

## AGENDA

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**Meeting:** Strategic Planning Committee  
**Place:** Council Chamber - County Hall, Trowbridge BA14 8JN  
**Date:** Wednesday 16 April 2014  
**Time:** 1.30 pm

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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](mailto:roger.bishton@wiltshire.gov.uk)

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

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<b>Briefing Arrangements:</b>	<b>Date</b>	<b>Time</b>	<b>Place</b>
<b>PARTY SPOKESMEN</b>	Tuesday 15 April	2.00pm	Brunel Room County Hall

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### Membership:

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

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### Substitutes:

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

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## PART I

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

1 **Apologies for Absence**

2 **Minutes of the Previous Meeting** (*Pages 1 - 14*)

To confirm and sign the minutes of the previous meeting held on 12 March 2014. (Copy attached)

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

5 **Public Participation and Councillors' Questions**

The Council welcomes contributions from members of the public.

#### Statements

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

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

#### Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on **Wednesday 9 April 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 **W/13/06140/FUL - Land at Snarlton Farm, Snarlton Lane, Melksham, Wiltshire, SN12 7QP - Development of 80.5 ha Solar Photovoltaic Farm with Attendance Equipment and Infrastructure (Pages 15 - 62)**

Members will recall that consideration of this application was given at the last meeting of this Committee when it was resolved to defer consideration pending the holding of a site visit.

Members attending the site visit will report back to this meeting after which the Committee will be asked to determine the application. An updated report by the case officer is attached.

7 **N/12/00560/OUT - Land at North Chippenham, Hill Corner Road, East of A350, Chippenham. A Mixed Use Scheme Comprising up to 750 Dwellings (C3) up to 12,710 sq m Employment Development (B1, B2, B8), a Local Centre (A1, D1, D2), a Primary School, Woodland Management Facilities, a New Link Road & Other Highway Access, Public Open Space, Landscaping & Other Associated Infrastructure Works (Pages 63 - 114)**

A report by the Case Officer is attached.

8 **S/13/04870/OUT - Erskine Barracks, The Avenue, Wilton, Salisbury, Wiltshire, SP2 0AG - Outline and Full Application for the Demolition of Existing Buildings and Development of 292 Residential Dwellings, Public Open Space, Associated Access and Infrastructure Works (Pages 115 - 168)**

A report by the Case Officer is attached.

9 **Date of Next Meeting**

To note that the next meeting is due to be held on Wednesday 14 May 2014 in the Council Chamber at County Hall, Trowbridge, starting at 10.30am.

10 **Urgent Items**

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

**PART II**

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

**None**

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## **STRATEGIC PLANNING COMMITTEE**

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**DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 12 MARCH 2014 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.**

**Present:**

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

**Also Present:**

Cllr David Jenkins, Cllr Gordon King, Cllr Jonathon Seed and Cllr Jerry Wickham

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22 **Apologies for Absence**

There were no apologies for absence.

23 **Minutes of the Previous Meeting**

**Resolved:**

**To confirm and sign as a correct record the minutes of the previous meeting held on 12 February 2014.**

24 **Declarations of Interest**

There were no declarations of interest.

25 **Chairman's Announcements**

There were no Chairman's announcements.

26 **Public Participation and Councillors' Questions**

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

27 **W/13/06140/FUL - Land at Snarlton Farm, Snarlton Lane, Melksham, Wiltshire, SN12 7QP - Development of 80.5 ha Solar Photovoltaic Farm with Attendance Equipment and Infrastructure**

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

Mr Jack Churchill, a local resident  
Ms Sue McCulloch, a local resident  
Mr John Kirkman, representing the CPRE

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

Mr Roger Keen, a local resident  
Ms Shirley McCarthy, a local resident  
Mr St J Hughes, the applicant

The Committee received a presentation by the Area Development Manager which set out the main issues in respect of the application and updated the Committee with details of the National Planning Practice Guidance relevant to this proposal that had been issued by the Government since publication of the officer's report. He introduced the report which recommended that planning permission be granted subject to conditions.

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 Terry Chivers, as local Member who explained that he called this application for Members to determine in view of:

- The scale of the development
- The visual impact upon the surrounding area
- The relationship with adjoining properties
- The design, bulk, height and general appearance
- Environmental and/or highway impacts
- Public interest

He went on to inform the Committee that despite wide consultation within his constituency, he had only encountered one objection to the proposal.

Cllr Jonathon Seed, an adjoining local Member reported that a number of his constituents in Seend objected to the proposal principally on account of visual impact from their properties.

**Resolved:**

**To defer consideration of the application pending the holding of a site visit on Wednesday 23 April 2014 and that consequently the start time of**



the scheduled meeting of the Committee due to be held on that date be delayed until after the completion of the site visit.

28 **W/13/03568/OUT - Land at The Mead, Westbury, Wiltshire - Up to 220 Dwellings (C3), Creation of a New Access from The Mead, Creation of a New Emergency/Cycle and Pedestrian Access from Trowbridge Road, Open Space, Drainage Works and Ancillary Works**

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

Mr Francis Morland, a resident of Chapmanslade

**The following person spoke in support of the proposal:**

Mr John Hall, the agent

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. She introduced the report which recommended that planning permission be granted, subject to the prior completion of a Section 106 legal agreement and also subject to conditions.

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 David Jenkins, the local Member objecting to the proposal on the grounds of its scale considering that Westbury was overdeveloped. He also drew attention to the need for a second exit from the site and was concerned that the land might well be susceptible to flooding.

Cllr Gordon King, an adjoining local Member, also expressed his opposition to the proposal principally on the grounds of insufficient infrastructure and lack of adequate highway facilities.

During the following discussion, Members were informed that no objections had been received from Wessex Water or the Wiltshire Council Drainage Officer regarding flooding or drainage. Furthermore, no objections had been received from Wiltshire Council's Highways Officer to highway proposals.

After further discussion,

**Resolved:**

**To delegate to the Area Development Manager to grant planning permission, subject to the prior completion of a Section 106 legal agreement in relation to the following matters:-**

- The delivery of affordable housing
- The delivery of a contribution towards local education provision
- The delivery of a contribution towards on site play and open space provision
- The delivery of a contribution towards the introduction, improvement and enhancement of bus services, footways and cycle improvements, to be decided after consultation with Westbury Town Council and Westbury Area Board.

And subject to the following conditions:-

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

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

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

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

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

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

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

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

- 4 No more than 220 dwellings shall be erected on the site.

**REASON:** To accord with the terms of the submitted application.

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

**Figure 1.1 (Ref 33507-Shr83.dwg), Drawing labelled as Detailed Main Access received on 16th August 2013.**

**Reason:** For the avoidance of doubt and in the interests of proper planning

- 6** No dwellings shall be constructed 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.

- 7** No dwelling shall be constructed on site until there has been submitted to and approved in writing by the Local Planning Authority, a plan indicating positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed, before the buildings are occupied, in accordance with a timetable agreed in writing by the Local Planning Authority. The 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.

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

- indications of all existing trees and hedgerows on the land;
- details of any to be retained, together with measures for their protection in the course of development;
- all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- finished levels and contours of the land;
- means of enclosure;
- car parking layouts;
- other vehicle and pedestrian access and circulation areas;
- hard surfacing materials;

**-biodiversity enhancement proposals  
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);**

**All hard and soft landscape works shall be carried out in accordance with the approved details and shall be completed prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the Local Planning Authority. 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.**

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

- 9 No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction -Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and;**

**The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations**

**No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work - Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.**

**If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.**

**No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be**

retained on the site or adjoining land.

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

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

- 10** No development shall commence on site until the Local Planning Authority has been provided with written confirmation that, in the opinion of the developer, the site is likely to be free from contamination which may pose a risk to people, controlled waters or the environment. Details of how this conclusion was reached shall be included.

If, during development, any evidence of historic contamination or likely contamination is found, the developer shall cease work immediately and contact the Local Planning Authority to identify what additional site investigation may be necessary.

In the event of unexpected contamination being identified, all development on the site shall cease until such time as an investigation has been carried out and a written report submitted to and approved by the Local Planning Authority, any remedial works recommended in that report have been undertaken and written confirmation has been provided to the Local Planning Authority that such works have been carried out. Construction shall not recommence until the written agreement of the Local Planning Authority has been given following its receipt of verification that the approved remediation measures have been carried out.

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

- 11** No works shall commence on site until an ecological mitigation plan has been submitted to and approved in writing by the Local Planning Authority. The plan will contain details of measures necessary to avoid impacts to protected species and valuable habitats during the construction phase. The works shall then be implemented in accordance with the approved details.

**REASON:** In the interest of ecology

- 12 No works shall commence on site until a lighting scheme has been submitted to the Local Planning Authority. The lighting scheme shall then be carried out in accordance with the approved details.**

**REASON: In the interest of ecology**

- 13 Construction of dwellings hereby permitted shall not commence on site until details of the storage of refuse, including details of location, size, means of enclosure and materials have been submitted to and approved in writing by the Local Planning Authority. A dwelling shall not be first occupied until the approved refuse storage for that dwelling has been completed and made available for use in accordance with the approved details and it shall be retained in accordance with the approved details thereafter.**

**REASON: In the interests of public health and safety**

- 14 Construction of dwellings hereby permitted shall not commence until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved items serving that dwelling have been carried out in accordance with the approved details.**

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

- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), the garages hereby permitted shall not be converted to habitable accommodation.**

**REASON: To secure the retention of adequate parking provision, in the interest of highway safety**

- 16 Prior to first occupation of any dwelling on site, the two bus stops on The Mead near to the site shall have been relocated, with high access kerbs installed at the new locations, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority**

**REASON: In the interests of safe and convenient access to public transport.**

- 17** Prior to first occupation of any dwelling on site, a pedestrian refuge with illuminated bollards and associated lowered kerbs and tactile paving shall have been constructed on The Mead in accordance with details to be first submitted to and approved by the Local Planning Authority.

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

- 18** Prior to first occupation of any dwelling on the site, the site access shall have been laid out and constructed including the installation of pipes to take the water flow in the frontage ditch, in accordance with details to be first submitted to and approved by the Local Planning Authority. The details to be submitted shall include a vehicle track of a large refuse vehicle, (10.5 metres long) entering and leaving the site to establish that the proposed pedestrian refuge in the mouth of the junction is correctly located.

**REASON:** In the interests of highway safety

- 19** Prior to the occupation of the 20th dwelling on site, a 2 metre wide footway over the site frontage along The Mead between the end of the existing footway at The A350 / The Mead roundabout and a point 30 metres south-east of Bitham Brook shall have been constructed in accordance with details to be first submitted to and approved by The Local Planning Authority. The submitted details are likely to include a retaining wall to support the footway with safety rails on top of the wall (given the proximity of the substantial frontage ditch), and will include details of the relocation of the existing lighting columns to the back of the new footway.

**REASON:** In the interests of highway safety.

- 20** No development shall commence on site until a Full Travel Plan based on the submitted Framework Travel Plan has been submitted to and approved by the Local Planning Authority. The Full Travel Plan shall include details of implementation and monitoring including the appointment of a travel plan co-ordinator for 6 years, and shall be implemented in accordance with the 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 and from the development.

**21** Prior to commencement of the development the two farm gate access points from the site to the A350 shall have been properly and permanently closed with the existing lowered kerbs being replaced by full height kerbs and the footway locally resurfaced to suit the revised levels.

**REASON:** In the interests of highway safety.

**22** No access including pedestrian access points shall be made from the site to the A350 at any time, other than that shown on the approved plans.

**REASON:** In the interests of highway safety.

**23** The development hereby permitted shall not be commenced until such time as a scheme to ensure no raising of ground levels within Flood Zones 3 and 2 as determined within the FRA prepared by AMEC Revision 5 dated 15 August 2013 has been submitted and approved in writing by, the local planning authority.

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

**REASON:** To prevent increased flood risk by ensuring the satisfactory fluvial floodplain storage

**24** 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 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

**25** The development hereby permitted shall not be commenced until such time as a scheme to ensure finished floor levels are set as described within the FRA prepared by AMEC Revision 5 dated 15 August 2013 has been submitted and approved in writing by, the local planning authority.

**REASON:** To reduce the risk of flooding to the proposed development and future occupants

**26** No development shall commence until a surface water management scheme for the site as outlined within the FRA prepared by AMEC



Revision 5 dated 15 August 2013, 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 be situated outside of Flood Zones 3 and 2. The submitted details shall clarify the intended future ownership and maintenance provision for all drainage works serving the site. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

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

**27** No development shall commence on site until:

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

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.

**28** No development shall commence on site until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. It shall include the following:

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development; the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- measures for the protection of the natural environment; and hours of construction, including deliveries.

The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out other than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

**REASON:** To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the

natural environment through the risks of pollution and dangers to highway safety during the construction phase.

- 29** Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:30 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.

**REASON:** To protect neighbouring amenity.

- 30** The reserved matters application shall include site layout, orientation of the dwellings and facade treatments and ventilation schemes designed to minimise the effect of both road and rail noise on the occupants by:

" Siting external recreation areas on the protected facade of the dwellings

" Siting windows to habitable rooms on the protected facade of the dwellings; or where that is not possible

" Upgrading the windows, doors and building envelope and providing mechanical ventilation so as to obviate the need to open windows on the noise affected facade.

The details submitted shall be sufficient to meet the "good" standard, as described in BS8233:1999 in all habitable rooms either with windows open, or with windows closed if the second option for treatment is required; and shall achieve a maximum level of 55 dBA Leq in all recreational areas.

**REASON:** To protect the amenity of future occupants.

- 31** **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 ?? 2014

- 32** **INFORMATIVE TO APPLICANT**  
The Developer should be encouraged to submit an application for prior consent under the Control of Pollution Act, 1974 to the Local Authority to address mitigation of noise from the construction phase.

- 33** **INFORMATIVE TO APPLICANT:**  
It is important for the applicant to note that the indicative layout has not been considered acceptable in terms of ecology due to the location of proposed footpaths which the Local Planning Authority will expect to be provided to create links to the neighbouring residential development and to the canal. A further ecological mitigation strategy relevant to species found within the site will also need to be submitted with any reserved matters application for approval.

**34      INFORMATIVE TO APPLICANT:**

The attention of the applicant is drawn to the following informatives requested by the Environment Agency:

1) There must be no interruption to the surface water drainage system 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.

2) Any surface water soakaways may require the approval of the Local Authority's Building Control Department and should be constructed in accordance with the BRE Digest No 365 or CIRIA Report 156 "Infiltration Drainage, Manual of Good Practice". Only clean, uncontaminated surface water should be discharged to soakaway.

3) 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) prior Land Drainage Consent will be required from Wiltshire Council as the Lead Local Flood Authority. Please contact the Drainage Team to discuss their requirements.

4) Wetlands are important wildlife habitats that support a wide variety of plants and animals, including rare and endangered species. Development should aim to prevent deterioration and enhance the status of aquatic ecosystems and associated wetlands. Furthermore a key output of the England Biodiversity Strategy for 2008 is a 50 year vision for wetlands. The Wetland Vision looks forward 50 years to a future where freshwater wetlands full of wildlife are found across the urban and rural landscapes, and where they are valued by society for the services they provide.

5) 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.

6) It is important for the applicant to note that the members of the Strategic Planning Committee would like to see a further access to the site which should be agreed with the highways officers at Wiltshire Council.

29 **Date of Next Meeting**

**Resolved:**

**To note that the next meeting was due to be held on Wednesday 23 April 2014 in the Council Chamber at County Hall, Trowbridge.**

(Duration of meeting: 10.30 am - 1.00 pm)

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

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

## REPORT TO THE STRATEGIC PLANNING COMMITTEE

<b>Date of Meeting</b>	16 April 2014
<b>Application Number</b>	13/06140/FUL
<b>Site Address</b>	Land at Snarlton Farm Snarlton Lane Melksham Wilts SN12 7QP
<b>Proposal</b>	Development of 80.5ha solar photovoltaic farm with attendance equipment and infrastructure
<b>Applicant</b>	Mr St John Hughes
<b>Town/Parish Council</b>	MELKSHAM WITHOUT
<b>Ward</b>	MELKSHAM WITHOUT NORTH
<b>Grid Ref</b>	392347 163625
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Kenny Green

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

This application is brought back to the Strategic Committee following a deferment made by Member's at the 12 March meeting to allow for a Member's site visit taking in views from Seend village.

