

AGENDA

Meeting: Strategic Planning Committee
Place: Council Chamber - County Hall, Trowbridge BA14 8JN
Date: Wednesday 10 December 2014
Time: 10.30 am

Please direct any enquiries on this Agenda to Roger Bishton, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713035 or email roger.bishton@wiltshire.gov.uk

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

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

Pre-meeting information briefing

There will be a briefing session in the Council Chamber starting at **9.30am**, immediately before the meeting on **the Wiltshire Core Strategy**. **All Members and Substitute Members are encouraged to attend please.**

Briefing Arrangements:	Date	Time	Place
PARTY SPOKESMEN	Tuesday 9 December	3.30pm	Dyson Room, 1st Floor, County Hall

Membership:

Cllr Andrew Davis (Chairman)	Cllr Charles Howard
Cllr Tony Trotman (Vice Chairman)	Cllr David Jenkins
Cllr Glenis Ansell	Cllr Bill Moss
Cllr Trevor Carbin	Cllr Christopher Newbury
Cllr Terry Chivers	Cllr Fred Westmoreland
Cllr Stewart Dobson	

Substitutes:

Cllr Ernie Clark	Cllr Paul Oatway
Cllr Brian Dalton	Cllr James Sheppard
Cllr Bill Douglas	Cllr Nick Watts
Cllr Mary Douglas	Cllr Ian West
Cllr Dennis Drewett	Cllr Jerry Wickham
Cllr George Jeans	Cllr Graham Wright

PART I

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

1 **Apologies for Absence**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 1 - 12*)

To approve and sign as a correct record the minutes of the meeting held on 22 October 2014.

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation and Councillors' Questions**

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register in person no later than 10.20am on the day of the meeting.

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

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda (acting on behalf of the Corporate Director) no later than 5pm on **Wednesday 3 December 2014**. 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 **14/04846/OUT - Land South of A365 (Western Way), Bowerhill, Melksham - Residential Development of up to 255 Dwellings, 700 sq.m. of Class A1 Retail Provision and Vehicular Access off Pathfinder Way. (Outline application to determine access) (Pages 13 - 34)**

A report by the Case Officer is attached.

- 7 **14/06650/OUT - Castle Works, Castle Road, Salisbury, SP1 3SB - Demolish existing buildings and development of site with an eco-village of 60 dwellings, open space amenity areas, new footpaths, parking spaces and internal site road (Pages 35 - 54)**

A report by the Case Officer is attached.

- 8 **14/06624/FUL - Land adjacent to Quarryfields Industrial Estate, Mere, BA12 6LA - Erect New Factory incorporating Storage Areas, Offices, Brush Museum, Areas used for Goods In and Goods Out and the formation of Vehicular and Pedestrian Access thereto (Pages 55 - 70)**

A report by the Area Development Manager is attached.

- 9 **14/06780/OUT - Land at The Hill Brush Co Ltd, Woodlands Road, Mere, BA12 6BS - Demolition of Existing Factory and Dwelling known as Maltot. Erection of 134 Dwellings with Supporting Infrastructure. (Hybrid full and outline application) (Pages 71 - 98)**

A report by the Area Development Manager is attached.

10 **Date of the Next Meeting**

To note that the next meeting is scheduled to be heard on Wednesday 21 January 2015 at County Hall, Trowbridge, starting at 10.30am.

11 **Urgent Items**

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

PART II

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

None

STRATEGIC PLANNING COMMITTEE

DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 22 OCTOBER 2014 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Glennis Ansell, Cllr Trevor Carbin, Cllr Terry Chivers, Cllr Andrew Davis (Chairman), Cllr Stewart Dobson, Cllr Charles Howard, Cllr Bill Moss, Cllr Christopher Newbury and Cllr Tony Trotman (Vice Chairman)

Also Present:

Cllr Alan Hill and Cllr Horace Prickett

73 Apologies for Absence

Apologies for absence were received from Cllr David Jenkins and Cllr Fred Westmoreland.

74 Minutes of the Previous Meetings

Resolved:

To approve and sign as a correct record the minutes of the Committee meetings held on 16 and 30 July 2014, subject to the following amendment to the minutes of the meeting held on 16 July 2014:-

Minute No 60 – 14/03118/OUT: Hawkeridge Business Park, Land North and South of Mill Lane, Hawkeridge, Westbury, BA13 4LD – Seventh paragraph to read:

“The Local Member, Councillor Jerry Wickham, then spoke in objection to the application, and requested that members undertake a site visit prior to any determination. Other Local Members, Councillor David Jenkins and Councillor Gordon King, supported the suggestion of a site visit.”

75 Declarations of Interest

Cllr Tony Trotman declared that he had a non-pecuniary interest in Minute No 79 below as he was a member of Calne Town Council, but he had a dispensation and would speak and vote on the application.

Cllr Glenis Ansell also declared a non-pecuniary interest in Minute No 79 below as she was a member of Calne Town Council but that she would neither speak nor vote on the application.

76 **Chairman's Announcements**

There were no Chairman's Announcements.

77 **Public Participation and Councillors' Questions**

Questions were asked by members of the public and responses given as follows:-

Questions from Mr Jesper Eades, a local resident

Question 1

Has Wiltshire Council formulated any strategic planning policy with regard to development, particularly for commercial and industrial uses, of land in the four compass quadrants around Junction 17 of the M4, and is Wiltshire Council guided by specific instruction of national planning policy in this regard ?

Response

Core Policy 34 of the emerging Wiltshire Core Strategy refers to proposals for employment development outside settlements. This alongside other policies in the development plan (saved policies in the North Wiltshire Local Plan 2011 and emerging Wiltshire Core Strategy) and other material considerations including the National Planning Policy Framework would be taken into consideration should there be any proposals for development in the vicinity of junction 17 of the M4 motorway. These policies are considered to be consistent with achieving sustainable development as outlined in National Planning Policy Framework paragraphs 6-10.

Question2

A planning application can sometimes be granted consent on the basis/principle that the applicant undertake for community and strategic reasons items of public works/expenditure as a condition of the consent. If an application for development were to be made relating to land outside the town boundary of Chippenham, for example on land around Junction 17 of the M4, could this principle of public works/expenditure be made as a condition of

consent by Wiltshire Council with respect to the specific benefit of public works/expenditure arising within the town boundary of Chippenham ?

Response

Any financial or other contributions sought from applicants have to pass stringent tests in order for them to be considered appropriate. The framework for the current system of Planning Contributions in England is set out in section 106 (s106) of the Town and Country Planning Act 1990 (substituted by the Planning and Compensation Act 1991) and the Office of the Deputy Prime Minister's (ODPM) Planning Circular 05/2005. Under s106 (1) of the Act, Planning Contributions may be used for (amongst other things) to "require a sum or sums to be paid to the authority".

Any s. 106 contributions to the Council seeks has to pass the following three tests – contributions must be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

If and when an application is made for works on the sites referred to an assessment will be made as to whether any funding could justifiably be sought for public works or other expenditure in the vicinity.

The current system is proposed to be reformed with the introduction of a Community Infrastructure Levy. Community Infrastructure Levy (CIL) allows local authorities in England and Wales to fund infrastructure by charging on new developments in their area. The money generated through CIL can be used to support growth by helping to pay for a wide range of infrastructure including parks, schools, community facilities, health facilities and leisure centres. Wiltshire Council is currently developing its own charging regime for CIL.

Questions from Mr Stephen Eades, a local resident

Question1

What actions and investigations has Wiltshire Council taken to establish whether land around the four compass quadrants of Junction 17 of the M4 offers alternative development land, particularly for industrial and commercial uses, with respect to the needs of Chippenham, and would be available and suitable to prevent any present or future breach by development of the existing A350 western boundary for Chippenham ?

Response

None, for the following reason. With respect to the needs of Chippenham, modifications to the emerging Wiltshire Core Strategy proposed by the Council during the examination process in relation to Core Policy 10 'Spatial Strategy -

Chippenham Community Area' require strategically important mixed use sites for the town's expansion to be identified in a Chippenham Site Allocations Development Plan Document (DPD) and sets out criteria to guide development at the town. The policy is accompanied by a diagram that indicates the areas of search for the strategic growth at the town that will be identified through the DPD. It is these strategic areas that are being assessed through the DPD process. They do not include any areas in the vicinity of junction 17 of the M4 motorway.

Core Policy 10 alongside other policies in the development plan (saved policies in the North Wiltshire Local Plan 2011 and emerging Wiltshire Core Strategy) and other material considerations including the National Planning Policy Framework will be taken into consideration in assessing relevant planning applications that come forward in advance of the DPD west of the A350 around Chippenham.

Question 2

Has Wiltshire Council published publicly the exact geographical extent, from north to south (Malmesbury Road roundabout in the north to the Lacock roundabout in the south), of the present and forthcoming dualling of the Chippenham A350 bypass and the accompanying economic and strategic planning justification for this dualling ?

Response

Yes.

In respect of the section under construction between Jackson's Lane and the Badger Roundabout, the case was made as part of a bid to DfT's 'pinch point' fund, and can be found at

<http://www.wiltshire.gov.uk/council/howthecouncilworks/plansstrategiespolicies/transportpoliciesandstrategies/lppfapplicationa350chippenhamdualling.htm>

In respect of improvements between the Brook and Bumpers Farm Roundabouts, the outline business case was submitted to and approved by the Wiltshire and Swindon Local Transport body (responsible for allocating transport major scheme formula funding), and can be found (under item 27) at <http://ww5.swindon.gov.uk/moderngov/ieListDocuments.aspx?CId=940&MId=6682&Ver=4>

In respect of Improvements between the Badger and Chequers Roundabouts, the case was made (and provisionally approved) as part of the Council's Strategic Economic Plan submitted to Government in March 2014, and can be found at <http://www.swlep.biz/docs/1>

There are no current proposals for dualling the section between the Chequers and Lacock roundabouts.

Questions from Mr Howard Ham, a resident of Allington, Chippenham

Question 1

Evidence from Wiltshire Council to the Core Strategy Examination in Public (EiP) in June 2014 stated that in terms of strategic planning policy the A350 is the logical and natural western boundary for Chippenham and that this boundary will not be breached by development until other alternative development sites are exhausted. Is the same policy as evidenced to the Core Strategy EiP being endorsed by Wiltshire Council in its current review of the Chippenham Development Plan Document (DPD) and if not, why not ?

Response

From a planning policy perspective, for the purpose of identifying strategic mixed use development (housing, employment and community facilities) at the town currently the A350 is considered to be the logical boundary. Consequently land to the west of the A350 has not been identified as a potential direction for the town's growth for the purposes of the emerging Chippenham Site Allocations Development Plan Document (DPD).

Modifications to the emerging Wiltshire Core Strategy proposed by the Council during the examination process in relation to Core Policy 10 'Spatial Strategy - Chippenham Community Area' require strategically important mixed use sites for the town's expansion to be identified in a Chippenham Site Allocations DPD and sets out criteria to guide development at the town. The policy is accompanied by a diagram that indicates the areas of search for the strategic growth at the town that will be identified through the DPD, which do not include land to the west of A350. It is these strategic areas that are being assessed through the DPD process.

Core Policy 10 alongside other policies in the development plan (saved policies in the North Wiltshire Local Plan 2011 and emerging Wiltshire Core Strategy) and other material considerations including the National Planning Policy Framework will be taken into consideration in assessing relevant planning applications that come forward in advance of the DPD.

Question 2

Evidence from Wiltshire Council to the Core Strategy Examination in Public (EiP) in June 2014 stated that in terms of strategic planning policy the A350 is

the logical and natural western boundary for Chippenham and that this boundary will not be breached by development until other alternative development sites are exhausted. What is the procedure of Wiltshire Council for identifying alternative sites that would avoid a breach of the western boundary, and how is the term “exhausted” defined in terms of this investigation ?

Response

As set out in the response above (Q2), the Council is focussing on the area to the east of the A350 in identifying sites for development at the town through the Chippenham Site Allocations Development Plan Document. The Council considers that the scale of growth proposed in the Core Strategy for the plan period to 2026 can be accommodated on the strategic areas identified.

Question from Ms Valerie Ham, a resident of Allington, Chippenham

In July 2014 a company known as “the Range” announced that it wished to undertake a large development on land beyond the Chippenham A350 western boundary. Have officers of the Council, from whatever department, had discussions with either “The Range” company, the landowners of the proposed development site and /or any agents acting regarding the interests of the company or landowners at any dates in the last 12 months and, if so, for what specific purpose ?

Response

Work is in progress on the preparation of a Chippenham Site Allocations Plan the focus of which is to identify strategic mixed use development (housing, employment and community facilities). Land to the west of the A350 has not been identified as a potential direction for the town’s growth for this purpose. Areas east of the A350 are being assessed including land south of the town. This is in accordance with the approach proposed by the Council during the examination process in relation to the Wiltshire Core Strategy and specifically Core Policy 10 ‘Spatial Strategy - Chippenham Community Area’. The detailed assessment of these areas follows consultation on a methodology that was finalised in July. The results of this assessment will inform proposals of the Chippenham Site Allocations Plan which it is intended to publish for pre-submission consultation early in 2015.

There were no questions received from members of the Council.

Members of the public addressed the Committee as set out in Minute No 78 below.

78 **14/07284/FUL - The Poplars Residential Park, Poplars Tree Lane, Southwick, Trowbridge, BA14 9NB - Change of use of agricultural land to extend an existing Gypsy and Traveller site to accommodate two additional pitches and associated landscaping. Erection of two additional day rooms and retrospective permission for entrance gate and walls**

The following people spoke against the proposal:

Mr Richard Parsons, a local resident
Mr Douglas Brown, a local resident
Mr Francis Morland, a local resident
Cllr Steve Jones, representing Southwick Parish Council

The following person spoke in support of the proposal:

Mr Tony Phillips, Director, Thurdleigh Planning Consultancy Ltd.

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that the planning application be approved, subject to conditions. He explained that the key issues to consider were the principle of the proposed development in this locality and the current situation regarding progress towards the allocation of sites within Wiltshire in terms of the Gypsy and Traveller Development Plan Document.

The proposal was for the extension of an existing Gypsy and Traveller site, to provide for an additional two pitches to include the erection of two day rooms. The application simultaneously sought retrospective approval for the erection of walls and a gate at the entrance to the site.

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

Members then heard the views of Cllr Horace Prickett, the local Member, who objected to the proposal on account of the scale of the development, the visual impact upon the surrounding area, the relationship to adjoining properties, environmental and highway impact and parking. He recommended to Members that they carry out a site visit prior to making a decision on the application. However, several members expressed the view that they were familiar with the site and did not require a formal site visit by the Committee.

After a full discussion,

Resolved:

To refuse planning permission for the following reasons:-

- (1) The proposal, by expanding an existing single pitch site to include two additional pitches conflicts with national planning guidance expressed in paragraph 23 of Planning Policy for Gypsy and Traveller Sites that requires local planning authorities to strictly limit new traveller site development in open countryside that is away from existing settlements.
- (2) The additional traffic generated by this proposal would increase vehicular movements through the junctions of Poplar Tree Lane/A361 Frome Road and Poplar Tree Lane/B3019 Bradford Road, to the detriment of road safety due to the sub-standard visibility in the South East direction. The proposal is therefore contrary to Policy CF12 (D) of the West Wiltshire District Plan 1st Alteration (2004); CP 47 (ii) of the emerging Wiltshire Core Strategy and Policy H of "Planning Policy for Traveller Sites" : Department for Communities and Local Government, March 2012.
- (3) The proposal, due to the large increase in the size, including the depth of the overall site, and the associated erection of two more day rooms, would have an adverse impact on the character and appearance of the landscape, with the site becoming a more intrusive feature in a predominantly agricultural landscape. This would conflict with policy CF12 (B) of the West Wiltshire District Plan 1st alteration (2004) and with policy CP47 (vi) of the emerging Wiltshire Core Strategy.

79 **14/07652/FUL - Beversbrook Sports Facility, Beversbrook Road, Calne, SN11 9FL - All-Weather Sports Pitch with Floodlighting and fencing, New Pavilion Entrance, Reception & Cafe**

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that the planning application be granted subject to conditions. He explained that the application formed part of the Wiltshire Council Campus Project.

Members of the Committee then had the opportunity to ask technical questions.

Members then heard the views of Cllr Alan Hill, a local Member, who supported the application but stressed the need for the inclusion of the proposed toucan crossing.

After some discussion,

Resolved:

To grant planning permission, subject to the following conditions:-

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

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

- 2** Prior to the proposal being brought into use the applicant shall provide a scheme of pedestrian and cyclist access & crossing improvements in the vicinity of the site. Full technical details to support the scheme will be required (please see attached Wiltshire Pedestrian Crossing Practice Note - V2), including likely pedestrian and vehicular movements. Full construction details shall be submitted to and approved in writing by the Local Planning Authority prior to construction taking place. The approved scheme shall be constructed in accordance with the approved details prior to the proposal being brought into use and shall be completed to the satisfaction of the Local Planning Authority.

REASON: To ensure that adequate provision is made for pedestrian and cyclists to the site in the interests of highway safety.

- 3** No development shall commence within the area indicated until:
 - a)** A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and

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

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

- 4** No development shall commence until such time as hedgerows within the site have been completely translocated in full accordance with the submitted Hedge and Ditch Relocation Plan (Ref: 5111858/L/P/725/0001/1).

REASON: To mitigate impacts upon BAP habitats and landscape features in accordance with NE10, NE11 and NE14.

- 5** All development, including all hedgerow translocation works, shall be carried out in full accordance with the approved Precautionary Method of Working.
REASON: Avoiding impacts upon protected species
- 6** No part of the development hereby approved shall be first brought into used until the parking area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area 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.
- 7** No development shall commence on site until details of the design, external appearance and decorative finish of fences 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.
- 8** The materials to be used in the construction of the development hereby permitted shall match in material and design as those outlined in the submitted plans.
GA-1000 B
GA-1001 B
GA-1002 E
GA-1003 D
EL-1004 B
EL-1005 C
GA-1006 D
GA-1007 E
GA-1008 C
REASON: In the interests of visual amenity and the character and appearance of the area.
- 9** The use of the floodlit pitches hereby permitted shall only take place between the hours of 8am and 9pm from Mondays to Sundays.
REASON: To ensure the ongoing amenity of the area.
- INFORMATIVE TO APPLICANT:** 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.
- INFORMATIVE TO APPLICANT:** 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.

INFORMATIVE TO APPLICANT: The applicant should note that the grant of planning permission does not include any separate permission which may be needed for Section 6 approval in relation to the Land Powers Defence Act 1958. Such permission should be sought direct from OPA Central Services, Ashdon Road Saffron Walden, Essex, CB10 2NF

80 Army Basing Programme - Salisbury Plain Masterplan

The Committee received an update report by the Army Basing Planning Manager. He reminded Members that at its last meeting held on 30 July 2014, the Committee, whilst recognising the work so far completed, nevertheless encouraged the Defence Infrastructure Organisation (DIO) to reach agreement with the Associate Director for Economic Development and Planning on the following matters of principle before finalising the Master Plan:-

- The outstanding issue relating to the impact of additional water abstraction arising from ABP being addressed to the satisfaction of the Council, in consultation with the Environment Agency and Natural England;
- The outstanding issue relating to the impact of foul water discharge from ABP on phosphate levels in the River Avon being addressed to the satisfaction of the Council in consultation with the Environment Agency and Natural England;
- The outstanding issue relating to the potential impact of increased recreational pressure on Salisbury Plain from ABP on protected species being addressed to the satisfaction of the Council;

The Army Basing Planning Manager was pleased to report that this outstanding work had been completed and the Master Plan had now been finalised, thus providing a sound basis upon which forthcoming development could be planned in a comprehensive manner with the necessary infrastructure.

Resolved:

To note the contents of the report.

81 **Date of Next Meeting**

Resolved:

To note that the next meeting was due to be held on Wednesday 12 November 2014 in the Council Chamber at County Hall, Trowbridge, starting at 10.30am.

82 **Urgent Items**

There were no items of urgent business.

(Duration of meeting: 10.30 am - 12.25 pm)

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

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

REPORT TO THE STRATEGIC PLANNING COMMITTEE

Date of Meeting	10 December 2014
Application Number	14/04846/OUT
Site Address	Land South of A365 (Western Way) Bowerhill Melksham
Proposal	Residential development of up to 255 dwellings, 700sqm of Class A1 retail provision and vehicular access off Pathfinder Way. (Outline application to determine access)
Applicant	MacTaggart & Mickel and Mr and Mrs Doel
Town/Parish Council	MELKSHAM WITHOUT
Ward	MELKSHAM WITHOUT SOUTH
Grid Ref	391273 162584
Type of application	Full Planning
Case Officer	James Taylor

Reason for the application being considered by Committee

Councillor Roy While has called this application to committee at the request of Melksham Parish Council following the well-attended public meeting. The main concerns were:

- Site inappropriate for development – destroy the rural buffer between the Bowerhill village and the town;
- Bowerhill Primary School is at capacity with insufficient land for further development;
- Setting of adjacent Spa buildings;
- Medical facilities – GP surgeries; and
- These and others are detailed in the Parish comments.

The proposal also involves a large scale major residential development which by reason of its location outside of existing Town Policy Limits for Melksham and village policy limits for Bowerhill raises wider strategic implications.

1. Purpose of Report

The purpose of the report is to assess the merits of the planning proposal and as a result of this assessment it is recommended that planning permission be refused.

2. Report Summary

The key issue to consider is the principle of the development of this site, which lies outside of the Town Policy Limits for Melksham and the Village Policy Limits for

Bowerhill set out in the West Wiltshire District Plan (1st alteration). This requires an assessment of the development plan framework and other material considerations. The conclusion reached is that the proposal conflicts with the policies of the development plan and would have a significant adverse impact on the landscape, leading to the effective coalescence of Melksham and the village of Bowerhill. There are also other factors, such as lack of local primary school capacity to cater for the development, that further contribute to the site being an unsustainable location for residential development. The policies of the emerging Wiltshire Core Strategy do require additional housing to be provided in Melksham but set out a properly planned method of selecting the most sustainable sites, through a Sites Allocation DPD that is under preparation. The Inspector has published his report into the Core Strategy, has found it sound, and is satisfied that the Council does have a five year land supply

It is on the basis of an assessment of the above matters that officers now recommend this application for refusal.

3. Site Description

The development site is situated in an area immediately to the south of Melksham and to the north of Bowerhill (a village and employment site). The site is severed by Pathfinder Way – one of the main routes into Bowerhill from the A365 and is separated from the built-up area of Melksham by the busy A365 (Western Way).

Existing housing in Bowerhill village adjoins the site along the southern boundary of the field to the east of Pathfinder Way; and existing employment and leisure uses adjoin the site along the southern boundary of the field to the west of Pathfinder Way. Adjacent to the northern and north eastern boundaries of the site is the A365 beyond which is the housing of Melksham town. The site, being outside of any settlement boundaries is considered to be open countryside and is in agricultural use (Grade 3).

The site slopes from the south down to the north. There are a number of trees located to the peripheries of the two areas and there is local plan policy (C40) to seek tree planting on the peripheries. It is noted that no special landscape, archaeological, fluvial flood risk, cultural or heritage designations exist relevant to this site.

5. Planning History

There is no relevant planning history beyond the associated pre-application and screening opinion submissions.

A planning application was not encouraged at the time and it was suggested that the most appropriate route for pursuing development in a plan-led system would be via the Council's site allocation work or neighbourhood planning rather than a planning application.

It was concluded that this is not EIA development and no environmental statement was required with the planning application.

5. The Proposal

This is an outline planning application for the residential development of up to 255 dwellings, 700sqm of Class A1 retail provision and new access points off Pathfinder Way. All matters other than access are reserved.

The residential element of the proposal has been submitted on the basis of a 30% affordable housing provision ranging from 1 bedroom flats to 4 bedroom houses. Market housing would range from 2-4 bedroom properties. It has been indicated that development will include 2-storey, 2.5-storey and 3-storey housing at circa 35 dwellings per hectare. The design and access statement indicates a predominance of 2-storey buildings accentuated by occasional 3-storey buildings within the middle of the development site. Four general character areas will be created with the northern edge adjacent to the open space having a low density to reflect the transition into the buffer area alongside the A365 at this point; semi-detached and detached lower housing adjoining the existing Bowerhill residential edge; and then higher density housing in the core and principle frontage areas of the development to include apartments, terraced housing and semi-detached housing of a 2 and 3 storey mix.

No details of parking have been provided but it has been indicated that a mix of garages, driveways and parking courts will be detailed at reserved matters stage and would be in line with the Council's adopted minimum standards where possible. Secure and covered cycle parking will be provided.

The retail element of 700sqm has been described as comprising *“pre-dominantly convenience retail and service uses principally to serve day-to-day needs of residents of the proposed development but also existing Bowerhill and nearby Melksham residents.”* The agent through discussion has agreed that this will be a number of separate units with the main unit being no more than 400 square metres. It has been detailed that a maximum of 20 car parking spaces would be provided to serve the retail offer. Cycle stands will be provided.

A general landscape strategy has been included within the design and access statement indicating a multi-faceted approach to providing green infrastructure that offers a buffer to the north of the site, drainage, mixed play, ecological opportunity and seasonal interests as well as providing accessibility and ease of movement. The indicative details show multi-functional opens space provision that will be for formal and informal recreation and surface water attenuation and landscaping.

