (not loose stone or gravel) for a minimum of the first 10m. A scheme for discharge of surface water from site (including surface water from access) incorporating sustainable details and details for piping of the ditch. The development shall not be first brought into use until surface water drainage and piping of the ditch has been constructed in accordance with the approved scheme. The access shall be maintained as such thereafter. No development shall commence on site until the access has been constructed in accordance with the submitted plans.

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

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

REASON: In the interests of highway safety.

- 6 No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 60 metres either side of the entrance from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1m above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

- 7 No part of the development hereby permitted shall commence until the parking area and turning area shown on the temporary construction compound and location (Figure 3) has been surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times during the construction phase and removed and the land restored to its former condition on or before the date six months from the development being first brought into use. The same compound shall be provided in advance of the first removal of buildings/solar panels from the site during the decommissioning phase and removed within three months of the land having been restored to its former

condition.

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

- 8 No development shall commence on site until a full condition survey of the agreed site access along Hill Hayes Lane has been carried out and approved in writing by the highway authority and compliant with Section 59 of the Highways Act. A further survey of the same route shall be carried out within 1 month of the first use of the development and agreed in writing by the highway authority. Any damage to the highway surface resultant of the construction works shall then be repaired within a period of 3 months of the first use of the development hereby permitted and the works approved in writing by the Local Planning Authority. The same process shall be following during the course of the decommissioning phase.

REASON: In the interests of highway safety.

- 9 No development shall commence on site until full construction details associated with the of the drawing titled 'Extents of required road widening' numbered Figure HU 03 related to Appendix A of the approved 'Construction Traffic Management Plan' have been submitted and approved in writing by the Local Planning Authority. The road widening works shall be completed in accordance with the approved details prior to the development works commencing at the site.

REASON: In the interests of highway safety.

- 10 No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site between the times of completion of development and commencement of decommissioning.

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

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

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

- 12 The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment (Wessex Solar Energy, May 2013) and the surface water run-off management (SUDS) measures detailed therein. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

REASON: In the interests of flood prevention.

POLICY: National Planning Policy Framework paragraphs 100-103.

13 Prior to commencement of development, a Landscape and Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include the following elements:

- Protection of existing trees and shrubs
- Establishment of hedgerows, trees and shrubs to be planted
- Establishment / restoration of grassland habitats
- Long-term management of all hedgerows, ponds, and restored / created grassland
- Features to be installed for the benefits of protected / BAP fauna
- Ecological monitoring to inform future management at the site

The development shall be carried out in accordance with the agreed Landscape and Ecological Management Plan and the site managed in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect and enhance biodiversity at the site

14 Within six months of the date 25 years after commencement of development or the date on which the facility permanently ceases to be operational, whichever is the sooner, all apparatus, buildings, hard standing and fencing shall be permanently removed from the site and the land restored to its former condition.

REASON: In the interests of preserving the long-term character and appearance of the site and its setting.

15 The development hereby permitted shall be carried out in full accordance with the submitted Construction Traffic Management Plan (Wessex Solar Energy, August 2013), including the following:

- a) Loading and unloading of plant and materials;
- b) Access route and site entrance arrangements;
- c) Storage of plant and materials used in constructing the development;
- d) Wheel washing facilities;
- e) Measures for the protection of the natural environment;
- f) Hours of construction, including deliveries; and
- g) The parking of vehicles of site operatives and visitors.

The construction traffic route shall be via Norton. No traffic relating to the proposal shall access the site via Hill Hayes Lane from Hullavington (except in the event of an emergency). Any departures from the approved plan shall be agreed in writing by the Local Planning Authority in advance.

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

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

Figure 1.1 - Site Location Drawing
Figure 1.2.0 Site Boundary and Indicative Layout

Figure 4.1 - Indicative Mounted Panel Dimensions - Crystalline
Figure 4.2A - Hullavington Inverter Building
Figure 4.2B - Hullavington Control Building
Figure 4.3 - Indicative Access Track Cross-Section
LL87.03A - Landscape Masterplan

Received 15 May 2013

Figure 4.4 - Indicative Security Fence Details

Received 15 July 2013

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

INFORMATIVES:

- 1 Any alterations to the submitted and approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
- 2 The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

- 3 Please note that the Planning Office does not have the facility to receive material samples. Please deliver material samples to site, with a notification to the planning office where they are to be found.



HULLAVINGTON SOLAR PARK

DETAILED SITE LOCATION PLAN

Drawn: CVA
 Checked: WJ
 Approved: JPH/CLD
 Date: 11/05/13



KEY
 SITE BOUNDARY
 (Same as land ownership)
 SITE ENTRANCE
 VISIBILITY SPLAY
 (2.4m X 160m)

SCALE: 1:2,500
 PLO: SCALE: A1

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REPORT TO THE NORTH AREA PLANNING COMMITTEE

Report No.

Date of Meeting	11 September 2013		
Application Number	N/13/01018/FUL		
Site Address	Land Adjacent Focus DIY/A350 West Cepen Way, Methuen Park, Chippenham, Wiltshire		
Proposal	Erection of B1 Office and A3/A5 Restaurant/Cafe/Drive-Through and Associated Access/Exit, Parking and Landscaping		
Applicant	Cougar (Chippenham) Ltd		
Town/Parish Council	Corsham/Chippenham		
Electoral Division	Corsham Town/Chippenham Cepen Park & Derriads	Unitary Member	Councillor Hutton
Grid Ref	389797 172000		
Type of application	Full		
Case Officer	Lee Burman	01249 706668	lee.burman@wiltshire.gov.uk

Reason for the application being considered by Committee

To consider the visual impact on the character and appearance of the locality in the context of neighbouring development and the scale of the development proposed.