The application is referred to the Strategic Planning Committee as it is a large scale major development both in terms of site area and the potential MW renewable generating output which raises issues of more than local importance which are covered in detail later within this report. Members are respectfully advised to also note that Cllr Terry Chivers called this application for Member's to determine to consider the following matters:

The scale of the development

The visual impact upon the surrounding area

The relationship with adjoining properties

The design, bulk, height, general appearance

Environmental and/or highway impacts

Public Interest

### **1 Purpose of Report**

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

### Neighbourhood Responses

Sixty two letters of support have been received with the reasons cited within section 8 below. In addition, two separate petitions of support for this application were received with 120 and 60 signatories respectively (180 in total).

In addition to the above support, two separate letters were received from landowners of the nearby woodland plantations (Eight Acre, Eighteen Acre Plantations and Memory Wood).

Two neutral representations have been received with an explanation given in section 8.

Forty letters of objection (a few of which were multiple letters submitted at different times by the same individuals) have been received as cited within section 8 below. In addition, a petition opposing the development with 304 signatories was received.

### Parish Responses

Melksham Without Parish Council (the parish within which the site is located) – Supportive.

Melksham Town Council (adjoining parish) – No objection.

Bromham Parish Council – (adjoining parish) - Supportive.

Seend Parish Council – (adjoining parish) - Objects.

## **2. Report Summary**

The main issues to consider are:

- The Principle of The Development / Sustainable Development Objectives
- The Impact upon The Rural Surroundings and Surrounding Countryside
- The Impact upon Heritage Assets (including Archaeology)
- The Impact on Ecological Interests
- The Impact on Highway Interests
- The Impacts on Third Parties
- Hydrology and Flood Risk
- EIA Screening
- Other Matters

## **3. Site Description**

This application site is located about 1.9km east of Melksham and 2.2km north of Seend and Seend Cleeve and relates to an 80.5 hectare rural site comprising 17 fields currently used for growing crops and grazing which is worked by three separate farmsteads: Snarlton Farm, Tanhouse Farm and Sandridge Farm. The land within the site parameters comprises part of a shallow valley aligned roughly east-west with the associated valley extending north and southwards. The majority of site is level ground with some modest undulation. The high point of the site is circa 65m AOD (above ordinary datum) along the north-eastern boundary, from which the landform gently slopes in a south western direction to a low point of circa 42m AOD along the southern boundary.

The land classification is primarily Grade 4 ‘poor’ quality heavy clay land which is noted as having “*severe limitations which significantly restrict[s] the range of crops and/or level of yields. It is mainly suited to grass with occasional arable crops (e.g. cereals and forage crops) the yields of which are variable*”.

There is one ruinous red brick structure within the site parameters which is identified on an 1840 Melksham Tithe Map sited c750m from the A3102 and c300m to the east of Prater's Lane. An on-site inspection of the structure appears to indicate that the structure was previously quite substantial comprising eight or nine bays 2m apart. Its functional use has however long since eroded; and in its place, an open fronted, smaller modern steel sheeted agricultural storage enclosure exists.

The gradually undulating field system is in part, well enclosed by dense well-established managed and unmanaged hedgerow and treed/woodland boundaries. Several woodland plantations adjoin the site and provide a robust/dense natural backdrop in the form of the 'eighteen acre plantation' to the immediate north, 'Morass Wood' and 'Brickyard Plantation' further to the north and on more elevated ground 'Eight Acre Plantation'. Further woodland is found to the east, in the form of the 'Hundred Acre' Plantation and to the south-east, 'Lapwing Plantation'.

Prater's Bridleway (MELW40) runs along the site's western boundary – which extends to 20m+ in width at its midway point opposite the site.

In addition to the aforesaid Prater's Lane Bridleway which runs from Sandridge Common (off the A3102) passing Totterdown Farm before joining up with the A365, MELW25 Bridleway runs close to the site's southern boundary and connects off 'Prater's Lane' before leading on further east and north-eastward becoming MELW25a. Close range views would be obtained from 'Prater's Lane' and along parts of open sections of MELW26 which is about 350 metres to the west of the site; and, some filtered/unfiltered close to mid range views of site would also be obtained from BROM42, SEEN33 and ROWD22 PROWs to the east and north east of the site.

Mid to long range views of the site are largely reduced by topography and dense landscape planting, however some views of the solar installation would be obtained from the A3102 (located to the north). Other transport corridors of interest include the A365 (located 1km to the south), the A350 (located about 2.5km to the north west), the A342 (over 3km away to the east); and the A361 (which is located just over 2km running west to east south of the site). Longer range more obscured views would be available from Duret Road (the C255 to Bromham) looking westwards; with more obscure/filtered views being gained from Seend Cleeve, Pelch Lane, Cock Hill Road and the C242 Berhills Lane as well from parts of Seend village. In addition, the Mid Wilts Way long distance footpath is approximately 1.6km to the south of the south (at its closest point) and runs along the Kennet and Avon Canal. The Regional North Wiltshire Rivers Cycle Route (designated as National Cycle Route No. 403) is located about 1.1km away to the north (at its closest point)

The landholding is not subject to any national restrictive landscape, heritage or ecological designations. The Spye and Bowood Parklands Special Landscape Area, a local designation, is located to the north and north-east of the application site. In addition, within 2km of the site, there is an area of land to the south-west of Spye Park which is designated as a site of special scientific interest; and the AONB designation capturing Roundway Down is some 5km to the east.

Wiltshire's Landscape Character Assessment defines the site as forming part of the 'Avon Open Clay Vale' – which is characterised as being predominantly “a level, open area with views to the higher ground of the Limestone Ridge to the east. Land is predominantly intensively managed permanent pasture with some arable and small isolated pockets of meadow...Hedgerows, gappy or low flailed in places, enclose fields of varying size...Sections of the area remain rural and tranquil despite major routes travelling through...[and modern large scale urban development and dispersed] farmsteads”. The West Wiltshire Landscape Character Assessment gives refines the designation as 'Melksham Open Clay Vale' which identifies the above characteristics and specifically highlights the mixed use farmland character with and medium scale field patterns and a comprehensive footpath network and scattering of brooks and stream corridors but with vertically dominant electricity pylons stretching across the landscape.

Clackers Brook passes within 200m to the south of the site, flowing westwards towards Melksham. Two watercourses rise within the site boundaries with both draining westwards towards Snarlton Farm (the site owner), which converge with Clackers Brook beyond the outskirts of Melksham.

The application falls within the Melksham Without Civil Parish, however, in recognition of mid-long range views and potential cumulative impacts across the valley from adjoining Parishes, an extended cross boundary parish planning consultation exercise took place.

Although now predominantly put to agricultural use, several hundred years ago, the environs were heavily forested when it formed part of Blakemore Forest. Nowadays, alongside the pasture and arable land uses, a double rank of electricity overhead power lines and pylons dissect the site on a north-west – south-east axis. Apart from the three farmsteads which comprise the application landholding, Sandridge Tower is the nearest private dwelling not within the control or ownership of the landowners/applicants, and is located some 270 metres away to the north of the site. Other nearby sensitive receptors are identified and have been the subject of a rigorous assessment by both the applicant's consultants and Council officials.

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

95/00434/STU - 132,000 volt electricity power line refurbishment – a statutory undertaker notification submission in July 1995.

#### **5. The Proposal**

Detailed planning permission is hereby sought for a ground mounted solar PV renewable energy development to convert sunlight into electricity. The proposed PV installation would have the capacity to generate up to 44MW of electricity which would be fed directly into the power grid. The applicants assert that the scale of the proposed installation could service the needs of over 11,000 average UK homes (the equivalent of a town like Melksham).

The proposed solar farm development has been subject to extensive negotiations and consultations following a pre-application process and adopting an EIA Screening Opinion. The proposed solar plan comprises the installation of approximately 170,000 panels of a matt dark blue hue set out in rows orientated in a manner to maximise sunlight and electricity



production. The arrays would be 'passive' / fixed i.e. they would not track the sun's path. The final choice of panel manufacturer has not yet been confirmed since prices and availability of panels fluctuate. However, the developer has indicatively identified a product by Canadian Solar which is designed to be highly anti-reflective to produce a high cell efficiency of up to 21.2% for the 260 W (p) panel units consisting of 60 polycrystalline silicon PV cells with the manufacturer claiming to "*deliver 10% more electricity than conventional solar modules*". The solar PV installation is expected to have a 25 year lifespan with decommissioning planned for the 26th year, at which point, the infrastructure would be removed over a 3-4 month period.

The mounted PVs would be erected 2.5 metres above ground level fixed at approximately 20 degrees (to the horizontal) with up to a maximum 1.4 metres clearance underneath. The mounting system would be secured to central vertical legs piled into the ground. The piling system requires no concrete; and as such, following the decommissioning stage there would be no foundations requiring removal.

To convert the direct current (DC) the panels generate, inverters are required to turn the DC into alternating current (AC) which can be fed into the national grid. Located close to the arrays and connected via underground cabling, there would be thirty inverter cabinets housing one transformer which would allow the voltage level of the closest grid access point to be achieved. As part of the proposal, the developer wishes to retain the option of substituting the inverters with mini inverter boxes which could be mounted to the frames beneath the panels (which would be subject to a final electrical design configuration assessment).

The transformers would be connected to a proposed on-site electrical sub-station to facilitate a 132kv connection to the electricity distribution or transmission network via an existing on-site pylon.

The 132kv network connection necessitates having an on-site sub-station which would be 7 metres high and approximately 10 x 15 metres set within its own designated secure compound to accommodate all the necessary electrical equipment. The modular sub-station would be clad in a recessive green and would require a concrete foundation with all cabling underground. This entity would be separately fenced around the perimeter for extra protection.

Two metre high deer park fencing coated in a recessive green would be erected around the perimeter of the site and strategically positioned infra-red activated security cameras (sited circa 50 metres apart) affixed onto 4m high (max) poles to provide required on-site security and deter human interference as well as to satisfy insurance liabilities. There is however no planned lighting proposal for the site/development.

The hedgerows that bound the site would be retained as a natural security and visual perimeter – which would be managed to be grown to 3 metres in height in order to enhance site screening from PROWs and public vantages. A gap of 5 metres between the hedgerows and the deer fence would be maintained. The applicant also proposes to plant new hedgerows and where existing hedging is low or sporadically vegetated, enhanced planting is proposed.

The proposed development avoids gas, water and drain features. A buffer is planned to avoid any interference with the 400kv National Grid transmission line which runs across the eastern part of the site.

The projected on-site construction period is expected to take approximately 3-4 months and the access and transportation of all associated equipment is planned to approach from the A350, south of the M4, then via the A365 south of Melksham (avoiding Melksham's town centre) and on to the A3102 with the site to be directly accessed via an existing gravel track. No abnormal loads are expected since all projected 620 deliveries (6-8 per day and to be spread out over the 3-4 month timeframe) would be provided by regular HGVs.

During the construction period, the development would involve the creation of a temporary 'construction/storage' compound in the north-west part of the site located close to the proposed access route. The compound would be entirely removed following the completion of works since solar PV panels would be located over it. The construction access area would be temporarily fenced off from the rest of the bridleway during the construction period to enable users of Prater's Lane to continue to use it safely and be separated from any vehicle movements. The applicant also proposes to use a temporary road surface, should ground conditions necessitate it, taking the form of robust ground mats/plates. As part of the post construction management of the site, any disturbed ground would be re-instated and seeded.

Through the submission of legal papers, the landowner/applicant has proven rights of access to use the bridleway as a means of accessing the site. Although a parcel of land was transferred to the Council in 2003, full rights of access were reserved by the landowner (Mr Richard David Stainer). In planning terms, there is no dubiety over the right of accessing the site via the bridleway. Within the site, new tracks are proposed to facilitate access to the electrical sub-station. However, once operational, only small tracked vehicles and maintenance staff would need to access the site on an infrequent basis.

For the record, a separate access option (positioned parallel to the existing track located to the south of the A3102) was identified by the applicant if access along the bridleway (Prater's Lane) was to be denied. This fallback proposal is however not necessary.

The construction phase is proposed to be broken down as follows:

- The maintenance of hedgerows and erection of deer fencing/gate;
- The preparation of onsite tracks and lay-down areas (to receive deliveries and for temporary storage purposes);
- The delivery of panels and associated infrastructure;
- Temporary welfare amenities provided for the on-site work force;
- The installation of frames and panels, sub-stations, and cable laying;
- Commissioning of panels and grid connection;
- Site re-instatement and ecological enhancement and demobilisation from site.

It should however be noted that many tasks can be undertaken concurrently in order to minimise the duration of construction and any disruption.

It is also necessary to stress that in line with the NPPF, applicants are not duty bound to demonstrate any need for their renewable low carbon energy scheme. The applicants have however considered alternative renewable energy generators for this site within their Environmental Report. It is reported that a wind farm development was discounted due to on-site constraints and the visual impact wind turbines would have. Other technologies were discounted on the grounds of potential noise and air quality nuisance – which would interfere with agricultural and residential uses.

Taking a sequential approach, the applicant has given consideration to other sites, but the applicants assert that the project requires a suitable grid connection point and through detailed on site evaluation and discussions with the Scottish and Southern Energy, this site has the capacity to accept such additional loading on the overhead lines crossing the site. The physical final grid connection (from sub-station to power cables) would however be subject to a separate application to the Distribution Network Operator (DNO) – Scottish and Southern Energy before any connection can be made.

Although the application is not EIA development requiring an Environmental Statement, the applicants have commissioned and produced a comprehensive Environmental Report which inter alia, assesses landscape and visual impacts, socio-economic impacts (jobs, tourism), environmental benefits, infrastructural / highway impacts, flood risk and pollution concerns, noise and vibration, as well as cultural heritage and ecology impacts. Also accompanying this application, the applicants have submitted a Design and Access Statement, a Planning Supporting Statement and a Geophysical (Archaeological) Survey Report.

Public Consultation – Prior to the formal submission of this application, invitations were sent to 377 properties within a 2km catchment of the site on 7 October 2013 giving notice of a public consultation event which took place on 23 October 2013 at Melksham Town Hall between 3-8pm. Councillors (both parish and unitary) and interest groups were invited to a preview of an exhibition, with the joint purpose of providing local people an opportunity to view and provide comments on the principle of renewable energy, particularly solar power and the Snarlton Farm site in detail.

A briefing document about the proposal was sent to the local MP, Wiltshire Council's Leader, Deputy Leader, Members of Cabinet, Ward Members for Melksham Without North and South, Members of the Western Area Planning Committee and Members of the Melksham Area Board, It was also sent to Melksham Without Parish Council, Bromham Parish Council, Rowde Parish Council, Seend Parish Council and Melksham Town Council. The following interest groups were also included: Bath Greenpeace, Transition Bath, North Wiltshire Friends of the Earth, RSPB South West Regional Office, Melksham Climate Friendly Group, Wiltshire Wildlife Trust, Bradford on Avon Climate Friendly Group, Wiltshire Clean Energy Alliance and Chippenham and Village Environmentalists.

A second press release was issued on 29 October in order to provide feedback to the public and inform them of the applicant's closing date for the pre-application consultation period (5 November). All raised concerns were duly taken on board which led the applicant's design team to highlight key themes which the submitted documents seek to address.