Three vehicular junctions would be created to Pathfinder Way with all existing agricultural accesses closed off. The junction to the land west of Pathfinder Way would be approximately 90 metres south of the A365 roundabout with a right turn lane provided to accommodate 7 vehicles. This would be adjacent to the retail offer. The junction to the land east of Pathfinder Way would be approximately 185 metres south of the A365 roundabout also with a right turn lane provided to accommodate 7 vehicles. A further access to the land west of Pathfinder Way would be created near the southern boundary of the site.

Pedestrian and cycle links and routes have also been indicated to the south, east and north. 4 toucan crossing points are detailed including one over Pathfinder Way – two would upgrade the existing island crossing on the A365. A further fifth crossing to the north from the western part of the development has been agreed through negotiation; this would be pedestrian puffin crossing in recognition that the links to the north are not convenient to cycling. Bus stops to Pathfinder Way are proposed.

6. Planning Policy

West Wiltshire District Plan 1st Alteration (2004) (local plan)

C1: Countryside Protection; C31a: Design; C32: Landscaping; C34a: Resource Consumption and Reduction; C35: Light Pollution; C38: Nuisance; H19: Development in Open Countryside; H22: Affordable Housing on Rural Exception

Sites; E6: Rural Employment; T10: Car Parking; S1: Education; U1a: Foul Water Disposal; U2: Surface Water Disposal; I1: Implementation; I2: The Arts.

Leisure and Recreation DPD (January 2009) (DPD)
Residential Design Guide SPD (November 2005) (SPD)

Waste Core Strategy (2009)
WCS6: Waste Reduction and Auditing.

Emerging Wiltshire Core Strategy (eWCS)
CP1: Settlement Strategy; CP2: Delivery Strategy; CP3: Infrastructure; CP15: Spatial Strategy – Melksham Community Area; CP41: Sustainable Construction and low carbon energy; CP43: Affordable Housing; CP44: Rural Exception Sites; CP45: Meeting Wiltshire's Housing Needs; CP46: Meeting the needs of Wiltshire's vulnerable and older people; CP49: Protection of services and community facilities; CP50: Biodiversity and Geodiversity; CP51: Landscape; CP57: Ensuring high quality design and place shaping; CP58: Ensuring the conservation of the historic environment; CP60: Sustainable Transport; CP61: Transport and development; CP67: Flood Risk.

National Planning Policy Framework 2012 (NPPF)

Planning Practice Guidance (PPG)

7. Consultations

Melksham Without Parish Council: Objects to the proposal on the following grounds:

- Loss of 'rural buffer' – the site is 'grossly inappropriate' for development as it would destroy the rural buffer between the separate communities of Bowerhill village and the town of Melksham. This buffer has been safeguarded in successive local planning policies for 40 years and must be retained. There are other more suitable sites for future housing provision at Melksham. Building on this site will mean Bowerhill and Melksham joining up, which Bowerhill residents do not want. Bowerhill is a village with its own community, which is recognised in the Core Strategy: it has 'important individual characteristics which should be protected wherever possible'.
- Loss of productive agricultural land.
- Proximity to the existing industrial estate – some of the houses back onto the Bowerhill industrial estate onto a garage, container storage facility, brewery and Boomerang play area for children, also used for loud music by adults in the evening.
- Pathfinder Way – creation of new junctions must not be allowed to create additional hazards or impede pedestrians and cyclists;
- Schools – Bowerhill Primary School is already at capacity and has no land to build additional facilities on. Children would therefore have to attend other primary (if they had capacity) and secondary schools and cross the busy A365 to do so. Melksham Oak Secondary School may be full by next year.
- Pedestrian and cycle crossing – There is a requirement for a better and safer means of crossing the A365 for the existing footway and cycleway from Bowerhill. The Council welcomes the addition of a crossing but feels that this is too close to the roundabout. The transport study conducted is not sufficient and does not reflect the volume of traffic using the A365, which could increase if a weight limit was imposed at Seend.

- Housing type – Melksham needs additional affordable housing for local people, but does not need housing that is likely to encourage people who will commute out of the area.
- Setting of The Spa – the open aspect across the rural buffer land is an essential part of the setting of the historic Melksham Spa and must be protected from development.
- Foul sewerage drainage – the Council has serious concerns about the ability of the current system to cope with a large new housing development. Should the application be successful, the Council endorse the condition recommended by Wessex Water.
- Flood risk Assessment – the Council would wish to see an extensive flood risk assessment carried out prior to commencement of the development.
- Medical facilities – the Council has serious concerns over the impact that 255 houses will have on the already overstretched GP surgeries in Melksham. The Council would prefer to see the land allocated for proposed retail space used for a community facility such as a new GP surgery or medical centre as there is already a Tesco Express in the locality.
- Only the southern half of the area east of Pathfinder Way should be considered at all suitable for development, in order to maintain a meaningful separation from the urban areas of Melksham town. This would also limit the difficulty of the shortage of school places and the lack of scope for school expansion and would allow better integration with the existing village community.

Environment Agency: No objection subject to conditions / informatives.

Highways Agency: No objection, as the proposals will not have any detrimental impact on the strategic road network.

NHS Wiltshire: The plans for Melksham do not currently include a new doctor's surgery in this location. However, this number of houses will generate additional health need directly affecting primary care services. There are three practices in the locality which could potentially pick up patients as a result of the new housing. Therefore request funding of £128,586 to support the development of the existing practice premises to cope with the additional patients.

Wessex Water: There is limited available spare capacity within the local foul sewerage system to accommodate predicted flows from the development. Initial options to mitigate the impact are outlined in the submitted FRA. As a strategy has yet to be agreed, we request the implementation of a planning condition requiring a foul water drainage strategy to be approved and completed.

Wiltshire Council Archaeology: Holding objection. Consulted on initial trial trench report and awaiting response (17/11).

Wiltshire Council Public Art: No objection subject to commuted sum of £76,500.

Wiltshire Council Drainage Team: No objection.

Wiltshire Council Ecologist: No objection subject to conditions.

Wiltshire Council Education Team: Objection. We are unable to make the additional primary place provision required at the nearest school (Bowerhill) and there are neither adequate spare primary places nor the potential to expand other

primary schools in the town sufficiently. Only if the Spa Road site includes the site and provision of a new primary school building can a potentially deliverable primary school solution to this site be arrived at.

Wiltshire Council Environmental Health: No objection on air quality and contaminated land issues. Consulted on final acoustic report on 20/11.

Wiltshire Council Highways: No objection subject to conditions and legal agreement to secure works to highways and commuted sums.

Wiltshire Council Housing Team: Should the site be considered favourable for development through the planning system, the affordable housing needs information previously supplied is still relevant and should be considered.

Wiltshire Council Landscape Officer: There is a strong policy objection to the development of this site for residential housing and there is no reason for a departure from policy in this case. There would be landscape and visual effects resulting from the proposal and they can be mitigated to some degree, even quite successfully. However, the role and function of the landscape, as it is now, will be lost. The site provides a physical and visual separation to Melksham and Bowerhill and creates a sense of departure and arrival when travelling between the two settlements, despite their close proximity. The loss of the arable fields to residential development will result in a change of landscape character from open rural countryside to urban townscape and perceived coalescence between Melksham and Bowerhill. In describing the landscape effects the LVIA acknowledges the loss of openness and rural character but describes the fields as urban fringe due to the proximity and influence of urban edge and therefore less sensitive to development. The approach to Bowerhill would be improved with a wooded landscape belt to filter the harsh edge; however it is the role and function of this landscape that has been overlooked.

Wiltshire Council Leisure: Melksham is to have a Community Campus which will include leisure facilities to meet present and future demand. However, this is currently underfunded and using the Sports England Facilities calculator, the amount of demand generated gives rise to a necessary contribution totalling £161,110 towards leisure facilities.

Wiltshire Council Libraries: No objection subject to commuted sum of £20,655 to pay for a one-off increase in the stock holding of the library, reflecting the increase in population Melksham library will serve

Wiltshire Council Open Space Team: No objection subject to legal agreement securing open space and play areas on the site in perpetuity and a commuted sum for mitigating the impact on Melksham cemetery to contribute towards expanding it totalling £6,248.

Wiltshire Council Rights of Way: There will be demand from residents to access the housing to the north, to the east and between the two parts of the development. The A365 and Pathfinder Way are both fast and busy roads and would cause severance/deterrence to walkers and cyclists accessing the nearby housing, school, town centre etc. In order to overcome this severance, Toucan crossings must be provided on all three roads, together with a pedestrian/cycle link on the north side of the A365 to Windsor Drive, and a footpath may need to be diverted or extinguished where it just skirts the site.

Wiltshire Council Spatial Plans: Objection.

Planning Policy Context

National Planning Policy Framework (NPPF)

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

The NPPF is also clear in stating that *'planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise'*. The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

Paragraph 17 of the NPPF sets out the core planning principles. Paragraphs 18-219 constitute what sustainable development means in practice. The sections of the NPPF that are considered relevant to this application, as well as paragraphs 14-17 are:

- Building a strong competitive economy
- Ensuring the vitality of town centres
- Delivering a wide choice of high quality homes
- Conserving and enhancing the natural environment
- Conserving and enhancing the historic environment

The Development Plan

Under the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. At the current time the statutory development plan in respect of this application consists of the 'saved' policies of the West Wiltshire District Plan 1st alteration (WWDP) which was adopted in 2004. Although the plan period has now elapsed the majority of the local plan policies have been 'saved' for a further indefinite period until such time as the plan is replaced by policies in the emerging Wiltshire Core Strategy.

The WWDP policy H1 permits housing development within the built up area of Melksham subject to a number of criteria. Policy H17 permits housing development within village policy limits, which includes that of Bowerhill, which is adjacent to the application site. The application site lies outside the Melksham built-up area and outside Bowerhill Village policy Limits.

Residential development in the countryside is covered by policy H19.

Emerging Wiltshire Core Strategy

The draft Wiltshire Core Strategy (WCS), comprising the pre-submission document and a schedule of proposed changes was submitted for Examination in Public (EiP) in July 2012. Following focussed consultation in Autumn 2012, EiP hearings took place from May to July 2013. Further consultation was carried out on modifications arising from the EiP from August to October 2013.

The main policies relevant to the consideration of this application are:

- CP1 Settlement Strategy
- CP2 Delivery Strategy
- CP15 Melksham Community Area Strategy

Main Considerations

The main issues relevant to this application are:

- Development in the countryside
- Retail provision
- Other material considerations

Development in the countryside:

The proposed site lies outside the settlement boundaries of Melksham and Bowerhill as defined on the WWDP proposals map and carried forward in the Core Strategy in core policy CP2. Policy H19 of WWDP states that new dwellings in the countryside and in settlements without Village Policy Limits will not be permitted unless justified in connection with the essential needs of agriculture or forestry. The application does not meet those criteria.

Core Strategy policy CP2 allows for development outside settlement boundaries where they are permitted by other policies of the plan (CP35, CP37, CP39, CP40, CP44, CP46, CP47 and CP48) or where they are brought forward through a neighbourhood plan or the proposed Wiltshire Housing Site Allocations DPD. The proposal is not being brought forward via these alternative plans and does not comply with core policies that allow for an exception to this approach.

Para 3.2.17 of the WWDP states that the identification of suitable land for housing development at Melksham is limited by various factors, including:

- Western Way is considered to be a firm boundary to the south and west of Melksham
- Town policy limits have been identified around Melksham which seek to prevent coalescence with Bowerhill and to protect the open countryside

In the WCS examination hearing sessions held between May-July 2013, additional background text to Core Policy 15 (Spatial Strategy Melksham Community Area) was agreed in relation to the relationship between Melksham and Bowerhill. This additional text at paragraph 5.80 of the WCS1 states that “the identity of these separate communities will need to be preserved through the planning process. It is recognised that both Berryfield and Bowerhill have strong functional links to Melksham and have important individual characteristics which should be protected, where practicable”. It is considered that the proposed development would lead to significant coalescence between Melksham and Bowerhill.

Retail provision

The application proposes 700m² of Class A1 retail provision. WWDP policy SP3 will allow out of centre retail development subject to a number of criteria, which include establishing the need for the development, establishing that there are no suitable and viable sites closer to the town centre and that the development does not harm the town centre.

WCS policy 38 requires all retail proposals on sites not within a town centre, in excess of 200m², to be accompanied by an impact assessment that demonstrates

the proposal will not harm the vitality or viability of nearby centres. The proposal must comply with the sequential approach, as set out in NPPF paragraphs 23 – 27.

Other material considerations

5 year housing supply

NPPF paragraph 47 requires that to boost the supply of housing local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements. NPPF paragraph 49 identifies that relevant policies for the supply of housing, should not be considered up to date if the local planning authority cannot demonstrate a five year supply of housing. The latest assessment of housing land supply in Wiltshire demonstrates that a sufficient land supply exists for the North and West Housing Market Area (HMA) and so this paragraph is not engaged and therefore the development plan policies are considered to be up-to-date.

Addendum – Inspector’s Core Strategy Report.

The Planning inspector who held the examination into the Wiltshire Core Strategy has now submitted his report to the Council. He has found the Core Strategy to be sound, opening the way for the Council to proceed towards its adoption. The publication of his report means that very significant weight can now be given to the policies in the emerging Core Strategy, as modified by the Inspector.

He has agreed with the Council that the proper way forward to review settlement boundaries is through a Sites Allocation DPD, which can complement work emerging from any advanced community led planning process. He has also made it clear that the aim to deliver sustainable development through the approach embodied in policy CP2 is consistent with national policy, is justified and consequently sound.

He has also agreed that the Council’s most recent submissions, including those made to the discussion hearing of the EiP of 30th September 2014 identify a deliverable supply of housing land in excess of 5 years for each Housing Market Area (HMA), and that a 5% buffer is appropriate.

In relation to policy CP15 that deals with the Melksham Community Area, the Inspector supports the Council’s analysis of the hierarchy of settlements and the functional relationship between Melksham and Bowerhill. He notes that the Core Strategy would enable the Sites DPD and the neighbourhood planning process to facilitate the provision of the required level of housing. He states that in the short term, *‘there appears to be sufficient commitments to ensure an adequate supply of housing land for the town’*, whilst acknowledging *‘that there is a notable degree of uncertainty for the latter part of the plan period’*. However, he goes on to say that the *‘the Council acknowledged in its position statement the scope for a Sites DPD to assist in delivering such housing, which....seems to be the most pragmatic and efficient way of complementing the neighbourhood planning process to ensure the provision of sufficient housing to meet identified needs in a timely fashion’*. *‘By such means it will be feasible to deliver the housing numbers shown within modified Core Policy 15 as necessary’*.

The Inspector notes that the Core Strategy identifies in paragraph 5.80 a comprehensive range of issues to be addressed in planning for the Melksham Community Area, and finds that the clarifications provided by the Council are useful but not essential for the overall soundness of the plan as a whole. In such circumstances, the Council is able to incorporate this change within the Core Strategy.

He concludes by stating that overall, the Core Strategy 'does take a justified approach towards the Melksham Community Area and will be effective in terms of delivery'

Conclusion and summary

Policies of the WWDP relevant to this application are consistent with the NPPF. The policy approach to settlement boundaries remains relevant and is carried forward in Core Policy 2 of the WCS, now in its final stages of preparation and at an advanced stage having been through Examination in Public. Given the findings of the Core Strategy Inspector in his published report, very significant weight can now be given to the approach in CP2 and the particular approach to Melksham in CP15.

The proposed development site is outside the settlement framework boundaries of Melksham and Bowerhill, the development does not comply with core policies that allow for exception sites outside of the settlement framework boundary and the site is not being brought forward through a neighbourhood plan or the Wiltshire Housing Sites Allocations DPD at this time.

The Wiltshire Core Strategy seeks to prevent the coalescence of Melksham and Bowerhill, by stating that 'the identity of these separate communities will need to be preserved through the planning process. It is recognised that both Berryfield and Bowerhill have strong functional links to Melksham and have important individual characteristics which should be protected, where practicable'.

The Council can demonstrate that there is a five year supply of deliverable housing land for the North and West Housing Market Area as outlined in the February 2014 Housing Land Supply Statement and therefore policies within the development plan and Core Strategy are considered to be up-to-date.

Spatial planning would therefore have a policy objection to this development.

Wiltshire Council Urban Design: No objection.

Wiltshire Council Waste Team: No objection.

Wiltshire and Swindon Biological Records Centre: No objection.

Wiltshire Fire & Rescue Service: No objection.

8. Publicity

This application was advertised by circa 80 neighbour letters, 6 site notices and a Wiltshire Times advertisement. Circa 17 letters have been received with the following issues raised in objection to the proposals:

- Loss of countryside / rural buffer;
- Loss of productive farm land;
- Consequence is that Melksham and Bowerhill would be merged;
- Wish Bowerhill to remain separate in identity to Melksham;

- Wish to maintain the historical significance of the two settlements;
- Not in keeping with Bowerhill;
- Green Belt land;
- No need for further housing in this area – other sites have permission and yet are not being built on (e.g. Shurnhold) and housing market has stagnated with properties old and new not selling;
- Highway safety;
- Exacerbate existing congestion;
- Improved crossing facilities will add to vehicular congestion;
- Object to connecting development to Birch Grove (very quiet and occupied by retired people);
- Object to cycle link up to Burnet Close (north of A365);
- Impact on school facilities – no room at Bowerhill School
- Impact on health care facilities;
- Infrastructure cannot cope (sewers are beyond capacity);
- Lack of entertainment facilities within Melksham;
- High density;
- No flats or apartments proposed and there is a shortage of such accommodation (happy for these to be 4-storeys if they are not at the edge of the site);
- Don't know who the builder is or what the final scale and designs will be – although bound to be 3-storey;
- Bungalows should be built here;
- Noise;
- Loss of privacy and daylight;
- Drainage and flooding;
- Loss of trees;
- Ecology;
- Impact on the setting of listed buildings;
- Loss of view; and

- What would happen to the existing overhead power cables?

9. Planning Considerations

9.1 Principle of development

The starting point for consideration of this application is the policies of the Development Plan. The consultation response from the Spatial Plan Team reported above sets out the situation in detail. The current development plan is the West Wiltshire District Plan (1st alteration) and the site lies outside both the Town Policy limits defined for Melksham in this plan and the Village Policy limits defined for Bowerhill village. The whole of the site, including both fields either side of Pathfinder Way therefore lies in the open countryside where new development is not permitted, unless justified in connection with the needs of agriculture and forestry. No such justification exists in case. As the Spatial Plan response points out, the supporting text to these policies makes it clear that in this area, the Town Policy limits have been identified around Melksham which seek to prevent coalescence with Bowerhill and to protect the open countryside, with the A365 Western Way seen as forming a firm boundary to the south and west of Melksham. The proposal is therefore in clear conflict with the policies of the extant development plan.

The emerging Wiltshire Core Strategy is now well advanced and will, in due course, supersede the West Wiltshire District Plan. The emerging Core Strategy identifies Melksham as a Market Town that does require additional housing growth in the period to 2026, with land for about 750 houses to be identified (including the Melksham Without Parish Council Area). However, policy CP2 states that the limits of development may only be altered through the identification of sites for development through a Site Allocation plan or Neighbourhood plan. The purpose of this is to ensure a proper plan-led approach to identify the most sustainable sites that can best support the development required. The Wiltshire Housing Site Allocations Development Plan Document is currently under preparation, and will identify site(s) in Melksham to ensure that the identified housing growth is delivered. This approach has been endorsed by the Core Strategy Inspector in his report, and by the Secretary of State in his recent decision on an appeal at Park Road Malmesbury, where he made it clear that the potential output forthcoming from this was *'an important material consideration to be taken into account'* and that the preparation of this *'needs time to go through the proper consultative and statutory processes'*

The emerging Core Strategy (tracked changes version April 2014) also makes it clear in paragraph 5.80 that *'the identity of these separate communities (Melksham and Bowerhill village) will need to be preserved through the planning process'*. Policy CP15 in relation to spatial policy for the Melksham Community Area makes it clear that development proposals will *'need to demonstrate how the relevant issues and considerations listed in paragraph 5.80 will be addressed'*.

Thus the situation is that whilst the emerging Wiltshire Core Strategy will direct more growth towards Melksham, there is no proposed allocation that selects this site and there is a clear mechanism in the Strategy to deliver the housing growth required.

It is then necessary to consider whether there are any other material considerations that should be taken into account in considering the principle of development on this site at this time. One of these is the question of 5 year land supply. If there is no five year land supply, then the NPPF advises that planning policies for housing should not be considered up to date, and planning permission should be granted unless any

'adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole'.

Currently, the Council considers that it has a 5 year land supply for the housing market area within which the site sits. This has been endorsed by the findings of the Core Strategy Inspector. This provision of the NPPF therefore does not engage.

However, even if there was not a 5 year land supply, it is considered that there are adverse impacts arising from this development that would in any case significantly and demonstrably outweigh any benefits from allowing the development to proceed.

The key one here is the adverse landscape impact. As identified by the Council's Landscape Officer, and as is evident from a visit to the site, these two fields provide a physical and visual separation between Melksham and Bowerhill. Whilst the indicative plans do provide for a landscaped buffer alongside the A365, the development would effectively reduce the current separation by 75% or more. In both a visual and physical sense, the effect would be a coalescence of the two settlements. The role and function of the landscape as separating the village from the town would be lost. The open views from Pathfinder Way to the west would be lost. Furthermore, allowing the development and loss of these two fields would clearly set a precedent for the loss of the remaining fields adjacent to the A365 between the site and the A350, increasing the coalescence effect.

In addition, there is the fact that the primary school at Bowerhill cannot take the additional pupils that would be generated by a development of this scale, and cannot be expanded to accommodate them. Nor are there sufficient places elsewhere in the town to accommodate the need, even if it was seen as desirable to direct parent of young children to have to cross the busy A365, which acts a considerable physical barrier, and even with proposed toucan crossings, would still hardly be ideal.

Finally, there is the fact that part of the site adjoins an industrial estate. Whilst it may be possible to restrict noise through the construction of an acoustic barrier, the potential suggested height of 3.5 metres reinforces the questions raised as to whether this is a sustainable site and one of the most suitable for providing for the additional housing needs in the town identified in the emerging Core Strategy.

These adverse impacts also demonstrate and reinforce the need for a proper planned approach to future housing development in Melksham, currently under preparation through the Housing Sites Allocation DPD.

Third, part of the site adjoins an industrial estate, as set out in 9.5 below. Whilst it may be possible to restrict noise through the construction of an acoustic barrier, the potential suggested height of 3.5 metres reinforces the questions raised as to whether this is a sustainable site and one of the most suitable for providing for the additional housing needs in the town identified in the emerging Core Strategy.

These adverse impacts also demonstrate and reinforce the need for a proper planned approach to future housing development in Melksham, currently under preparation through the Housing Sites Allocation DPD. It is the case that there are other site options in Melksham.

Although the principle of the development of this site is considered unacceptable, it is still necessary to consider other detailed aspects of the proposal as detailed below.

9.2 Highway matters

The only reserved matter for which approval is currently sought is the detail of access. The proposal details the creation of two vehicular accesses to the western parcel of the site and one vehicular access to the eastern parcel – all from Pathfinder Way. The proposal would permanently block up the existing agricultural access points onto Pathfinder Way and the A365. The proposal would provide enhanced crossing facilities to Pathfinder Way and the A365, as well as bus shelters and stops to Pathfinder Way. The Council's highway officer raises no objection to the proposals subject to conditions and planning obligations.

It is therefore concluded that there are no overriding objections on access grounds, assuming the necessary contributions were forthcoming.

9.3 Landscape Impact

The key elements of this have already been examined in the section on the principle of development in 9.1 above. The application site is located on the remaining agricultural land that separates the settlements of Melksham and Bowerhill. The emerging WCS states that *"The identity of these separate communities (i.e Melksham and Bowerhill) will need to be preserved through the planning process"* and whilst Bowerhill has *"strong functional links to Melksham"*, *"important individual characteristics....should be protected, where practicable"*.

The loss of the agricultural land to development proposed here is therefore an area of significant concern as the proposal would jeopardise the individual identity of the two settlements. Melksham Parish Council have raised this as a significant issue stating *"this is a grossly inappropriate site for development, since it would destroy the rural buffer between the separate communities of Bowerhill village and the town of Melksham, leading to the coalescence of the two settlements."*

In effect the agricultural land use between the two settlements has been preserved by the local plan policy of having defined settlement policy limits and a policy of no housing development outside of such limits except in exceptional circumstances.

The Parish Council goes on though to assert that *building on these sites will mean Bowerhill and Melksham joining up which the Bowerhill residents do not want. Bowerhill is a village with its own community."*

The Council's landscape officer has provided objection to the proposals detailing that *"the role and function of the landscape, as it is now, will be lost"*.

"The site provides a physical and visual separation to Melksham and Bowerhill and creates a sense of departure and arrival when travelling between the two settlements despite their close proximity. The loss of the arable fields to residential development will result in a change of landscape character from open rural countryside to urban townscape and perceived coalescence between Melksham and Bowerhill. In describing the landscape effects the LVIA acknowledges the loss of openness and rural character but describes the fields as urban fringe due to the proximity and influence of urban edge and therefore less sensitive to development. I am inclined to agree that the approach to Bowerhill would be much improved with wooded landscape belt to filter the harsh edge, however it is the role and function of this landscape which has been somewhat overlooked by the submitted application."