1. Purpose of report

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

2. Report summary

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

- Principle of Development
- Scale and Character and Impact on the Character and Appearance of the Locality
- Highways Impact
- Ecological Impact
- Drainage

The application has generated 12 representations in total including 3 objections from consultees - Chippenham and Corsham Town Councils; and 0 letters of objection from the public.

3. Site Description

The site is located within the defined framework settlement boundary for Chippenham and lies on the fringes of the settlement adjacent to the A350 and its junction with the A4. The site is currently open but lies directly adjoining the established commercial employment area to the west of the Town. Development of the Focus DIY store site adjacent is currently underway on adjoining land and major employment and retail facilities including Sainsburys, Herman Miller etc are situated in the vicinity. The northern section of the site adjoining the road junction features existing mature vegetation; with a small stream (Pudding Brook) running through the land forming the northern boundary of the site. The western boundary is largely open in character. The site features two

trees subject to Tree Preservation Orders and is a site of archaeological potential and known ecological value.

4. Relevant Planning History		
03/01183/OUT	Erection of a B1 Office and Associated Parking and Access Road	Refused
03/01842/OUT	Erection of a B1 Office and Associated Parking and Access Road	Permitted
06/00872/FUL	Erection of a Hotel	Refused
06/01611/FUL	Proposed Hotel (C1)	Refused Appeal Dismissed

5. Proposal

The proposal is for the erection of a B1 Office building with an A3/A5 Cafe at ground floor level; and a free standing A3/A5 Drive-Through Restaurant and Hot food takeaway adjacent with Associated Access/Exit, Parking and Landscaping.

The applicant has submitted two sets of revised plans. Firstly, plans were submitted in relation to minor amendments to the site layout; secondly in relation to the design of the office building and drive-thru restaurant.

6. Planning Policy

North Wiltshire Local Plan: policies C3 BD3 R4 NE9 NE10 NE11 NE14

Central Government Planning Policy: National Planning Policy Framework

7. Consultations

Spatial Plans

The principle of employment use is acceptable from a planning policy perspective. The proposed A3/A5 uses are located outside of the town centre and it is considered that these facilities in this location would not enhance the town centre in order to reduce the outflow of shopping and leisure trips, which is one of the specific issues identified in the Core Strategy as needing to be addressed at Chippenham. However, it is accepted that the coffee shop will be for the benefit of the office workers at the site and immediate locality. It is also accepted that the site's location is ideal for a drive-through business, subject to detailed site matters e.g. Layout and Design. As such no objection was raised on Policy grounds.

Urban design

Initial objections were raised in respect of the design character of the proposed office building and the drive through and the relationship between the two elements. In particular the lack of any clear reference to the character of the locality; the visual prominence and impact of the office building; and the impact of the drive through undermining the character and appearance of the office building.

Revised Plans submitted 5/8/13. The Urban Design Officer confirmed that the design alterations addressed previously identified concerns.

Landscape

No formal objection but identifies concerns regarding the visual impact of the proposals on the adjacent historic park at Corsham Court and adjacent open countryside due to the height and use of materials (including colour). Officers sought additional visual impact assessment information and/or design alterations to reduce the height and alter materials and finishes to the buildings.

Officers supported the submitted landscaping scheme as appropriate and sought conditions for its implementation. Officers also queried the location of bin/waste store.

Trees

The Council's Trees Officer raises no objection to the scheme proposals subject to conditions for the submission of an Arboricultural method statement. Specific reference and concerns were raised in respect of the exit road construction and its impact on the Root Protection Area of the Oak Tree to the northern end of the site that is the subject of a TPO.

Archaeology

In initial comments the Council's Archaeologist sought the submission of an Archaeological Assessment. This was submitted on the 18/7/13 and the Council's Archaeologist confirmed that the report addressed matters adequately and there was no requirement for further works or any conditions.

Ecology

Officers raised no formal objections to the proposals subject to a Section 106 agreement, conditions and informatives as follows:-

- Condition implementation of the landscape scheme for the site
- Condition a landscape and ecological management plan for the site to be approved by the Council
- Condition tree protection measures
- Condition a reptile translocation method statement and secure a reasonable contribution for management of the receptor site through any S106 agreement for the site
- Include an informative regarding site clearance to avoid affecting active bird nests

Highways

Following extensive pre-application discussions no objections were raised subject to the use of appropriate conditions. Including requiring a construction method statement to be submitted and agreed; Access and Entry Signage controls; Provision of parking areas prior to occupation; Provision of Cycle parking prior to occupation. Officers highlight that a separate legal agreement (S38 Agreement) will be required in respect of works to the Highway and Highway Land.

Environmental Health

Raised no objections in principle subject to the imposition of a range of conditions in respect of noise, odour control and litter and waste.

Environment Agency

Raised no in principle objection but objected on matters of detail regarding the submitted Flood Risk Assessment and the site layout in respect of access to the adjacent Watercourse (Pudding Brook). The applicant's engineers considered and responded to the objections raised and proposed alterations in direct liaison with the Environment Agency.

The Environment Agency has subsequently written to confirm that its objections to the scheme proposals are withdrawn.