Local Community Incentive - It should be noted that whilst not a material planning consideration, the applicants are proposing to offer an annual community fund of £1000 per MW of installed capacity, which would equate to some £44,200 per annum to benefit people living within a 2.75 km radius of the centre of the site – with the monies to be spent on initiatives or projects which provide environmental, social or economic benefits. The applicant proposes to make such a contribution either to a locally appointed Trust or to divide the fund between the elected parish/town councils within the 2.75 km catchment area on a pro-rata basis according to the number of households. It is stated that payments would be made at the end of each financial year for the life of the installation commencing from the end of the first year after the energisation of the solar farm. In total, the proposed local community contribution could potentially generate over £1.1 million.

Through an open dialogue with local community and the parish councils, the applicant asserts that subject to obtaining planning permission, the legal terms of the community benefit scheme would be discussed and agreed directly with local representatives. From the published documents and from speaking with several stakeholders, it is clear that the applicant is committed to engaging with the local community and setting up such a fund. It must however be duly noted that any financial agreements reached between the developer and the local community must be separate to the assessment of this planning application, since financial incentives are not a material planning consideration. It is perhaps worth noting that financial contributions are only material considerations when they form part an adopted CIL mechanism and/or satisfy legal tests to which all obligations must accord.

The Applicant's Rebuttal to Journalistic Interview Inaccuracies – The applicant has drawn attention to a BBC Radio Wiltshire broadcast on 5 December and a published article in the Sunday Times dated 8 December 2013 covering this application within which, the applicant asserts there were factual inaccuracies in terms of the siting and the topography. The applicant also refutes opposition claim that the site can be viewed from Roundway Hill, north of Devizes and Caen Hill Locks. The applicants further submit that a robust and professional Landscape and Visual Impact Assessment has been produced taking into account a dozen viewpoints (which were identified following an open dialogue with both the LPA and the local community).

## **6. Planning Policy**

### West Wiltshire District Plan 1st Alteration (2004) (WWDP)

Policy C34 - Renewable Energy; Policy C1 - Countryside Protection; C3 – Special Landscape Areas; C6 – Areas of High Ecological Value, Regionally Important Geomorphologic Sites, and sites of Nature Conservation Interest; C6a - Landscape Features; C15 - Archaeological Assessment; C31a - Design; C32 - Landscape; C35 - Light Pollution; C38 - Nuisance; and, E9 - Agricultural Land; T12 - Footpaths and Bridleways.

### West Wiltshire Leisure and Recreation DPD (2009)

CR1 - Footpaths and Rights of Way

### The Emerging Wiltshire Core Strategy (eWCS)

Strategic Objective 2: Addressing Climate Change and Strategic Objective 5: Protecting and Enhancing the Natural, Historic and Built Environment. Core Policy 15 – Melksham Community Area; Core Policy 42 - Standalone Renewable Energy Installations; Core Policy 50 - Biodiversity and Geodiversity (which is identified to replace WWDP Policies C1, C6 and C6a); Core Policy 51 - Landscape; Core Policy 52 – Green Infrastructure; Core Policy 58 - Ensuring the Conservation of the Historic Environment

### Government Guidance

The National Planning Policy Framework (NPPF)

National Policy Statement for Energy Infrastructure (NPS)

Planning Practice Guidance (March 2014)

Due consideration can also be given to the following:

The 2009 Renewable Energy Directive (2009/28/EC) – setting a target for the UK to achieve 15% of its energy consumption from renewable sources by 2020.

Coalition Government's Programme for Government (June 2010) – addressing climate change and maximising the exploitation of UK's renewable energy resources.

National Renewable Energy Action Plan (July 2010) - all about securing energy supplies.

The International, European and UK Renewable Policy Frameworks – providing financial support for renewable including feed in tariffs, unblocking barriers to delivery and seeking to develop emerging technologies

Renewable Energy Progress Report: South West 2013 Annual Survey

UK Solar PV Strategy Part 1: Roadmap to a Brighter Future – published in October 2013 by Department of Energy & Climate Change – established 4 guiding principles:

Support solar PV alongside other energy generation technologies in delivering carbon reductions, energy security and customer affordability; 2. To meet the UK's 15% renewable energy target from final consumption by 2020 and decarbonisation in longer term; 3. Ensure solar PV are appropriately sited, giving proper weight to environmental considerations; and, 4. Support for solar PV should assess and respond to the impacts of deployment on grid systems balancing, grid connectivity and financial incentives.

'The State of the Environment Wiltshire and Swindon 2013' – published by the Wiltshire Wildlife Trust

Planning Guidance for the Development of large scale ground mounted solar PV systems

Gregory Barker MP – Minister of State for Energy & Climate Change letter dated 1 November 2013 titled Solar Energy.

## **7. Consultations**

**Melksham Without Parish Council** – Supportive subject to conditions. Landscaping and adequate controls should be covered by condition to ensure that the development access is

restricted during the Forest and Sandridge School opening/closing times to protect pupil safety. A further condition is necessary to protect Prater's Bridleway to ensure it remains usable at all times for walkers and riders. The A3102 road surface should be maintained clean throughout the construction period.

**Melksham Town Council** – No objections.

**Bromham Parish Council** – Supportive.

**Seend Parish Council** – Objects raising concerns about the loss of farm land for food production and pollution of land; the lack of policy on solar farms and visibility in a rural landscape; as well as citing concern about the number of applications for solar within a five mile radius of Seend.

[NB: It is recorded that the Parish Council took a vote on the application which led to 5 Councillors voting against the application and 4 Councillors in favour of it].

**Wiltshire Council Spatial Planning Team** – No objection - subject to appropriate assessments which should demonstrate any impacts and where appropriate consider mitigation measures. The production of renewable energy, including solar PV, is supported in principle by adopted and emerging spatial planning policy. WWDP Policy C34 supports renewable energy proposals in appropriate locations having regard to a number of criteria relating to landscape character and visual impact, the effects on the natural environment, ecological, archaeological interests and heritage impacts. Public amenity, highway safety and pollution are also material issues. Emerging WCS Policy CP42 encourages and supports standalone renewable energy installations including ground mounted solar PV projects subject to a thorough review of the impacts. In this regard, the expert views of the Council's strategic landscape officer should be given careful consideration.

The proposed site is not located within any designation by either the adopted WWDP or the Emerging WCS. The potential effects are likely to centre on the size of the installation (including cumulative effects resulting from other proposed/approved installations) on the natural environment and landscape character.

The North Wessex Downs AONB is within approximately 5km and further to the north (on higher land) is Spye and Bowood Parklands which are designated as Special Landscape Areas. Morass Wood, which is located adjacent to the application site, is designated as a Site of Nature Conservation Interest and is a County Wildlife Site – designated for its ancient woodland.

WWDP Policy C1 aims to protect, conserve and enhance the countryside through positive controlling development. Development in the open countryside can be supported where they "*encourage diversification of the rural economy*" or which are considered to an overriding benefit to the local economy. Emerging WCS Policy CP51 states that "*proposals should be informed by, and sympathetic to, the distinctive character areas identified in the relevant Landscape Character Assessment(s) and any other relevant assessments and studies. Proposals for development within or affecting AONBs...should have regard to the relevant Management Plans for these areas. Proposals for development outside of an AONB that is sufficiently prominent (in terms of siting and scale) to have an impact on the area's natural beauty, must also demonstrate that it would not adversely affect its setting*".

In this regard, the expert views of the Council's strategic landscape officer should be given careful consideration.

WWDP Policy C3 (relating to Spye and Bowood Parkland Special Landscape Areas) requires the landscape character to be conserved and enhanced. A development should not be supported if it would be detrimental to the cited protected landscape.

WWDP Policy C6 stipulates that development proposals "*in or near...SNClS will not be permitted if considered harmful to the ecological interest of these...habitats or if it would result in the serious loss of flora and fauna, unless there is no suitable alternative or if other material factors are sufficient to override the special nature conservation interest. Where development is permitted, proposals will be subject to conditions or planning agreements that prevent damaging impacts on wildlife, habitats or important physical features*". It is important to record that Policy C6 allows development that would have an adverse effect on landscape features, if there are overriding benefits to outweigh the harm.

The NPPF and the Emerging WCS Policy CP50 expects high level of scrutiny to be placed upon nature conservation, biodiversity and geological value so that they are "*retained, buffered, and managed favourably in order to maintain their ecological value, connectivity and functionality in the long-term. Removal or damage shall only be acceptable in circumstances where the anticipated ecological impacts have been mitigated as far as possible and appropriate compensatory measures can be secured to ensure no net loss of the local biodiversity resource*".

There are public rights of way adjacent to the site, which are classed as 'green infrastructure' in the Emerging WCS. It is essential that measures must be put in place to retain these links and "*if damage or loss of any green infrastructure is unavoidable, the creation of new or replacement green infrastructure equal to or above its current value and quality, that maintains the integrity and functionality of the green infrastructure network, will be required*".

**Wiltshire Council Strategic Landscape Officer** – No objection.

The change associated with the development of a solar farm over such a large area (encompassing 17 fields) has the potential to create adverse effects upon the local landscape character and the visual appreciation of the landscape by those living in or visiting the area. New elements in the landscape would comprise solar panels (max. height 2.5m), the inverter housing and an electrical sub-station measuring 7m and associated open air equipment/fencing; as well as site perimeter deer park fencing 2m high and the proposed access track.

There would also be additional effects during the construction and decommissioning phases in the form of delivery vehicles, construction plant and welfare provision, and fencing along the bridleway, although it is recorded that this would be over a short temporary period.

In order to understand how the proposed development would affect landscape and visual receptors it was agreed by this authority that a Landscape and Visual Impact Assessment (a LVIA) should be submitted with the planning application. The scope of the assessment and representative view points were agreed with Wiltshire Council's Landscape Officer at a pre-application meeting. The submitted LVIA has been prepared in accordance with current best

practice and represents one of the best reports that this authority has received for a solar farm development thus far. The outcome of the assessment is described in brief below:

### Landscape Baseline

The landscape value is assessed as medium to low recognising that the area has scenic quality; redeeming landscape elements e.g. trees, woodland, hedgerows; it is valued locally as footpaths are well used; however there is a loss of tranquillity from the A3102, and the land has been intensively managed and electricity cables and pylons are visual detractors.

The landscape sensitivity to development is assessed as medium to low as the surrounding hedges and woodland provide a substantive form of enclosure reducing intervisibility with adjoining landscape; manmade features (pylons) crossing the site; and there is a moderate to low density of sensitive landscape areas/features.

### Landscape and Visual Effects Construction Stage (which applies to the decommissioning stage also)

The overall landscape effect during the construction period (short term) is considered moderate adverse. In terms of landscape character the physical characteristics (landscape elements) would be unchanged but there would be a loss of tranquillity due to construction processes, movement and traffic. There would be a loss of the agricultural character to one with solar elements and other paraphernalia associated with construction e.g. stock piles, heavy plant and site works. The visual effects during the construction are considered to be adverse but only temporary, and would predominantly affect receptors on PROWs close to the site.

### Landscape and Visual Effects Operation (the 25 year period)

Overall, the landscape effects are considered to be slight adverse. The character of the landscape would change. The introduction of 'new' built elements would create a new landscape pattern, texture and colour. The retention of existing landscape elements, strengthening of existing hedgerows through gapping up and tree planting would however provide local enhancement. The fields would be returned to grazing following the construction period, thus giving some perception of a managed agricultural landscape. In terms of visual effects, the closest residential property to the north (known as the Heights) would retain direct views over the site during operation, and the impacts are assessed as moderately adverse. Furthermore, there would be glimpsed views from the A3102, particularly when travelling towards Melksham; and especially from elevated positions along the carriageway. This is a locally valued view across the clay vale but since the majority of receptors would be from within motorised transport, the impact is assessed as slightly moderate. The local PROWs are well used. Walkers' views of the site would be largely screened by existing and proposed vegetation. Horse riders would however continue to get views onto parts of the site because of their high position in the saddle. Views to and from Seend would be retained although the site would continue to be seen within a wide panorama and the impacts here are assessed as slightly adverse.

### Mitigation



Within the submitted Environmental Report, Figure 8.5 titled as the “Habitat Protection, Creation and Management Plan” clearly sets out all the operations for landscape and ecological mitigation. The gapping up of existing hedgerows and managing them at 2.5 – 3m heights would contribute greatly towards enhancing local landscape character and lessening views onto the site. 3m high hedgerows would substantially reduce the visual effects for horse riders in the summer months although views would be opened up more in winter. The existing woodland and tree belts outside the application parameters provide important visual mitigation which also acts as a buffer between the site and the Special Landscape Area to the north. The letters received from the owners of these plantations are considered useful in terms of appreciating their mid-long term management. Any loss of the existing woodland, plantations and woodland belt, for whatever reason, would have substantial adverse effects for landscape and visual receptors.

### Cumulative effects

It is noted that cumulative effects are likely to be experienced by horse riders because of their elevated position but the experience would be sequential rather than combined. This particularly applies to MELW25 as it runs through the Craysmarsh solar PV site (which is a much smaller installation covering just over 4 hectares) and along the currently unplanted section of the Sandridge site.

### Overall

The conclusions reached and outlined within the submitted LVIA are supported in terms of stipulating that the landscape and visual effects of the proposed solar farm would not be far reaching. Users of the adjacent and local PROWs and the residents of the Heights would be most affected, however the impacts are not considered substantially harmful to warrant a refusal on landscape grounds. Due to the generally flat topography and the existing vegetation that encloses the landscape, there are relatively few viewing opportunities onto the site from higher ground. A sound mitigation and enhancement strategy has been presented with this application, which should be conditioned to ensure its delivery.

To lessen the potential conflict between users of the bridleway and construction traffic the recommendations of the British Horse Society have been sought. Recommendations include having a 4-5m wide cut path to allow users to pass safely, a suitable surface for horses, traffic restrictions to avoid times when equestrians are likely to be about (although it is accepted that this last aspect would be difficult to detail, monitor and enforce).

Following decommissioning there will be no residual landscape and visual effects, although there would be an overall enhancement in landscape character due to the development of the proposed mitigation planting.

**Wiltshire Council Ecologist** – No objections subject to conditions.

The development will not affect any ecological features greater than local importance. Nevertheless, the extent of potential impacts is considerable. A number of Biodiversity Action Plan habitats and species exist across the site and the Council has a duty to conserve these under Section 40 of the Natural Environment and Rural Communities Act (2006). The BAP habitats found within the site include hedgerows, which are abundant and form a good trans-migratory network, and a single small piece of woodland and tree belts.

Four mature trees found on site are noted as having potential for bat roosts. The silted up pond located within the site boundary and the ditches whilst having limited intrinsic ecological value in their own right, are nevertheless located close to the hedgerows and probably enhance the invertebrate resource for farmland bird communities and should be considered as part of the wider hedgerow habitat network.

Given the grassland (including mixed species grassland) and arable habitats, it is likely that a number of farmland species use the site over the year including declining BAP species such as turtle dove, corn bunting, tree sparrow and grey partridge. Depending on the crop sown, it is also possible that ground nesting birds could breed successfully on occasions. On account of the current national concern for farmland birds and the scale of this development, these ecological receptors should be considered to be of local importance rather than site value.

A small population of great crested newts was found in a pond 50m to the south of the site. During the course of the planning consultation process, a series of discussions took place with the applicant's agent to identify appropriate ecological mitigation measures (which are recommended to be covered by condition) to ensure suitable consideration and protection is given to the local newt population. The applicant's plan to restore the pond on the site is fully supported. The proposed restoration works shall be carried out during the construction phase of the project under the supervision of a suitably experienced Ecologist. It has been further agreed that cutting back of the hedgerow vegetation on the southern aspect of the pond should be done by hand held equipment. The managed hedge should also avoid casting shadows onto the restored pond between spring and autumn months. The cuttings arising should be used to create brash piles beside the adjacent hedgerows. This cut back area should be maintained as part of on-going hedgerow management of the site. Silt residue shall be removed (leaving approximately 1/4 in place) with a mechanical excavator, and spread by muck spreader (or equivalent) over the adjoining fields, or on other land under the same ownership. The pond profile should be modified to create gently sloping sides to provide a range of aquatic conditions. A deeper area in the north shall be created to ensure and prolong the presence of water during the summer months. The dimensions of the restored pond would be 5m wide by 12m in length, and 1m at its deepest point.