In summary, there is a fundamental objection to the proposal on landscape grounds, as, if permitted, the role of the landscape in preserving the separate communities of

the town and village would be lost. There are no identifiable exceptional circumstances to warrant departure from the policies.

9.4 Heritage assets

To the north east of the application site are a number of important historic buildings located on The Spa. These are Grade II listed buildings. The Parish Council has stated that *“the open aspect across the rural buffer land is an essential part of the setting of the historic Melksham Spa and must be protected from development.”* They have requested that English Heritage therefore be consulted on the proposals. However it is important to understand that the listed buildings are Grade II listed and therefore there is no statutory requirement to consult with English Heritage on the potential impact to their setting. Furthermore English Heritage does not have the resource capacity to comment on applications that are beyond their statutory controls.

The emerging WCS sets out as a specific objective within the plan period that *“development at Melksham should protect the historic environment and in particular should protect the historic setting of the Spa”*. The buildings on the Spa are severed from the application site by the A365, a landscape buffer and then the access road to The Spa itself. The buildings are also set well back from the front of their residential curtilages and are some distance from the application site. Whilst the application site remains in agricultural use and as such is reflective of the land use that would have been occurring when the Spa buildings were constructed, it is not considered that the erosion of this rural scene as a result of the development proposals would significantly affect the setting of the listed buildings given the distances involved, the presence of roads and landscaping, which significantly sever any relationship between the buildings on the spa and the application site. Moreover the significance of the buildings’ setting to the significance of the heritage assets needs to be considered. The applicant’s heritage statement succinctly sets this out and concludes reasonably that there would be a *“slight loss in the significance”* of the 4-storey Spa buildings but within the meaning of the NPPF this would be *“less than substantial harm”*.

To the south is the Grade II listed Bowerhill farmhouse which would in time have been surrounded by open farmland; however as the applicant’s heritage statement details it is now on the periphery of Bowerhill village and enclosed by residential housing albeit some of it is converted or rebuilt rural style housing. This proposal would obviate the last remaining connection of the listed building to farmland and this is regrettable. However given the existing context and that the listed building is surrounded by residential development already and its connection to farm land is no longer evident in any event then it is not assessed that any significant harm would occur. The applicant’s heritage statement also picks up on the curtilage listed outbuilding and reasonably concludes that this would not be significantly harmed as a buffer area will be retained adjacent to this which will *“retain a sense of openness”*.

Finally it is noted that there is a Grade II* listed building further along Bath Road to the south, but it is not assessed to relate well to the application site and its setting would clearly not be affected.

In short, it is not considered that an objection on the grounds of harm to the setting of listed buildings could be sustained.

There are still outstanding matters relating to archaeology that are being investigated and an update will be provided at the meeting.

9.5 Residential amenity and Noise

Melksham Without Parish Council raise concern in regards to amenity issues and the proximity of new residential development to the existing employment allocations. They state that *“some of the houses on the plan will back onto the Bowerhill Industrial Estate onto a garage, a container storage facility, a brewery and Boomerang which is a play area for children and is also used by adults in the evening. It stays open late with flashing lights and loud music. There are concerns that in the future residents of the new housing will not be happy with the neighbouring businesses.”*

At this stage the layout of the site is merely indicative but in order to achieve the general housing numbers of 255 indicated and to retain the northern landscape buffer then it is inevitable that residential development will occur on the field to the west of Pathfinder Way and in close proximity to the employment land use that is well established. The uses in that area is summarised accurately by the Parish Council and reflects the variety that is now established at many employment sites including leisure type uses as well as employment and industrial activity.

The application has therefore been submitted with an acoustic survey which details mitigation. During the course of the application this has been updated, as indeed the indicative master plan has been in part due to the mitigation that the developers themselves were suggesting. The most recent submissions have detailed, based on the indicative layout and their noise survey work, that a 3.5 metre high acoustic fence will be required along the site boundary with the established employment area. This would be circa 135 metres in length. This is clearly symptomatic of the difficulties of siting noise sensitive uses (such as residential property) adjacent to many employment generating activities.

Whilst it may be possible to produce a detailed layout at reserved matters stage that addresses this issue, the fact that it has to be addressed at all raises concerns, as noted in the principle section in 9.1 above, about whether this is an appropriate site for meeting the housing needs in Melksham, or whether other sites may be capable of coming forward that will not have this constraint and are more sustainable overall.

9.6 Ecology

The Wiltshire and Swindon Biological Records centre raise no objection but highlight that a great crested newt has been recorded nearby.

The Council's ecologist states:

“An Ecological Assessment and an addendum report to supplement the Great crested newt survey have been submitted with the application.....I am satisfied with the level of survey effort and the methodologies are satisfactory.”

The main ecological issues have been identified as being habitat connectivity; attenuation features – creation of wetland habitats; great crested newts; protection of retained habitats, trees and badgers; landscaping and management; sympathetic lighting; vegetation removal to protect reptiles; ecological enhancements; and breeding birds.

The Council's ecologist has commented on each of these areas and has confirmed that whilst they have some reservations based on the indicative details of layout and associated boundary treatments not allowing optimum connectivity between habitats, they are satisfied that the proposals would not necessarily cause any harm to ecological interests and indeed would provide potential for ecological enhancement. As such they propose a range of conditions and informatives to ensure that existing interests are protected and enhancement is provided. This includes conditions on the attenuation features so that they are suitable for ecological interests; a landscape and ecological management plan to ensure protection for Great Crested Newts; an external lighting scheme to protect foraging and commuting routes for bats; and provision of enhancement features to help in general terms but specifically to provide habitat for nesting birds and bats.

In light of the ecological submissions and the expert advice received from the Council's ecologist then this is not an area for significant planning concern and can be adequately addressed by conditions and informatives.

9.7 Flooding

The application site is located in flood zone 1 in regards to fluvial flooding, the lowest level of flood risk. It is known that the site does have areas of surface water flooding though and as the site is over 1 hectare a flood risk assessment has been submitted. It has been confirmed by Wessex water that there is limited capacity in the surface water drains in the locality.

Melksham Without Parish Council have raised concern based on previous experiences in the vicinity where flood risk assessments have been carried out and the resultant development has still experienced "*severe flooding*". They wish to see an "*extensive flood risk assessment carried out prior to the commencement*".

The Environment Agency have been consulted on the application and considered the flood risk assessment provided. They have raised no objection subject to a number of conditions including a suitable sustainable surface water drainage strategy being provided prior to commencement of works. The Council's drainage engineer has confirmed that they have no objection to the proposals.

In terms of foul drainage the submission indicates that there are a number of options available to allow the site to be satisfactorily serviced and that the options have all been set out by Wessex Water as the statutory undertaker. Wessex Water have confirmed in their consultation response that "*there is limited available spare capacity within the local foul sewerage system to accommodate predicted foul flows from the development. As a strategy has yet to be agreed we request the implementation of a planning condition, should planning be approved.*" Melksham Without Parish Council has stated that it would endorse such a condition.

On the basis of the expert advice received it is considered that subject to conditions no planning harm would occur in this regard. The indicative masterplan provides for a large area of Green Infrastructure that is likely to be more than adequate to allow for a sustainable drainage solution to be engineered in regards to surface water and Wessex Water have a number of options that will result in an acceptable foul water disposal strategy. Both matters could be controlled by condition.

9.8 Retail impacts

The application includes a retail element with circa 700 square metres of retail space being provided adjacent to Pathfinder Way. This would be served by a right hand turn lane from Pathfinder Way and the applicant states that it is not intended to compete but to complement the what the existing town centre offers and provide convenience shopping for proposed and existing residents in the vicinity. With that in mind the applicant has agreed to conditions that would restrict any unit so that it is no greater than 400 square metres which is the typical size of a convenience store. It is noted that the original community hub of shops within Bowerhill is now largely in residential use, but that there is a fish and chip shop. It is also noted that the eastern development of Bowerhill is served by a Tesco Express and other smaller units, such as a beauticians and a takeaway outlet. It is considered that the retail offer with this proposal would make a similar offer. It is also noted that the floor space detailed would be substantially below the levels set out within the NPPF as requiring retail assessment (2500 square metres).

Given these circumstances it is not considered that any demonstrable harm would arise from the inclusion of a retail offer of this limited size in any residential development of this site.

9.9 Waste

The application has been submitted with a waste audit in accordance with the adopted Wiltshire Waste Core Strategy requirements at policy WCS6. The Council's waste policy officer has stated that *"I have reviewed the Waste Audit submitted with the application and consider that the information provided is sufficient in terms of the requirements of policy WCS6 of the Waste Core Strategy."*

On this basis, waste does not form an area for significant planning concern.

9.10 Affordable housing

Melksham Without Parish Council acknowledges that *"Melksham needs additional affordable family housing for local people"*; and the developer has committed to providing 30% affordable housing in their submission. This would equate to circa 76 units depending on the final details that would come through in any reserved matters application and would be in accordance with the emerging WCS policy of affordable housing in this location. It is noted that housing officers raise no objection stating that *"the latest information available for Melksham area shows that there are a total of 504 households in priority need"*.

The provision of affordable housing as part of the development of the site is a material consideration, but not one that in your officer's view outweighs the objections raised in 9.1 above.

9.11 Open space and recreation

Environmental Services raise no objection to the proposals. The public open space and formal play areas are in accordance with the relevant policy requirements. It is now policy for the PoS and play areas to either be adopted by town/parish Councils or by private management companies, rather than the Council. Thus, it is only necessary for the spaces to be secured as such in perpetuity and transfers to the Council with associated commuted sums are no longer relevant or necessary. The

developer has agreed to provide the space in perpetuity and to have a legal agreement to secure this.

A modest commuted sum of £6,248 has been requested and agreed for necessary cemetery expansion triggered by the additional homes.

The open space provision and recreation provision would have a variety of roles including drainage attenuation, ecological habitat and space for play and leisure.

Support for the off-site recreation demand generated by the development would need to be dealt with by way of a section 106 contribution.

9.12 Education

This area has already been touched upon in the section assessing the principle of the development in 9.1 above.

Melksham Without Parish Council have raised this as an area of concern stating that *“many local schools are full so where will the children from these houses go to school? Bowerhill Primary School is already at capacity and has no land to build or site any new classrooms. Children will then have to attend other primary schools in Melksham (if they have capacity) and if walking to the new East of Melksham primary school would have to cross the very busy A365 to do so. In addition Melksham Oak Secondary School may well be full by next year and with further development proposed on the old George Ward school, Shurnhold site this could lead to children having to attend secondary schools outside of Melksham.”*

The Council’s Education Team advise that the development will generate a need, based on circa 255 houses with a policy compliant 30% affordable housing provision, of 72 primary and 51 secondary places at the designated area schools which are Bowerhill Primary and Melksham Oak at secondary level. Bowerhill Primary school currently has capacity for 390 pupils in permanent accommodation. Under current forecasts numbers are due to peak in April 2017 at 374 pupils and there are 4 further spaces accounted for by other developments. As such it is assessed that there are 12 spare places at Bowerhill Primary School, but the development generates a need for 72 spaces. Therefore the Education Team would normally request circa £1 million to fund the outstanding 60 spaces. The developer is willing to pay this. However, an assessment by the Council of the school site has confirmed that it is not capable of being expanded to make the additional primary place provision required. Furthermore, there are neither adequate spare primary places nor the potential to expand other primary schools in the town sufficiently.

On this basis there is a substantive education issue with the proposals in that despite the developer being willing to provide a contribution to address the accepted lack of current capacity, there are no reasonable means for the Council to spend such money and provide a solution in the vicinity. Any other solution will result in a form of development that is not sustainable with primary school aged children necessarily being transported by vehicles exacerbating issues of congestion, pollution and air quality with consequent environmental issues. Furthermore there are social implications with such an approach where children will not form such strong community bonds as a consequence of being educated ‘out of catchment’. As such the education issue is further evidence that this is an unsustainable form of development, due to the negative environmental and social implications – which are 2 of the 3 dimensions of sustainability as set out in the NPPF.

At secondary level, the Oak is the only school serving Melksham and the surrounding villages and education colleagues consider that it is effectively full based on current forecasts and existing development commitments. They therefore seek a contribution for the full pupil numbers generated by the development of circa £1 million by commuted sum. Unlike the situation with primary school provisions there is considered to be capacity to facilitate such pupil numbers. The developer has agreed to make this payment and on the basis of the above considerations then no concern exists regarding secondary education.

9.13 Other planning obligations

Melksham Without Parish Council have expressed serious concern that the development would have on “*overstretched GP surgeries in Melksham*” and that they would “*prefer to see the land allocated to retail space on the proposed plan used for a community facility such as a new GP surgery or medical centre*”. It is inevitable that residential development will have an impact on infrastructure, such as GP surgeries, and NHS Wiltshire have been consulted. They raise no objection subject to provision of a commuted sum stating that “*there are 3 Practices in the locality all of which could potentially pick up patients as a result of the new housing..... required payment from developer £128,586.*” The developer has agreed to this commuted sum in their draft heads of terms, although whether it could be insisted upon in the current policy framework is a moot point.

The Council’s arts officer has requested a commuted sum; however the developer has stated that they are unwilling to pay such a contribution. Whilst the West Wiltshire District Plan policy I2 does detail that public art should form part of development schemes it does not expressly require planning obligations and details a flexible manner in which art can be incorporated into a scheme including through landscaping and buildings features. The national PPG advises that planning obligations must be necessary to make the development acceptable in planning terms and using public art as an example of where contributions should not be sought. It is considered that an artist objective could reasonably be achieved and incorporated into the development in a multitude of ways and any future reserved matters e.g. external appearance or landscaping could incorporate a form of public art. As such this does not form a significant area of planning concern.

The Council’s libraries team have requested a contribution of £20,655 to increase library stock and the developer has agreed to pay this sum within their heads of terms.

9.14 Other material considerations

Loss of agricultural land – Melksham Without Parish Council have stated that “*Both pieces of land are productive, agricultural land where the farmers grow crops. There should be no house building on agricultural land.*” The site is agricultural land and until recent archaeological trial trenching works (November 2014) had crops on it. The land is detailed by Natural England to be Grade 3 agricultural land, but they do not distinguish between grade 3a and grade 3b; an important distinction as grade 3a is considered to be *best and most versatile agricultural land* and 3b is not.

10. Conclusion

The proposal conflicts with the Development Plan for the area and would have a significant adverse impact on the landscape, leading to the coalescence in physical and visual terms of the settlements of Melksham and Bowerhill village. There is

nothing in the emerging Wiltshire Core Strategy that would point to a more favourable consideration of development on this site, and there are no overriding reasons justifying the granting of planning permission. Whilst land needs to be identified in Melksham for housing growth to meet the requirements of the emerging Core Strategy, this should be done through a properly planned process, as required by policy CP2, enabling the merits of the different sites to be considered and the community to be engaged.

RECOMMENDATION

Refuse, for the following reasons:

1. The site is located in the open countryside outside of the Town Policy limits defined for Melksham and the Village Policy Limits defined for the village of Bowerhill in the West Wiltshire District Plan (1st alteration). The proposal would therefore conflict with polices H1; H17 and H19 of the West Wiltshire District Plan (1st alteration).
2. The site is located in an area of open countryside that plays an important role in the landscape of physically and visually separating the settlements of Melksham and Bowerhill village. The loss of the arable fields to residential development will result in a detrimental and unacceptable change in landscape character from open rural countryside, with views to the countryside beyond the site to the west, to urban townscape and coalescence between Melksham and Bowerhill village. This would conflict with policy C1 of the West Wiltshire District Plan (1st alteration) and policies CP15 and CP51 of the emerging Wiltshire Core Strategy. Furthermore, it would set an undesirable precedent for the development of the adjacent open countryside to the west of the site and east of the A350 that when taken with the development of this site, would result in the complete coalescence of Melksham and Bowerhill village, contrary to the policies set out above.
3. The proposal conflicts with the Delivery Strategy outlined in policy CP2 of the emerging Wiltshire Core Strategy, which seeks to properly plan for sustainable development of housing sites in Wiltshire to deliver the identified housing needs in the Community Areas through a Site Allocations DPD and/or a Neighbourhood Plan, a strategy supported by both the Wiltshire Core Strategy Inspector, and the Secretary of State in his appeal decision at Park Lane, Malmesbury. This site has not been brought forward through this process and has inherent flaws in its sustainability (e.g. through lack of suitable primary school capacity to meet the needs of the development; the siting adjacent to existing established industrial premises; and the severance of the site from the facilities of the town of Melksham by the busy A365 Western Way). The delivery strategy required by policy CP2 is the properly planned method of establishing the most sustainable sites for meeting the housing needs of Melksham.

Land South of A365
Bowerhill Melksham



REPORT TO THE STRATEGIC PLANNING COMMITTEE

Date of Meeting	10 th December 2014
Application Number	14/06650/OUT
Site Address	Castle Works, Castle Road, Salisbury, SP1 3SB
Proposal	Demolish existing buildings and development of site with an eco-village of 60 dwellings, open space amenity areas, new footpaths, parking spaces and internal site road
Applicant	Mr Mark Vaughan – Five Rivers Eco-Homes Ltd
Town/Parish Council	SALISBURY CITY
Ward	ST FRANCIS AND STRATFORD
Grid Ref	414083 131910
Type of application	Outline Planning
Case Officer	Warren Simmonds

Reason for the application being considered by Committee

The application was called-in by Cllr Mary Douglas on grounds of the scale of the development, its visual impact on the surrounding area, its design – bulk, height and general appearance, and the environmental/Highway impact of the proposed development.

The Area Development Manager considers that the development has wider strategic implications, due to the scale and location of the development, which is outside of the housing policy boundary, and which impacts on an existing employment site. The application is therefore presented for consideration before the Strategic Planning committee.

1. Purpose of Report

To consider the above application and to recommend to Members that outline planning permission be APPROVED subject to Conditions and a S106 legal agreement.

2. Report Summary

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

1. The previous refusal and subsequent appeal dismissal of S/2011/1566
2. Principle of development;
3. Loss of employment land;
4. Affordable Housing;
5. Compatibility of proposed residential use with surrounding recreation / leisure uses;
6. Highway considerations;
7. Character & appearance of the area, inc. impact upon setting of Old Sarum & Conservation Area;
8. Impact upon residential amenities;

- 9. Impact of the telecoms masts;
- 10. Ecological and environmental impacts;
- 11. Provision towards recreational open space, education, and waste & recycling facilities.

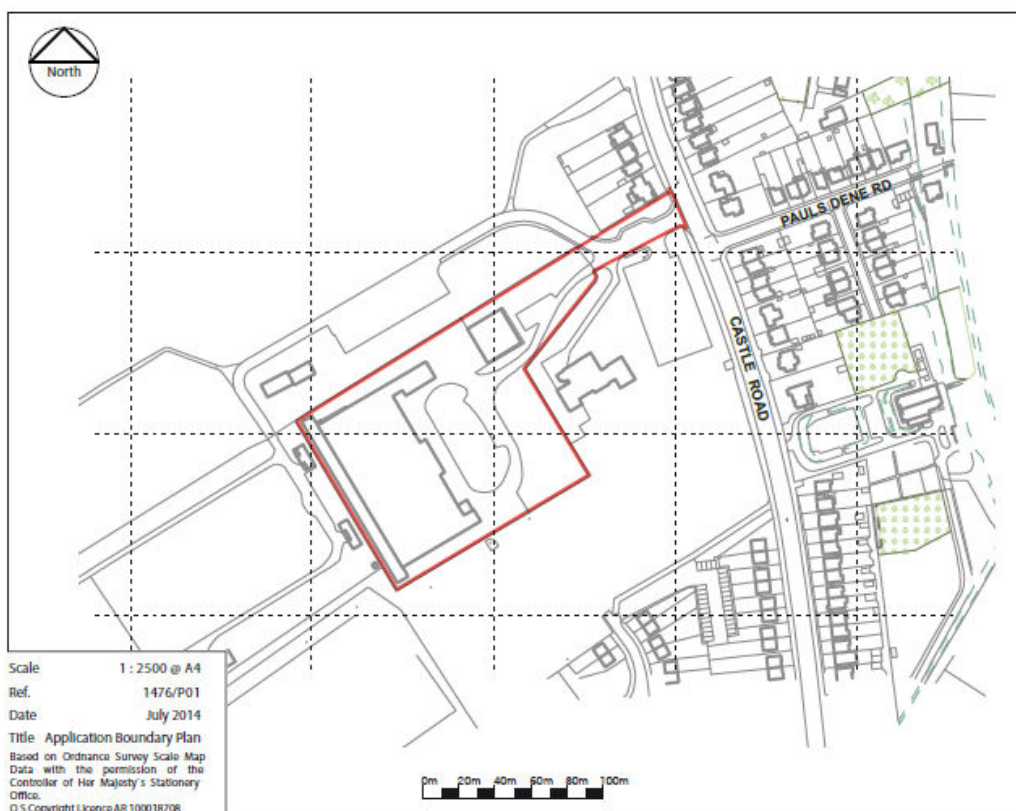
The application has generated a total of 9 representations from the public, as follows:

- One representation in outright support of the proposed development;
- Four representations objecting on grounds including Highway safety and overlooking;
- Three representations making other comments including cycle facilities and the relationship with Salisbury Rugby Football Club; and
- One representation neither supporting or objecting.

Salisbury City Council supports the application, with comments.

3. Site Description

The site is located to the west of the A345 Castle Road, on the northern outskirts of Salisbury. It lies approximately 2km north of the city centre and 750m to the south of the Old Sarum Scheduled Ancient Monument (SAM). The site is surrounded on three sides by public open space, including Hudson’s Field and sports pitches related to Salisbury Rugby Club, whose clubhouse and parking area are located adjacent the eastern boundary. To the west the site is bounded by a caravan and camping site. Further afield, to the east, south and west, there are residential dwellings, including a children’s day nursery. There are three existing telecommunication masts located adjacent to the southern boundary of the site. The vehicular access to the site is off the Castle Road, via a tarmac driveway, which also serves as an access to the Rugby Club and car park, as well as an access to the adjacent car parking serving Hudson’s Field. The “Golden Way” cycle route runs east/west through Hudson’s Field past this car parking area.



The site is currently in commercial use, and contains 2 main buildings, dating from the 1940's and the 1990's, as well as ancillary parking. There are 5 companies currently operating from the site, employing approximately 100 people on site full time, and are businesses mainly related to the car industry. Janspeed Technologies and Burlen Fuel Systems are the largest companies, and Hellier Performance and Advantage Servicing are smaller companies closely linked to Janspeed. Fluid Construction is the other company, which is an interior design business. Wiltshire Council owns the freehold of the site, and all the land surrounding it has been transferred to Salisbury City Council. The former Salisbury District Council accepted a surrender of an existing 99 year lease which commenced in the 1940s and granted a fresh 99 year lease of the entire site from the early 2000s to Janspeed who sub-let to the other tenants on the site.

4. Planning History

The site appears to have been in commercial use since at least the 1940's.

Outline planning application reference S/2011/1566 to demolish the existing buildings and the development of the site with an eco-village of 60 dwellings, open space amenity areas, new footpaths, parking spaces and internal site road was previously refused on 26.11.2012.

The refusal of the application was the subject of an appeal to the Planning Inspectorate, which was subsequently dismissed on 15.07.2013. The Appeal Decision is attached as an appendix to this report.

5. The Proposal

The application is for outline planning consent with all matters reserved save for access.

The application constitutes an amended proposal (over previously refused scheme reference S/2011/1566) to demolish the existing commercial buildings on the site and re-develop the land with 60 dwellings, open space amenity areas, new footpaths, parking spaces and internal site road with vehicular access off Castle Road to the east, via the enhanced existing driveway.

The applicants have only sought detailed approval for the access details, with design and layout matters reserved for later consideration. A footpath/cycle link from the development to the adjacent footpath/cycleway to the north of the development in Hudson's Field is indicatively shown on the submitted plans, although this is outside the red line of the application site.

The indicative plans show a mixture of two and three storey dwellings, with a central landscaped area. The design and access statement indicates that 42 terraced and semi-detached houses, together with 18 apartments, are proposed which include a mix of 2 & 3 bedroom units.

The application differs from the previously refused scheme in the following ways, principally:

- I. Previously the scheme proposed 60 dwellings comprising of 36 townhouses and 24 apartments (the apartments being located in four blocks at the corners of the development) – the current scheme proposes 60 dwellings comprising of 42 houses and 18 apartments (with one of the previously proposed apartment blocks now omitted).
- II. Previously the scheme proposed approximately 6,960sqm of residential floorspace with an indicative mix of 6 x 1 bed units, 10 x 2 bed units, and 44 x 3 bed units. The

current scheme proposes 5,900sqm of residential floorspace with an indicative mix of 22 x 2 bed units and 38 x 3 bed units.