Drainage

The Council's Drainage Engineers reviewed the submitted details including Flood Risk Assessment and compensation measures and raised no objections or queries in this regard. Further subsequent review confirmed that no further conditions were required.

Chippenham Town Council

The Town Council recommended refusal due to the overbearing size, position, design, scale and impact of the building which is on a primary route into Chippenham and the design is not in keeping with the area.

Corsham Town Council

The Town Council recommended refusal on the grounds that the vehicular access is unsuitable and would exacerbate existing traffic problems; that the Office building is of an inappropriate style. A development more in keeping with the locality was sought.

8. Publicity

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

0 letters of objection or any representations were received from members of the public.

9. Planning Considerations

Principle of Development

The site is located within the defined framework boundary of Chippenham and lies directly adjacent to existing employment and commercial development. The site has been the subject of previous consent for B1 Office development. Policy BD3 of the Adopted NWLP 2011 supports employment related development, including B1 Offices, on unallocated sites within the defined framework boundary of Chippenham, subject to the development being of an appropriate scale to the location, and the proposals being accessible by a range of modes of Transport. These matters are discussed further below but it is considered that both criteria are satisfied.

The Spatial Plans team identify that the proposed employment use is acceptable in this location in policy terms. With respect to the A3 and A5 uses, whilst by definition retail uses and therefore normally directed to a retail centre/town centre locations, officers accept that the A3/A5 Coffee Shop outlet will predominantly serve the office use and adjacent employment uses thereby not significantly diverting trade from the Town Centre. Whilst the proposed A3/A5 Drive Through restaurant/Hot food takeaway is considered appropriate to this location and it is accepted that this type of facility is not easily or readily accommodated in town centre locations. Furthermore it is considered that a drive through restaurant by definition supports vehicular based trade and this would have implications for accessibility and the retail environment within the town centre which is partially pedestrianised. Policy R6 of the adopted NWLP 2011 allows development outside the existing town centre within Chippenham where there is a need for the development; where it is demonstrated that there are no suitable sites in the town centre for the proposed development; where proposals do not undermine the vitality and viability of the town centre; and where proposals are accessible by a range of modes of transport. The applicant has supported their application with information demonstrating that there are no more preferable sites in the town centre and it is accepted that the proposals would not divert trade from the town centre to the extent that harm to its vitality and viability would be caused. The proposed retail units, particularly the drive-through underpin the scheme as a whole in financial terms and in this context it is considered that there is a need for the development.

For these reasons it is also considered that there is no direct conflict with the emerging policies of the Wiltshire Core Strategy. In addition it should be noted that these policies are not yet adopted. The WCS has been through the Public Examination but the Inspector's report and findings are awaited and as such there are outstanding objections to relevant policies. Consequently the weight that can be attached to them is reduced.

It is critical to note that the scheme proposals are for an employment use that will deliver jobs to Chippenham, both in terms of construction and the future uses of the B1 Office and the A3/A5 Restaurant/Coffee Shop. It is estimated by the applicant that approximately 230 jobs will be created by the development. The importance of such a significant employment development and indeed developer investment in the current economic climate must not be under-estimated. There is a deep and prolonged worldwide recession on-going and the delivery of major employment related investment and development must be supported as a matter of principle. Development proposals of this kind should only be refused planning permission and opposed where there is clear, unequivocal and very serious harm to interests of acknowledged importance. To be

absolutely clear this must entail very definite and significant harm to the most important features and aspects of our environment and community. The applicant has undertaken initial marketing of the site via chartered surveyors based on the submitted proposals and has received two expressions of interest for occupancy of the B1 Office as a whole headquarters office location. This is without the benefit of full planning permission having been granted. Furthermore the same agents have recently marketed other properties in Chippenham and express firm confidence that there is unmet demand for this specific type of property and location. Furthermore interest has been expressed in occupancy of the ground floor A3/A5 Coffeshop outlet. The A3/A5 drive through restaurant is of specific interest to Kentucky Fried Chicken. This level of interest in the current economic climate should not be under-estimated and is a reflection of the location and the form of the proposals directly addressing the limited and specific demand that is available. The competition for such occupants is intense with many such facilities and prime locations available in places such as Bristol and Swindon along the M4 corridor. As such it is important to recognise the opportunity that the development proposals represent.

It is also important to note that the NPPF is very supportive of Employment related development. The Economic role of development is a key aspect of the definition of sustainable development included at para 7 of the NPPF. The presumption in favour of Sustainable Development is the golden thread that runs throughout the NPPF and Government policy toward planning. The NPPF specifies that the economic role of Sustainable Development entails contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation. The proposed development clearly meets this requirement. This requirement reinforces the fact that such sustainable economic development should only be refused where these very clear and important benefits are wholly outweighed by very clearly defined, significant and substantial harm to interests of acknowledged importance.

Scale and Character and impact on the Character and Appearance of the Locality

The site is a prominent location at one of the principle access points to Chippenham. It is situated on the junction of the A350 around the west of the town and the A4 from Bath ultimately leading to London. The site context is also defined by the open countryside to the west, the historic parkland of The Corsham Court Estate to the South West and the backdrop of the town itself and the wider landscape on rising ground beyond the town. The site includes some distinctive elements forming part of its character. The area of mature vegetation including the Pudding Brook to the northern end adjacent the road junction A350/A4 is a distinctive part of the current site. The site also features two significant mature trees that are the subject of Tree Preservation Orders, one of which lies adjacent the A350 to the southern end of the site. Existing major employment development is situated on rising land immediately to the south and this forms a key site characteristic. To the north of the junction of the A4/A350 is the Drive through McDonalds Restaurant also situated adjacent to the A350.