It is also welcomed that belts of rough grassland shall be allowed to develop beside the hedgerows and pond, which will significantly enhance the connectivity of the terrestrial newt habitat.

During the construction period the most likely risks to ecological interests would be damage caused to hedgerows / trees and their root zones from vehicle movements and cabling, sediment runoff causing pollution to water bodies and injury/disturbance to breeding birds. Impacts could also potentially occur to great crested newts during their terrestrial phases. However, most of these impacts and others are addressed through the Habitat Protection, Creation and Management Plan – which is an excellent submission which concisely summarises works required during the construction and operational phases. It is further noted that there would also be a temporary loss of small sections of hedgerow to facilitate the erection of fencing and new gateways; but this would be more than compensated for by the proposed planting of 470m of new species rich hedgerow.

From an ecology stance, appropriate mitigation has been identified and it is necessary to stress that there would be a degree of overall improvement for biodiversity interests compared to what exists at present. The sowing of species rich meadow over the area indicated, provided it is not intensively grazed, shall deliver real benefits for breeding birds in terms of a diverse food resource as shall the additional planting of 470m of species rich hedgerow. Rough grassland around the field perimeters shall deliver nesting and foraging habitat not only for birds but for reptiles, amphibians and mammals. The restoration of the on-site field pond has the potential to create a permanent new breeding pond which may help to secure the future of the off-site newt population.

**Natural England** – No objections. This application is approximately 3k from Spye Park SSSI. Natural England is satisfied that the proposed development, as submitted, would not damage or destroy the interest features for which the site has been notified. The SSSI does not therefore represent a constraint in determining this application.

The proposed development does however have the potential to make a positive contribution to local biodiversity, which could benefit the notified features of Spye Park SSSI. Any mature trees on the site should be retained, and where possible, for any planting to use native species to enhance habitat linkages to the SSSI and surrounding woodlands.

The proposal does not appear to be in, or within the setting of, any nationally designated landscape. All proposals however should complement and where possible enhance local distinctiveness and be guided by the Authority's landscape character assessment where available, as well as the policies protecting landscape character in the local plan or development framework.

**Wiltshire Wildlife Trust** – No comments.

**Wiltshire Council Archaeologist** – No objection.

**English Heritage** – No objections. The associated supporting documentation demonstrates that a robust analysis has been carried out identifying the surrounding heritage assets and consideration of potential impacts. Within the 5km study area there are a number of highly graded listed buildings, however, the proposed development would not result in a significant impact on these heritage assets. Whilst there may be some intervisibility between the application site and some heritage assets, the respective distances involved and screening are such that there will be little or no impact on the significance of these assets, and no impact on any significant designed views or vistas.

**Wiltshire Council Conservation Officer** – Shares the same view as English Heritage in raising no objection. The submitted heritage assessment is fully accepted in terms of its analysis and consideration of the broadly neutral impact the proposed development would have upon heritage assets. Where there is an element of harm, that harm would be minimal with one instance of moderate harm.

It is recorded that English Heritage have submitted comments relating to the impact on the higher grade listed buildings and the Conservation Areas and have raised no objections. There is no reason to dispute such a view. The surrounding Conservation Areas are centred in villages and are, by character, inward looking and designated for their collection of buildings and not for their appearance from the countryside. In any case, the Conservation

Areas are screened from the application site by intervening newer development around their edges, robust landscape hedgerow and tree plantations and natural topography.

The impact on the nearest Grade II listed buildings is likely to be of more significance. Sandridge Tower is the closest listed building at 270 metres away to the north. However, the adjoining woodland is likely to remove most of the impact, and the letter received from the landowner of the plantation advising of its mid-long term retention is duly noted and welcomed. Blackmore House, located some 300 metres to the west, is a farmhouse surrounded by farm buildings and is therefore unlikely to have its setting disrupted by this solar development. Tanhouse Farm, located some 300 metres to the south across mainly flat land is likely to be subject to the greatest impact, however this is a farmhouse with farm buildings to the north. These farm buildings are therefore in-between the listed building and the application site – which would serve to visually screen the listed building from the site.

In addition, the mitigation planting proposed around the site, including the plan to allow hedgerows to develop should lessen the above impacts on the settings of those heritage assets. Landscaping conditions should be imposed to ensure the mitigation is put into effect. A further condition should be imposed to require the removal of the apparatus if it ever falls out of use.

**Wiltshire Council Highways** - No objections subject to pre-commencement conditions relative to the submission of a robust construction traffic management plan; and provision of necessary visibility splays along the A3102.

**Environment Agency** – No objections subject to conditions and informatives.

**Wessex Water** – There is an existing public water supply transfer main crossing the proposed access to the solar PV site. If permission is granted, protection measures should be applied. Such protection measures relate to protecting the water mains from extra load bearings caused by construction traffic. Measures will vary depending on the amount of existing cover over the main and frequency and nature of construction traffic. Measures typically include lowering / diversion of the mains or concrete slab protection and as such, this needs to be agreed between the developer and Wessex Water.

**Wiltshire Council Public Protection Team** – Following negotiations with the applicant's agent, the applicant's environmental consultants produced noise specification data for the extractor fan serving the proposed 132kv sub-station. The maximum sound pressure level (65Db) is acceptable given the separation distance to the nearest noise sensitive receptor. The sound pressure level of the transformer/inverter stations (51Db at 1m distance) also raises no noise related concern on the grounds that any generated on-site noise shall be inaudible/undetectable above background noise by the time reaches the closest noise receptor. Given the location of the sub-stations and the distance attenuation set back from domestic properties, no objection is raised with respect to noise pollution/nuisance.

**Wiltshire Council Green Economy Team** – Fully supports this application. Wiltshire currently has 124.5MW of approved capacity spread over 23 applications on 303 hectares of land across the County. Quantifying the installed capacity is more difficult to confirm as we do not gather such data but instead rely upon RegenSW's annual return, which itself derives from feed in tariffs and the DECC returns. However, the latest published data (dated April

2013) reveals that Wiltshire (excluding Swindon) has an installed Solar PV capacity of 48.7MW across the County's total installed renewable capacity of 61.8MW.

**Electricity Board (Scottish & Southern Electric)** – No comments.

## **8. Publicity**

The application was advertised by site notices / press notice and extensive neighbour notifications (amounting to over 100 individual notices).

Expiry date: 27.12.2013

Two petitions fully supporting this application were received on 24 January 2014 with 120 signatories and 60 signatories on 11.02.2014

The Melksham Community Area Partnership 'wholeheartedly' supports this application. The solar development shall benefit the land, the wider community and creating carbon free electricity generation. It shall have a low visual impact on the environment.

The Melksham Climate Friendly Group lends its full support to the proposal which would utilise low grade land of low ecological value. It would not affect adjacent/nearby properties and would be screened within the landscape. The anticipated yields are impressive providing a major contribution towards Wiltshire's 15% renewable target.

Melksham Energy Group – Strongly supports the application arguing that the site is suitable for the development which is sensitively planned and all reasonable queries and concerns have been addressed by the developers.

The Wiltshire Clean Energy Alliance supports this application. The Alliance is a group of local residents, businesses and community groups from across Wiltshire and beyond (representing 35 different groups) and sees this project in a favourable light in terms of its generating capacity and through recognising that Wiltshire shall need to rely more upon solar PV to meet its targets. The designed scheme is sensitive to its environment and would be well screened with good proposals for ecological enhancements. When the solar farm comes to the end of its useful life, the land can be easily restored.

The Climate Friendly Bradford on Avon Group strongly supports this application arguing that if rising carbon emissions and consequent damaging climate change are to be addressed, Wiltshire needs to play its part in installing clean renewable ways of generating power. In addition to retaining some agricultural use of the land, wildflower planting should be considered to enhance biodiversity interests. The community benefit offer is important and the education benefits are to be commended.

Pewsey Environmental Action Team – Supports this application on the grounds that it shall make an important contribution to local and national renewable energy targets. The land is of low grade value, ecological improvements shall be introduced and sheep grazing shall retain agricultural use. This is a temporary installation that is well situated and well screened.

Landowners of Eighteen Acre, Eight Acre Plantations and Memory Wood – The three landowners of the cited woodlands wrote in to confirm that they have "no intention, or

*reason, to fell/harvest these plantations for the foreseeable future, apart from good woodland management” purposes.*

55 individual letters raised the following additional means of support:

- The site is ideal for a solar PV installation – using low grade farmland (Grade 4) which for parts of the year, has little productive value, but is south facing and well screened with sheep grazing (agricultural use) to continue.
- This development is a key component of Wiltshire Council meeting its renewable energy targets and is another welcome addition to having a clean energy mix. Bradford on Avon has had a well planned, well constructed solar farm (in the Green Belt) for 3 years now with no adverse effects and very little negative feedback. With wind power having been made virtually impossible by Wiltshire Council’s blanket separation policy, solar is really the only effective way of Wiltshire providing any meaningful contribution towards clean energy.
- The International Energy Agency have stated that we need to leave most fossil fuels in the earth if we are to avoid a dangerous 2 degree increase in temperature by 2050.
- Whilst solar farms may be induced by Government subsidy, this technology will benefit us by supplying electricity not linked to the price of fossil fuel extraction and electricity production.
- The development would have little negative impact on the local environment. Any impacts are entirely reversible.
- The power generated would be sufficient to serve the needs for a town the size of Melksham.
- We have waited too long to implement this technology which saves fossilised carbon from being released into the atmosphere.
- This low profile development includes plans to enhance biodiversity habitat potential which should be supported.
- Solar PV is more predictable and less obtrusive than on-shore wind generating installations. We should not support fracking.
- There can be no objection to seeing solar panels in the field. It is unrealistic to expect all infrastructure to be hidden from view in a small and populated country.
- The project is a temporary development, but we cannot ignore the medium and long term impacts of global warming and the over-dependence upon fossil fuels.
- Solar installations offer a good way for farmers to diversify their income which can help preserve the agriculture landscape in the long run.
- This development would provide more jobs and would heighten the green credentials for the area – which should be seen as a quality. We have a duty of care for future generations.
- Objectors to such proposals would seemingly prefer to see England’s green and pleasant land slowly disappear beneath rising waters.
- The proposal would not be seen by Seend parishioners.
- Opposition raised to NIMBY arguments.
- The land can be restored once the solar installation ceases.
- One letter writer even argues that it would be waste of resources if it is removed after 25 years unless another one is constructed.
- One supporter asserts having installed a solar roof system on a cattle building has out-performed the predicted energy generation and saved about 40% electricity consumption

- Although not a material planning consideration, some supports cite the generous annual community fund offer for the 25 year period shall enable local communities to develop social, economic and further environmental projects.

Two neutral representations were received based on the following:

- One letter writer asserts having no objection to this application but is concerned about using Prater's Lane (PROW) as an access. A separate access road off the A3102 should be constructed to avoid any damage or disruption. Clackers Brook should not be polluted and the surrounding woodland protected.
- Another local resident goes a little further by asserting to be in favour of renewable energy generation and that the site is suitable for a solar PV development, however similar concerns are voiced about using Prater's Lane bridleway and what impact the construction processes would have upon the use of the bridleway and its condition.

In opposition to the proposal, a petition with 304 signatories was received and forty letters of objection (with some two objectors writing more than once) were received based on the following:

- The Council has no strategic plan to identify solar farm sites to ensure there is an equitable spread across all communities. Within a 5-mile radius of Seend, over 550 acres of land is subject to either proposed or permitted solar farms – which equates to about 25% of Wiltshire's 'local' contribution towards meeting the national requirement of 20% electricity generation coming from renewable sources. This is not a fair spread across the County and concerns are raised about cumulative and in-combination effects.
- The Council should adopt a strategy to limit the number and size of such installations in the County and limit the density in any given area.
- Central Government has recently stressed that the effects of reduced amenity should be given more weight when decisions are made and that future solar PV growth should be focused on domestic and previously used land.
- The Government has recently announced that wholesale subsidy and support for these ruinous proposals shall be withdrawn in favour of offshore installations and nuclear – that is the correct path.
- The proposal conflicts with Gregory Barker's (Minister for Energy and Climate Change) statement on solar development and the Solar PV Road Map – which emphasises directing new solar development to brownfield sites.
- The development would be an eyesore of a significant industrial scale which shall interfere and degrade views across beautiful countryside from important vantage points, rights of way and villages – resulting in a brutal cluttering of the landscape by 170,000 panels, substations and 2.5 miles of security fencing.
- There is no commitment to have any screening / additional planting before any panel is installed and any planting scheme shall take many years to develop.
- Following the landscape screening failures associated to the approved marina development outside of Seend, concern is raised about the robustness or effectiveness of any landscaping proposals.
- The site would be impossible to screen in any case, since it can be seen from far afield including Corsham (e.g. the five ways trading estate where one objector works).

- From several public footpaths/bridleways direct views would be gained showing a vast array of black and silver panels.
- Solar PV is an ineffective / uncontrollable way of producing electricity with an efficiency rating of some 12% - It is weather and daylight dependant).
- Solar PV (and wind generators) are not cost effective and needs to be subsidised (which bill payers carry) – another sign of its ineffectiveness. Solar PV is not the answer to our energy problems. Prices on the grid are kept down by optimising gas/coal generation balance. The vast majority of electricity in the UK is produced from gas, coal and nuclear sources (serving 85-90% demand), even where solar and wind farms produce electricity to the grid, they require fossil fuel back-ups.
- Heritage Assets in Seend, Caen Hill Locks and Roundway Hill are at risk, to name a few.
- An objection is raised to using the bridleway (Prater's Lane) to access the site. The green lane would be destroyed forever, if used and covered by a hard track to accommodate construction vehicles for 1 mile.
- An objection is raised to the loss of land needed for our food supplies. The UK imports 38% of its food which is not suitable.
- The site's impact upon aircraft flying in and out of Keevil has not been considered.
- Transportation implications – lorries bringing 170,000 panels to the site shall be disruptive. The entrance is very narrow off Prater's Lane and therefore the alternative field gateway should be used – keeping completely off Prater's Lane.
- Concern raised about land pollution and health risks associated to panel degradation fire risk and chemical leaching.
- The Town of Melksham has not supported the scheme. At the applicant's public exhibition, only 70 people attended out of a population of some 22,000 and of the 70 attendees, 50 returned comments of which 30 voiced support and 20 opposed it.
- Queries raised as why the LPA has in the past refused farmers building a house on agricultural land, but may look to support this 80.5 hectare "ruinous eyesore".
- Should any panel cause glint/glare, the offending panels should be removed.
- There should be no lighting of the site, and any vehicular traffic visiting the site during and after any construction should use dipped / low level lights.
- One objector records that solar farms are not found in Southern France, so why are they proposed here when we get very little sunshine?
- Every effort should be made to identify brownfield sites and roof tops across the County first before green fields are industrialised.
- The landowner has several large farm buildings without any solar panels, why do they not install them on farm roofs?
- Noise pollution concerns.
- 25 years is a substantial timeframe and would equate to the rest of many local resident's lifetimes.
- Concerns are raised about a bond being in place to cover the removal of the site if the developers go out of business.
- Concern raised about the impact this development may have upon tourism. People come to visit to enjoy the beautiful countryside, not stare at solar panels.
- At least ten houses shall be directly affected by this application proposal. Farmers should not be allowed to financially benefit when the land should be managed responsibly for agricultural purposes and protect the wildlife and open landscape.



- One objector suggests that the Council should not pay too much attention to the results of relevant parish councils given that their elected members largely comprise farmers who see their fields as a resource from which to maximise income.
- Any financial incentive offered should not influence the decision making process.
- The wishes of the majority should prevail and have this application refused.
- The developers should be asked to consider ways to lessen the visual impacts.
- One objector questions who the investors and beneficiaries are.
- If the site is to be developed, it should be reduced in size by three quarters.
- If permission is granted can conditions require developers to initiate landscaping and fencing before any panel is installed?