- III. Previously the scheme proposed 30% affordable housing provision (consisting of 18 units to be provided at Code Level 3 under the Code for Sustainable Homes), with all market housing provided at Code Level 6. The current proposal provides 32% affordable housing provision (consisting of 19 units to be provided at Code Level 4), with all market housing provided at Code Level 6.
- IV. Under the current scheme the proposed access road has been repositioned to run along the north-western boundary of the site, along the inside of the retained tree screen. This has the effect of taking the land containing the important north-western tree screening out of private ownership and thereby offering enhanced security of the retention of the screen.
- V. Under the current scheme, the majority of houses and and apartment blocks have been repositioned away from the external boundaries of the site. The central open space has been reduced as a consequence (equipped play space provision is to be off-site as previously proposed).
- VI. The repositioning of the apartment blocks in the north-west and south-eastern corner within the current scheme results in no encroachment into Root Protection Areas (that were previously identified) for Group 29 and Group 13 trees respectively. Amendments in the north-eastern corner now allow the retention of 1 x Category B tree that was previously intended to be removed (Tree 1n an 11m cherry tree). In all other respects the current scheme is unchanged in relation to internal trees.

The current application thereby represents a reduced and condensed scheme over that previously refused, and offers additional benefits in respect of the amount of affordable housing provided and the Code Level/sustainability of the proposed dwellings.

6. Planning Policy

Salisbury District Local Plan:

Policies G1, G2, D1, D7, H22, C7, C13, C15, CN11, CN20, CN22, TR1, TR11, TR14, R2

South Wiltshire Core Strategy:

Core Policies 1, 3, 5, 6, 18, 19, 20, 22

Emerging Wiltshire Core Strategy:

CP1 – Settlement strategy
 CP2 – Delivery strategy
 CP3 – Infrastructure requirements
 CP35 – Existing employment sites
 CP41 – Sustainable construction
 CP43 – Affordable homes
 CP50 – Biodiversity and geodiversity
 CP56 – Contaminated land
 CP57 – High quality design
 CP61 – Transport and development

The Inspector’s report for the emerging Wiltshire Core Strategy has now been published and it concludes that the Strategy is ‘sound’. It follows that the Strategy must now be given very significant weight in the decision making process prior to its final consideration and assumed adoption by Wiltshire Council in the new year.

Following its adoption some of the existing development plan policies referred to above will be replaced by the WCS policies whereas others will be ‘saved’. In the meantime all of the existing policies remain in force and so continue to be the starting point for the consideration of the application.

Other policy/guidance:

National Planning Policy Framework (NPPF)
 National Planning Policy Guidance (NPPG)
 Ministerial Statement – “Planning for Growth” March 2011

7. Consultations

Salisbury City Council	Support , with comments.
Housing Officer	Support subject to the agreed affordable housing provision.
Education Officer	The development generates the need to provide 17 primary and 12 secondary places, requiring contributions through a S106 agreement.
Open Space Officer	The development generates the need to provide an off-site equipped children’s play area, and youth and adult recreation

	facilities, requiring contributions through a S106 agreement.
Arts Development Officer	Proposal would trigger a requirement for a financial contribution towards art and design on the site.
Spatial Planning	On balance it is considered that in principle the proposed development can be supported, provided that the applicant is willing to commit to a similar planning obligation to secure the off-site relocation of the existing businesses, and other considerations are satisfactorily addressed.
Highways Officer	No objection subject to condition
Environmental Health	Raises concerns that future occupiers could be affected by events and activities at the adjacent Rugby Club and impacts from external flood lighting from the Rugby Club.
Environmental Protection	No objection subject to condition to secure further land contamination investigation and remedial measures where necessary.
Conservation Officer	No comment
Tree Officer	No response received
Archaeology	No objection subject to condition to secure a written scheme of investigation (and subsequent undertaking of the approved programme of archaeological works).
English Heritage	Comments in respect of the method of impact assessment used to assess the setting of the Old Sarum SAM, for which their guidance has changed since the previous application (to which no objection was raised).
Ecologist	No objection subject to a condition and S106 agreement securing biodiversity enhancement measures and a financial contribution towards the Wessex Stone Curlew Project.
Natural England	Comment that a Habitats Regulations Assessment is required.
Environment Agency	No objection subject to conditions to secure further details of surface water drainage, water efficiency measures and pollution prevention during construction.
Wessex Water	Previously commented that public foul sewers are available for connection adjacent to the site and in Castle Road, and there is adequate sewage treatment capacity and water supply to service the development.

8. Publicity

The application was advertised by site/press notices and neighbour consultation letters.

9 letters of objection/concern were received. Summary of reasons include:

- Overdevelopment;

- Incompatible with surrounding leisure/recreation uses, including potential for future occupiers to be affected by noise and flood lighting;
- Loss of employment within Salisbury;
- Increased traffic on Castle Road;
- Existing parking problems at the Rugby Club could be exacerbated;
- Insufficient cycle parking for the larger apartments and no mention of visitor cycle parking;
- Increased traffic within the site could be a hazard to pedestrians using the Rugby Club;
- Potential affect upon air quality;
- Would be more appropriate to revert the land back to open space for recreational use.

Two further letters of representation were made, supporting the development in principle, but making the following observations:

- The communal heating system should be fully investigated before permission is granted;
- The provision of 118 car parking spaces is incompatible with the ethos of eco-housing;
- A Travel Plan should be submitted, including a car sharing scheme;
- Improved links and signage from the site to the riverside cycleway should be provided.

9. Planning Considerations

The previous refusal and appeal

Outline planning application reference S/2011/1566 was previously refused by Wiltshire Council on 26.11.2012 for the following reasons:

The site is situated within a prominent and sensitive location, on a main approach into the city of Salisbury, surrounded by open space and is also visible from the Old Sarum scheduled ancient monument and surrounding conservation area. Although containing reasonably large industrial buildings, the site is reasonably well screened by existing trees and other vegetation, and the existing buildings only occupy approximately half of the available site area. The development proposes 60 dwellings, which would occupy a larger proportion of the site and would include buildings up to three stories in height.

In the absence of detailed plans, including landscaping proposals, the local planning authority is not convinced that the proposed development would not be significantly more prominent than the existing buildings. In particular, it is not clear how the existing planting screen would be maintained and be made compatible with the proposed residential use, or how any replacement landscaping scheme would fit within the planned scheme or screen the site. Therefore, based on the existing scheme, it is considered that the development would harm the character and appearance of the area and the setting of heritage assets. The development would therefore be contrary to Local Plan policies G1, G2, D1, CN11, CN20, and C7 (as saved within the adopted South Wiltshire Core Strategy).

The refusal of the application was the subject of an appeal to the Planning Inspectorate, which was subsequently dismissed on 15.07.2013. The Appeal Decision is attached as an appendix to this report.

The Appeal Inspector identified the main issues as being the effect of the proposal on the character and appearance of the area and on the settings of the Old Sarum Scheduled Ancient Monument (SAM) and Stratford-sub-Castle Conservation Area.

Much consideration was given by the Inspector as to the impact of the extensive Leylandii natural screening on the northern boundary of the application site, its impact on the amenity of potential future residents of the proposed scheme (poor quality of daylight into windows, poor outlook etc). Also considered was the potential for the future removal of the Leylandii screening, and resulting impacts on the surrounding landscape and the adjacent SAM (i.e. through loss of the wooded and screened appearance of the application site).

The current scheme seeks to overcome the previous reasons for refusal and resulting dismissal by:

- The reduction in the amount of residential floorspace proposed (from approximately 6,960 sqm to approximately 5,900 sqm);
- The removal of one of the previously proposed apartment blocks (from the NE corner of the site) and generally revised and reduced scale and mass of buildings proposed;
- The repositioning of development blocks further away from northern, western and southern boundaries;
- The revision of the proposed access road layout, providing more space between the northern boundary natural screening; and
- Taking the northern boundary out of private ownership, thereby ensuring the long term retention of this boundary via a landscape management plan (thus maintaining the wooded appearance of the application site within the surrounding landscape and in views from the adjacent SAM).

In other matters considered by the Inspector, it was confirmed that:

- I. There was no highway safety objection to the previous proposal;
- II. Issues of noise disturbance and floodlighting affecting the amenity of future residents of the scheme could be adequately controlled by conditions;
- III. Ecological and environmental impact considerations could be adequately controlled by conditions;
- IV. The principle of the relocation of existing business was a positive aspect of the proposed development.

In respect of the efficacy/adequacy of any Section 106 legal agreement to secure affordable housing, the relocation of businesses and other relevant financial contributions and outcomes, the Inspector, whilst accepting that a planning obligation would relate to necessary contributions that directly related to the development, questioned how such an agreement could be entered into whilst the Council remains the freehold owner of the land (i.e. the Council cannot enter into a legal agreement with itself). In practice, should the Committee resolve to grant outline planning consent subject to conditions and a S.106 legal agreement, the Council's Strategic Projects and Development Manager would seek authority for disposal of the freehold from the Cabinet Capital Assets Committee (CCAC). If that authority is granted, the freehold could be transferred to the developer and the S.106 legal agreement could then be entered into as required, prior to outline planning consent being formally granted.

Principle of development

Saved SDLP Policy H22 states that in the main settlements (such as Salisbury), residential development will be permitted on previously developed land outside Housing Policy Boundaries provided that the site is:

- i) Not identified for an alternative form of development in the Plan;
- ii) Well related to the existing pattern of development; and
- iii) Accessible by public transport.

The policy further states that proposals which involve land currently in employment use will only be permitted if the business is relocated to an alternative site in the settlement which does not require increased reliance on the private car, or if the land and buildings are unsuitable and not viable for alternative employment uses.

In addition, Core Policy 5 of the South Wiltshire Core Strategy states that permission will not be granted for the development of land or buildings previously or currently used for activities falling within Use Class B1, B2, or B8 unless it can be demonstrated that:

- i) The same number, or more jobs will be generated;
- ii) The land lost is replaced with employment land of similar size elsewhere in the settlement;
- iii) The loss of a small proportion of employment use on a site would facilitate the continuation and provision of employment on the greater part of the site;
- iv) The site is not appropriate for the continuation of its present or any employment use due to a significant detriment to the environment or amenity of the area; or
- v) Valid evidence has been provided indicating that the site is no longer suitable or viable for employment use.

The applicant has submitted a statement which seeks to indicate why the existing site and buildings are no longer suitable to accommodate employment generating uses. In summary, this statement says that:

- There is other sufficient employment land elsewhere in the Local Plan area;
- The site is not an allocated/strategic employment site;
- The buildings are no longer fit for purpose and the costs of refurbishment or redevelopment would be prohibitive; and
- The site is not well located for modern commercial use, given various conservation and recreational constraints, including the highways access and proximity of dwellings and a children's nursery.

The applicant's statement also highlights that the redevelopment of the site for residential purposes would result in environmental improvements, including reduced visual impact and reduced traffic generation, resulting in improved residential amenities.

Most of these arguments are sound and so can be accepted. In addition, it is also the applicant's intention to enter into a S106 agreement to secure a scheme of relocation for the existing businesses. This would ensure that the proposal complies with Policy H22 because, whilst employment land would be lost, the businesses and the employment they provide would not. Furthermore, the relocation would enable the businesses to find employment premises which better suit their current and future needs, creating better conditions for growth and potentially increasing employment locally. Consequently, subject to securing an appropriate scheme of relocation, it is considered that the proposal does comply with the overall economic objectives of the SWCS and NPPF.

In the near future, Policies H22 and CP5 will be replaced by Policies CP2 and CP35 in the eWCS. Policy CP2 will resist development outside of settlement boundaries except in limited circumstances not relevant here. Policy CP35 will resist the loss of employment sites within settlements unless criteria similar to that set out in CP5 are satisfied. As the application site lies outside of the current housing policy boundary for Salisbury its redevelopment for housing cannot comply with emerging Policy CP2. However, in this emerging context there are material considerations which 'tip the balance' in the application's favour anyway, most notably the recent planning appeal decision referred to above which acknowledged the principle of re-development; and the applicant's commitment

to maintaining an employment presence in the area, and the improvements to the environment resulting from the proposal referred to elsewhere in this report. It follows that the proposal remains acceptable notwithstanding the evolving policy position. It is also relevant that the proposal complies with the spirit of emerging Policy CP35, albeit that the site lies outside of the housing policy boundary line.

Affordable Housing

Core Policy 3 of the South Wiltshire Core Strategy states that a target of 40% affordable housing on sites of 15 dwellings or more will be sought. The policy clarifies that the provision of affordable housing will be negotiated on a site-by-site basis taking into account the viability of the specific development.

The applicant has demonstrated via the submission of a viability appraisal that the highest proportion of affordable housing that can be viably delivered on the site is 32% (comprising of 19 units built to Code Level 4), and that the ability to commit to a higher proportion is compromised by the projected purchase costs of the site, which includes the cost associated with the early termination of existing commercial leases and the associated costs of relocating existing commercial tenants to alternative premises in the local area. Whilst such costs are not normally factored into viability appraisals, it is difficult to envisage how this site could be delivered for housing without taken them into account. The applicant details that in order to get to the position of vacant possession of the site, a developer will have to buy the freehold, acquire the head lease interest, acquire three sub lease interests, and make provision for moving up to 5 different licence holders at a below sub lease level. The Housing Officer acknowledges that the costs attributed by the applicant to obtain vacant possession are probably reasonable.

Since the development would therefore be unlikely to be deliverable at the target level for affordable housing, Officers are of the opinion that 32% is acceptable, particularly bearing in mind the potential benefits of an appropriate relocation scheme for the existing businesses, and the windfall of 19 additional affordable housing units in a sustainable urban location.

Weight to be afforded to sustainability benefits

Tackling climate change, through a variety of measures, is embedded within the objectives of the South Wiltshire Core Strategy, although there is no specific policy which requires new residential developments to achieve a minimum Code Level. Rather the Core Strategy seeks to tackle climate change predominantly through directing new development to the most sustainable locations, reducing reliance upon the private car, and the proposed development meets this objective given its urban location with good access to local services and public transport. A similar approach to sustainability is also contained within the NPPF.

Emerging Core Policy 41 will require new homes to achieve Code Level 4.

A residential development which achieves a high proportion of Code Level 6 dwellings would certainly be a desirable feature, as well as an exemplar which could assist locally in raising standards of sustainable housing design. However, in the view of Officers, the current policy framework gives no reason to require the development be built to Code Level 6, and it would be difficult to justify a condition which would guarantee the applicant's stated sustainability objectives. Consequently, there is a risk that if the site were sold on to another developer, who did not share the same vision as the applicant, they may not choose to build market housing to Code Level 6. The view of Officers is therefore that the eco-village aspirations of the applicant should be regarded as a possible added bonus, which would be in addition to meeting the essential planning criteria which notably relate to economic growth and affordable housing objectives.

Compatibility of proposed residential use with surrounding recreation / leisure uses

The proposed scheme would be surrounded on all sides by public open space. The existing Rugby Club pitches and Hudson's Field pavilion building are also located within relatively close proximity to the south and north, and to the immediate west there is a seasonal caravan and camping site. It therefore seems likely that the future residents of the development will suffer some general noise and disturbance from the daily use of the surrounding fields for recreational purposes.

However, in officers' opinions, any significant noise disturbance is likely to occur only when matches and events are occurring on the adjacent fields. Such events are more common in the summer months (although not always a weekly occurrence), whilst matches (including training sessions) are more likely to occur at other times of the year, and would not be a daily occurrence. It therefore seems likely that, on occasion, during the summer months the residential amenities of occupiers would be affected by large well attended public events, which usually generate significant traffic movements in and around the adjacent car parks, and generate significant amounts of people. During the week, outside the main summer months, it is likely that the main disturbance will be the noise generated by the rugby training and some matches. The training sessions apparently occur twice a week, and matches can occur about twice a month.

No technical assessment of the likely impact of the surrounding uses or the existing flood lighting has been submitted by the applicant. As a result, in the absence of such information, it is difficult to ascertain with certainty that the development and its amenities would not be adversely affected. However, it is understood that since the submission of the previous application, the intensity of the floodlights has been amended to reduce the potential for adverse impacts on neighbour amenity. Other existing dwellings are already located adjacent to the open space and playing pitches, and whilst some short term disturbance may well be experienced, officers have no firm evidence that there is a significant amenity issue.

Additionally, the existing floodlights face away from the proposed dwellings, and this orientation is likely to reduce the impact of floodlighting on adjacent amenity, particularly given the shading offered by the adjacent mature trees. Furthermore, presuming that the floodlighting is only occasionally used, it would seem that the actual impact of any lighting would be temporary and short term. As a result, despite the lack of a technical assessment, it is considered difficult to substantiate a reason for refusal based solely on the impact of the floodlighting or the general noise disturbance on residential amenity.

The other source of potential disturbance would be from the Rugby Club clubhouse, which is a licensed premises and is regularly hired out for weddings and other events. The Council's Environmental Health Officer has commented that the building is far from ideal with respect to containing music noise. The ability to contain noise within the building is limited due to the lack of an artificial ventilation system, meaning that windows/doors are often kept open in warm weather. Furthermore the front doors to the building do not benefit from a tight fit and there is no lobbied area to ensure that a set of doors to the main function room are always shut when accessing/egressing the building. The Rugby Club also has events outside including BBQ's during which music is provided inside the premises and its doors are kept open. In the view of the Environmental Health Officer the close proximity of the proposed residential properties to the clubhouse would call into question whether such activities would be appropriate in future.

However, the applicants have put forward a proposal to carry out alterations to the existing clubhouse, which would improve the ability of the building to contain noise. The option most likely to meet the needs of both parties is to:

- Provide a new barbecue and smoking area to the south of the clubhouse rather than the north as existing.
- Extend the current Committee Room and provide an adjacent access from the common parts to the terrace;
- Amend the kitchen to allow the service of food onto the terrace during summer months;
- Revise the main access to provide a new hall area and disabled toilets; and
- Double glaze the north aspect of the main event room

In addition, various measures to better manage the operation of the clubhouse have also been discussed between the applicant and Rugby Club, to further reduce potential noise nuisance. The Rugby Club have confirmed that they have been in productive dialogue with the applicants and that, subject to the agreement of an appropriate schedule of works, they have no objection.

As a result, subject to the necessary alterations to the clubhouse being secured, which Officers consider could be secured through a Grampian Condition, it is considered that the potentially detrimental effects of the clubhouse can be mitigated, and that the proposed development and Rugby Club could successfully co-exist.

Highways considerations

The Council's Highways Officer is satisfied that the site can be re-used for residential development and that the existing access (up to the existing gated entrance to the site from the main A345 highway) is of a sufficient standard of design to provide safe and satisfactory access for the development traffic, subject to some minor amendments detailed below.

Local residents have raised concerns about the standard of the access junction with Castle Road. However, the analysis of the submitted Transport Statement clearly demonstrates that traffic levels will be less than those already recorded at the junction and much less than the industrial site could generate if fully occupied and/or occupied by end users who could generate higher traffic levels (within the existing development use classes).

The Highways Officer considers the existing junction with Castle Road is adequate to serve the proposed development. Parking must be provided in accordance with Wiltshire Council's current standards. The Highways officer recommends that no highway objection be offered subject to a Condition requiring the agreement of details.

Character & appearance of the area, inc. impact upon setting of Old Sarum & Conservation Area

The submitted plans involve the removal of all existing industrial buildings, and envisages a scheme of 60 dwellings, positioned largely around the perimeter of the existing site, with a central open space. The properties would be of a contemporary architectural design, utilising materials and design features which would be unique to the area. The overall design approach results from the applicant's requirement to achieve the highest Code Level in terms of the Sustainable Homes criteria, as in order to achieve that Code Level, buildings need to be arranged and orientated in a particular manner, and include certain design features.

Given the rather isolated nature of the site, and the fact that the surrounding area consists of a variety of built form with no particular overriding architectural style or materials, Officers are of the opinion that the scheme as suggested would be unlikely to have a significant impact on the built character of the area.

Previously, the appeal Inspector considered that the site appears (from northerly views from the SAM and from much of the conservation area) as a predominantly wooded area sitting alongside the recreation areas and the seasonal caravan site as part of a generally soft and open edge to the city. She considered the application site makes a positive contribution to

the settings of the SAM and Stratford sub-Castle conservation area, with an effective evergreen screen on the northern site boundary comprising tall Leylandii and yew, which shield most of the bulk of the industrial buildings from significant external views. The Inspector opined that the removal of the extensive Leylandii screen would result in the loss of the wooded appearance of the site from significant viewpoints, leading to the built form dominating and the development intruding more visibly upon the landscape.

In Officers' opinion, by reason of the significantly reduced scale of proposed buildings, the increased distance between the proposed buildings and the north western boundary of the site, and the increased level of protection afforded to the existing natural tree screening along the north western boundary (brought about by removing the ownership of the boundary from adjacent dwellinghouses), the development site would retain a sylvan appearance in views from the adjacent Old Sarum SAM and surrounding Conservation Area, and would not cause undue harm to its setting.

Design amendments aimed at further reducing the visual and landscape impacts of the proposals (which represent an indicative scheme only) can be altered at the reserved matters stage, and hence, a reason for refusal based on specific and detailed design issues may also be difficult to defend. Officers are therefore advising that the scheme would not cause such significant visual harm as to warrant refusal.

Impact upon amenity of nearby residential property

Whilst some of the dwellings proposed on the site would be upwards of three storeys tall, the site is located in a relatively isolated location, a reasonable distance from surrounding residential properties. The proposed dwellings are likely to be most visible from the rear gardens and elevations of the small group of existing housing located to the east of the site adjacent Castle Road. However, whilst there may be some inter-visibility between the new dwellings and those adjacent properties, any reduction in privacy or general noise disturbance is, in Officers' opinion, unlikely to be so unreasonable as to warrant refusal.

Impact of the telecoms masts

Along the southern boundary of the site, on the Rugby Club land, are three existing telecommunication masts. A fourth mast was granted consent in 2008 but has not been constructed. Officers requested that a study of effects should be undertaken, as the masts would be located within a few metres of the proposed dwellings, and given the height of the dwellings, the proposed three storey flats would be located at roughly the same height as the head of the masts. The applicant has previously submitted an assessment of the likely impacts of these masts on the future occupiers of the proposed residential scheme. The highly technical report concludes that all masts are operating well within acceptable guidelines, and that "*.. no harm should be expected to result to anyone visiting or living in the proposed development*". Consequently, given the conclusions of the technical evidence, it is not considered that the future occupiers of the development would be likely to be significantly affected by the nearby masts.

Ecological and environmental impacts

The Council's Ecologist comments that the application is supported by bat and reptile surveys, which demonstrate that there is only a low risk of significant populations of bats or reptiles being affected by the proposed development. The survey puts forward recommendations to address risks to these species, and additional recommendations are also put forward as enhancement measures. The Council Ecologist concludes that there would be no harm to protected species or biodiversity objectives subject to conditions to secure the provision of bat and bird nesting opportunities within the new development.

The Council Ecologist also concludes that the proposal would have no risk of likely significant effects upon the River Avon Special Area of Conservation (SAC) subject to conditions securing water efficiencies measures, appropriate surface water drainage to the

development, and the agreement of a Construction Environmental Management Plan. The Council Ecologist also considers that for the development to comply with the Habitats Regulations and Core Strategy, a contribution towards the Wessex Stone Curlew Project will be required to avoid harmful effects to the Salisbury Plain Special Protection Area (SPA).

Provision towards recreational open space, education, and waste & recycling facilities

The applicant has agreed to enter into a S106 legal agreement to provide the necessary developer contributions towards recreational open space within the locality, additional primary and secondary school places, and the provision of waste and recycling bins for the development, in accordance with saved Local Plan policies R2 and G9.

10. Conclusion

Taking into consideration the reduced and condensed indicative form of the proposed development, and the amendments made to address the previous reasons for refusal and appeal dismissal, it is considered the proposed development would be acceptable in principle, comprising residential development on previously developed land outside the Housing Policy Boundary that is not identified for an alternative form of development, is well related to the existing pattern of development, and is accessible by public transport.

Although currently in employment use, the main businesses would be relocated to an alternative site, which would be more likely to facilitate improved conditions for growth.

Subject to conditions, the proposed means of access to the site would be acceptable in highway safety terms and the development would not have a significant effect upon the highway network.

The indicative layout demonstrates a generally acceptable townscape and relationship with neighbouring dwellings subject to the further approval of detailed matters relating to scale, design and landscaping.

By reason of the significantly reduced scale of proposed buildings, the increased distance between the proposed buildings and the north western boundary of the site, and the increased level of protection afforded to the existing natural tree screening along the north western boundary (brought about by removing the ownership of the boundary from dwellinghouses), the development would not cause undue harm to the setting of the Old Sarum SAM or Conservation Area.

Subject to a Grampian condition agreeing an appropriate scheme of works to the Salisbury RFC clubhouse, the development would be compatible with the adjacent recreation use.

Subject to further conditions there would be no significant adverse impacts in terms of ecology, the environment, archaeology or public health.

An appropriate level of affordable housing would be provided on site, having regard to viability considerations, and appropriate provision could be secured towards off-site recreational open space and other necessary community infrastructure improvements.

RECOMMENDATION

That the Area Development Manager (South) be delegated to grant planning permission following completion of a S106 agreement covering the following matters:

- (a) A scheme for the relocation of the two main businesses;**
- (b) Delivery of affordable housing; and**

(c) Financial contributions towards education, public open space, the Wessex Stone Curlew Project, and waste and recycling bins.

And subject to the following conditions:

- 1) Approval of the details of the Scale, Appearance and Layout of the buildings, and Landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995 as amended by section 51 (2) of the Planning and Compulsory purchase Act 2004.