The site has been the subject of previous proposals to erect a hotel which were refused by North Wiltshire District Council. The decision was the subject of an appeal which was dismissed. The Inspector in his decision letter identified that the site is a key gateway to Chippenham. The Inspector also identifies that the site is characterised by modern large scale commercial development and not the historic character of town. Further that the site and immediate locality has no strong unifying character which he considered supported development of a variety of building styles and forms. Given the local character and the backdrop of large scale buildings the Inspector found that a development of the height proposed (6 floors) would be acceptable. This was particularly the case given that the Council had previously approved an Office Building at the site and this clearly envisaged, in his view, a landmark building. The Inspector noted that on other sites adjacent the A350 along the boundary of the town landscaping proposals had sought to minimise visual impacts of development but these had been relatively minimal in themselves and of varying success. He further noted that there was relatively limited scope for significant landscaping and planting between the road and the development plots along the A350. This appeal decision and the previous decision to grant consent for an office building at the site are material planning considerations weighing in favour of the current proposals.

As noted above both the Council's Urban Design and Landscape Officers raise concerns regarding the design character of the proposals. This is in the particular context of the characteristics referred to previously. The landscape officer in particular raises concerns regarding the relationship with the historic landscape of The Corsham Court Estate. Both officers raise their concerns in relation to the height of the office building and the proposed use of materials and finishes, in particular the colours proposed (Red and Green) which increases the prominence of the building in the site context. The Council's Urban Design Officer also identifies that the design character of the proposed drive through restaurant given its prominent location as inappropriate and that it detracts from and undermines the design character approach formed by the office building. The adopted policies of the NWLP require the development to be of a scale appropriate to the site.

As a consequence Officers sought design alterations to reduce the visual prominence of the site. The use of materials and in particular the colour finishes was identified as of particular concern in the office building. The standardised design approach and use of corporate branding for the drive through restaurant was also of concern given the positioning of the building adjacent the A350 to the fore of the office building. The matters were raised with the applicant and officers sought alterations to the office building to include more direct referencing to the predominant design characteristic of the locality – use of stone. A bespoke design approach to the drive through restaurant, that both referenced the stone characteristic of the locality, whilst also bearing a relationship to the distinctive form of the office building, was also sought. The applicant has submitted revised plans which directly respond to these matters. It is considered that the alteration to the use of material and the character of the proposed finish with a rainscreen panel to match Chippenham stone will achieve these aims. This material has been used in other locations in the south west successfully, including within Bath. The design provides a reference to the predominant design character of the locality whilst also reducing visual prominence.

In this context it is not considered that the height of the building needs to be reduced. It should be noted that the height of the building contributes to the provision of substantive employment floorspace. No consultee has formally objected to the proposals solely on the basis of height and visual prominence. The building is set within the site on lower ground than the surrounding locality. There are buildings to the south situated on higher ground that are not significantly different in height to the proposed building such that consent ought to be refused on this basis alone. In this context it is essential to note the previous matters raised under "Principle of Development" that the harm caused should be very significant and clearly defined if consent is to be refused given the benefits that will arise. It is also essential to bear in mind the interest that has already been expressed in the development by potential occupiers. This indicates that the proposals address a latent demand in a time of significant recession. Of further relevance in this context is the previous consent for B1 Office development which was referenced as a material consideration in the Inspector's appeal decision in relation to the hotel proposals whereby he found justification for a building of 6 storeys in height. It is therefore not considered that this particular matter provides a sound basis for refusal in itself given the other balancing material considerations, not least of all the significant employment benefits arising from the development. Consequently it is not considered that a decision to refuse on this basis would be supported by an Inspector at appeal given the strong support in the NPPF for this type of development; the broader economic context; and the Government's growth agenda.

It is also important to note that the current proposals, in accordance with pre-application discussions, do not include substantive proposals for signage, adverts and related lighting. The prominence of the location and the significant landscaping proposals aimed at mitigating the impact of the site mean that free standing signage and related lighting would not be appropriate to this site and development and would cause clear harm. The Council accepts that the drive through restaurant is appropriate to this type of location but the proximity to the road and subsequent natural visual prominence and advertising this provides is considered wholly adequate. Further signage clutter is unnecessary and would significantly undermine the design approach adopted for the site.

The applicant has submitted a first stage BREEAM assessment demonstrating that the proposals are likely to achieve a rating of "very good". Conditions will be applied in regard to completion of stage 2 to achieve this rating.

Highways Impact

The applicant has undertaken extensive pre-application discussions with the Council including Highways Officers. The proposed access and egress from the A350 and to the A4 is a design solution and arrangement that has been agreed between the respective Highways Engineers and Transport Consultants following detailed analysis of the operation of the two junctions in the vicinity of the site. The applicant has submitted a Transport Assessment in support of the proposals which includes this analysis and this demonstrates that the development will not have an adverse impact on the operation of the roundabouts and Officers consider the Assessment to be robust. Officers identify that overall the proposed parking levels are below maximum standards, but consider that there is scope for shared use of parking and as such provision is adequate. In this context the design considerations at the site are also relevant and minimising the amount of parking will assist with reducing the visual impact of the proposals. The submitted Transport Assessment identifies that the site is accessible by a range of modes of transport.