A representation was also received from CPRE – raising the following comments:

- CPRE argues that major solar PV applications should be determined by the Strategic Planning Committee to debate low-carbon energy strategy taking into account potential large scale wind farm sites; and to consider cumulative and sequential landscape and visual impacts.
- CPRE Wiltshire supports the development of solar arrays, in line with CPRE UK, provided their impact is socially and environmentally acceptable to communities in the immediate vicinity and to the wider population of Wiltshire, and conveys economic benefit to the local communities affected.
- In appraising proposals, CPRE follows the advice given in the Roadmap (DECC October 2013), and in the DCLG Planning Practice Guidance (DCLG July 2013), paragraph 15.
- Normally, CPRE would not object to this proposal. However, given the size of the planned development (the largest in UK), with its 170,000 solar panels spread over 199 acres, together with its accompanying control buildings, the cumulative effect when added to other sites (approved and proposed in the immediate vicinity – Broughton Gifford, Craysmarsh, Poulshot, Coulston and Marston) would inevitably change the landscape character of the site, and have a simultaneous adverse impact on the natural scenic qualities of the area.
- It appears that there is no clear guidance to developers or planners within the local planning framework. Guidance should be provided on: Land-use status on reversion; spatial distribution of Wiltshire's target renewable energy capacity (including proximity guidelines); site layout guidelines; developer indemnification of decommissioning; potential long-term leaching of toxic substances from solar arrays into ground water.
- With such guidelines in place it should be possible to more evenly distribute the 'green' energy sites across the county thus preventing the situation currently facing the Sandridge area and minimising the impact on the character of the landscape.

A further representation was received from the Wiltshire Protect Group – advising that they are a pro-renewable group keen to support solar installations in the right locations. The group is said to represent about 100 local people concerned about the number and size of solar farms proposed in West Wiltshire. The group has raised the following further opposition:

- Central Government must turn guidance given to local planning authorities into a coherent policy directive. The Government should impose a moratorium on all solar applications until a robust policy is imposed.
- Instead of looking at applications on an individual basis, cumulative impacts need to be fully assessed. Three solar developments within 5 miles of Seend have been approved or constructed covering over 203 acres generating 30.7MW.
- No research is being undertaken on the effect these proposals have upon the local and national tourist industry.
- Solar PV sites would be far more suitable on brownfield sites, industrial areas, factory roofs, old airfields, MOD land and beside motorways.
- Following the rebuttal statement issued by the applicants on 11 December 2013, Wiltshire Protect notes that the rise across the site is approximately 26 metres.
- No evidence has been submitted by the applicants to confirm that the development site will not be visible from Roundway and Caen Hill, in Devizes.
- Refutes the assertions made in terms of generating capacity. Solar panels only produce energy for a limited period during daylight hours with no capability to store energy. The applicant's assertion that the development could generate enough electricity for approximately 11,387 households (i.e. all of Melksham) is misleading.

**A Report in Relation to Landscape and Visual Impacts (submitted by David Wilson Partnership Ltd) on behalf of the Wiltshire Protect Group)**

- 1 The development ought to be in scale with the landscape context: Smaller developments suit a more intimate landscape.
- 2 The development should respect the shape of the landscape, for example by avoiding straight edges in irregular landscapes, following local landform / contours. It is asserted that the south facing arrays would overpower the subtle patterns of the landscape and hedgerows.
- 3 For sites that are overlooked by higher ground the design of the site and how it integrates with the landscape will be particularly important: This site is argued to be overlooked by high land to the north and south, and if developed in the manner proposed, would result in a uniform out of keeping mass of development.
- 4 Sites in naturalistic landscapes will be more sensitive to change than sites in areas containing existing hard surfacing or built elements (e.g. urban areas, brownfield sites or large-scale horticulture).
- 5 It is important to ensure that the siting of solar PV development does not harm the special qualities or characteristics of the landscape as recorded in local landscape character area descriptions. Moderate to high adverse impacts are predicted by DWP.
- 6 It is important to ensure that the panels/arrays follow contours and fit within existing enclosure patterns - avoid siting panels that are remote from the rest of the group. Preserve the legibility of field patterns by minimising the number of adjacent fields that are developed and setting PV panels back from the edges of fields. This will also enable effective hedgerow management.
- 7 Solar developments should seek to avoid dominating the character in a local area by maintaining a diversity of land cover types in any one area.

## **Impacts on Landscape Character**

- 8 DWP criticises the submission by not assessing the development against the landscape character type Avon Open Vale (type 12b) as described in the Wiltshire Landscape Character Assessment or recognising / addressing the inherent sensitivities.
- 9 DWP is further critical about this submission in terms of failing to accord with the management strategy for the LCT.
- 10 Further criticisms viz. the geometric arrays being prominent in wide open distant views across the landscape.
- 11 Criticisms are levelled also in terms of conserving the landscape setting of Melksham, hedgerow conservation and their landscape character.
- 12 It is asserted that the LVIA is at odds with the Landscape Character Area consideration of the landscape condition.
- 13 It is asserted that the development would be partially out of character in terms of tranquillity, open views and hedgerow pattern and totally out of character for the site and immediate environs – having a noticeable effect over a wider area and dominant effect locally – to such a degree that the impacts could be considered to be significant adverse impacts.

## **Visual Impacts**

- 14 Whilst it is accepted that an assessment on visual impacts on a range of receptors was carried out in consultation with the Council's landscape officer and local communities, it is argued that the study was done whilst trees were in full leaf. It should be remembered that visibility will be greatest in winter months.
- 15 It is asserted that the development site would be in full view from an elevated position from Seend. The sensitivity of residents and walkers is assessed as high and the magnitude as medium. The overall effect is argued to be substantially adverse.

## **Cumulative Impacts**

- 16 The applicants have failed to fully assess the landscape sensitivity of the Melksham Open Clay Vale. Cumulatively with Craysmarsh solar installation, the proposed development would have an adverse impact on open views and rural tranquillity. Other existing, consented and proposed must be fully considered to acknowledge and report on cumulative impacts. DWP assert that although there would be little simultaneous cumulative impact between the consented/operational Craysmarsh solar farm and this proposed site, the impression that would be gained by an observer would be a landscape with occasional solar PV development, with solar PV being a characterising element.
- There should be a similarity of design between schemes that fall into the same type of landscape (in terms of siting, layout, scale and form)
- Individual solar installations should appear visually separate.
- There should be an avoidance of surrounding settlements with solar installations. DWP assert that Seend is at such risk.

- 17 An additional solar installation so close to Craysmarsh and in combination with others consented in and around Seend/Melksham, significant cumulative landscape and visual impacts concerns are raised.

### **Mitigation**

- 18 Mitigating measures in the form of new tree/hedge planting will take years to mature. DWP cite a couple appeal decisions (on farmland to the east of Sutton St Edmund, Lincolnshire and Tiverton, Devon) whereby Inspectors dismissed appeals and cited that mitigating planting would not become effective for about 10-12 years, and only then, would provide partial screening. DWP assert that the identified treed area at Sandridge is predominantly deciduous; and further assert that perimeter planting is most effective in flat landscapes, not sloping sites like Sandridge.
- 19 There is no evidence that offsite woodland planting (out with the control of the applicant) shall be maintained for the lifetime of the development to ensure the development does not have a substantial adverse effect upon the Special Landscape Area to the north.

### **Planning Policy Considerations**

- 20 Various criticisms and references are made to appropriate assessments, compliance with the NPPF and local and emerging Core Strategy Strategy policies, and consideration of the 2013 published guidance for renewable and low carbon energy.

### **The Applicants Rebuttal:**

Following the receipt of the above Report, the applicant was given the opportunity to respond with an input from their own professional landscape architects.

The following is an account of the response to statements made by DWP against the application.

1. The development does not involve the removal of any field boundaries, trees or adjacent woodland, therefore the scale of the existing field pattern would not be affected.
2. The fields of the site and the surrounding area are reasonably rectilinear and many of the boundaries are straight, therefore it is not considered that the landscape is particularly irregular. This is confirmed by the one of key characteristics of the West Wiltshire 'Melksham Open Clay Vale' Landscape Character Area (LCA), which the site is within, which is: *"Relatively regular, medium-scale field pattern"*.
3. Views from the areas of higher ground to the north and south of the site are limited by intervening vegetation. The photomontages for Viewpoints 5 and 12 (Figures 6.17 and 6.18 of the LVIA), illustrate typical views from these directions and show that the development would be broken up by intervening and surrounding woodland, trees and hedgerows, and the hedgerows and trees within the site, meaning it would not appear as a single, uniform mass of development, out of scale with surrounding field patterns.

4. The site is currently rural in nature, but cannot be considered naturalistic as it is an intensively managed agricultural landscape, with many of the fields in arable production. Also the large overhead electricity transmission lines and pylons running through the site have introduced large built elements.

5. The LVIA concludes that the development would result in some localised effects on the landscape character of the area, but these would not be of sufficient prominence to substantially affect the qualities and characteristics of the Melksham Open Clay Vale and Avon Open Clay Vale LCAs as a whole.

6. The responses stated within bullet points 1 and 2 above are relevant, as well as asserting that the existing hedgerows, trees and woodland, within and surrounding the site would remain prominent characteristics of the site, therefore it is not considered that the legibility of landscape shape and scale would be overpowered by the scale and shape of the development proposed.

7. As stated above, given that the existing hedgerows, trees and woodland within and surrounding the site would be retained, it is not considered that the development as a whole would impose an incongruous uniformity.

### **Impacts on Landscape Character**

8. The West Wiltshire District Landscape Character Assessment is considered to be the most recent study dated 2007. The Wiltshire county study was completed in 2005. Therefore the District assessment was used as it was considered to be the most up-to-date and more detailed assessment for the area. The Wiltshire LCA 12b Avon Open Clay Vale, which the site is within, is a large LCA, extending from the south-western edge of Swindon to the north, to the northern edge of Trowbridge to the south. Therefore it is not considered that the development would adversely affect the key characteristics of this LCA as a whole; although it is fully recognised that there would be some localised effects, but minimised by the hedgerows, trees and woodland, within and surrounding the site.

The applicant disputes the assertion that the development should be described as an industrial land use over 80ha (an area which includes the point of access and buffer zones). The solar site instead extends to 67ha, with the panels covering approximately one third of this area. Grassland would be retained surrounding the solar panels, which would be grazed; therefore an agricultural use would be retained. All the hedgerows, trees and woodland within and surrounding the site would be retained and additional hedgerow planting is proposed. Also the surrounding fencing would be deer fencing. None of these aspects of the development can be described as industrial.

9. The Landscape and Visual Impact report submitted by DWP on behalf of Wiltshire Protect is found to be very selective in terms of not quoting the full management strategy for the LCT, which states as follows: *"The strategy for the Open Clay Vales Landscape Type is to conserve the elements that contribute to the rural, tranquil landscape; the rivers, streams and open water, the meadows and riverside tree lines, the brick and stone villages and farmsteads and to improve elements in decline such as the hedgerows and hedgerow trees, and the visual influence of the large settlement edges and major transport corridors."* It is not considered that the development would affect the elements of the LCT. Also the development would not affect any of the existing hedgerows and hedgerow trees of the site and additional hedgerow planting is proposed. There is very little inter-visibility of the site and the nearby town of Melksham due to intervening vegetation; therefore it is not considered that the development would add to the visual influence of the edge of Melksham.

10. DWP pick out two of the key characteristics and sensitivities of the West Wiltshire Melksham Open Clay Vale LCA, in the second bullet point DWP state: *"The array will be prominent in the wide open and distant views over the landscape, introducing an industrial element into what is otherwise a rural scene"*, however the Landscape Sensitivity from the LCA description that they are referring to actually cites: *"Wide, open skies, with distant views to higher down land"*. Notwithstanding the mixed up criticisms as agreed by the Council's strategic landscape officer and as demonstrated by the LVIA, and in particular, photomontages for Viewpoints 5 and 12 (Figures 6.17 and 6.18), it is submitted that the development would not significantly or detrimentally affect distant views to higher down land.

11. Additional hedgerow planting, and management of the existing hedgerows, is proposed as part of the development, therefore these elements of the proposals would enhance the landscape features of the LCA. Viewpoints 5 and 12 (Figures 6.17 and 6.18) illustrate glimpsed views of the development from higher ground to the north and south of the site, however such views would be broken up by intervening vegetation.

12. The pylons and overhead electricity transmission lines are prominent, man-made, structures within the site, they may no longer be considered unusual, but when they were initially erected they are likely to have been considered adverse additions to the area. The presence of these pylons means that the development would not be totally uncharacteristic within the site.

13. The applicants assert that through their robust LVIA which has been fully assessed by the Council's strategic landscape officer, *"the overall sensitivity of the site and the surrounding area is considered to be medium to low"*.

### **Visual Impacts**

14. The magnitude of change is fully considered within the LVIA. Views of the development experienced by the road users would be oblique, for a short stretch of the road, approximately 450m, and for a short duration, approximately 35 seconds at 30mph; therefore a glimpsed view, experienced for a small part of a journey.

15. As illustrated by Viewpoint 12 and the photomontage (Figures 6.8 and 6.18), views of the development from Seend would be over 2km away and would be broken up by intervening trees, woodland and hedgerows, therefore DWPs assessment is robustly refuted. It is further argued that DWP do not provide any additional assessment for any of the other visual receptors within the study area, therefore it is reasonable to assume that they agree with the findings of the LVIA.

### **Cumulative Impacts**

16. It is important to remember that the sensitivity of a landscape is specific to the development proposed and the proposed location for it. The photomontages of Viewpoints 5 and 12 (Figures 6.17 and 6.18 of the LVIA) illustrate views of the development in open views across the Melksham Open Clay Vale LCA. These illustrate the effects of the addition of the development to the operational Craysmarsh solar farm and show that views of the developments would be broken up by intervening vegetation. Therefore it is not considered that these views would result in prominent cumulative effects on the landscape character of the LCA.

DWP appear to refer to a previous superseded version of the LVIA referring to a previous version of the LVIA, in terms of their review of the cumulative effects of the addition of the development to the nearby operational Craysmarsh solar farm.

When considering DWPs additional points, paragraphs 6.126 to 6.133 of the latest version of the LVIA address the effects of the development of the scale of the landscape, which has been fully assessed by the LPA.

17. DWP concludes that: *"The addition of Sandridge to the baseline situation would clearly lead to significant cumulative landscape and visual impacts. These would be simultaneous impacts in conjunction with the existing solar PV development at Craysmarsh and successive impacts in conjunction with planned developments in the area around Seend and Melksham"*. However, they have provided very little evidence to demonstrate how they have reached such a conclusion.

### **Mitigation**

18. The proposed planting to the currently open sections of the site boundary have been designed to reduce the effects of the development on views from the nearby public rights of way, these would be localised effects and the LVIA acknowledges that until the planting matures the development would be prominent from these rights of way (LVIA paragraphs 6.112 and 6.113 refers). However, once the users of the rights of way pass the open sections of the site boundary, existing vegetation would quickly reduce the effects.

19. Only the southern edge of the Special Landscape Area (SLA) is within the ZTV, therefore the assessment of the effects on the landscape character of the SLA is not wholly reliant on screening provided by offsite planting. Letters written by owners of the woodland plantations out with the control of the applicants have been submitted to the Council in terms of providing some clarity over their management.

### **Planning Policy Considerations**

20. The most appropriate and current planning policy which the development needs to be considered against is Saved Policy C34 - Renewable Energy of the West Wiltshire District Plan - 1st Alteration, this has been carried out in paragraphs 6.86 to 6.90 of the LVIA. DWP have not considered this policy in their report.

21. DWP state that *"The development as proposed would result in Moderate and High adverse landscape and visual impacts"* - without any consideration of the extent of these impacts. The policies need to be reviewed against a more detailed assessment of landscape and visual effects, which is provided in the LVIA, to consider whether or not the benefits of the development outweigh the localised landscape and visual effects predicted in the LVIA.