- 2) Plans and particulars of the reserved matters referred to in Condition 1 above, relating to the Scale, Appearance and Layout of the buildings, and Landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995 as amended by section 51 (2) of the Planning and Compulsory purchase Act 2004.

- 3) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995 as amended by section 51 (2) of the Planning and Compulsory purchase Act 2004.

- 4) The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995 as amended by section 51 (2) of the Planning and Compulsory purchase Act 2004.

- 5) All soft landscaping comprised in the approved reserved matters (landscaping of the site) 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 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.

- 6) No development shall commence on site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, vehicle overhang margins, visibility splays, accesses, carriageway gradients, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The development shall not be first occupied until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers,

drains, vehicle overhang margins, visibility splays, accesses, carriageway gradients, car parking and street furniture have all been constructed and laid out in accordance with the approved details, unless an alternative timetable is agreed in the approved details.

REASON: To ensure that the roads are laid out and constructed in a satisfactory manner.

- 7) No development shall commence on site until details of a 3m wide emergency link road between the development and Hudson's Field have been submitted to and approved in writing by the local planning authority. The link road shall be provided in accordance with the approved details before the development is first occupied, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of highways safety

- 8) No development shall commence on site until a written programme of phased archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved in writing by the Local Planning Authority. The approved programme of archaeological work shall be carried out in accordance with the approved details.

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

- 9) Before development commences the applicant shall commission the services of a competent contaminated land consultant to carry out a detailed contaminated land investigation of the site and the results provided to the Local Planning Authority. The investigation must include:

- A full desktop survey of historic land use data;
- A conceptual model of the site identifying all potential and actual contaminants, receptors and pathways (pollution linkages);
- A risk assessment of the actual and potential pollution linkages identified;
- A remediation programme for contaminants identified. The remediation programme shall incorporate a validation protocol for the remediation work implemented, confirming whether the site is suitable for use.

The remediation programme shall be fully implemented and the validation report shall be forwarded to the Local Planning Authority prior to habitation of the development.

Reason: In the interests of public health and safety.

- 10) Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme should also include details of how the scheme shall be maintained after completion and to make adequate provision for potential overland flows.

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

- 11) No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has

been submitted to and approved in writing by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

Reason: To prevent pollution of the water environment

- 12) No development shall commence on site until details of bat roost and bird nesting features, to be built into the design of new buildings, have been submitted to and agreed in writing by the local planning authority. Details shall include the number, design and locations of bat roost and bird nesting features, which shall be provided in accordance with a timetable to be agreed by the local planning authority.

Reason: In the interests of protected species and biodiversity

- 13) No development shall commence on site until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details before the first occupation of the development.

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

- 14) No development shall commence on site until a scheme to mitigate the noise associated with the Salisbury RFC clubhouse has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details prior to the first occupation of the development hereby permitted, unless an alternative timetable is agreed in the approved details.

Reason: To ensure that the existing recreation and proposed residential uses are compatible.

- 15) No development shall commence until details of acoustic fencing to the north-eastern boundary of the site (adjacent to the Salisbury RFC clubhouse) has been submitted to and agreed in writing by the Local Planning Authority. The fencing shall be erected in accordance with the approved details prior to the first occupation of the development hereby permitted, unless an alternative timetable is agreed in the approved details, and shall be retained and maintained as such at all times thereafter.

Reason: To ensure that the existing recreation and proposed residential uses are compatible.

- 16) No demolition or construction works shall take place outside the hours of 0730 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays or at any time on Sundays & Banks Holidays.

Reason: In the interests of neighbouring amenity.

INFORMATIVES:

Water efficiency condition

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

(capacities, consumption rates etc) on proposed water saving measures. Manufacturer's specifications should not be submitted. Applicants are advised to refer to the following for further guidance:

<http://www.environment-agency.gov.uk/homeandleisure/drought/31755.aspx>

<http://www.savewatersavemoney.co.uk/>

Nesting birds

The adults, young, nests and eggs of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay altering or removing such features until after young birds have fledged.

Site Waste Management

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

Pollution Prevention During Construction

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. The Environment Agency's Pollution Prevention Guidelines should be referred to, which can be found at:

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

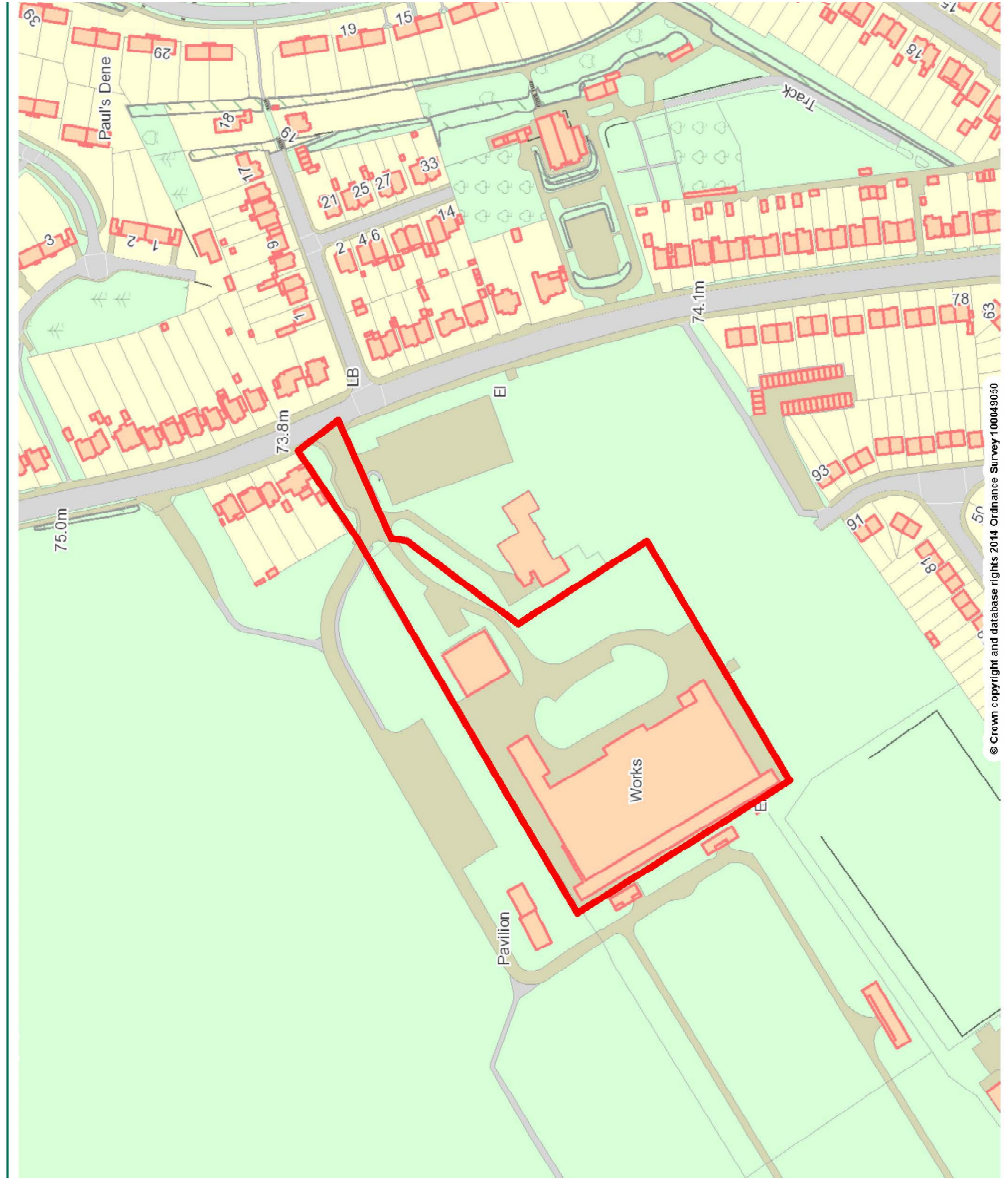
Pollution prevention measures should be included within the CEMP.

Appendices:

Appeal Decision for appeal reference A/13/2192165 dated 15th July 2013

Background Documents Used in the Preparation of this Report: application particulars

Castleworks
Castle Road Salisbury



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REPORT TO THE STRATEGIC PLANNING COMMITTEE

Date of Meeting	10 December 2014
Application Number	14/06624/FUL
Site Address	Land adjacent to Quarryfields Industrial Estate, Mere, BA12 6LA
Proposal	Erect new factory incorporating storage areas, offices, brush museum, areas used for goods in and goods out and the formation of vehicular and pedestrian access thereto
Applicant	The Hill Brush Company
Town/Parish Council	ZEALS
Division	MERE
Grid Ref	380320 132356
Type of application	Full Planning
Case Officer	Andrew Guest

1. Background

This planning application, for the erection of a new factory for the Hill Brush Company Limited, and a separate planning application, for the re-development of the existing Hill Brush Company Limited factory site for housing, need to be viewed together as they are implicitly linked.

In a nutshell, the Hill Brush Company Ltd wants to provide a new state of the art factory in its 'home town' of Mere for the efficient manufacture of its products so that it can remain competitive, and continue to grow, in a world market. To achieve this, and to ensure continuous production during the 'move', it requires, firstly, planning permission for the new factory on a new site; and secondly, planning permission for re-development of its existing site for other purposes (specifically, housing) to allow necessary release of capital for the new factory.

The two applications - for the new factory and the residential redevelopment - follow one another on this agenda. The first report relates to the new facility application; the second report is for the residential re-development application.

2. Reason for the application being considered by the Committee

The application is before the Strategic Planning Committee because the proposal represents a departure from the policies of the development plan and is for a large-scale major development which, by its nature has wider strategic implications and which raises issues of more than local importance.

3. Purpose of Report

To consider the recommendation of the Area Development Manager (South) that the application be approved subject to conditions.

4. Report Summary

The main issues to be considered in this case are, firstly, the principle of new employment development on this site; and then assuming the principle is accepted the following matters of detail:

- Highway safety;
- Landscape and visual impact;
- Residential amenity;
- Ecology;
- Archaeology;
- Public protection considerations.

The application site lies in Zeals Parish. Zeals Parish Council support the application. Mere Parish Council which adjoins Zeals also supports the application.

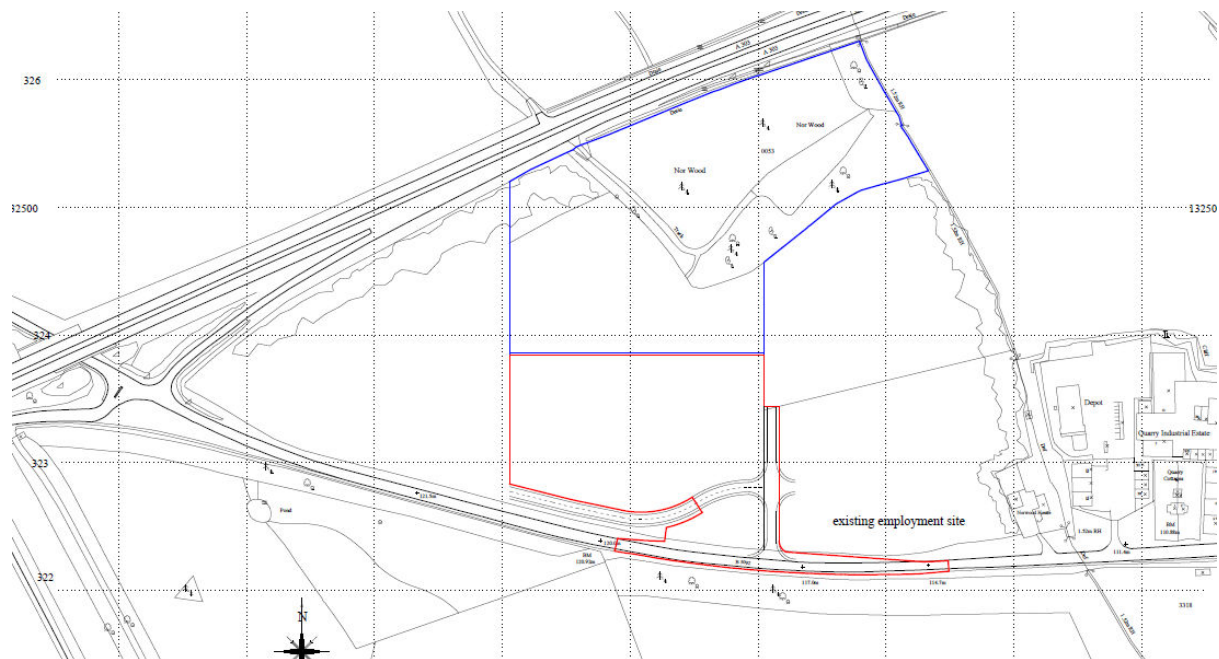
The Cranbourne Chase AONB group raises a number of concerns. There are no other third party representations specific to this application.

5. Site Description

The 2.2 ha site lies to the west of Mere in open countryside and a Special Landscape Area. It is presently a field with access from Castle Street (B3092). To its north, west and south sides are fields. To its east side is a further field designated as a 'Policy E12' Employment Site. Beyond this is a house and then further employment land (Quarry Industrial Estate); beyond the industrial estate is the Mere Housing Policy Boundary.

Approximately 250m to the north of the site is the A303(T), with its junction with Castle Street approximately 500m to the east. To the north of the A303(T) is the AONB.

The site rises gently to the north with a hedged boundary and wide verge adjacent to Castle Street.



6. Relevant Planning History

There is no relevant planning history relating to the actual site.

The 'Policy E12' employment site to the immediate east of the site was designated as such in the Salisbury District Local Plan. Policy E12 is 'saved' and states that "Approximately 3 hectares of land is allocated for employment development at Mere" where Classes B1 and B8 uses, and Class B2 uses "... where there would be no adverse impact on neighbouring properties ..." will be permitted. This employment site remains undeveloped at this time although does benefit from planning permissions for employment development in accordance with the allocation (S/2009/0191 and S/2013/0152).

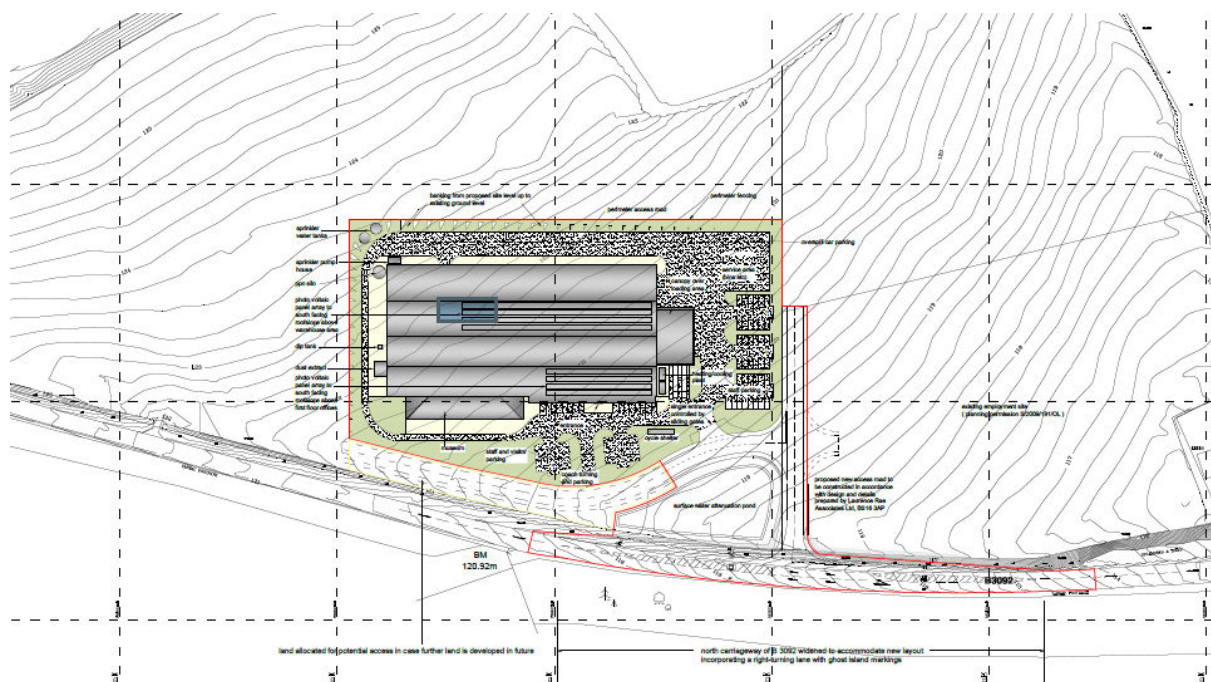
7. The Proposal

This planning application seeks permission to erect a new factory with associated facilities on the site. The occupier of the new factory would be the Hill Brush Company Ltd who would relocate to the site from existing premises at Woodlands Road, Mere.

The factory would provide 8,700 sq m of floor space including mainly 'general industrial', storage and office uses, and additional incidental facilities (brush museum, restaurant, trade counter, etc.). Outside there would be parking, loading/unloading and open storage areas. In view of the slight gradient some cutting would be necessary on the north side of the site.

The design is a typical factory although with a bespoke curved entrance element. Maximum dimensions would be approximately 140m by 70m by 10m high. External materials are indicated to be flat metal panels or profiled metal cladding for walls ('silver grey' colour), profiled metal sheeting ('dark grey') for roofs, and powder coated aluminium systems for windows/doors ('deep red').

Access to the site would be via a new estate road junction from Castle Street. This would also provide access to the existing farmland to the north and west sides of the site and to the allocated employment land to the east. A surface water attenuation pond would be constructed between the access road and Castle Street.



The Planning Statement which accompanies the planning application states the following:

The Hill Brush Company Limited (for over 90 years a key local employer in South Wiltshire) is at a critical decision point concerning the physical accommodation arrangements needed to secure its future growth.

The Company's preferred option is a new purpose built factory in Mere (Zeals Parish). An efficient production layout is essential to winning new export business. Room for expansion is needed to facilitate future growth. The proposed new facility will secure the retention of the committed and skilled local workforce.

History

Established in Mere since 1922, The Hill Brush Company is now run by the third and fourth generations of the Coward Family. For over 90 years the Company has been central to the local economy and community and it remains the largest employer in Mere with about half of its employees actually living in the settlement.

A successful manufacturing exporter, The Hill Brush Company Limited is one of the world's leading companies in the field of food hygiene cleaning tools and has an international reputation for its high quality products registered to ISO9001 quality standard. The Company holds a Royal Warrant.

The Company moved to its present Woodlands Road site in 1936 which it has developed over the years as methods of production have changed and the range of products has expanded.

Operation

The Company manufacture and supply to over 85 countries worldwide, with an extensive range of practical cleaning solutions designed for professional, home and outdoor use. By continuous investment in the most up-to-date machinery, the Company is able to compete worldwide and in 2011 it gained a contract to manufacture 2 million brushes a year for the UK vacuum cleaning company Numatic International who had previously been buying the brushes from China. In order to secure future contracts of this kind, the Company needs the advantage of enhanced efficiencies which can be provided within a purpose built single building facility.

Relocation

The Company needs to relocate to a purpose built factory to enable it to be more competitive through increasing efficiency and to enable it to expand. The Company has explored all possible options for relocation both in this country and abroad. Cheaper options exist elsewhere, particularly in Eastern Europe. The Company wishes to remain in Mere if at all possible. A stable and skilled workforce contributes greatly to the success of the Firm and will best ensure future success.

On the current site, the buildings are no longer suitable for a modern manufacturing and distribution operation. They are not energy efficient and do not allow for a satisfactory production flow. Further alterations to existing buildings would not yield any further improvements. The current site cannot be redeveloped to provide a new building without shutting down the production for a considerable time, which makes the current site unviable.

The current site is also unsuitable because of the poor and narrow alignment of the roads through the village to the A303. Vehicles have become too large to navigate easily and safely through the town. The proposed new site at the western end of Mere is adjacent to an undeveloped employment land allocation. The new site is close to the settlement, has

good vehicular and pedestrian access off the B3092 both in an easterly and westerly direction. All services which will be required are available or can be made available at a reasonable cost and the land owner has agreed the sale of the land which means that The Hill Brush Company's requirements can be met at this new location.

A new purpose built factory in Mere on the identified site is the preferred option.

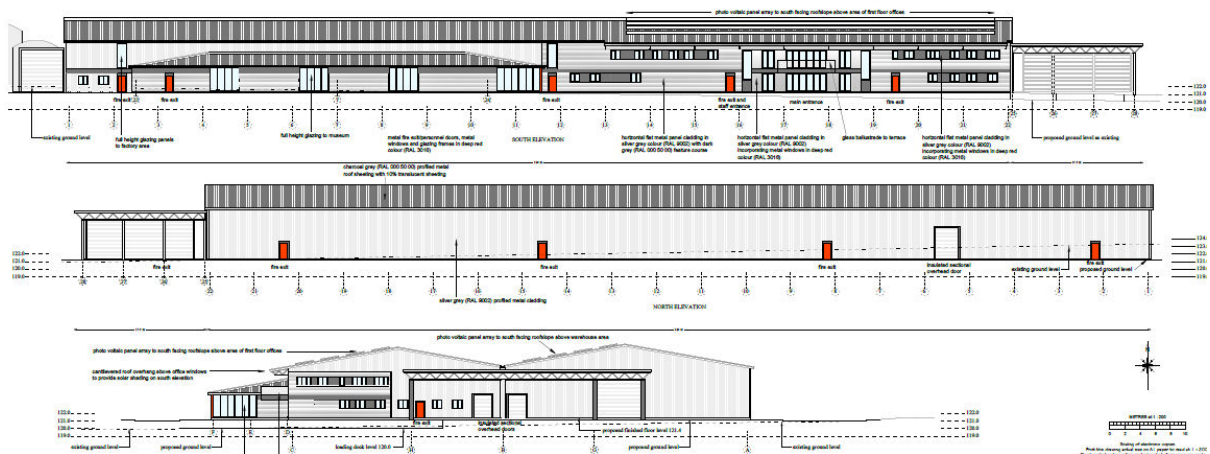
Benefits

The relocation will have an immediate impact in terms of jobs safeguarded and created. It will safeguard the jobs of the 76 people currently employed (around half of whom reside in Mere). It will enable the transfer in of 13 additional posts from the New Milton Moulding Factory and up to 5 new posts will be created through the planned new visitor centre. These jobs will have a combined growth value of over 1.5 million pounds benefitting the local economy each year with additional direct economic effect of the staff continuing to live and spend locally.

The relocation will also bring potential future economic benefits. The production and layout efficiencies of the new plant will be designed to support the Company's further growth in the medium term with space for a further 40 staff. The proposed new factory building will take up about half of the 4 hectare (10 acre) site enabling the Company to expand to twice the floor area, in the longer term potentially providing work for a further 100 employees on the site.

The planned relocation will also bring environmental and other benefits. Utilising Green technology the new factory will give the Company the opportunity to achieve ISO14001. The Company is keen to embrace rainwater recycling, photovoltaic electricity production. The site immediately to the east of the Application Site is owned by a commercial developer which has the benefit of planning permission, including the construction of a new vehicular and pedestrian access off the B3092 into the 6.7 acre site, which in turn will provide access into the proposed Hill Brush Company Limited premises.

The road will be constructed as an adoptable road or will be built to adoptable standards with more than adequate visibility splays. The junction will benefit from a right turning lane and ghost islands to ensure that safe and convenient access can be provided.



Elevations

8. Planning Policy

South Wiltshire Core Strategy:

CP1 – Settlement Strategy and distribution of growth

‘Vision’ for Mere Community Area –

There are a number of businesses that have been within Mere for a number of years, providing important local jobs. However, their buildings and sites are old and not necessarily appropriate for modern business needs. Therefore, in Mere itself, where a business wishes to modernise and the proposal concerns loss of employment land of more than 0.25ha, redevelopment of the original site for alternate uses should be permitted. This is provided that the business and job numbers remain in Mere and the loss of site is replaced with employment land of similar size elsewhere in Mere, subject to meeting other policies within the Development Plan.

Salisbury District Local Plan (‘saved’ policies):

G1 – Sustainable development

G2 – General criteria for development

D1 – Extensive development

E12 – Employment site west of Mere

E17 – New employment development within or at the edge of settlements

C2 – Countryside

C4 – Landscape – AONB

C6 – Special Landscape Area

C11-14 – Ecology

Emerging Wiltshire Core Strategy:

CP1 – Settlement Strategy

CP34 – Additional employment land

CP50 – Biodiversity and geodiversity

CP51 – Landscape

CP57 – Ensuring high quality design and place shaping

CP60-66 – Transport

The Inspector’s report for the emerging Wiltshire Core Strategy has now been published and it concludes that the Strategy is ‘sound’. It follows that the Strategy must now be given very weight in the decision making process prior to its final consideration and assumed adoption by Wiltshire Council in the new year.

Following its adoption some of the existing development plan policies referred to above will be replaced by the WCS policies whereas others will be ‘saved’. In the meantime all of the existing policies remain in force and so continue to be the starting point for the consideration of the application.

National Planning Policy Framework:

Paragraphs 18-22 – Building a strong, competitive economy

The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act

as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

9. Consultations

Zeals Parish Council: Supports unconditionally but would like it noted that, should the site be developed further, the PC would desire specific consultation regarding the current slip road access to the A303 west of Mere. Additionally the PC would wish to be consulted on broadband improvements in the area.