The Council's Highways Engineer raises no in principle objection to the scheme proposals subject to the use of appropriate conditions as referenced above.

Ecological Impact

The application is supported by an Ecological Assessment and this identifies the presence of protected species of reptile including Grass Snakes and Slow Worms present on the site. The Council's Ecologist raises no objection to the scheme proposals subject to the translocation of these species to an identified receptor site. Funding is required for the future maintenance and management of the receptor site and this must be covered by a S106 agreement. The applicant has agreed to enter into a S106 agreement to facilitate this requirement. The wording of a document has been agreed and a copy signed by the applicant has been submitted to the Council. At the time of writing this document has not yet been formally signed and sealed by the Council but it is anticipated that this will be completed by the time of the Committee meeting (late observations will provide an update on this matter). A condition is required to address the physical translocation of the species by the applicant.

Officers identify that the proposals will result in the loss of existing semi-natural habitat including scrub, woodland and damp grassland. It is however identified that these habitats are not Biodiversity Action Plan protected and as such there is no conflict with adopted plan policies. The impact on Pudding Brook of the proposed vegetation removal and construction of the access road is assessed. Officers consider that this provides opportunities to retain and enhance ecological value as part of the submitted landscape scheme. As such no objection or conflict with adopted policy is identified in this regard subject to conditions relating to the implementation and management of the landscaping scheme and the submission and agreement of an Ecological Management Plan. Other appropriate conditions and an informative are required in relation to the protection of retained trees and site clearance avoiding affecting active bird nests.

Drainage

The comments and advice received from the Council's Drainage Engineers and the Environment Agency were initially not entirely in accord with one another. As noted above the Council's Engineers raised no concerns and objections and considered the submitted FRA and proposals appropriate and acceptable. The Environment Agency raised no formal objection in principle but did submit a holding objection based on concerns as to the accuracy of the submitted FRA and the site layout including access to Pudding Brook.

The applicant's Drainage Engineers have been in liaison with the Environment Agency since the objections and concerns were raised and directly copied to them. Subsequently additional and revised submissions in respect of the Flood Risk Assessment and revised site layout plans have

been submitted to the EA. The EA sent correspondence identifying agreement to the revised proposals and indicating agreement in respect of surface water drainage and flood risk to the applicant and the Council. Since then the Environment Agency has further written to the Council (28/8/13) to formally withdraw its objections to the scheme proposals subject to appropriate conditions and informative which are included below.

10. Conclusion

The site is in a prominent location and is subject to constraints. However, the applicant has worked with officers and statutory consultees to address these matters and concerns and objections have been satisfactorily addressed and overcome. There are no objections from any Local Residents. B1 Offices have previously been granted consent at the site. The Inspector considering proposals for a Hotel identified that a building of 6 storeys in height would be appropriate to this location. The proposals will deliver much needed employment to Chippenham and interest in the development from two companies seeking a headquarters facility has already been identified. On this basis it is considered that there is no substantive harm to any interest sufficient to outweigh the very significant benefits that will arise from development.

11. Recommendation

Planning Permission be GRANTED

Subject to the following conditions:

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

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

2. 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.

POLICY-C3

3. Development of the B1 Office and A3/A5 Retail Units hereby permitted shall not commence on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being brought into use.

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

POLICY-C3

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

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

POLICY-C3

5. No development shall commence on site until the trees on the site which are protected by a Tree Preservation Order have been enclosed by protective fencing, in accordance with British Standard 5837 (2005): Trees in Relation to Construction. Before the fence is erected its type and position shall be approved with the Local Planning Authority and after it has been erected, it shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected areas(s).

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

POLICY-C3

6. No demolition, site clearance or development shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees 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 road, bridge and exit road;
- 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.

POLICY-C3

7. A pre-commencement site meeting shall be held and attended by the developer's arboricultural consultant, the designated site foreman and a representative from the Local Authority to discuss details of the proposed work and working procedures prior to any demolition, site clearance and any development. Subsequently and until the completion of all site works, site visits should be carried out on a weekly basis by the developer's arboricultural consultant. A report detailing the results of site supervision and any necessary remedial works undertaken or required shall be submitted to and approved in writing by the Local Planning Authority. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant following that approval.

REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on-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.

POLICY-C3

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

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

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

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

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

POLICY-C3

9. No development shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

REASON: To ensure the proper management of the landscaped areas in the interests of visual amenity.

POLICY-C3

10. The A350 access shall be used for the purpose of "Entry Only" and the A4 access shall be used for "Exit Only". No development shall commence on site until details of signs restricting the use of the access as above, have been submitted to and approved in writing by the Local Planning Authority. Those signs shall be erected prior to the development hereby permitted being first brought into use and maintained at all times thereafter.

REASON: In the interests of highway safety.

POLICY C3

11. No part of the development hereby approved shall be first brought into use until the parking areas shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. Those areas shall be maintained and remain available for this use at all times thereafter.

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

POLICY C3

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

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

POLICY C3

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

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

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

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

POLICY-C3

14. All building services plant and machinery shall be so sited and designed in order to achieve a rating Level of -5dB below the lowest measured background noise level, determined at the nearest noise sensitive receptor. Measurements and assessment shall be carried out in accordance with BS4142:1997

REASON: In the interests of amenity.