**Concluding Rebuttal** – The DWP report makes some very generalised statements and insufficient information is provided in the report to demonstrate how these conclusions have been reached. For example, paragraphs 40, 41 and 42 state that significant adverse impacts are predicted on landscape character, substantial adverse visual impacts are predicted for users of the local public rights of way network and local residents, and significant cumulative impacts are predicted in conjunction with other schemes, both consented and in the planning system, without explaining the extent of the predicted effects on landscape character and which visual receptors would be substantially affected.

The conclusions of the LVIA provide a much more detailed summary of the predicted effects; it acknowledges that users of some of the nearby public rights of way would experience some substantial adverse effects but also that residential receptors and road users would not experience effects exceeding moderate adverse due to intervening vegetation, and that effects on the landscape character would be localised, therefore not prominent overall.

## 9. Planning Considerations

### 9.1 The Principle of The Development / Sustainable Development Objectives

The fundamental principle of the planning system is to help achieve sustainable development. Within the adopted West Wiltshire District Plan, Policy C34 states that renewable energy proposals that are sited in appropriate locations and are acceptable in terms of their impacts shall be supported. The District Plan is further supported by the Emerging Wiltshire Core Strategy which specifically includes having the core objective of addressing climate change; and through Core Policy 42, the Council sets out the parameters within which standalone renewable energy installations shall be supported to "*contribute to[wards] reducing and adapting to the impacts of climate change*".

The production of renewable sources of energy, on any scale, will inevitably contribute to this objective. The proposed development at Snarlton Farm is therefore, in principle, supported by the saved District Plan Policies and the emerging/draft Wiltshire Core Strategy and the relevant policies.

Material weight must also be afforded to the Government's National Planning Policy Framework. The NPPF places significant emphasis upon delivering sustainable development and promoting, supporting and securing appropriate renewable energy developments. One of the core planning principles of the NPPF is to support the transition to a low carbon future by, amongst other actions, encouraging the use of renewable resources. Paragraphs 97 and 98 of the Framework states that, in order to increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility placed on all communities to contribute towards renewable energy production.

By way of background, the Climate Change Act 2008 set an ambitious target of a 34% cut in greenhouse gas (GHG) emissions against a 1990 baseline by 2020, rising to an 80% reduction by 2050. These targets are the UK's contribution to a global GHG reduction confirmed as necessary to limit climate change. Reductions can be achieved in all sectors of the economy and society by applying the following three broad principles:

1. Behaviour Change; 2. Energy Efficiency; and, 3. Renewable / Low Carbon Energy Generation.

The 2009 UK Renewable Energy Strategy set out a scenario as to how the UK can meet a legally binding target to ensure that 15% of our energy comes from renewable sources by 2020 and suggests that 30% of our electricity should be renewably generated. Since 2004, UK domestic energy production has been outstripped by consumption making the UK a net energy importer. Concerns have been repeatedly raised over energy security and the vulnerability of the energy supply to geopolitical issues - which can have a direct effect on local pricing and fuel poverty.

Notwithstanding the local opposition cited above, there should be no doubt that the above legislation provides a strong strategic policy framework which supports renewable and low carbon development proposals. As such, there is a strong presumption in favour of this type of proposed development.



Locally, Wiltshire Council's adopted ECO (Energy, Change and Opportunity) Strategy sets out a clear commitment to increase the uptake of renewable energy. Action to tackle climate change through energy efficiency and renewable energy generation are intrinsic to how Wiltshire Council wants to develop.

In 2012, Wiltshire County (even including Swindon) was ranked the lowest of all LPAs in the South-West in terms of installed renewable energy capacities (as surveyed by ReGenSW and published within 'The State of the Environment Wiltshire & Swindon 2013'). Based on the ReGenSW 2013 data which includes small scale renewable projects (including heat pumps), Wiltshire (excluding Swindon) has a current installed renewable capacity amounting to 61.8MW (of which 48.7MW is contributed by solar PV). In early November, elected members were informed within Briefing Note No. 165, that *"if the applications for solar farms permitted since April 2013 are added, the capacity would rise to 107MW"*. Since the publication of the Briefing Note, the LPA has granted additional potential capacity to increase this figure to 124.5MW.

Although this scheme can be recommended positively as a renewable energy installation, the application does not establish any direct community/ local end user benefits since the generated electricity would be fed directly into the National Grid. Where viable, Wiltshire Council particularly encourages locally used and generated energy; since it is more efficient to use energy where it is generated and avoid transmission losses at the National Grid level. As a positive however, this proposal would greatly assist in increasing the amount of renewable energy generating capacity within the County, consistent with local and national policy drivers.

Whilst each planning application must be considered on its own merits, it cannot be ignored that Wiltshire Council is dedicated to addressing the causes of climate change and is fully committed as an authority to promoting, encouraging and supporting (where appropriate) renewable energy proposals; and in so doing, help contribute to renewable energy and climate change targets, improving air quality (by not relying on fossil fuels), stimulate the UK renewable industry and address fuel security concerns.

It is fully acknowledged that these justifications are proportionately linked to the scale of development. Government Policy however makes it very clear that renewable applications no matter how small should not be prejudiced because of their relatively small contributions; as every contribution helps. The NPPF stresses that sustainable development should go ahead without delay. The NPPF also stresses that applicants do not have to demonstrate any need when proposing renewable energy developments of any size. Paragraph 98 of the NPPF further asserts that such applications should be approved if the impacts are (or can be made through planning conditions and mitigation) acceptable.

Since this application was reported to Members on 12 March 2014, the Government has published Planning Practice Guidance. For the avoidance of any doubt, this report has been updated to reflect the updated Guidance, although it should be noted that the key considerations remain the same. Crucially, the PPG places weight upon how well a solar installation integrates into the landscape and topography. The PPG further stresses that:

*"Local planning authorities should not rule out otherwise acceptable renewable energy developments through inflexible rules on buffer zones or separation distances. Other than*

*when dealing with set back distances for safety, distance of itself does not necessarily determine whether the impact of a proposal is unacceptable. Distance plays a part, but so does the local context including factors such as topography, the local environment and nearby land uses. This is why it is important to think about in what circumstances proposals are likely to be acceptable and plan on this basis”.*

Your officer’s detailed consideration of this planning application follows, although it is considered necessary for Members to note that this type of development is, in theory, not permanent; and when the development comes to an end it would be reasonable to insist on the restoration of the land. If permission is granted, a planning condition requiring the decommissioning of the site and the removal of panels and plant should be used.

## 9.2 The Impact upon The Rural Surroundings and Surrounding Countryside

The visual envelope of the site is defined by the ridge and several woodland plantations as well as by built development and electricity and highway infrastructure. Officers maintain that the landscape quality of the site and its immediate environs is considered to be of medium to low value. The landholding may have local community appeal with adjoining / nearby PRoW usage and some redeeming features, but it is considered to have limited recognised intrinsic landscape value. The site’s historic intensive agricultural land use with two high voltage power lines and associated 45m high pylons running through it significantly impacts upon the character of the site and its immediate surroundings. The site’s proximity to the busy and noisy A3102 highway further reduces any sense of real tranquillity. However, as one travels further from the highway, enclosed by the well established boundary and woodland plantations, the quality of the rural experience increases. Officers would however assert that with the highly visual and dominant electricity infrastructure in place on site, cutting through the valley, there is marked dilution in terms of the sense one has of a natural or rural isolation.

Council officers have thoroughly assessed this application in terms of considering and quantifying the cumulative and sequential landscape and visual impacts, the visibility of the site is generally restricted to the south western half of the 5km study area with more limited visibility (due to topography and natural plantation) for the majority of the northern and eastern part of the study area. It is worth stressing here that the 5km radius was deliberately chosen with due cognisance to the guidance contained within the Guidelines for Landscape and Visual Impact Assessment publication to robustly assess this development on the grounds that beyond 5km, the impacts would be negligible/imperceptible.

The overall sensitivity of the site is classed as medium – through recognising the movement of people travelling through or past the affected landscape in cars/other modes of transit along public highways and pedestrians/horse riders using the surrounding ProWs. It is however asserted by both planning officers and the strategic landscape officer that the enclosed nature of the site decreases the scope of inter-visibility which consequently decreases the level of sensitivity/susceptibility of the landscape to change.

Whilst there is a Special Landscape Area (SLA) to the north of the site, which a high degree of sensitivity extending northwards, officers submit that the development would not cause significant harm to the SLA due to the screening effects of existing woodland.

The solar installation with its associated infrastructure (i.e. the proposed inverters, substations and deer fencing) would undoubtedly introduce change to the identified landscape through the installation of new features and structures. Whilst the applicants argue that, the magnitude of the visual effect of such change would be 'slightly adverse', officers submit that given the range of public rights of way located around and past the site, the proposal should be classed as having a slightly greater level of visual impact; and thus classed as 'moderately adverse', especially at close quarter viewpoints.

Mid range views, such as those obtained from the A3102 about 500m to the north, would pick up part of the development site (the central and western part) visible in the mid distance between woodland blocks and lowland field systems with established boundary planting. Along 450m of the elevated stretch of the A3102, there would be some open and partially screened views of the site, with the most extensive being gained when travelling west towards Melksham from Bromham. The magnitude of the transient visual effect from the road (without any footpath or adjacent PROW) is classed as 'slightly – moderately adverse', which would reduce to being imperceptible as the distance from the site increases. Further afield, such as at Seend or Seend Cleeve, located some 2km to the south, the solar installation would merge within the landscape as a hazy grey blue feature. Indeed it argued that the recent and prolonged heavy wet period which has left much of rural Wiltshire with saturated ground and standing water, when viewed from elevated positions, and unlike established solar installations, flood water is substantially more reflective and visually dominant in the landscape.

As a ground mounted installation a couple of metres in height (maximum), the development would not result in a harmful skyline infraction.

### Cumulative Impacts

Within this part of Central Wiltshire, it is acknowledged that there are a number of proposed solar farms in addition to some which the LPA have granted in recent years. A summary of the relevant solar installations/proposals found within 5km of the site and relevant cases further afield in the wider area are considered below in order to fully appreciate potential cumulative impacts.

The cumulative landscape impacts are the effects of a proposed development on the fabric, character and quality of the landscape; it is concerned with the degree to which a proposed renewable energy development will become a significant or defining characteristic of the landscape.

It is appreciated that cumulative visual impacts may arise where two or more of the same type of renewable energy development would be visible from the same point, or would be visible/ experienced shortly after each other whilst undertaking the same journey. As far as this application is concerned, the applicants (through consultation with the Council's strategic landscape officer) have commissioned and produced a Landscape Visual Impact Assessment which robustly considers the site and its surroundings, encompassing an area within a 5km radius of the outermost edge of the development and appraises cumulative effects. It should also be duly noted that the applicants have paid due cognisance to other solar proposals beyond the stated study area, although it is the study area which has been given most attention.

The submitted landscape visual impact assessment submitted by the applicants is supported by photomontages and wireframe modelling which was carried out using a combination of site and desk based survey and analysis. The methodology used followed recommendations and guidance as set out within the following publications:

Guidelines for Landscape and Visual Impact Assessment, LVIA Third Edition (GLVIA 3); and, Landscape Character Assessment Guidance.

It is important to stress that as outlined in the aforementioned Guidance, LVIA sensitivity is not the same as landscape sensitivity, since LVIA analysis is specific to a project/development proposal and the location affected. The nature/magnitude of the effects depends upon the size/scale of the changes as well as the geographical extent of the area affected; and the duration/reversibility of the proposed changes. Consideration must also be given to the potential for landscape receptors to accommodate change without significant harm being caused; with due regard given to the impact upon landscape value, as well as cumulative and sequential effects.

Within 1km (and about 300m at its closest point), the operational 1.5MW solar installation at Craysmarsh Farm would have the most potential to have a cumulative impact. If this application is granted, there would be a some in-combination impact, however, it is considered that there would be sufficient separation and screening from existing and proposed intervening vegetation and the natural landform to ensure that there would be no substantial or harmful cumulative effect created by the two developments. The solar parks would be seen together simultaneously from higher ground, but the effect would be moderately minor.

It is considered that there would be limited combined views of the addition of the Sandridge scheme to the Craysmarsh Solar Farm from elevated viewpoints along the A3102. However, as these are glimpsed and distant views from moving receptors (road users and footpath /bridleway users), and all views would be filtered by intervening vegetation, it is not considered that they would result in prominent cumulative effects.

Users of the surrounding footpaths MELW30 and MELW29, and Bridleways MELW40 and MELW25 would potentially experience some sequential views (or journey scenarios) of both schemes. In particular MELW25, as it runs through the Craysmarsh site and past the open section of the southern boundary of the Sandridge site, walkers/horseback riders using the surrounding bridleways would experience the most prominent effects as they would experience views above the intervening hedgerows. The addition of the Sandridge Farm scheme would impact on recreational receptors of high sensitivity; however, the magnitude of these cumulative effects would be low as views would be sequential rather than combined, resulting in slight adverse cumulative visual impacts for pedestrians, although there would be a higher level of cumulative impacts for horseback riders.

The closest residential properties at The Heights (no.262A Sandridge Hill) and Sandridge Tower, and to a much lesser extent, Tanhouse Farm and Craysmarsh Farm would to varying degrees experience consequential landscape and cumulative effects by the two developments, however, it is asserted that views from ground level would be obscured by intervening farm buildings as far as Tanhouse Farm is concerned, and similarly filtered at Craysmarsh Farm. From the upper floor accommodation, there would be a level of

cumulative impact from both properties which consequently necessitates in the classification of substantially adverse. It is however noted that no opposition to the development has been received by the LPA from these properties. The effects from the north (The Heights and Sandridge Tower) would be filtered to an extent by the well established woodland planting (which according to letters received from separate owners, are set to be retained and maintained, but be subject to good woodland management practices).

The LVIA (supported by photo views and photomontage evidence) and professional analysis of the views from Seend and Seend Cleeve concludes that the magnitude of the effect is classed as medium due to the fact that part of the Sandridge site would be seen from the same viewpoint alongside the Craysmarsh site. However, there would be no significant cumulative /in-combination effect due to the distance involved (2km), the natural topography and landscape planting.

There would be no perceptible landscape impact or cumulative effect generated from properties along the eastern edge of Melksham, due to the site separation, landform and landscape planting. The magnitude of the effects of the development from here, are considered as negligible/nil.

Officers further argue that there would be no perceptible cumulative impact gained from either the Mid Wilts Way Long Distance Footpath or the Regional North Wilts Rivers Cycle Route, due to distance separation and intervening landscape planting.

The following solar developments have also been taken into account when considering cumulative impacts.

A 15MW proposed solar installation at land north west of Poulshot under application 13/05244/FUL was granted planning permission on 27<sup>th</sup> February 2014 – with the land located some 3.1km to the south east on the other side of the A361 and on the other side of the Seend ridge. As far as the Poulshot solar case is concerned, there would be sufficient separation and screening from intervening vegetation and landform to ensure that there would be no significant combined cumulative effects of the two developments. Although there is some potential sequential effects from higher ground above the Sandridge site, whereby such an impact would be classed as slightly adverse.

There would be some potential for sequential cumulative effects when on higher ground above the Sandridge solar farm, however, it is considered that the cumulative effects of the addition of the Sandridge Farm scheme to the Poulshot solar farm scheme would not be substantively or cumulatively adverse.

In addition, consideration has been given to another pending solar application (reference 13/06707/FUL) for a 13MW installation at land South East of Leechpool Farm Norrington Lane, Broughton Gifford. However, given that the site is located some 4km distant and on the other side of Melksham, the Sandridge Farm site would not raise significant cumulative impact concerns due to the site separation, the in-between built development, topography and landscape planting.

Further afield, but within 10km of the site, additional solar developments (i.e. more than 1MW) have been considered in terms of cumulative impacts, including the following schemes:

The granted 13.6MW solar scheme at land to the west of Norrington Lane within the parish of Broughton Gifford (under reference 12/02072/FUL) is currently awaiting construction commencing. This site is some 5km distant and is separated from the Sandridge site by the entire town policy limits of Melksham, intervening landform and vegetation. Consequently, there would be no adverse combined or sequential cumulative impacts.