Mere Parish Council: Support. Whilst the PC would not normally respond to planning applications outside its area it considers that due to the proximity of this site to the parish boundary and the overall effect the application has on Mere that it is justified in doing so. The PC considers it is wholly preferable to have the commercial traffic aiming for the brush factory on this new site so that it can enter and exit the site via the A303 or B3092 at the western edge of Mere and does not, therefore, need to travel through the town centre or residential areas of Mere.

WC Highways: no objection.

WC Archaeology: a further field evaluation is required in view of the sensitivity of the site, in accordance with NPPF advice. Final views awaited.

WC Economic Development: [joint response to applications 14/06624/FUL & 14/06780/OUT]. No objection.

A key priority for Wiltshire is creating a resilient, sustainable and competitive economy, with a focus on creating and safeguarding jobs. The priorities of the Swindon and Wiltshire Local Enterprise Partnership are focussed on job creation, job safeguarding and developing Swindon and Wiltshire as a location for businesses to develop and thrive.

Enterprise Wiltshire has also set a strategic vision, which builds on the resilience of the economy and will develop its strengths into the medium to long term. The intention is to create 4,500 new jobs and safeguard a further 6,000 jobs (2012-2015)¹ through focusing on the retention and growth of indigenous businesses, while supporting inward investment.

As stated in application 14/06780/OUT current employment figures for Hill Brush Company Ltd are 76 full time and 8 part time, or 84 full time equivalent (FTE). In application 14/06624/FUL the applicant has proposed the new development will host 94 full time employees, safeguarding the existing 84 FTE whilst having a net gain of 10 FTE positions. This does not include a further approx. 24 FTE in the moulding company to be relocated to the site.

In choosing to relocate to a purpose built facility in Mere, as opposed to pursuing options outside of Wiltshire (the company has operations elsewhere), the proposal in application 14/06624/FUL accords with the stated priorities and will deliver local employment opportunities.

The relocation will also bring potential future economic benefits. The production and layout efficiencies of the new plant will be designed to support the company's further growth in the medium term, with space for a further 40 staff. The proposed new factory building will take

¹ Enterprise Wiltshire Economic Strategy 2012-2015

up about half of the new 10 acre site, enabling the Company to expand to twice the floor area in the longer term, giving potential for a further 100 employees on this site².

Wider economic benefits will include those in the local supply chain, indirect jobs supported, and the positive impacts of housing growth enabled through the relocation.

Through its strategic business engagement programme, Economic Development works proactively with key businesses like Hill Brush Company to help support their ongoing presence and growth in the county. Innovation is a central theme in the LEP's Strategic Economic Plan and the company's investment in its new facility will mark a change in its ability to innovate as an export-led advanced manufacturing business – a sector identified as a priority for future inward investment by Wiltshire Council, UKTI, and by the LEP.

As part of its ongoing engagement, Economic Development has actively worked to help the business find a local solution to its growth needs, which has included, for example, a revised affordable housing % within the existing site redevelopment, as proposed in application 14/06780/Out. This will allow the company to proceed with its relocation, safeguard and create jobs, and support further business growth, as well as bringing forward new housing within the town on the site it will vacate.

Highways Agency: no objection.

Environment Agency: no objection subject to conditions.

Wiltshire Fire & Rescue: recommendations for safety.

10. Representations

The application has generated one representation from the Cranbourne Chase AONB group as follows:

.... the location is just to the south of the AONB boundary, on rising ground, on the west side of Mere. It appears that the development would be effectively extending the developed area of Mere westwards.

It is noted that this is a major application covering 2.2 hectares and that the building would be 124 metres long by nearly 61 metres wide. The height of the building would be 9.5 metres to ridge above ground level.

Although the elevations show pitched roofs with clear ridge lines the site plan (07256 - 2 Z) shows doomed roofs. Clearly the visual appearance would be significantly different, as would the impact on the locality. Obviously the form of the building and its roofs needs to be clarified.

The Cranborne Chase and West Wiltshire Downs AONB has been established under the 1949 National Parks and Access to the Countryside Act to conserve and enhance the outstanding natural beauty of this area which straddles three County, one Unitary and five District councils. It is clear from the Act, subsequent government sponsored reports, and the Countryside and Rights of Way Act 2000 that natural beauty includes wildlife, scientific, and cultural heritage. It is also recognised that in relation to their landscape characteristics and quality, National Parks and Areas of Outstanding Natural Beauty are equally important aspects of the nation's heritage and environmental capital. The AONB Management Plan is a statutory document that is approved by the Secretary of State and is adopted by the

² Economic Development, Hill Brush Company relocation statement, 2012

constituent councils. The AONB and its Management Plan are material considerations in planning.

The National Planning Policy Framework states (paragraph 109) that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. Furthermore it should be recognised that the 'presumption in favour of sustainable development' does not automatically apply within AONBs, as confirmed by paragraph 14 footnote 9, due to other policies relating to AONBs elsewhere within the Framework. It also states (paragraph 115) that great weight should be given to conserving landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in these areas.

The main concern of the AONB Partnership is the appearance of such a substantial development just outside of the AONB. To that extent the materials and colour can have a significant contribution to make to mitigate that impact.

It is noted that reference is made to RAL colours. However this is somewhat confusing in that paint colours have been used for the walls of part of the building and the Design Range colour system has been used for other parts and the roof. Nevertheless, whatever colour system is referred to I would strongly advise you that the proposed colours are far too light to enable such a large building to integrate well with the existing landscape.

In paragraph 7.07 of the Design and Access Statement the colour silver grey (RAL 9002) is suggested. This is almost white and the AONB group would suggest that significantly darker colours such as 9002 (pearl light grey) or 7033 (cement grey) would be much more effective in mitigating the mass and scale of the proposed building. Incidentally the 7033 colour does have a green tinge to it which could be advantageous. The colour referred to in paragraph 7.08 and 7.09 (dark grey RAL 000-50-00) is actually quite a light colour which will not help the roof sheeting blend with the landscape. In line with the advice in our Good Practice Note on Colour in the Landscape the AONB group would suggest, if the Design Range is to be used, that 000-30-00 or 100-30-05, both of which are significantly darker, should be used.

The AONB welcomes the use of photovoltaic panels on the south facing roofs. The AONB is concerned about the impact on light pollution of the proposed '10% translucent roof lighting' in paragraph 7.05. To prevent the escape of light when internal lighting is used the AONB recommends that such lighting panels are fitted with louvres or blinds so that when the factory is operative after dusk and before dawn these can be closed to prevent light pollution.

The AONB is also concerned about lighting around the exterior of the proposed factory and the loading areas under the extended canopies. Such lighting should comply with the AONB Position Statement on Light Pollution.

Despite what is stated in Section 6.00 regarding landscaping there is no landscape proposals plan submitted with the application material and there are no planting details or plan. It is, therefore, rather difficult to assess the extent to which the impacts of the proposed development can be effectively mitigated. The AONB strongly recommends that a detailed landscape planting and specification scheme is provided".

11. Planning Considerations

Principle

The application site lies in the countryside outside the defined settlement of Mere. Within the countryside 'saved' Policy C2 of the SDLP states that development will be strictly limited and will not be permitted unless it would benefit the local economy and maintain or enhance the environment. Exceptionally, Policy E17 allows new business development involving the construction of new buildings within or on the edge of settlements subject to criteria.

It is arguable in this case whether or not the application site is 'on the edge' of Mere. The application site adjoins a designated employment site in the SDLP which itself adjoins another established industrial estate. This established estate then adjoins the housing policy boundary for Mere. Being some 450m from the housing policy boundary it is considered that the application site is probably not 'on the edge' of Mere but is, in fact, beyond the settlement. It follows that in principle its development would not comply with Policy E17. That said, there are a number of material considerations in this case which 'tip the balance' in favour of the proposal in any event. These are –

1. The proposal would benefit the local economy both now and into the future, as required by Policy C2. Specifically, the proposal would enable an established local company to move from its existing outdated premises to a new and more efficient facility, and so safeguard, and expand, its locally sourced workforce in the interests of economic resilience and sustainability;
2. The proposal complies with the criteria set out in Policy E17 for developments on the edge of Mere in any event. In particular, the services and access to the site from the wider highway network are satisfactory, the scale of the proposal is appropriate to the size of Mere, the design of the scheme is compatible with the character of the area (see more below), and the amenities of the locality (including residential amenity) would not be adversely affected;
3. The proposal complies with the principles embodied in the 'vision' for Mere set out in the South Wiltshire Core Strategy. Specifically, the presumption that support will be given to proposals for the relocation of local businesses where the relocation will be to another site within or close to the same settlement;
4. Policy CP34 of the emerging Wiltshire Core Strategy recognises that Wiltshire does not necessarily have land available in the right locations and at the right time to meet business needs meaning the county could lose businesses to other locations. The policy, therefore, gives support to appropriate development 'outside' of settlements, including Mere, where this would retain or expand businesses currently located within the settlements, where the site is suitable. As there are unlikely to be any other sites either available or more suitable for the Hill Brush Company to move to, and because the proposed site is suitable in any event, it is considered that the requirements of this emerging policy are satisfied; and
5. The proposal would result in a net benefit to the environment of Mere by reason of the removal of HGV's / commercial traffic from its generally narrow and winding streets. This is considered further below.

So, although there is strictly conflict with existing countryside and employment policies, material considerations outweigh their presumptions and 'tip the balance' in favour of the proposal. Emerging policy will, in any event, give a greater degree of support for proposals such as this where the long term future of established local businesses will be secured by allowing development on suitable sites outside of settlement boundaries.

Visual and Landscape Impact

The application site lies within a Special Landscape Area where Policy C6 of the SDLP requires proposals for development to be considered having particular regard to the high quality of the landscape. The policy further states that where development is considered broadly acceptable in terms of its impact, the siting and scale should be carefully considered together with landscaping appropriate for the area. The Special Landscape Area is a blanket designation which covers not only open countryside but also the entire settlement of Mere.

The site lies close to an AONB. Policy C4 of the SDLP relates to the AONB. It resists develop which would harm the natural beauty of the landscape. Policy CP51 of the emerging WCS requires proposals for development outside of AONB's to demonstrate that they would not adversely affect the setting of the AONB.

The application is supported by a Landscape and Visual Impact Assessment. It concludes that the proposed development would have a 'slight' impact in relation to the landscape character of the area and 'moderate' visual impact within a zone of visual influence extending over an area 2 x 1 km.

As is evident, the application site fronts Castle Street and lies adjacent to existing, or proposed, employment developments. Not far from the north and west sides of the site is the A303 trunk road. Within this context it is not considered that the site comprises critical high quality landscape which Policy C6 seeks to protect. In any event, the scale of the development and the potential to provide an appropriate landscaped setting for it would ensure compatibility with the landscape within which it would be viewed.

Local views of the site from Castle Street would be broken up to a certain extent by the established hedgerow on the front boundary. The proposed building would be visible, set back from the frontage, but this visibility is not considered an issue having regard to the suitability of the building's design and the opportunity to provide landscaping within the site to further enhance the setting.

Middle distance views of the site are possible from the high ground at Long Hill to the north-east of the site. The proposed development's prominence in these views is unlikely to be any more significant than that of the existing industrial estates and employment allocation adjoining, and consequently this is not considered to be an overriding consideration.

With regard to the AONB, its boundary lies some 250m from the site, on the other side of the A303. The A303 in this area provides some screening against views from the AONB towards the site, and vice versa. Having regard to these circumstances, and notwithstanding the relatively large scale nature of the proposed building, it is not considered that the AONB would be adversely affected. The AONB group's concerns over external materials can be addressed by condition requiring details to be submitted, this notwithstanding what is specified in the application particulars. Equally, the concerns over the lack of a comprehensive landscaping scheme can be addressed by planning condition.

In terms of residential amenity, the nearest dwelling lies some 200m to the east of the site, just beyond the allocated employment site. At this distance it is not considered that the amenities of the occupier would be adversely affected, and it can be assumed that the intervening allocated employment land will be developed for this purpose at some stage anyway.

Highway safety

The application is supported by a Transport Assessment. Based on an analysis of existing and proposed traffic movements the TA draws a number of important conclusions. Firstly, it states that the site is located close to an 'all movement grade separated junction' with the A303 which would allow routing of HGV traffic to the site avoiding the relatively narrow streets in Mere, as presently happens. This would be beneficial to the general environment of Mere.

Secondly, it concludes that the local road network has capacity to accommodate peak hour travel to work movements from the development. Specifically it states that key junctions would have residual capacity, both now and in the future.

Thirdly, the report notes that a significant proportion of employees already walk, cycle or share transport to work, and that this situation should not be affected by the proposals and/or could even be enhanced by way of an appropriate travel plan. A condition is recommended to deliver a suitable travel plan.

The conclusions of the TA are agreed by both the WC Highways Officer and the Highways Agency. It follows that there are no highway safety reasons for objecting to the proposal.

Other matters

The application is supported by a Provisional Ecological Appraisal. It concludes that the site itself is of negligible intrinsic nature conservation value in view of its intensive agricultural use. That said, it recognises the potential of land at, and beyond, the edges of the site as having some value. With this in mind it sets out a number of mitigation options which can be managed by planning condition.

The application is supported by a Contamination Investigation Report. This records levels of contamination which are not potentially harmful to human health given the proposed end use or controlled waters.

The application is supported by an Archaeological Desk-Based Assessment. This states that no traces of habitative settlement have been identified but the likelihood of the site's inclusion within a known field system is increased by the common orientation with a footpath across the west side. The WC Archaeologist has requested further field investigation prior to the grant of planning permission, probably by way of a geophysical survey, and this is reflected in the recommendation.

Conclusion

This application seeks permission to relocate the Hill Brush Co. Ltd. to a new site just outside Mere. Although strictly contrary to policy in that the site is not in or on the edge of Mere, the proposal would not cause any material harm to matters of acknowledged importance such as amenity or highway safety. Furthermore, the chosen site is located much closer to the A303(T) than the existing site, so removing commercial traffic from Mere's narrow residential streets. Perhaps most significantly, the proposal would enable Hill Brush to stay in Mere but in a new, state of the art factory which should enable it to remain competitive, to prosper and to potentially expand in the future, all to the benefit of Mere.

To finance the relocation Hill Brush requires its existing site to be re-developed for other purposes. This is the subject of a separate planning application (next on the agenda) which must be considered on its own merits, both in terms of its intended purpose to facilitate the new factory development and on its impacts in isolation on all other planning considerations.

RECOMMENDATION

That, subject to no significant archaeology being discovered following field evaluation, the Area Development Manager (South) be authorised to grant planning permission 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 Notwithstanding the details set out in the application particulars, no development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 3 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- a) location and current canopy spread of all existing trees and hedgerows on the land;
- b) full details of any to be retained, together with measures for their protection in the course of development;
- c) a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- d) finished levels and contours;
- e) means of enclosure;
- f) car park layouts;
- g) other vehicle and pedestrian access and circulation areas;
- h) all hard and soft surfacing materials;
- i) minor artefacts and structures (e.g. furniture, refuse and other storage units, signs, lighting etc);

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

- 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.

- 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 a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

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

- 7 Notwithstanding the details set out in the application particulars, no external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", 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.

- 8 No materials, goods, plants, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored above a height of 10 metres above the existing ground level outside any building on the site without the prior approval in writing of the Local Planning Authority.

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

- 9 No development shall commence within the site area indicated until:

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

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

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

10 Development shall be carried out strictly in accordance with the "Enhancement and Mitigation Options" set out in the Provisional Ecological Appraisal by SLR Global Environmental Solutions dated March 2013.

REASON: In the interests of wildlife protection and enhancement.

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

21410/HA/01B dated 08/2013 and received by lpa 09/07/2014

21410/HA/2A dated 08/2013 and received by lpa 09/07/2014

21410/CS/1 dated 07/2013 and received by lpa 09/07/2014

21410/CS/2 dated 07/2013 and received by lpa 09/07/2014

07256-1G dated 04/07/2014 and received by lpa 09/07/2014

07256-2Z dated 04/07/2014 and received by lpa 09/07/2014

07256-3Z dated 01/07/2014 and received by lpa 09/07/2014

07256-4Z dated 01/07/2014 and received by lpa 09/07/2014

07256-5Z dated 01/07/2014 and received by lpa 09/07/2014

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

12 **INFORMATIVE TO APPLICANT:** The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

13 **INFORMATIVE TO APPLICANT:** 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.

Appendices: None

Background Documents Used in the Preparation of this Report: Application particulars

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REPORT TO THE STRATEGIC PLANNING COMMITTEE

Date of Meeting	10 December 2014
Application Number	14/06780/OUT
Site Address	Land at The Hill Brush Co Ltd, Woodlands Road, Mere, Warminster, BA12 6BS
Proposal	Demolition of existing factory and dwelling known as Maltot. Erection of 134 dwellings with supporting infrastructure (hybrid full and outline application)
Applicant	C G Fry and Son Ltd and The Hill Brush Company Ltd
Town/Parish Council	MERE
Division	MERE
Grid Ref	381690 131723
Type of application	Full Planning
Case Officer	Andrew Guest

1. Reason for the application being considered by the Committee

This application is implicitly linked with planning application no. 14/06624/FUL for the new factory. In this respect the Planning Statement accompanying this application states the following:

The application should be considered in conjunction with a separate but parallel planning application for a new factory for the Hill Brush Company submitted by Brimble Lea and Partners. in essence, redevelopment of the existing factory site on Woodlands Road for housing is required in order to fund the relocation of the factory to a new purpose-built site.

2. Purpose of report

To consider the recommendation of the Area Development Manager (South) that the application be approved subject to a Section 106 agreement being completed, and subject to conditions.

3. Report Summary

The main issues to be considered are, firstly, the principle of the proposal, and secondly, assuming the principle is established the following detailed matters:

- Highway safety;
- Infrastructure impacts arising from the development – education, open space, affordable housing, highways improvements, waste collection, etc.;
- Design and visual impact;
- Public protection issues.

The application is supported by Mere Parish Council subject to some concerns.

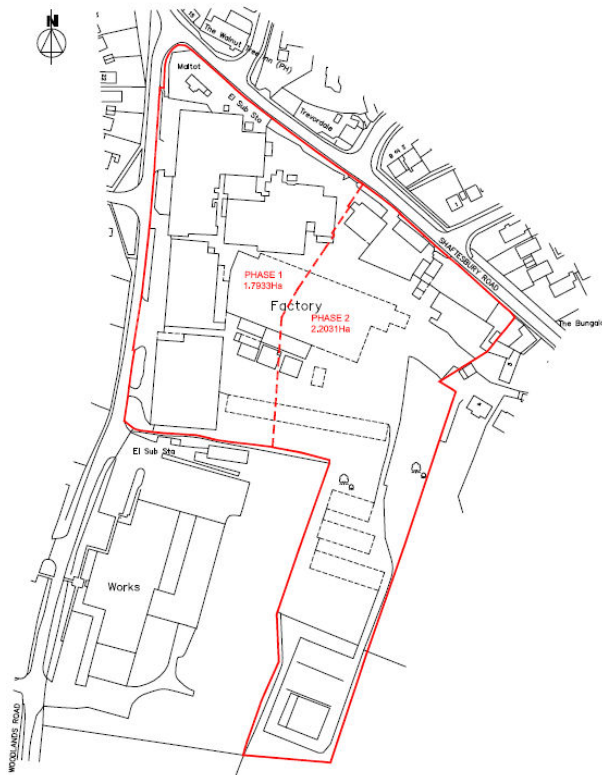
The application has generated representations from 42 interested parties. These include 1 letter of support, 7 qualified 'no objections', and 34 'objections'.

4. Site Description

The approx. 4 ha application site lies on the south side of Mere with frontages to Shaftesbury Road and Woodlands Road. The site supports the long established Hill Brush Company Ltd factory and related land, and a single dwellinghouse, 'Maltot'.

According to the Design and Access Statement accompanying the application, the Hill Brush Company was started in Mere in 1922 and moved to its Woodlands Road site in 1936. It is one of the world's leading companies in the field of food hygiene cleaning tools and has an international reputation for high quality products.

The factory itself is made up of buildings of varying size, age and design, and open yards, mainly used for manufacturing or storage, or currently vacant. The largest buildings on the site were historically used for storage and drying of timber from when milling of wood was carried out as part of the brush production process. In more recent years this on-site activity has ceased with ready processed wood being brought in. The storage/drying buildings, and their potential for continued use for these purposes, remain.



To the north-west, north and north-east sides of the site is established residential development. Also to the north is a public house, The Walnut Tree Inn. To the south-west and south-east sides of the site is open countryside. To the south are further industrial buildings at Beaumont Business Centre, although the application site includes land which 'dog-legs' to the rear of this.

The site is mostly level, although that part in the south 'dog-leg' is raised slightly above the neighbouring business centre.

In planning policy terms the larger part of the site lies outside, but adjacent to, the Mere Housing Policy Boundary (only Maltot is within the HPB). The site and all surrounding land (including the whole of Mere) lies within a Special Landscape Area. Land on the opposite side of Woodlands Road facing the site lies within a Development Restraint Area.

5. Relevant Planning History

There are various historic planning applications relating to the historic commercial use of the site. There is no relevant planning history relating to residential re-use of the site.

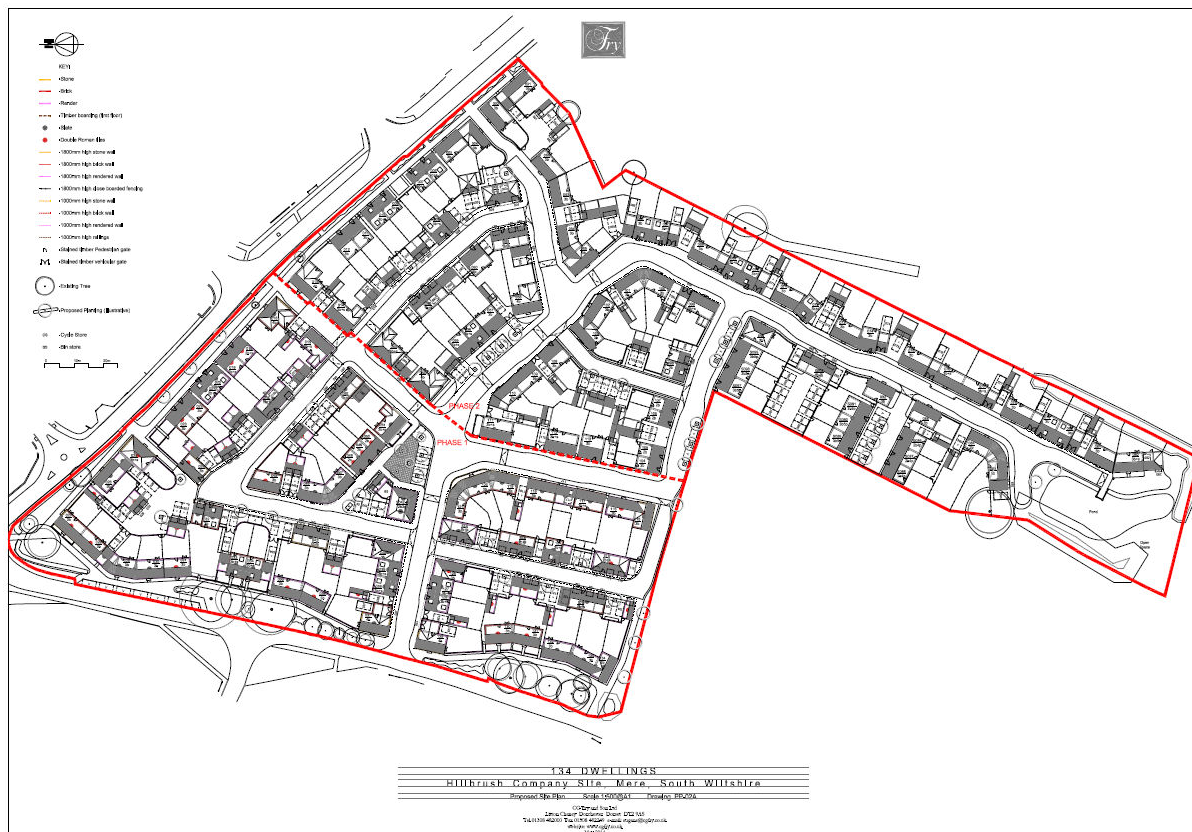
6. The Proposal

This application seeks planning permission to re-develop the entire site to provide 134 dwellinghouses. It is a 'hybrid' application meaning that it is in part for full planning permission ('phase 1' for 59 units) and in part for outline planning permission ('phase 2' for 75 units).

The phase 1 dwellings would be traditional in design and layout, mainly two storey although with a few 2 and 3 storey units. Materials would be stone and render and some brick for walls, and slate and double roman tiles for roofs.

A mix of houses and flats is proposed – 27 x 2 bed, 103 x 3 bed and 4 x 4 bed in total. 10% (x13 units) would provide affordable housing – 7 x 2 bed and 6 x 3 bed.

Vehicular access to the site would be from Woodlands Road using a re-configured existing access to the factory. Pedestrian access points would be provided from Shaftesbury Road.