POLICY C3

15. Any proposals for external lighting at the site shall be subject to a lighting scheme to be submitted to and approved in writing by the Local Planning Authority prior to the

commencement of development. The lighting scheme shall comply with Environmental zone E2: Low district brightness areas, rural, small village, or relatively dark urban locations. The scheme should comply with guidance issued by the Institution of Lighting Engineers.

REASON: In the interests of amenity.

POLICY C3

16. Suitable ventilation and filtration equipment shall be installed to suppress and disperse any fumes and/or smell created from the cooking operations on the premises. Details of the equipment shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. All equipment shall be installed in accordance with the approved details and in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.

REASON: In the interests of amenity.

POLICY C3

17. Prior to the premises being brought into use, a scheme providing for the adequate storage of refuse shall be submitted to and approved by the Local Planning Authority. The scheme shall then be carried out in accordance with the approved details, prior to the commencement of use, and shall be maintained at all times.

REASON: In order to minimise nuisance and safeguard the amenities of the area in which the development is located.

POLICY C3

18. There shall be no raising of existing ground levels on the site.

REASON: In the interests of visual amenity.

POLICY-C3

19. The development hereby permitted shall achieve a BREEAM (Building Research Establishment Environment Assessment Method) rating of 'very good'. The development shall not be first brought into use/occupied until the post-construction stage assessment and subsequent BREEAM Certificate certifying that 'very good' status has been achieved has been issued and a copy of the same submitted to the Local Planning Authority.

REASON: In the interests of the conservation of energy resources.

POLICY-C3

20. The mitigation measures – Translocation of Grass Snakes and Slow Worms - detailed in the approved Ecological Assessment Michael Wood Associates Dated 05/4/2013 shall be carried out in full prior to the first bringing into use and/or in accordance with the approved timetable detailed in the Ecological Assessment.

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

POLICY: National Planning Policy Framework paragraph 118.

21. No development shall commence on site until an ecological management plan, to include measures to enhance on site ecological features and site biodiversity, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance

with the approved details, before the development is first brought into use; or in accordance with the approved timetable detailed in the approved scheme.

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

POLICY: National Planning Policy Framework paragraph 118.

22. The development hereby permitted shall not be commenced until such time as a scheme to mitigate flood risk has been submitted to, and approved in writing by, the local planning authority.

Such a scheme to detail:

1. Flood plain compensation calculations on a level for level basis.
2. Details of the bridge soffit level to be set no lower than around 59.1 metres AOD, to include indicative cross and long sections with levels.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

23. The development permitted by this planning permission shall only be carried out in accordance with the approved Site Plan Drawing SUB 2.0 Rev L dated 20.08.2013 by COUGAR and the following mitigation measures detailed within the FRA:

1. Provision of 3.6m field access gates to provide access for watercourse maintenance machinery
2. A minimum 5.0m buffer zone from the watercourse to facilitate safe access

24. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To allow safe access of watercourse maintenance machinery and prevent the increased risk of flooding.

25. 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, 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.

26. The scheme shall also include:

1. Details of how the scheme shall be maintained and managed after completion.
2. Details of the culvert connected to the drainage ditch to the south of the A4 Bath Road.

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

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

1006/6995/1B	Topographical Survey	1:500 @ (A1)
1006/6995/1B	Topographical Survey	1:200 @ (A1)
SUB 1.0	Location Plan	1:1250 @ (A1)
SUB 2.0	Site Plan	1:500 @ (A1) L
SUB 3.0	B1/A3/A5 Ground Floor Plan	1:100 @ (A1) E

SUB 4.0	B1 First Floor Plan	1:100 @ (A1) E
SUB 5.0	B1 Second Floor Plan	1:100 @ (A1) E
SUB 6.0	B1 Third Floor Plan	1:100 @ (A1) E
SUB 7.0	B1 Mezzanine Floor	1:100 @ (A1) E
SUB 8.0	B1/A3/A5 Roof Plan	1:100 @ (A1) E
SUB 9.0	A3-Drive-thru Plan	1:100 @ (A1) E
SUB 10.0	A3-Drive-thru Roof Plan	1:100 @ (A1) E
SUB 11.0	Existing Elevation	1:100 @ (A0) F
SUB 12.0	B1/A3/A5 West Elevation	1:100 @ (A1) F
SUB 13.0	B1/A3/A5 East Elevation	1:100 @ (A1) F
SUB 14.0	B1/A3/A5 North/South Elevation	1:100 @ (A1) F
SUB 15.0	A3 Drive-through Elevations + Sections	1:100 @ (A1) B
SUB 16.0	B1/A3/A5 Cross Section	1:100 @ (A0) E
SUB 17.0	B1/A3/A5 Long Section	1:100 @ (A0) E
SUB 18.0	Site Section 1	1:100 @ (A0) E
SUB 19.0	Site Section 2	1:100 @ (A0) E
SUB 20.0	Site Section 3	1:100 @ (A0) E
SUB 21.0	Visual Impact -1	
SUB 22.0	Visual Impact -2	
SUB 23.0	CGI – Site view from entrance - 3	
SUB 24.0	CGI – Site view from exit - 4	
SUB 25.0	3D studies A	
Design & Access Statement + Addendum		

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

POLICY-C3

INFORMATIVES:

1. Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
2. The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.
3. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.
4. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.
5. The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any [protected species](#), or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and

experienced [ecologist](#) and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's [website](#) for further information on protected species.