Similarly, the granted 1.3MW solar installation at land to the North of Hopton Industrial Estate (under reference 13/00984/FUL) also awaits construction commencing and is even further away at some 7.6km distant from the Sandridge site; and due to the site separation involved, the existing built development between and landform, there would be no perceptible cumulative impact.

The granted 16.6MW solar installation at Stokes Marsh Farm, Coulston Westbury (under reference 13/02309/FUL) as well as the granted 5.85MW solar installation at Blenches Mill Farm, land north east of Westbury (under application 12/02081/FUL) are similarly separated from the Sandridge site in terms of distance, intervening landform and landscape planting to ensure there are no adverse cumulative effects.

Due cognisance has also been given to a 10.1MW proposed solar installation at land North of Marsh Farm, Marsh Road, Hilperton, which is still pending Council determination (under reference 14/00592/FUL), as well as to a proposed solar installation at Cox Hill Lane, Potterne some 7.8km away.

As far as the cited solar projects listed above are concerned, due to the site separation, in-between built development, topography and natural landscaping, there would be imperceptible cumulative impacts. It is asserted that the impact of a solar farm installation is influenced by the effects of distance, which can control how a solar farm is perceived, but how much of the solar farm is seen is also important. Whether the whole of the development is visible or just a small area influences the degree of change. The extent to which the development occupies the horizon is also a factor affecting its prominence. Furthermore, it is also necessary to record that the magnitude of an impact/effect can vary greatly in differing weather conditions. On the last point, it is perhaps worth noting that the case officer visited the site half a dozen times taking in short, mid to long range views in different weather conditions and at different times of the day.

When travelling around this part of Central Wiltshire and the wider County, the existing/proposed solar parks identified above would be, to differing degrees, visible from certain vantage points, however due to the separation distance between each site, landform and in-between development; and natural screening it is not considered that the renewable energy scheme at Sandridge Farm would become a significant or defining characteristic of the landscape. With the exception of the operational Craysmarsh site, the site would not be highly visible together with another solar scheme (currently proposed or approved) during a typical journey or appear prominent in the landscape.

In conclusion, and in line with the conclusions and recommendations expressed by the Council's landscape officer above, Members are advised that a considerable amount of officer time has been afforded to this particular matter and only after a rigorous review, site

inspections, data analysis, meetings and discussions (which included requests for further information) can officers feel comfortable supporting this application. Officers fully recognise that this development proposal, if implemented, shall result in changing the character of the landscape, however, for the reasons cited within the landscape officer's commentary and the above summary, the proposed development is considered to be satisfactory in terms of its impacts, including any cumulative/sequential impacts. As reported above, whilst there would be a degree of impacts, it must also be borne in mind that such impacts must be weighed up against the benefits which would accrue through the installation of a renewable energy generator leading to lower carbon reliance.

### 9.3 The Impact upon Heritage Assets (including Archaeology)

A full review has taken place in terms of appreciating the proximity to and potential impacts upon designated heritage assets within a 5km radius of the site. The nearest Scheduled Monument is located 3.3km north of the site comprising a section of a Roman Road. There are eight Grade 1 and 23 Grade II\* listed buildings found within the 5km study area; and on a more localised context (i.e. within a 2km study area), there are a further 5 Grade II listed buildings with Tanhouse Farm and Blackmore House located equidistant c300m from the site.

A detailed analysis has been completed in terms of understanding the potential of inter-visibility between the heritage assets and this proposed solar installation. Section 7 of the Environmental Report provides a rigorous analysis and concludes by asserting that no statutory designations would be physically impacted upon by the proposed development, and in terms of setting impacts, no recorded impact would be greater than 'slight adverse'.

It is duly noted that English Heritage and the Council's Conservation Officer raise no objections.

As far as archaeology interests are concerned, the Wiltshire Historic Environment Record reveals little in the way of archaeological potential. The earliest evidence for activity comprises the find spot of a Bronze Age axe-head recorded over 700m to the north of 'Forty Acre Copse' located behind Manor Farm some 400m north of the A3102. Apart from an area of ridge and furrow earthworks located in the south-east of the site, no other features of archaeological or cultural heritage significance was found.

The construction of the solar installation through associated ground works could potentially impact upon unknown buried archaeological remains; however, the significance of any impact is considered to be low given that the solar arrays would be formed without concrete/hardcore foundations and instead would be pile driven with shallow cable trenching and only top-soil stripping to form access tracks and compound areas. The solar development would not physically impact upon the ruinous brick field structure. It is also important to stress that agricultural ploughing operations would potentially impact much more severely in terms of the level and extent of ground disturbance.

An archaeological Desk-Based Assessment and geophysical survey have been undertaken for this proposed development site. Ridge and furrow, former field boundaries, post-medieval/modern drains, possible fluvial and former woodland features have been detected across the site. The results indicate that the site has a low potential for significant

archaeological remains to be present and in consideration of the level of belowground impact from this development, no further archaeological mitigation is required.

#### 9.4 The Impact on Ecological Interests

The development has great potential to bring about ecological / biodiversity benefits. The project proposals include habitat enhancement through the replacement of the poor arable and existing grassland with new meadow and species diverse grassland formed by a wildflower and grass seed mix. The existing improved grassland would be retained, a 5m buffer of rough grassland is proposed around both the internal field boundary enclosures and the site perimeter. Additional habitats would be encouraged / created through new species rich hedgerow planting (blackthorn, hawthorn, field maple, elm plus 5% each of oak, ash and dog rose planted in double staggered rows). The applicants further propose to restore the defunct pond (which is located within south-west part of the site) by excavating excessive silt and trimming back encroaching hedgerow vegetation to increase light penetration. Across and around the site, ecological enhancements shall be created through increased foraging opportunities and habitat diversification and improved connectivity providing greater opportunities for colonisation by a range of flora and fauna. Over the planned 25 year lifespan of the solar site, with the land under the PV panels still used to graze sheep, it is anticipated that a species assemblage will develop offering a substantially greater diversity than the current site habitat offers. All in all, the enhanced planting and the anticipated ecological gains shall bring about more lasting benefits beyond the lifespan of the solar installation.

#### 9.5 The Impact on Highway Interests

Following extensive discussions and meetings, the Highways Authority (in association with the public rights of way team) are satisfied that the proposed development would not pose any highway conflict. No objection is raised by officers to the proposed use of the western side of the bridleway (which would be temporarily fenced) to separate delivery vehicles and users of the PRow. The bridleway has historically been accessed by the local farmers to gain entry to fields; and following the construction phase, it is arguable that the level of vehicular use of the bridleway would be less than it currently could be. Two detailed planning conditions are however recommended.

#### 9.6 The Impacts on Third Parties

Whilst there may be some disruption created during the construction (and decommissioning stages) which are predicted to last 3-4 months, robust planning conditions and a respectful developer/site contractor can limit the level of nuisance. A Construction Method Statement and Traffic Management Plan are deemed necessary pre-commencement requirements to ensure the developer submits a detailed account of how and when the site shall be developed. Similar conditions are necessary to cover the decommissioning process and period.

In addition to the views and impacts of the development, consideration has been given to the individual impacts upon all sensitive receptors within 2km of the site through both a desk based exercise (assessing degrees of separation) and walking around the site and its boundaries, which included traversing along numerous public rights of way as well as driving



around the valley, stopping to appreciate mid-long range views and impacts. As reported above within the public protection officer's commentary, the development would not create any substantive noise related nuisance.

Following the establishment of solar installations elsewhere within the County which have PROWs nearby or running through solar site's, officers submit that there is no substantive evidence indicating that such installations are having a negative impact upon Wiltshire's tourist trade or appeal. As part of the applicant's supporting information, a number of tourist attractions in the surrounding area such as Lacock Abbey, Bowood House and gardens, Great Chalfield Manor, the Courts in Holt, and others within 10 miles of the site have been recorded. However, given the location of this site, enclosed by well established boundary and woodland planting with limited mid-long range visibility, and its separation from such tourist attractions, officers suggest that the solar PV proposal is unlikely to have a demonstrable or detrimental effect upon local tourism.

To properly function, solar panels should have no glint, glare or excessive reflection. To do so, would severely reduce their efficiency and value. Instead, solar panels are specifically designed to have a very low reflectivity level when compared with other surfaces such as glass or water, as they are designed to capture as much sunlight as possible to convert it to electricity, and not lose it through reflection. By way of an example, in the USA and Germany, countries which have more established solar industries than the UK, often use solar panel installations on roofs of airport terminals, as well as on land adjacent to runways, and studies have shown that they pose no risk to aeroplanes through reflectivity nuisance. The type of surface of the solar panels and the angle in relation to the ground are such that there would be no identified risk of solar dazzle or glare from reflected sunlight or skylight. This application proposes panels which are designed to be highly absorbent and have an exceptionally low reflection compared to conventional domestic or toughened glass. On the basis of the above, there would be no conflict with aircraft using Keevil air strip or any other aircraft.

#### 9.7 Hydrology and Flood Risk

The site is classified as being within Flood Zone 1 according to the Environment Agency's Indicative Flood Map. This category represents land with the lowest probability of flooding. Following a thorough consultation process (following on from a robust pre-application series of discussions) this development raises no hydrology/flood risk based objections. The Environment Agency is satisfied that the development proposal can be supported subject to planning conditions and informatives.

Following the submission of the third party based concern about potential PV panel leakage and land contamination, separate consultation and discussions were held with the Environment Agency and Wessex Water as well further research being undertaken by the applicant and agents. Following a detailed review of the matter, Members are advised that the proposal solar installation for the Sandridge Farm site shall use polycrystalline silicon within which no heavy metals or toxic substances occur. No water soluble substances are contained in the PV modules and dissolution would be prevented by standard glass/plastic layers. Furthermore, the EA has confirmed that leaching of contaminants from photovoltaic panels does not represent a significant risk to groundwater/pollution. The EA also confirmed having no knowledge of any cases in the UK where such pollution has resulted from solar

farm development. A similar response was provided by Wessex Water; and consequently, officers duly submit that panel corrosion and land contamination are not substantive grounds for concern. As part of the regular maintenance and inspection process, any failed units would be replaced by the site contractor which would further avoid any land contamination risk.

### 9.8 EIA Screening

An adopted EIA Screening Opinion for a solar PV farm at this site was issued by the planning authority on 18 June 2013 which is held on the public register for two years. The Screening Opinion considered the characteristics of the development, location and potential impacts including landscape character, heritage assets, ecology, archaeology, flood risk, public footpaths and transport implications. The Council concluded that this type of development did not require an Environmental Impact Assessment.

### 9.9 Other Matters

In response to third party concerns and officer requests, it should be recorded that the applicants and their agent have made substantial effort and afforded considerable resources to resolving and addressing a host of concerns. Whilst not specifically a planning consideration, the applicants are very open about who they are: comprising a partnership between three companies: renewable power, EnvironGauge (based in West Wiltshire) and Notus Energy. In partnership, the companies have been able to combine specialist knowledge and experience to develop and deliver this renewable project. In response to the raised concerns about financial security linked to implementing the decommissioning phase, the applicant has confirmed that a legally binding decommissioning bond will be put in place from the point of commissioning the site in line with standard protocols throughout the UK. The bond would be held by an independent third party and would be sufficient to finance the decommissioning works at the end of the 25 year period. This bond would only be serviced should the developer/applicant be unable to finance it.

The applicant's offer of providing an annual financial incentive for the lifetime of the development has not been subject to any officer assessment since it is not a material planning consideration. Instead, it is a matter for the local parishes or designated body to discuss separately with the applicant/developer, should permission be granted.

## **10. Conclusion**

Whilst the proposed 44.2 MW solar installation would have some heritage and visual impacts, through extensive detailed analysis and negotiations, officers conclude that this application proposal can be supported subject to a raft of detailed planning conditions which include measures of mitigation. Whilst the development would result in a moderate degree of visual impact, it would not be demonstrably or substantively harmful. Moreover, officers submit that the noted impacts would be substantially outweighed by the overall environmental benefits associated to the provision of renewable energy (for a 25 year temporary period) and the on-site biodiversity/ecological enhancement measures.

The application would be a sustainable form of development that would make a welcome and significant contribution to Wiltshire's renewable energy production targets, and on the

basis of the above, the application has full officer support, and is recommended positively.

## **RECOMMENDATION**

To approve 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** The solar installation hereby granted shall be removed from the site, together with all supporting/associated infrastructure including the inverter stations, security equipment, poles and fencing, and the land shall be restored to a condition suitable for agricultural use within 6 months of the PV modules ceasing to be used for the generation of renewable energy, or the expiry of 25 years after the date of this planning permission, whichever is the sooner.

REASON: In the interests of amenity and the timely restoration of the land.

**3** An aftercare scheme detailing the steps that are necessary to restore the land following the cessation of the solar installation use shall be submitted by the applicant/developer to the Local Planning Authority at least 6 months prior to the removal of the PV modules and associated infrastructure.

REASON: To ensure the satisfactory restoration of the site for agriculture.

**4** No development hereby granted shall commence until a detailed surface water run-off limitation scheme together with supporting calculations, has been submitted to and approved in writing by the Local Planning Authority. The submitted details should clarify the intended future ownership and maintenance for all drainage works serving the site. The approved scheme shall be implemented and maintained in accordance with the approved programme and details.

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

**5** No development hereby granted shall commence until the applicant/developer has submitted for the written approval by the local planning authority a construction traffic management plan (CTMP), and shall undertake the construction of the site in accordance with the approved details. The CTMP shall include:

- A condition survey of the site access onto the A3102 and Prater's Lane bridleway, along with a detailed programme of measures to be employed to maintain the highway/PRoW from damage. Should any damage accrue attributable to the development, all damage shall be remedied within 3 months which shall require the written agreement of the Council;
- Exact details of the numbers, types and timing of delivery lorries to the site (which should avoid school departure / collection times).
- A scheme of signing and lining relating to the school and construction access, which shall be necessary to make drivers aware on the construction access and school arrangements;

- The procedures in place to ensure that lorry wheels are free of mud before returning to the highway;
- Details of all deliveries entering and exiting the site involving large HGV and other large vehicles to ensure safe access and egress at the site;
- Details of the site management co-ordinator who will ensure compliance with the CTMP, how users of public rights of way on and near the A3102 access shall be protected during the works, and details of how construction workers traffic and lorry traffic shall be accommodated (including turning provision) on the site.

Any departures from the agreed Construction Traffic Management Plan shall need to be agreed in writing by the LPA prior to such actions or works being carried out on site.

REASON: To ensure that construction traffic associated with the site does not give rise to unacceptable conditions on the local highway network.

**6** No development shall commence on site until visibility splays have been provided at the access point and have been provided between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 43 metres in the west direction and 160 metres in the east direction from the centre of the access. Such splays shall thereafter be permanently maintained free from obstruction to enable clear vision above the height of 1m above the level of the adjacent carriageway. In accordance with approved plan drawing titled as 'Sandridge Solar Farm Vision Splays for Site Access Plan'. Full details shall be submitted detailing the extent of hedge/ tree removal and the protection of the school boundary/ and hedge re-instatement.

REASON: In the interests of highway safety

**7** No development shall commence on site pursuant to the installation of the solar arrays or associated infrastructure until the temporary fencing has been erected in full accordance with the temporary fencing plan. The temporary fencing must be robustly secured to ensure it does not collapse to avoid any further obstruction of the Prater's Lane Bridleway. After the delivery stage, the temporary fencing shall be removed entirely from the site and the bridleway shall be kept free from any other obstruction.

REASON: In order to protect and safeguard the public's right to use the public right of ways.