7. Planning Policy

South Wiltshire Core Strategy:

- CP1 – Settlement Strategy and distribution of growth
- CP5 – Employment land
- CP3 – Affordable housing
- CP16 – Meeting Mere’s housing needs
- CP18 – Lifetime homes standard

‘Vision’ for Mere Community Area –

At least 250 new homes and 3 ha of employment land (on a saved Local Plan allocation) will be delivered to meet needs in the Mere Community Area over the lifetime of this Strategy. It is anticipated that most, if not all, of this growth will be centred on Mere. However, the Strategy is designed to be flexible and has the potential for some of the growth to be accommodated through infill and affordable exception development at Zeals. Housing may also be delivered through locally produce Neighbourhood Plans. The identification of new growth sites will be made through the subsequent Site Specific Allocations DPD.

There are a number of businesses that have been within Mere for a number of years, providing important local jobs. However, their buildings and sites are old and not necessarily appropriate for modern business needs. Therefore, in Mere itself, where a business wishes to modernise and the proposal concerns loss of employment land of more than 0.25ha, redevelopment of the original site for alternate uses should be permitted. This is provided that the business and job numbers remain in Mere and the loss of site is replaced with employment land of similar size elsewhere in Mere, subject to meeting other policies within the Development Plan.

Salisbury District Local Plan (‘saved’ policies):

- G1 – Sustainable development
- G2 – General criteria for development
- D1 – Extensive development
- H22 – Previously developed land outside housing policy boundaries
- C6 – Special Landscape Areas
- C12-14 – Ecology
- R2 – open space provision

Emerging Wiltshire Core Strategy:

- CP1 – Settlement strategy
- CP2 – Delivery strategy
- CP3 – Infrastructure requirements
- CP35 – Existing employment sites
- CP41 – Sustainable construction
- CP43 – Affordable homes
- CP50 – Biodiversity and geodiversity
- CP51 – Landscape
- CP56 – Contaminated land
- CP57 – High quality design
- CP61 – Transport and development
- Mere Area Strategy

The Inspector's report for the emerging Wiltshire Core Strategy has now been published and it concludes that the Strategy is 'sound'. It follows that the Strategy must now be given very significant weight in the decision making process prior to its final consideration and assumed adoption by Wiltshire Council in the new year.

Following its adoption some of the existing development plan policies referred to above will be replaced by the WCS policies whereas others will be 'saved'. In the meantime all of the existing policies remain in force and so continue to be the starting point for the consideration of the application.

NPPF:

Paragraphs 47-55, including

To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.

8. Consultations

Mere Parish Council: Support subject to conditions / concerns.

The Parish Council has been aware of this pending planning application for a number of years and more acutely aware during the past year. The Parish Council has therefore had time to consider the limitations of the developers whilst also considering the impact that such a large residential development will have on this particular area of Mere and feels that the following conditions will mitigate and alleviate some of these concerns.

Conditions:

1. The Parish Council is of the understanding that there will not be a full requirement for Policy R2 funds in respect of this development due to financial viability, taking into account that the development needs to enable the relocation and rebuilding of the Brush Factory. However, the PC is also aware that Wiltshire Council has sought a Section 106 planning obligation of £600,000. In recognition that there will be little or no Policy R2 or CIL contribution for this development, the Parish Council would therefore require that some of these funds are used for the following purposes:

a) Reconfiguration of the Walnut Road/Shafesbury Road junction -

The present mini-roundabout configuration at this junction does not work and is hazardous (several near misses reported). Vehicles travelling along Shafesbury Road mainly drive straight over the mini-roundabout without reducing speed. Exit from Walnut Road (which serves both the Walnut Road/Oak Lane housing development and the Walnut Tree Inn) is hazardous because drivers cannot see left (south) into Shafesbury Road. The give-way line to the mini-roundabout at the mouth of Walnut Road is positioned well back in relation to a boundary wall on the corner of the junction, so that approaching traffic from Shafesbury Road cannot be seen.

- The present mini-roundabout and its associated signage should be removed, and the junction should be converted to a T-junction.
- The give-way line at the mouth of Walnut Road should become a 'GIVE WAY' sign, and should be repositioned forward to align with the kerb of Shafesbury Road.

- Rumble strips or other physical means of slowing traffic on Shaftesbury Road in the Mere direction should be installed just before the Walnut Road junction. This will also help if a housing development goes ahead on the Hill Brush Site and traffic serving the housing is using the T-junction at Woodlands Road/Shaftesbury Road.

(These recommendations made by a Working Group of Mere Parish Council in November 2013 and unanimously supported by Mere Parish Council in December 2013)

b) Footpath Improvement Project for footpath 50 from corner of Shaftesbury Road / Woodlands Road to Mere Town Centre -

Wiltshire Council put aside money to re-surface this footpath approximately three years ago but that money was subsequently re-allocated elsewhere. The surface of this footpath is in a fairly shocking state – it was re-laid many years ago and the tarmac melted in the very hot weather which has left it extremely uneven and cracked. This is the main footpath from the southern fringe of Mere into the town centre and is heavily used (the only other alternative into Mere town centre is to walk around the very tight and blind bend at Edgebridge which has no pavement at all and then to walk along Pettridge Lane, having to cross the road three times in order to stay on the pavement). The development of 134 new houses in this vicinity will vastly increase the use of this footpath which the PC would like to encourage as long as it was safe and suitable for purpose.

- Widening by cutting back overgrown verges
- Resurfacing
- Provision of renewable lighting so that footpath can be used at night

c) Provision of safety surfacing and new play equipment for Walnut Road Play Area –

Back in 2003-2007, with the knowledge that PC grounds staff were stretched to capacity and could not take on any more grass cutting commitments in the summer and also armed with the knowledge that this play area was to be positioned adjacent to a public house and the risk assessed that there may be broken glass found within the play area, the Parish Council agreed to accept responsibility for the play area with conditions, one of which was clearly stated 'That any such play area is completely surfaced with low maintenance safety surfacing (not grass).' These conditions were never imposed by Salisbury District Council and the Parish Council eventually and very reluctantly took on the responsibility for this play area with its grass surface and very small commuted sum. The commuted sum has now been completely used up and the ratepayers of Mere are paying to have this play area maintained through the parish precept. Due to the extremely close proximity of this play area, the Parish Council feels justified in requesting that this S.106 payment is used to surface the play area with wet-pour safety surfacing and also to provide some new equipment within the play area.

Notes of importance - A Construction Environmental Management Plan must be in place for this development to ensure that construction traffic does not attempt to drive along The Lynch and to place some kind of control over construction traffic movements.

WC Highway: No objection. Generally agree with the conclusions of the Transport Assessment.

WC Economic Development: [joint response to applications 14/06624/FUL & 14/06780/OUT]. No objection.

A key priority for Wiltshire is creating a resilient, sustainable and competitive economy, with a focus on creating and safeguarding jobs. The priorities of the Swindon and Wiltshire Local

Enterprise Partnership are focussed on job creation, job safeguarding and developing Swindon and Wiltshire as a location for businesses to develop and thrive.

Enterprise Wiltshire has also set a strategic vision, which builds on the resilience of the economy and will develop its strengths into the medium to long term. The intention is to create 4,500 new jobs and safeguard a further 6,000 jobs (2012-2015)¹ through focusing on the retention and growth of indigenous businesses, while supporting inward investment.

As stated in application 14/06780/OUT current employment figures for Hill Brush Company Ltd are 76 full time and 8 part time, or 84 full time equivalent (FTE). In application 14/06624/FUL the applicant has proposed the new development will host 94 full time employees, safeguarding the existing 84 FTE whilst having a net gain of 10 FTE positions. This does not include a further approx. 24 FTE in the moulding company to be relocated to the site.

In choosing to relocate to a purpose built facility in Mere, as opposed to pursuing options outside of Wiltshire (the company has operations elsewhere), the proposal in application 14/06624/FUL accords with the stated priorities and will deliver local employment opportunities.

The relocation will also bring potential future economic benefits. The production and layout efficiencies of the new plant will be designed to support the company's further growth in the medium term, with space for a further 40 staff. The proposed new factory building will take up about half of the new 10 acre site, enabling the Company to expand to twice the floor area in the longer term, giving potential for a further 100 employees on this site².

Wider economic benefits will include those in the local supply chain, indirect jobs supported, and the positive impacts of housing growth enabled through the relocation.

Through its strategic business engagement programme, Economic Development works proactively with key businesses like Hill Brush Company to help support their ongoing presence and growth in the county. Innovation is a central theme in the LEP's Strategic Economic Plan and the company's investment in its new facility will mark a change in its ability to innovate as an export-led advanced manufacturing business – a sector identified as a priority for future inward investment by Wiltshire Council, UKTI, and by the LEP.

As part of its ongoing engagement, Economic Development has actively worked to help the business find a local solution to its growth needs, which has included, for example, a revised affordable housing % within the existing site redevelopment, as proposed in application 14/06780/Out. This will allow the company to proceed with its relocation, safeguard and create jobs, and support further business growth, as well as bringing forward new housing within the town on the site it will vacate.

WC Education: An assessment of the proposal's impact on the local education infrastructure has been carried out as follows:

- It is based upon 121 new open market units less one demolition, and 13 affordable units which attract our standard 30% discount, reducing them by 4 to 9.
- So the total of qualifying properties for the assessment are $120 + 9 = 129$ which generate a need for 40 primary and 28 secondary school places.

¹ Enterprise Wiltshire Economic Strategy 2012-2015

² Economic Development, Hill Brush Company relocation statement, 2012

- The designated area schools are Mere Primary and at secondary level, pupils go across the border to attend Gillingham School in Dorset.
- Primary – Mere Primary has a net capacity all in permanent accommodation of 210 places. As at the January 2014 official headcount there were 189 pupils on roll. Our latest forecasts indicate that numbers are unlikely to rise above this level in the period up until April 2018. There are therefore, 21 “spare” places available at the school at peak numbers, which can be allocated to this planning application, as per our standard and recently updated S106 Methodology. So, $40 - 21 = 19$ additional places are needed, towards which we require a developer contribution of £16,768 per place. This is WC’s 2014/15 capital cost multiplier for primary school places.
- Secondary – Dorset CC will need to be consulted regarding the position at Gillingham School and any capital funding requirements that they may have.
- We note that the level of affordable housing proposed on the application is actually just under 10% and so well below the level of 30% that the Council requires as standard. In view of this, and assuming that 30% is likely to apply, I have also calculated the “education” requirement for it as follows: 30% affordable out of a net 133 new dwellings = 40 units x 30% discount of 12. So qualifying properties = $133 - 12 = 121$ to assess. 121 units would generate a need for 38 primary and 27 secondary school places.
- The revised S106 Methodology for Education now contains a requirement for developers to make contributions towards the provision of Early Years places where appropriate.
- As this is an outline application, standard caveats apply i.e. the assessment is specific to the site location, housing number and mix supplied, and any changes to any of these would necessitate a new assessment. Assessments use the pupil data, forecasts, capacities and details of other known housing in a designated area as at the time they are made, so were this application to be revised/replaced, this could affect the outcome of the assessment at the later time. Contributions are to be secured by a S106 to which standard payment terms will apply. The capital cost multipliers quoted apply to S106s signed in the current financial year and will be subject to updating for 2015/16.

WC New Housing: Core Policy 3 of the South Wiltshire Core Strategy sets out a requirement of 40% on-site affordable housing provision on all sites with a net gain of 15 or more dwellings. However, Core Policy 43 of the emerging Wiltshire Core Strategy introduces two separate affordable housing zones. This site falls within an area requiring at least 30% affordable housing. This is the policy which is now being applied on sites of 15 or more dwellings in South Wiltshire. This proposal would therefore usually be required to provide 30% on-site affordable housing.

Previous discussions relating to viability, undertaken between August and November 2012, reached a compromise position in concluding that a 10% affordable housing contribution should be provided on this site. Given the length of time since these discussions and the subsequent improvements in the housing market, it is considered that the viability assessment is now historic, and therefore New Housing require an updated viability appraisal, together with supporting evidence, to justifiably support any agreed reduced level of on-site Affordable Housing.

Housing Need - There is a high level of housing need, with 11,209 applicants on the housing register in immediate need for affordable rented accommodation across Wiltshire. Of those 395 are in immediate need of affordable rented housing in the South West Wiltshire Area Board area.

Tenure Mix - Affordable housing units should generally be provided with a tenure mix of 75% of the units being for Affordable rented housing, and 25% of the units being provided as shared ownership dwellings.

Property mix - (indicative only at this stage – to be confirmed by the New Housing Team prior to any reserved matters application). The proposal to provide 1 x 1 flat over garage, 3 x 2 bed flats, 3 x 2 bed houses and 6 x 3 bed houses does not adequately reflect demand for affordable housing in the area. In order to better reflect the local demand, the affordable housing units should be provided in the following mix:

Affordable Rented: 1 bed 30% 2 bed 30% 3 bed 30% 4 bed 10%

Shared Ownership: Should be a mix of 2 and 3 bed houses. The preference is for houses rather than flats.

Clustering - The affordable homes should be dispersed throughout the development in small clusters. The current application proposes one cluster of 10 units and one cluster of 3 units. This would be acceptable subject to confirmation (through an updated viability appraisal) that an appropriate level of affordable housing is being provided.

Size and Design - Care should be taken to ensure that the design of affordable units ensures their integration within the development. All affordable homes would need to be built to at least minimum size standards to meet the Design and Quality Standards set out by the Homes and Communities Agency. I confirm that the units currently proposed meet the minimum size requirements.

Transfer to a Registered Provider - All affordable homes would need to be transferred to a Registered Provider, approved by the Council, on a nil subsidy basis. It is strongly recommended that the applicant makes contact with some Registered Providers as soon as possible in order to discuss the best options for the affordable units on-site.

Nominations - The Local Authority would have nomination rights to the affordable homes, secured through a Nominations Agreement which will be signed by the Council and the Registered Provider.

WC Archaeologist: no objection. The photographs and information included in the archaeological desk based assessment suggest that large part of the site would have been subject to significant below-ground disturbance. Therefore, on the evidence available at present, it is unlikely that significant archaeological remains would be disturbed by the proposed development.

WC Public Protection: recommend conditions.

WC Public Arts: Would expect the applicant to integrate public art into this site, which would be in line with Salisbury's saved policy regarding public art, Salisbury Local Plan: Creating Places Design Guide SPG. It would also be in line with the guidance note the arts service have been developing for a more cohesive countywide approach to art and design in the public realm (or public art). Public art is also referenced in Core Policies 3 (Infrastructure Requirements) and 57 (Ensuring high quality design and place shaping) of the draft Wiltshire Core Strategy.

An experienced professional public art advisor would be required to join the design team to devise any public art scheme. WC would want to work with the design team, assist with the short listing of a public art advisor and approve the final public art scheme.

An indicative figure for a public art contribution of a site of this size, based on £300 per dwelling, would be £40,200 and no more than 10% of this figure should be spent on the engagement of a public art advisor for the production of a public art plan.

Environment Agency: no objection subject to conditions.

Highways Agency: no objection.

Natural England: general advice and guidance given.

Wessex Water: The site will be served by separate systems of drainage constructed to current adoptable standards.

The applicant has indicated surface water will be attenuated on site and disposed of via two connections. A flow not exceeding 25 l/s has been proposed via the existing 2100mm diameter public surface water sewer which discharges to Shreen Water. This is acceptable in principle to Wessex Water.

Proposals will necessitate adjustment to the existing hydrobrake controlling the flow from the existing tank sewer. If the Environment Agency does not agree to an increase in peak flow by 25l/s to Shreen Water, extra on site storage will need to be considered by the applicant. Approval for the second discharge to the southern unnamed tributary of Shreen Water will also be required from WC and the Environment Agency.

As described in documents submitted with the planning application the applicant commissioned Wessex Water to undertake a foul drainage modelling exercise to assess the capacity of the local sewerage network. The submitted Foul Water Drainage Strategy Drawing PDL/102 Rev A appears to reflect the preferred option determined by the modelling exercise. Modelling did indicate, however, that due to site levels a pumped connection will be required from the southern portion of the site.

It is noted that further appraisal and proposals by the applicant has concluded that it will be possible to drain the southern portion of the site by gravity. This amendment to strategy will be assessed in detail through Section 104 (Water Industry Act 1991) adoption arrangements. If a pumping station is subsequently required it is noted that space for the appropriate compound may be afforded within the public open space. There is adequate current spare capacity within the existing public water supply network to serve proposed development. Buildings above two storeys will require on site boosted storage.

9. Representations

One letter of complete support has been received; 7 qualified 'no objections' have been received; 34 objections have been received. Comments have also been made by the Cranbourne Chase AONB group.

The support is summarised as follows:

- "Wonderful news; the sooner the better".

The qualified no objections are summarised as follows:

- Concerned that traffic will use single carriageway Woodlands Road as quickest link to the B3092 (Mere to Gillingham road). It is narrow with blind bends, and so has potential safety issues;
- Affordable housing provision should be 30%, as per policy, without clustering;
- Light pollution must be minimised;
- Traffic management plan required for construction phase. No construction traffic should use Water Street or The Lynch;
- Main vehicular access to site should be via Shaftesbury Road with emergency vehicular access via Woodlands Road (to avoid residents being blocked-in the event of an incident in Woodlands Road);
- Improvements to the Woodlands Road / Shaftesbury Road and Clements Lane junctions required for safety reasons;
- Estate roads must be wide enough to allow residents to park;
- Existing mature trees should be retained, particularly those close to The Bartletts and the adjacent paddocks;
- Upgrading of infrastructure made necessary by the development should be funded by the developer.

The objections are summarised as follows:

- Site is viable for continued employment uses. Site could be downsized for Hill Brush and fewer houses built;
- No employment, community or retail facilities are included in the proposals;
- Contrary to H22, G2 and G7;
- An incongruous form of development, particularly the southern dog-leg section, and so an intrusion into area as a whole. Over-development – 70-75 units previously agreed only (SHLAA). No mandatory requirement for this number of houses;
- Scale of development is too great; should be limited to phase 1 only. Road infrastructure in Mere not capable of supporting this scale of development, including pavements between the site and town centre (which are presently unsuited for prams, wheelchairs, etc.). Other infrastructure also unsuitable – schools, doctors, etc.. Where will all the new residents work? – likely out-commuting from Mere. Services inadequate;
- Unsustainable – housing only, no other uses including employment;
- Potential harmful impact of additional traffic (particularly construction traffic) on fabric of Grade I Listed Woodlands Manor;
- The single carriageway Woodlands Road cannot support scale of development and resulting traffic generation. It is narrow and windy, and is already used as an unsuitable rat-run to Gillingham.
- Increased use by traffic of Woodlands Road junction with Shaftesbury Road close to Lordsmead would be dangerous. Traffic already speeds along Shaftesbury Road, proposal would add to this – limit needs to be reduced;
- Pettridge Lane, Water Street & The Lynch unsuitable to support more traffic;
- TA is erroneous;
- Loss of trees on site which are an important feature and provide screening. Loss of streetscape trees and hedging in Shaftesbury Road would be detrimental to environment. Replacement planting would be non-native varieties;
- No on-site play area, resulting in children crossing Shaftesbury Road;
- Insufficient on-site parking would lead to residents parking in other residential roads in the area;
- Too much development for Mere where existing infrastructure (such as parking) cannot support it;
- No wildlife survey. Loss of habitat;

- Likelihood of flooding from surfaced water;
- Unneighbourly as a consequence of tree and hedgerow removal and positions of proposed houses relative to existing houses.

The Cranbourne Chase AONB Group makes the following comments:

“The unspoilt views across the Vale of Gillingham from the AONB were significant aspects of the Inspector’s report in dismissing the proposed wind turbines at Silton, to the south west of Mere. The AONB is, therefore, concerned that major development within the setting of the AONB does not adversely impact on those fine views. In welcoming the reuse of a brown field site the AONB is concerned that development should not appear to impact adversely on those views.

The Cranborne Chase and West Wiltshire Downs AONB has been established under the 1949 National Parks and Access to the Countryside Act to conserve and enhance the outstanding natural beauty of this area which straddles three County, one Unitary and five District councils. It is clear from the Act, subsequent government sponsored reports, and the Countryside and Rights of Way Act 2000 that natural beauty includes wildlife, scientific, and cultural heritage. It is also recognised that in relation to their landscape characteristics and quality, National Parks and Areas of Outstanding Natural Beauty are equally important aspects of the nation’s heritage and environmental capital. The AONB Management Plan is a statutory document that is approved by the Secretary of State and is adopted by the constituent councils. The AONB and its Management Plan are material considerations in planning.

The National Planning Policy Framework states (paragraph 109) that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. Furthermore it should be recognised that the ‘presumption in favour of sustainable development’ does not automatically apply within AONBs, as confirmed by paragraph 14 footnote 9, due to other policies relating to AONBs elsewhere within the Framework. It also states (paragraph 115) that great weight should be given to conserving landscape and scenic beauty in Cranborne Chase Area of Outstanding Natural Beauty AONBs, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in these areas.

Whilst recognising that the outline application deals with matters of principle the AONB is very concerned at the reference within paragraph 5.4 of the Design and Access Statement to ‘incidental trees’. To aid the integration of development of the proposed site rather more significant internal landscape planting is going to be needed than ‘incidental trees’. The AONB recommends that a structure planting scheme is prepared so that the viability of the landscape integration can be assessed.

As you know the AONB is very concerned about light pollution and this development could be an exemplar site where adequate lighting can be provided which does not prejudice dark night skies.

I also notice that none of the illustrations in the Design and Access statement show the capture and utilisation of solar energy, neither is that topic mentioned. The AONB strongly advises that the utilisation of renewable energy is fully incorporated within any approved scheme.

The adopted AONB Management Plan includes policy VRC4 which encourages the provision of affordable housing in the towns and villages around the AONB. This seems to be an ideal opportunity to achieve a significant number of affordable homes and the AONB

is, therefore, disappointed to see that only 10% of the proposed new dwellings will be affordable. The AONB would very much prefer to see the level of affordable homes in line with the emerging Wiltshire Core Strategy.

I note from the materials schedule (appendix C of the Design and Access Statement) that three very light coloured renders are proposed for the majority of the buildings. I have to advise that such light colours will make the proposed buildings stand out in the landscape more than is necessary. Significantly darker shades of render will help the buildings blend into the landscape. That is, I think you will agree, particularly important in this edge of village situation. I also note that the example of the stone proposed for use appears to be extremely white and similarly that type of stone would make the buildings more, rather than less, obvious”.

10. Planning Issues

Principle

The larger part of the application site lies just outside the Housing Policy Boundary for Mere. It is occupied by a factory and associated buildings/land, and so is by definition previously developed, or ‘brownfield’ land.

Policy CP5 of the South Wiltshire Core Strategy (which replaced Policy E16 of the SDLP) states that permission will not be granted for development of land or buildings previously or currently used for, or allocated for, activities falling within Use Classes B1, B2 or B8, unless it can be demonstrated that:

- i) the proposed development will generate the same number or more jobs than could be expected from the existing use, or any potential employment use; **or**
- ii) where the proposal concerns loss of employment land of more than 0.25ha within Salisbury city or the settlements of Amesbury, Downton, Mere, Tisbury or Wilton, it is replaced with employment land of similar size elsewhere in that settlement; **or**
- iii) it can be shown that the loss of a small proportion of employment floorspace would facilitate the redevelopment and continuation of employment use on a greater part of the site, providing the same number or more jobs than on the original whole site; **or**
- iv) the site is not appropriate for the continuation of its present or any employment use due to a significant detriment to the environment or amenity of the area; **or**
- v) there is valid evidence that the site has no long term and strategic requirement to remain in employment use.

In this case the ‘bigger’ proposal is for the existing business occupying the site to relocate to an alternative site which, although not ‘in that settlement’, is close to the settlement and has been demonstrated to be acceptable in terms of its impacts in all other respects. It follows that as a matter of principle the loss of this employment site under these circumstances is justified and in accordance with these development plan policies. Of course, this is subject to the alternative site first gaining planning permission and mechanisms being put in place to ensure its delivery.

The policy position is confirmed by the ‘vision’ for Mere set out in the SWCS which states -

There are a number of businesses that have been within Mere for a number of years, providing important local jobs. However, their buildings and sites are old and not necessarily appropriate for modern business needs. Therefore, in Mere itself, where a business wishes to modernise and the proposal concerns loss of employment land of more than 0.25ha, redevelopment of the original site for alternate uses should be permitted. This is provided that the business and job numbers remain in Mere and the loss of site is

replaced with employment land of similar size elsewhere in Mere, subject to meeting other policies within the Development Plan.

It is also relevant under point (iv) of Policy CP5 that the existing factory site is not a particularly attractive feature of this part of Mere, and the road infrastructure within its vicinity is now not ideally suited to accommodating the larger commercial vehicles which service it. Although not overriding issues in themselves, these are still relevant material considerations to be given weight accordingly. They are considered further below.

On balance it is, therefore, considered that this site can, at least in principle, be granted planning permission for non Class B1, B2 or B8 uses, although subject to, in the first place, permission being granted for a suitable alternative site elsewhere in, or (in this case) close to, Mere and subject to appropriate mechanisms being put in place to ensure delivery of the alternative site; and secondly, in view of the likely improvements to the environment and amenity in general in Mere stemming from the removal of the factory buildings/use and related commercial traffic from the Woodlands Road area.

A similar policy to CP5 is set out at CP35 of the emerging Wiltshire Core Strategy, although its protection of employment sites extends only to those within the principal settlements, market towns, local service centres and Principal Employment Areas.