6. 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 (including any surface water drainage outfall) in, under, over or within 8 metres of the top of the bank of the Pudding Brook, 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.

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

8. There must be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches.

9. Drainage to soakaway from car parking areas for >50 spaces should be passed through an oil interceptor before discharging to ground. The Environmental Permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to groundwater.

10. Storage of domestic oil in above ground tanks >3500 litres must be undertaken on site in accordance with the Control of Pollution (oil storage) (England) Regulations 2001. Storage of domestic oil in above ground tanks <3500 litres must be undertaken in accordance with Approved Document J of the Building Regulations.

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

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PLANNING

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CHOR
Date: 27.03.2013
Scale: 1:1250 (A1)
Revision:



PROJECT CODE :
Drawn: E. V.
Author: Y. F.
Drawing No: SUB 1.0

PROJECT : MIXED USE DEVELOPMENT - CHORUM - CHIPPENHAM
DESCRIPTION : Proposed Location Plan

COUGAR
(Chippenham) Limited

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Report No.

Date of Meeting	11 September 2013		
Application Number	N/13/01191/FUL		
Site Address	Peterborough Arms, Dauntsey Lock, Chippenham, Wiltshire, SN15 4HD		
Proposal	Change of Use of Public House to a Single Dwelling		
Applicant	Wadworth & Co Ltd		
Town/Parish Council	Dauntsey Parish Council		
Electoral Division	Brinkworth	Unitary Member	Cllr Toby Sturgis
Grid Ref	399592 180160		
Type of application	Full		
Case Officer	Chris Marsh	01249 706657	chris.marsh@wiltshire.gov.uk

Reason for the application being considered by Committee

The application has been called in by Cllr Sturgis in order to consider the impact of the proposal on the amenities of the local area.

1. Purpose of Report

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

2. Main Issues

The main issues in considering the application are:

- Principle of development
- Impact on the amenities of the area
- Impact on the character and appearance of the listed building
- Impact on highway safety

3. Site Description

The Peterborough Arms is a substantial property located in the centre of the hamlet of Dauntsey Lock, itself situated on the B4069 route between Chippenham and Lyneham. The land surrounding the public house comprises a reasonably large surrounding loose stone parking area, together with a sizeable beer garden that extends to the southeast alongside the highway, from which it is separated by a traditional stone wall. The building itself is Grade II-listed, although a number of additions have been made over an extended period of time, and its operation as a public house dates from the early part of the C20th, remaining in business until relatively recently. The route of the former Wilts & Berks Canal runs close to the northern site boundary.

Internally, the building comprises a pair of modest bar areas, limited restaurant seating, kitchen, toilets and a part-attached skittles alley/function room at ground floor level, with a large cellar below. The upper two floors contained within the original building are arranged as ancillary staff accommodation, including kitchenette and bathroom, with a further four letting rooms. The building is finished externally for the most part in painted brick and masonry, with a diverse mixture of roof forms reflecting the various ages and styles of the numerous lower-scale extensions, although largely finished in matching slate.

4. Relevant Planning History		
Application Number	Proposal	Decision
05/02845/FUL & 05/2846/LBC	External Illumination to Existing Signage	Refused
04/02825/ADV & 04/2824/LBC	Erection of Signboards, Fascia Sign and Forecourt Signage	Permitted

5. Proposal

Planning permission is sought to change the use of the property from a public house (Use Class A4 – Drinking Establishments) to a single residential unit (Use Class C3 – Dwellinghouses). The application does not include any external or internal alterations at this time, for which a Listed Building Consent application would likely be required owing to the building's status as a designated heritage asset.

6. Consultations

Dauntsey Parish Council – strong objections
Highways – no objection
Conservation Officer – no objection

Owing to the nature of the scheme as a relatively straightforward conversion, no Section 106 financial contributions would be payable should the application succeed.

7. Publicity

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

52 letters of objection received

Summary of key relevant points raised:

- Loss of a community asset
- Lack of alternative services locally
- Extent of marketing undertaken and reasonableness of valuation

8. Planning Considerations

Principle of development

Policy R6 of the adopted North Wiltshire Local Plan 2011 (Existing Local Shops and Services) remains the primary policy consideration in this instance, although some material weight should also be ascribed to Core Policy 49 of the emerging Wiltshire Core Strategy (Protection of services and community facilities). Policy R6 stipulates at point (i) that the change of use of such local services is contingent upon '*the business no longer being viable and every reasonable attempt to market the premises [having] been made*'. The applicant has submitted supporting information in this regard, examining the recent business conditions, wider economic context, maintenance obligations on the building, local demographics and efforts made to market the premises as a public house. This report concludes that the business is unviable at the present time and that no prospective buyers have expressed interest in the past 18 months of the premises' marketing.

An independent assessment of the viability and marketing of the business and premises has been undertaken by Chesterton Humberts, at the instruction of the Council under Paragraph 11.16 of the Retail Topic Area of the adopted Local Plan. This subsequent report reaffirms much of the information originally submitted, validating the combination of circumstances that has led to the

business's steady decline. It is opined that, whilst the market asking price of £325,000 is excessive, the lack of interest or offers even at a substantially reduced sum is demonstrative of the significant financial risk associated with taking the premises on as a pub. However, following the addition of the property to the Community Assets Register, it is understood that a bid is to be expected on behalf of the Wilts & Berks Canal Trust and a funding application already underway with a view to exploring a more focused range of local services.