Suitability of housing and the scale of development proposed

Policy H22 of the SDLP states that in the main settlements residential development will be permitted on previously developed land outside a Housing Policy Boundary provided that the site is –

- (a) not identified for an alternative form of development in the Local Plan;
- (b) well related to the existing pattern of development; and
- (c) accessible by public transport.

The policy further states that proposals which would involve land currently in employment use will only be permitted if the business is relocated to an alternative site in the settlement which does not increase reliance on the private car, or the land and buildings are unsuitable and not viable for alternative employment uses. This application's compliance with this second part of the policy has already been addressed in the paragraphs set out above.

Regarding the (a), (b) and (c) criteria, the site in this case is not identified for an alternative form of development in the development plan, is well-related to the existing pattern of development in Mere being on the edge of the settlement and adjacent on two sides to established residential development, and is accessible by public transport and/or other means (including cycling and on foot). It follows that the proposal complies with Policy H22 in all respects, and so is acceptable for residential use.

Regarding its scale, the proposal is for 134 houses in total. This number of houses is proposed for three reasons.

Firstly, and fundamentally, the site is capable of accommodating this number. 134 houses across the 4 ha site equates to approximately 34 dwellings/ha, and this is considered to be a suitably low density for the edge of settlement location, comparing well with nearby established housing estates. A significantly lower number of units across the site would push the density to an unacceptably low level which would then not fulfil the fundamental principle of making the best use of sustainable land. As the NPPF states, planning should "... encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that is not of high environmental value", and it is considered that the proposal fulfils this principle.

Secondly, the Mere Area Strategy set out in the emerging Wiltshire Core Strategy acknowledges that the Mere Community Area will deliver new homes during the life of the Strategy. Specifically, it states that "... at least 250 new homes will be provided, of which 200 should be at Mere ...". According to the Council's Housing Land Supply Statement 2013 the outstanding requirement from these indicative, 'at least' figures are 76 for Mere or 87 for the Community Area as a whole. The proposal would achieve 'at least' these expectations.

The figures set out in the Mere Area Strategy must also be read in the context of the rest of the Strategy, and in particular its acknowledgement that there are businesses providing important local jobs which may wish to relocate within Mere, and that such relocations should be supported, including re-development of their original sites for other purposes.

Thirdly, the dynamics of the 'bigger' proposal – to relocate the Hill Brush Co. Ltd. to a new site elsewhere in Mere – requires this scale of development to meet the costs of the move and other reasonable infrastructure expectations. To this end the overall proposal has been subjected to viability assessment by Levvel Ltd on behalf of the applicant. This has demonstrated that the viability of the bigger proposal is finely balanced, and that even with 134 units compromises will be necessary to achieve delivery of the new factory. The background and outcome of the viability assessment is summarised by Levvel in its supporting statement as follows:

"..... Levvel undertook a number of viability tests using the Council's preferred viability model, the HCA Development Appraisal Toolkit (DAT). The results of these tests were submitted to Wiltshire Council on 25 September 2012 with an accompanying Viability Statement which demonstrated that the Council's affordable housing target of 40% [reduced by WC to 30% in this area since the statement was produced] was not viable.

A further meeting was held on 23 October [2012] with the Council and it was agreed that a compromise position needed to be considered which would ensure an appropriate contribution towards affordable housing and Section 106 costs at a level that did not threaten the viability of development and facilitated the move of the on-site Hill Brush factory to a new premises to maintain presence of the significant employer locally.

Levvel submitted a further viability model to Wiltshire Council on 15 November 2012 based upon 10% affordable housing provision and £600,000 of Section 106 costs. This viability model then forms the basis of the viability position"

The Council's expert officers have accepted this viability position as summarised by Level. Specifically, that viability is finely balanced in this case, and that to deliver a new factory for the Hill Brush Co. Ltd. to secure its future in Mere and to deliver the minimum critical infrastructure made necessary by the proposed housing, then a development of at least 134 houses is required. This would represent a compromise on the part of Wiltshire Council but this is necessary if the objective is to enable the Hill Brush Co. Ltd. to relocate in Mere. It is also a compromise on the applicant's part in that in meeting the critical infrastructure costs it has had to accept a land value reduction.

It follows that for all of the reasons set out above residential development is considered to be appropriate for this site and that this should be at the scale envisaged in the planning application.

Highway Safety

The application is accompanied by a Transport Assessment (TA) and a Framework Residential Travel Plan.

Policy G2 of the SDLP states that highway issues are material considerations in the determination of planning applications – in particular, factors such as the effect new development will have on the local road network, off-street parking and access arrangements are all relevant. Policy CP61 of the eWCS is similarly worded, and in addition sets out requirements for TA's.

The TA accompanying the application assesses the impact of the proposed residential development on the local road network. It compares this with how the existing employment use of the site impacts.

In relation to pure road capacity the TA states the following:

“The local road network has the capacity to accommodate peak hour vehicle travel movements to and from the development. The analysis of local road junctions using the assessment program Picardy indicates that all the key junctions analysed, including the junctions with the A303, would operate during the morning and evening peak hours in the year 2020 with significant residual capacity and no queuing. It is concluded that there would be a minimal risk of any blocking from the slip roads to inhibit traffic flows on the A303 as a result of this development.

Personal injury accident data for the past five years indicates that there are no sections of the local road infrastructure which have experienced any pattern of incidents. There have been no recorded personal injury accidents on the road network between the town centre and the site.”

More particularly, in comparing the existing employment use and the proposed residential development the TA states the following:

“The proposed residential development would generate in the order of 20% more vehicle movements during the peak hour compared to the existing manufacturing use of the land. However in the case of the existing land use, in the peak hours, the main flow of vehicle movements is towards the factory. In the case of Pettridge Lane and Clements Lane, this is contrary to the main outbound traffic flow from the existing mainly residential development. The conflicting directional flow of traffic during the peak hours causes opposing flows of vehicles to wait at points of constraint such as Edge Bridge and the traffic calming on Pettridge Lane. In the case of the proposed residential development the main tidal flow of traffic during the peak hours will be consistent with that from the remaining residential development in the immediate surrounds. This will reduce the incidence of opposing vehicle conflicts at points of constraint.

The existing manufacturing operation attracts large heavy goods vehicles for the supply of materials and the distribution of the finished products. A proportion of these vehicles are the maximum permitted size of articulated HGV. Neither Pettridge Lane nor Edge Bridge are of a standard which is desirable for HGV's.

The proposed residential development would attract very few commercial vehicles and these would not be of the largest size. The composition of traffic would be mainly cars for which the local road infrastructure is better suited”.

In conclusion the TA states the following:

It is concluded that if the proposed road improvement measures and the Travel Plan initiatives are implemented the proposal would accord with the transport objectives for residential development sites as stated in the Wiltshire Core Strategy and that there are no

transport related reasons which would prohibit the proposed development coming to fruition”.

The findings of the TA are agreed by both the WC Highways Officer and the Highways Agency. In pure capacity terms, the existing road network can accommodate the relatively limited increases in traffic expected from the proposed residential development. In terms of the types of vehicles, the reduction in commercial traffic (and in particular HGV's) using the relatively narrow roads in Mere will result in an improvement to amenity and the environment in general. In relation to sustainability, access is available from the site to the centre of Mere (and all its services) by means other than just motorcar.

A number of third parties have raised other traffic issues including increased use of Woodlands Road to the south of the site and the impact of construction traffic.

Woodlands Road becomes relatively narrow and winding to the south of the site, and eventually has a 'difficult' junction with the B3092. The concern is that the road could become a 'rat run' to Gillingham, with resulting highway safety implications. As is evident from the quotes from the TA already set out, the actual increase in traffic generated by the proposed residential use compared with that of the existing employment use at peak times is 20%, and the network has capacity to support this traffic in any event. It follows that the traffic generation is not of sufficient scale or impact to justify significant off-site highway improvement works. This applies equally to other objections raised in connection with perceived safety issues on other roads and junctions, including the junction of Woodlands Road with Shaftesbury Road.

Regarding construction traffic, the TA acknowledges that there would be minor increases in HGV's during the three year construction phase. However, to ensure construction traffic is safely accommodated on the network the developer would be expected to sign-up to a construction management plan which would specify routes, hours of operation and locations for parking and loading/unloading in particular. A condition is recommended accordingly.

Layout, Design and Amenity

The layout and design of the proposed development is traditional, along the lines of the relatively recent housing development at Walnut Road adjacent to the site. A traditional approach is considered appropriate for Mere having regard to its many historic and architecturally interesting buildings. The houses would be two or three stories, and again, this is considered to fit in well with established surrounding developments.

The application is accompanied by an Arboricultural Impact Assessment and Landscape Design Strategies which indicate trees and landscape features to be retained or removed, and new planting. Trees and landscape features to be retained are mainly around the edges of the site, and this creates relatively wide margins between the new houses and the public highways in several areas. As a feature of a housing estate at the edge of a settlement this is considered to be both a sound and attractive approach. The hedges along the Shaftesbury Road frontage would be removed although this is considered acceptable as they are 'gappy' and in poor condition.

In terms of residential amenity, only phase 1 (the west side of the site) is fully detailed at the moment. Here there is sufficient separation between the proposed houses and established development to ensure no adverse impacts on residential amenity.

Although phase 2 (the east side of the site) is in outline form only, the application is accompanied by a detailed layout plan. Objections have been raised by some of the residents in The Bartletts (a small estate of houses beyond the east boundary) regarding potential overlooking from the houses shown to be sited adjacent to the common boundary.



Typical Street Scenes / Elevations

Most of the houses on the layout plan are sited sufficiently away from the common boundary to satisfy usual privacy standards. That said, one or two are closer and/or are orientated towards the rear of some of the houses in The Bartletts and/or are indicated to be three storey. It is recommended that the issue of privacy in this area of the site is drawn to the applicant's attention by way of an informative so that any necessary changes to the layout can be made prior to the submission of the reserved matters for phase 2.

Within the site itself there are no concerns relating to garden standards. The WC Public Protection Officer has raised concerns over possible disturbance to the owners/occupiers of the new houses caused by noise from activities at the Beaumont Business Centre or from traffic using Shaftesbury Road. This can be addressed through building design and construction techniques, and a condition is recommended accordingly.

An objection has been received from the owner of a nearby grade I listed building over possible impacts on the fabric of this building, in particular from additional traffic. It is considered unlikely that this would result. The proposal would see reductions in HGV traffic anyway, and the routes of construction traffic can be controlled by planning condition. The site is sufficiently distanced from the listed building to ensure no impacts on its setting or importance.

Ecology

The application is accompanied by a Ecological Mitigation Plan. This follows surveys of the site which identified an active badger sett on the southern boundary, a breeding population

of great crested newts in a pond at the southern end, and a small number of slow worms and grass snakes.

In view of this the proposal incorporates measures to minimise impacts on the ecological interests. These include retention and protection of features within the southern end of the site and retention of some trees along the eastern boundary. It is further proposed to apply measures at the construction and operational phases to satisfy the key principles of protecting features of nature conservation interest, ensuring protected species are maintained at a favourable conservation status, and creating areas of compensatory habitat and ecological value and so providing a net gain in biodiversity value.

The measures include a permanent buffer zone of a least 30m around the badger sett and the creation of a badger foraging habitat and cover. The measures would further include the construction of a new pond for the newts (the existing pond would be 'lost' as part of the development) with sensitive site clearance prior to commencement of development. The Ecological Mitigation Plan considers that these measures would ensure that a 'favourable conservation status' for the newts would be maintained with the population either maintained at, or above, present levels post-development. A European Protected Species License would be applied for in the event of planning permission being given.

The slow worms and grass snakes would be 'trapped' and translocated prior to development commencing.

The measures set out in the Ecological Mitigation Plan are satisfactory to safeguard the ecological interests of the site. A condition is recommended to ensure the plan's recommendations are implemented as set out.

Affordable Housing and other Infrastructure Requirements

The matter of viability has already been considered in this report. As is evident, and as has been agreed by officers, the high cost of delivering a new factory for the Hill Brush Co. Ltd. and the high cost of developing a brownfield site for the housing, means that the ability to deliver all 'normal' infrastructure requirements is reduced. In these circumstances the NPPF states that where obligations are being sought, local planning authorities should take account of market conditions and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. More specifically the NPPG states the following:

"In making decisions, the local planning authority will need to understand the impact of planning obligations on the proposal. Where an applicant is able to demonstrate to the satisfaction of the local planning authority that the planning obligation would cause the development to be unviable, the local planning authority should be flexible in seeking planning obligations.

This is particularly relevant for affordable housing contributions which are often the largest single item sought on housing developments. These contributions should not be sought without regard to individual scheme viability. The financial viability of the individual scheme should be carefully considered in line with the principles in this guidance.

Assessing viability should lead to an understanding of the scale of planning obligations which are appropriate. However, the National Planning Policy Framework is clear that where safeguards are necessary to make a particular development acceptable in planning terms, and these safeguards cannot be secured, planning permission should not be granted for unacceptable development".

Notwithstanding the representations made by the WC New Housing Officer, it is not considered that this site can deliver the usual policy expectation of 30% affordable housing.

Instead the offer of 10% is considered appropriate having regard to the viability concerns. If 30% was to be required then the developments (that is, the housing and the new factory) would not be delivered at all. 10% affordable housing equates to 13 units on this site, and as this is a windfall site whose principal purpose is to deliver a new factory, these units could be exceptionally viewed as a bonus in any event. It is not considered that a further viability update is necessary beyond the work already undertaken by Level on behalf of the applicant.

The 10% level of affordable housing ensures that there is also an element of capital to deliver other essential infrastructure as well. In particular, this includes education facilities (for the additional children 'generated' by the housing). However, as an exception to the rule this site will not be able to deliver a public art contribution, open space facilities or contributions (referred to further below), or contributions towards highway junction improvements desired by the community. When final figures are confirmed the development may be able to deliver a contribution towards the Parish Council's Footpath Improvement Project and WC waste containers which can be justified in terms of the CIL 'tests' for obligations.

With specific regard to open space, Policy R2 of the SDLP (which will be saved in the eWCS) requires new residential development to make provision for recreational open space (including facilities for children's play). On larger sites this would normally be by means of on-site facilities. In this case, and as already set out in this report, the viability of the overall development, which is affected by the fundamental requirement to provide sufficient capital to deliver the new factory, is finely balanced. This means that the proposal is unable to deliver on-site open space. This is an exceptional material consideration which in this case it is considered 'tips the balance' away from the usual policy expectation.

Drainage and other services

The application is accompanied by a Flood Risk Assessment (FRA) which establishes the principles of flood risk management on the site. Wessex Water have responded to the application and raised no objection in principle.

The FRA states the following:

"The site is located within the catchment of the Shreen Water which flows to the south and is a tributary of the River Stour. The Environment Agency flood map shows the proposed development site being located within flood risk zone 1 (0.1% annual flood risk). Approximately 200m to the north of the site is Flood zone 3 which is subject to a flood risk of greater than 1:100 (1%).

A ground investigation records that the site is overlain with Kimmeridge clay which exhibit very poor infiltration properties. Soakaways and infiltration will therefore not be suitable.

The proposed residential development would include for storm attenuation designed to attenuate all storm events up to a 1 in 100 year rainfall event, plus 30% for climate change. The proposed discharge rate from the attenuation has been calculated taking into account a summation of the current discharge from the Brush Factory site for existing positively drained impermeable areas including roofs and hard standings, impermeable areas, and grassland and overgrown areas of shrub. The proposed discharge rate is 142 l/sec, and the necessary attenuation has been calculated using Windes as 727.8 cum.

Currently, the Brush factory discharges into the existing foul sewer in Clements Lane. It is understood this foul sewer surcharges and floods in severe rainfall events. The existing foul sewer discharges to the existing treatment works and the treated effluent discharges

into the Shreen Water. It is proposed that NO storm water from the proposed residential site discharges into the existing foul sewer.

It is proposed the residential development would drain via two piped systems, one to the west to connect into an existing adopted storm tank sewer, and the second to the south to connect to the existing ditch which connects to an unnamed tributary of the Shreen Water. The attenuation would be by large tank sewers to be constructed within the residential estate roads, and attenuation crates to be constructed within private open space or parking areas. Wessex Water have given preliminary consent for a limited maximum discharge of 25 l/sec into the existing 2100mm trunk sewer that discharges to the Shreen Water. The exact size of the attenuation tanks will need to be determined based upon the proposed impermeable areas, and sized to match the catchments and the discharge rates.

Overall, the measures proposed will reduce the existing flood discharge and subsequent flood risk to the Shreen Water and downstream the River Stour”.

In terms of foul water, Wessex Water has confirmed that the existing 150mm foul sewer from Woodlands Road to the existing foul treatment works off Rook Street would have adequate capacity to accommodate the proposed 134 dwellings. Wessex Water has also confirmed that there is adequate current spare capacity within the existing public water supply network to serve the proposed development.

Conclusion

A critical consideration in this case is the link between the proposal and the separate application to relocate the Hill Brush Co. Ltd. to another site in Mere. The relocation is necessary to enable Hill Brush to build a new, state of the art factory and so remain competitive in a world market, and to remain based in Mere. The re-development of the existing factory site at Woodlands Road is critical to the financing of the relocation.

Core Strategy policy acknowledges that relocation of existing companies within Mere may be necessary, and so supports as a matter of principle re-development of existing sites where this would achieve this end.

The re-development proposal itself, for new housing, has been demonstrated to ‘stack up’ in terms of all other planning considerations – in particular, the scale of the proposal and the impacts on highway safety, amenity and services. This is subject to the ‘lost’ employment site being replaced by the new site elsewhere in Mere.

RECOMMENDATION

That, subject to planning permission having first been granted for an acceptable relocation proposal in Mere for the factory, the Area Development Manager (South) be delegated to grant planning permission following completion of a Section 106 agreement covering the following matters:

- **A requirement for the new factory planning permission to be completed prior to implementation of the housing planning permission;**
- **A requirement for a minimum of 10% of the houses to be ‘affordable’;**
- **A requirement for a financial contribution to be made towards the cost of additional education provision made necessary by the housing development;**
- **In the event of a surplus being available after the final calculation of the education contribution, a requirement for a financial contribution to be made towards the local ‘footpath improvement project’ or other local infrastructure made necessary by the development;**

- **In the event of a surplus being available after the final calculation of the education contribution, a requirement for a financial contribution to be made towards waste collection containers.**

And subject to the following planning conditions –

- 1 Phase 1 (the 'full' element) of the development hereby permitted shall be begun before the expiration of five 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 Phase 2 (the 'outline' element) of the development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

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

- (a) The scale of the development;
- (b) The layout of the development;
- (c) The external appearance of the development;
- (d) The landscaping of the site;
- (e) The means of access to the site.

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

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

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

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

- 5 Notwithstanding the details set out in the application particulars, no development shall commence on site within any particular phase until details and samples of the materials to be used for the external walls and roofs within the particular phase 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.

- 6 No development shall commence on site in any particular phase until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure within that particular phase have been submitted to and approved in writing by the Local Planning Authority. Development of

the particular phase shall be carried out in accordance with the approved details prior to the development being first occupied or in accordance with a programme to be first agreed in writing with the local planning authority.

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

- 7 No development shall commence on site in any particular phase until a scheme of hard and soft landscaping for that particular phase has been first submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-
- a) location and current canopy spread of all existing trees and hedgerows on the land;
 - b) full details of any to be retained, together with measures for their protection in the course of development;
 - c) a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
 - d) finished levels and contours;
 - e) means of enclosure;
 - f) car park layouts;
 - g) other vehicle and pedestrian access and circulation areas;
 - h) all hard and soft surfacing materials;
 - i) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);

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

- 8 All soft landscaping comprised in the approved details of landscaping for any particular phase of the development 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 within the particular phase 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 within a particular phase shall also be carried out in accordance with the approved details prior to the occupation of any part of the development within the phase 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.

- 9 The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

REASON: To ensure that the development is served by an adequate means of access.

- 10 No dwelling shall be occupied until the parking space(s) together with the access thereto, have been provided in accordance with the approved plans.

REASON: In the interests of highway safety and the amenity of future occupants.

11 No development shall commence on site until details of the stopping up of all accesses proposed to be stopped up, both pedestrian and vehicular, have been submitted to and approved in writing by the Local Planning Authority. The details shall include a programme for the timing of the stopping up of the accesses. The stopping up of the accesses shall take place in accordance with the approved details. On completion of the development, the means of vehicular and pedestrian access to the development shall be as shown on the plans hereby approved.

REASON: In the interests of highway safety.

12 Prior to first occupation of any dwelling hereby approved the developer shall implement the 'Welcome Pack' initiative set out in the Framework Residential Travel Plan dated April 2014. Following implementation of the initiative each and every first owner/occupier of any dwelling on the development shall receive from the developer the Welcome Pack.

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

13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

14 Foul and surface water from the development shall be disposed of strictly in accordance with the schemes of disposal set out in the Flood Risk Assessment dated May 2014 accompanying the planning application.

REASON: To ensure satisfactory disposal of foul and surface water in accordance with the agreed scheme.

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

REASON: In the interests of sustainable development and climate change adaptation.

16 No development approved by this planning permission other than demolition works shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- a. all previous uses
- b. potential contaminants associated with those uses
- c. a conceptual model of the site indicating sources, pathways and receptors
- d. potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2)

and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To protect controlled waters from pollution.

- 17 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

REASON: To protect controlled waters from pollution.

- 18 The development shall be carried out strictly in accordance with the 'measures' set out in the Ecological Mitigation Plan dated May 2014 accompanying the planning application.

REASON: To ensure wildlife interests are safeguarded.

- 19 Prior to commencement of the approved dwellings immediately adjacent to Shaftesbury Road and the Beaumont Business Centre, a scheme or schemes indicating how these dwellings will be insulated against noise disturbance from traffic using the road or industrial activities in the business centre shall be submitted to the local planning authority for approval in writing. The dwellings shall be constructed in accordance with the approved scheme(s) and the insulation measures shall be retained thereafter.

REASON: To safeguard the future amenities of the occupiers of these dwellings.

- 20 Prior to commencement of development the developer shall submit a Construction Management Plan for approval in writing by the local planning authority. This shall specify the hours of working (in particular, the hours during which potentially noisy equipment or machinery will be used), site traffic management plans (including routing plans for employee/contractor vehicles and delivery vehicles, areas on site for employee/contractor parking, and areas on site for loading/unloading of collection/delivery vehicles), and environmental controls (including locations of storage of fuels, etc.). The development shall be carried out strictly in accordance with the approved Construction Management Plan throughout the development phases.

REASON: In the interests of amenity.

- 21 The development hereby permitted shall be carried out in accordance with the approved plans listed in the attached schedule.

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

- 22 **INFORMATIVE TO APPLICANT:**

The applicant should note that under the terms of the Wildlife and Countryside Act 1981 and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting

- birds, roosting bats and other protected species. You should note that the work hereby granted consent does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that the demolition would disturb any protected species. For further advice, please contact the district ecologist at Wiltshire Council.
- 23 **INFORMATIVE TO APPLICANT:**
The applicant will be aware of the badgers sett on the site and the possibility of further setts in the vicinity of the site, and as a consequence compliance with certain requirements and provisions of the Badgers Act 1991 may be necessary. If this is the case the applicant is advised to contact Natural England who are responsible for issuing licences relating to development on the site of badger setts.
- 24 **INFORMATIVE TO APPLICANT:**
The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
- 25 **INFORMATIVE TO APPLICANT:**
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.
- 26 **INFORMATIVE TO APPLICANT:**
This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the [INSERT].
- 27 **INFORMATIVE TO APPLICANT:**
The developer is advised to discuss the contaminated land issues relevant to the site and what works, if any, are required in order to comply with the relevant conditions attached to this approval. The developer should contact Peter Nobes at Wiltshire Council.
- 28 **INFORMATIVE TO APPLICANT:**
In designing the layout for Phase 2 the applicant is requested to take particular care with dwelling designs and sitings on that part of the site adjacent to The Bartletts to ensure the privacy and amenities of the occupiers of The Bartletts are safeguarded.
- 29 **INFORMATIVE TO APPLICANT:**
The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered.
- An appropriate submitted scheme to discharge condition no. 16 will include a water usage calculator showing how the development will not exceed a total (internal and external) usage level of 105 litres per person per day.
- 30 **INFORMATIVE TO APPLICANT:**
Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:
- the use of plant and machinery
 - oils/chemicals and materials
 - the use and routing of heavy plant and vehicles
 - the location and form of work and storage areas and compounds

- the control and removal of spoil and wastes.

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

<https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

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INFORMATIVE TO APPLICANT:

There are ordinary watercourses within or in close proximity to the site. If it is intended to obstruct the flow in the watercourse (permanently or temporarily, including culverting), or construct a surface water outfall, you may require prior Land Drainage Consent from Wiltshire Council as the Lead Local Flood Authority. You are advised to contact the Drainage Team to discuss their requirements:-

<http://www.wiltshire.gov.uk/communityandliving/civilemergencies/drainage/drainageordinarywatercourseconsent.htm>

There must be no interruption to the existing surface water and 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 and that riparian owners upstream and downstream of the site are not adversely affected.

Appendices: None

Background Documents Used in the Preparation of this Report: Application particulars, Development Plan documents

**Brushworks
Woodlands Road Mere**