The themes of the two relevant local policies, adopted and emerging, are largely consistent throughout, although CP49 places a greater emphasis upon examining alternative uses in a sequential order. The policy test set out under CP49 is, therefore, one of whether the premises is viable as a *community* use, as an exception process prior to considering conversion directly to residential use. This has not been examined in detail by the applicant, although the inclusion of the property on the Community Assets Register indicates that its social contribution to the local area is acknowledged. It is understood that the Wilts & Berks Canal Trust is currently engaging with residents and local organisations, including the local cricket team, to understand how the property can be best adapted to serve an inclusive and sustainable community function, in line with the requirements of CP49.

With the lack of viability in respect of the current enterprise beyond reasonable doubt, judgement on largely depends upon whether an alternative, community use is a realistic prospect. Regard should be paid to the prospective viability of an alternative community-led arrangement and, given the statutory timescales now in place under the community asset legislation, it is considered that the application is premature in this respect. Although CP49 can only be ascribed limited weight in its draft form, it is clear that the proposal fails to accord with point (ii) of Policy R6, as the development would not result in the provision of greater community benefit.

Impact on the amenities of the area

Owing to the site's proximity to RAF Lyneham, the population of the extended locality was reduced significantly by the MoD's temporary closure of the facility at the end of 2012, with the transferral of most of its 1,500 staff. However, the downturn in food and drink sales at The Peterborough Arms can be seen prior to the redeployment of staff from the air base, although it is probable that this has hastened the decline. In any case, there are other pubs (The Mallard, The White Hart) operational within Lyneham and located significantly closer to the air base, such that The Peterborough Arms would still have to compete with more conveniently-located premises for similar trade. As such, it is questionable how much weight can be ascribed to this factor.

Point (iii) of Policy R6 stipulates that alternative facilities should be available in the locality to justify the loss of a business such as a pub, which serves an obvious community function. Undoubtedly the loss of an established public house in a community area of this limited size will adversely affect the amenities of the area. In this instance, it is considered that The Peterborough Arms is the only public house within reasonable walking distance for residents of Dauntsey Lock. Although other pubs are located relatively nearby (The Cross Keys, Bradenstoke – closest at 0.7 miles – Lyneham within 2 miles and several others at Great Somerford, Little Somerford, Upper Seagry, Sutton Benger) these can only be readily accessed on foot via narrow, unlit country roads without pavements. It is considered that their limited safety, together with the distances and evening-time nature of the business, render these routes unreasonable as alternatives.

Also worthy of consideration is the prospect of refurbishment of the adjacent section of the Wilts & Berks Canal, which if operational would almost certainly increase trade and exposure available to the public house. Whilst negotiations between the Trust and landowner had previously stagnated, it is understood that progress on this front is now beginning to be made. Although refurbishment is a long-term prospect, an enhanced degree of assurance is certainly a material consideration in relation to the future commercial potential of the property.

In terms of the impact of the proposed development upon the residential amenity of neighbouring properties, inevitably this will create a marginal improvement by way of a likely reduction in outside noise and vehicular movements, and the times of day these are likely to occur.

Impact on the character and appearance of the listed building

Given the building's later conversion to a public house around 150 years after the construction of its principal element, it is not considered that this use forms and integral part of its character as a designated heritage asset. The Council's Conservation Officer has taken the view that a change of use alone, as sought by the applicant at this time, would not detrimentally alter the character of the property or its setting. Any significant alterations to the interior or exterior of the building or its curtilage would require the consideration of a further Listed Building Consent and/or subsequent planning application.

Impact on highway safety

The Council's Highways Officer has confirmed that no objection is raised on highway safety grounds in respect of the proposed development. The change of use to a single dwellinghouse, albeit a substantial one, will almost certainly result in a substantial reduction in traffic to and from the site. The existing areas of hard standing provide ample opportunity for adequate parking and turning space, together with suitable visibility and access onto the adjacent highway. Owing to the building's listed status, any alteration to these arrangements would be subject to a subsequent full planning application.

Conclusions

With regard to the relevant local plan policy, R6, it is considered that the application accords with point (i) in strict terms, in that the business is demonstrably unviable in its present condition and reasonable marketing efforts have been made.

Due to the location and nature of the development, it is considered that points (ii) and (iii) of Policy R6 are not adequately addressed by the application, with the loss of a community asset with realistic alternative functions if a change of use were to proceed at this time. For this reason, it is considered prudent to take a view on the probability that an alternative community use for the site could come forward within a reasonable timeframe. Regard should be paid in particular to the prospect of a community bid to purchase and operate the pub, as well as the timeliness of the Wilts & Berks Canal Trust's planned restoration of the adjacent section of waterway.

On balance, it is considered that the information available, in light of the realistic prospect of a timely and significant enhancement to the commercial and social value of the property, suggests that the application is premature. Whilst undoubtedly the proposed development could offer some minor improvement to residential amenity and highway safety, it is not considered that these factors alone outweigh the inherent local benefit of a pub and/or other community uses.

9. Recommendation

Planning Permission be REFUSED for the following reason:

On balance, the proposed development will result in the detrimental loss of a local service with a realistic prospect of viable community use and therefore conflicts with Policies R6 of the adopted North Wiltshire Local Plan 2011, CP49 of the emerging Wiltshire Core Strategy and Paragraph 28 of the National Planning Policy Framework.



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