**8** A habitat condition survey measured against the details listed within the Habitat Protection, Creation and Management Plan shall be undertaken by a professional ecologist during the period June to August and submitted for Local Planning Authority approval in the first, third and fifth years after the site first becomes operational. Where monitoring identifies any non-compliance, remedial measures will need to be identified, implemented and reported through an agreed procedure with the Council. The removal of hedgerows and ground preparation shall be undertaken during the period 1<sup>st</sup> September to 28<sup>th</sup> February. If done outside this period, any such works shall be preceded by a survey undertaken by a professional ecologist; and only undertaken in accordance with the ecologist's written advice.

REASON: In the interests of safeguarding ecological and biodiversity interests.

**9** The site shall only be decommissioned after an ecological survey and decommissioning scheme has been submitted for the Council's written approval. Decommissioning shall be undertaken in full accordance with the approved scheme.

REASON: In the interests of safeguarding ecological and biodiversity interests.

**10.** The construction, site layout and site management works shall be undertaken in accordance with the details contained in the following:

Habitat Protection, Creation and Management Plan as detailed within Figure 8.5 (in chapter 8 of the Environmental Report); and the Reasonable Avoidance Measures for Great Crested Newts as detailed within Appendix 8.2 of the same report.

REASON: In the interests of safeguarding ecological and biodiversity interests.

**11.** During the construction phase no machinery shall be operated, no process shall be carried out and no delivery shall be taken or dispatched from the site outside of the following hours; Mon-Fri 07:30 to 18:00, Saturday 08:00 to 13:00 nor anytime on Sundays or public holiday.

REASON: In order to protect local amenity.

**12.** Following the installation of the solar farm, there shall be no external lighting/illumination at or on the site unless otherwise approved by the planning authority following the submission of a separate planning application.

REASON: To ensure the creation/retention of an environment free from intrusive levels of lighting and to protect the open countryside.

**13** A buffer strip measuring 2 metres measured from the top of a bank of any watercourse, water body or ditch shall be maintained at all times during the construction period. Thereafter, a managed buffer strip shall be extended to 5 metres to allow for the growth of a longer sward to improve habitat potential adjacent to all ditches, water bodies and watercourses.

REASON: To ensure that flood risk is not increased and to protect and enhance the biodiversity value and potential of all ditches, watercourses and water bodies.

**14** No development hereby granted shall commence until a landscape management plan has been submitted for the written approval of the Council which shall cover tree, hedge and root protection measures, the on-site management of the existing hedgerows (which shall be allowed to develop to a minimum 3 m winter height), as well as producing exact tree and hedgerow planting details (including location, species and spacing) and a timetabled programme for the infill and all proposed new planting and its on-going management and monitoring which shall cover the lifetime of the development.

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

**15** The landscaping scheme shall be carried out in the first planting and seeding season following the completion of the development. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees, hedgerow or plants which, within the period of twenty 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 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.

**16** The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

Existing and Proposed Site Plan – received 27.01.2014

Proposed Block Plan – received 27.01.2014

Site Layout and Construction Plan – received 27.01.2014

Solar Array Plan – received 27.01.2014

132kv Substation Plan – received 27.01.2014

Indicative Security Camera Plan – received 14.02.2014

Digital Terrain Model (Topographical Plan) – received 31.01.2014

Vision Splay for Site Access Plan – received 04.02.2014

Cross Section of Track & Temporary Fencing Plan – received 26.02.2014

PV Array Detail Plan (Figure 3.2 within Environmental Report) – received 18.11.2013

Typical Cable Trenching Plan (Figure 3.7 within Environmental Report) – received 18.11.2013

On Site Track Design Plan (Figure 3.8 within Environmental Report) – received 18.11.2013

Access Route to Site Plan (Figure 3.9 within Environmental Report) – received 18.11.2013

REASON: To ensure that the development is carried out in accordance with the approved plans that has been judged to be acceptable by the local planning authority.

### **Informatives**

1 The applicant is encouraged to enter into discussions with the local community/parish council to potentially agree upon any community benefits this development may accrue for the 25 year period of the permission.

2 The applicant/developer is further advised to enter into more discussions with Wessex Water to agree, should it be so required, necessary protection measures in relation to protecting the water mains from extra load bearings caused by construction traffic. Measures will vary depending on the amount of existing cover over the main and frequency and nature of construction traffic. Measures typically include lowering / diversion of the mains or concrete slab protection and as such, this needs to be agreed between the developer and Wessex Water.

3 A signage strategy warning traffic of the site entrance is recommended. The applicant is advised that there may be a requirement for a banksman depending upon the type of vehicles bringing materials to the site. Further details can be obtained from the highways team.

4 The applicant shall need to confirm in consultation with the highways and school premises team, delivery times (to avoid where possible) school traffic and school bus arrival departure times.

5 The applicant / developer is advised to follow the guidance contained within the Environment Agency letter dated 26 November 2013 with regard to surface water drainage, pollution prevention and access track construction.

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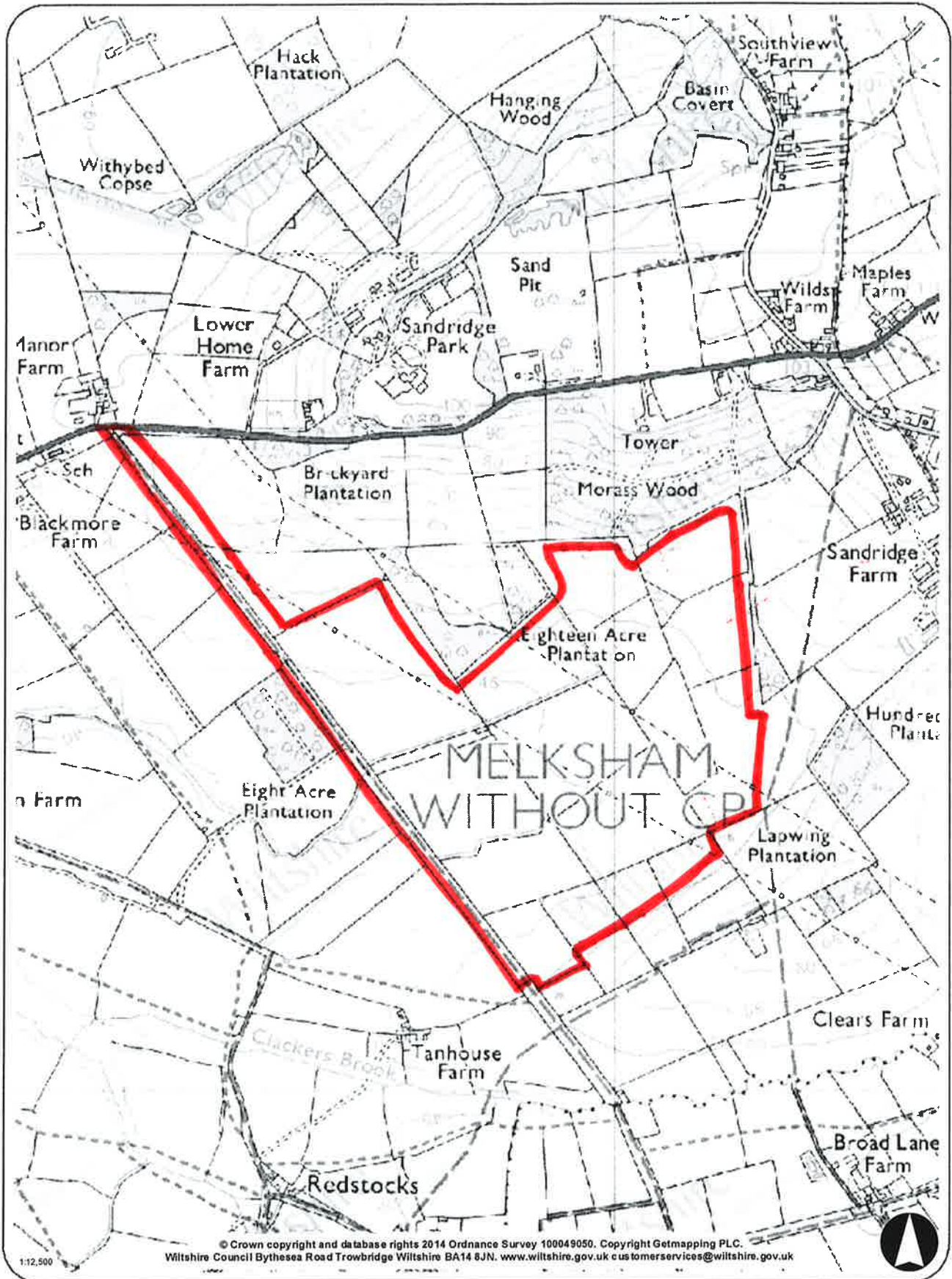
**Photo 2.1: Aerial Photography from Google Earth**

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# Land At Snarlton Farm

13/06 140/FUL



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## WILTSHIRE COUNCIL

### STRATEGIC PLANNING COMMITTEE

<b>Date of Meeting</b>	16 <sup>th</sup> April 2014		
<b>Application Number</b>	N12.00560.OUT		
<b>Site Address</b>	Land at North Chippenham, Hill Corner Road, East of A350, Chippenham		
<b>Proposal</b>	A Mixed Use Scheme Comprising up to 750 Dwellings (C3) up to 12,710 sqm Employment Development (B1,B2,B8), a Local Centre(A1, D1, D2), a Primary School, a New Link Road & Other Highway Access, Public Open Space, Landscaping & Other Associated Infrastructure Works		
<b>Applicant</b>	North Chippenham Consortium		
<b>Town/Parish Council</b>	Chippenham / Langley Burrell		
<b>Electoral Division</b>	Chippenham Hardenhuish / Kington	Unitary Member	Councillors Watts, Phillips and Greenman
<b>Grid Ref</b>	391838 175095		
<b>Type of application</b>	Outline		
<b>Case Officer</b>	S T Smith	01249 706 633	Simon.smith@wiltshire.gov.uk

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

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

#### 1. Purpose of report

- 1.1 To consider the above application and to recommend that, subject to relevant parties entering into a legal agreement under s106 of The Act and subject to the imposition of conditions, planning permission be APPROVED.

#### 2. Report summary

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

1. Principle of development

- Adopted North Wiltshire Local Plan 2011
  - Emerging Wiltshire Core Strategy
  - Housing requirement and 5 year land supply for housing
  - Housing delivery in Chippenham
  - The strategy for Chippenham and the presumption in favour of sustainable development
2. Design, layout and landscaping
    - Principles
    - Detailed consideration
    - Reserved Matters
  3. Birds Marsh Wood, Village Green designation and ecology
  4. Access and highway issues
  5. Flood Risk and drainage
    - The site
    - Proposed drainage scheme
    - Environment Agency
    - Wessex Water
  6. Impact upon neighbour amenity

The application has generated 105 letters of objection, with 3 letters of support. Both the Chippenham Town Council and the Langley Burrell Parish Council object to the application.

### **3. Site Description**

- 3.1 The application relates to a 48.2Ha site located to the North of Chippenham, between the A350 Malmesbury Road to the West and the B4069 Maud Heath Causeway to the East. Predominantly comprising undeveloped green fields, it is acknowledged that part of the site has been used by local residents for dog walking and similar informal activities. The County Wildlife site, (known as “Birds Marsh Wood”) is located immediately to the north of the application site and is controlled by the applicant (known as the “North Chippenham Consortium”).

- 3.2 Ground levels and topography across the site varies, although there is a general fall from the centre and from North to South, where the land meets the northern edge of the town at Hill Corner Road.
- 3.3 Hill Corner Road to the South of the application site predominantly consists of residential properties, of varying types and vintage. Malmesbury Road to the West of the application site is one of the main Northern approaches to Chippenham and consists of a mix of land uses including residential, office and other non-residential institution uses. To the East of the application site, on the opposite side of Maud Heath Causeway is the large Langley Park employment site.
- 3.4 Chippenham is the main market town within the former North Wiltshire District, with high levels of commercial activity, employment and service provision, as well as good transport links via road and rail. It is identified as a Principal Settlement in the emerging Wiltshire Core Strategy. Chippenham functions in association with the smaller settlements that are located nearby, and is an important urban area that has a sphere of influence that extends beyond the defined boundaries of the town.
- 3.5 The application site straddles the administrative boundaries of the Chippenham Town and Langley Burrell Parish Council's.

#### **4. Relevant planning history**

- 87/00241/OL – Residential development – withdrawn.
- 99/02582/OUT – Proposed new business park (B1 and B2 uses) – withdrawn.
- 08/02652/SCO – Request for an opinion as to the scope of the Environmental Impact Assessment that would be required in respect of a proposal for mixed use development of 46Ha site.

#### **5. Proposal**

- 5.1 Submitted as an outline application, with the exception of access, all matters are reserved for later consideration. The application seeks permission for a mixed use development comprising of up to 750 Dwellings (C3), up to 12,710 sqm of employment floorspace (B1,B2,B8), a local centre (A1, D1, D2) and Primary School (1 Form Entry) together with

associated landscaping, public open space, vehicular and pedestrian access and other infrastructure works.

- 5.2 An illustrative masterplan and a series of “Parameters Plans” have been submitted so as to demonstrate how the 48.2Ha site could be developed. They sets out the quantum of development and its spatial distribution across the site, including building heights etc., which can be translated into to land use parcels of: 17.27Ha for residential; 2.69Ha for employment; 1.32Ha primary school site and 0.12Ha to accommodate a local centre, potentially comprising a retail unit, doctor/dental surgery and/or community facility.
- 5.3 The submitted application now takes account of the village green designation, the positioning of development being moved away from those areas as well as incorporating measures to manage Birds Marsh Wood itself.
- 5.4 Several points of pedestrian access to the site are proposed from Hill Corner Road, with a new link road (with distributor road capacity and function) to be constructed between the A350 Malmesbury Road and the B4069 Maud Heath’s Causeway, performing as the main points of vehicular access. A single vehicular access point is proposed for the Eastern end of Hill Corner Road (serving only a small proportion of the new development), with two possible emergency access points further West towards the Hill Corner Road junction with Malmesbury Road.
- 5.5 Due to its scale and significance, the development is EIA (Environmental Impact Assessment) development and has been submitted with the requisite documentation.

## **6. Planning Policy**

### National Planning Policy Framework (NPPF)

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

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



## North Wiltshire Local Plan 2011 (NWLP)

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

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

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

## Draft Wiltshire Core Strategy

6.5 Upon adoption, the emerging Wiltshire Core Strategy (eWCS) will replace many policies and proposals in the NWLP. It has reached an advanced stage of preparation, with the hearing sessions completed in summer 2013. In a recent procedural letter received from the Core Strategy Inspector (4<sup>th</sup> February 2014), it has been indicated that the plan could be adopted Summer 2014.

- 6.6 The eWCS introduces a housing requirement for the period to 2026 presented by Housing Market Areas. The Local Planning Authority regard this as the most recent expression of housing need in the County, with Topic Paper 15 (as amended) providing the background to the housing requirement set out within the draft WCS. It must be recognised that the WCS is still under consideration by the Planning Inspectorate. In this way, para 216 of the NPPF states that weight can be afforded to emerging policies according to how advanced in the process the plan is, the consistency of the plan with the NPPF and the extent of unresolved objections.
- 6.7 Incorporating amendments flowing from the Core Strategy Inspector's procedural letters, Core Policy 1 and Core Policy 2 set the foundations for how 'sustainable development' is defined and applied in Wiltshire. The strategy recognises the importance of delivering new jobs and infrastructure alongside future housing. The delivery strategy seeks to deliver future development in Wiltshire between 2006 and 2026 in the most sustainable manner by making provision for at least 178 ha of new employment land and at least 42,000 homes.
- 6.8 Within the eWCS, Chippenham is identified as a Principal Settlement which acts as a strategically important employment and service centre for a number of villages in the Community Area and beyond. Chippenham is to be a focus for development (Core Policy 1).
- 6.9 Following the Council's response to the Core Strategy's Procedural letters, the allocations for Chippenham in Core Policy 2 have been removed and the scale of housing for the town is expressed as a minimum, which is an exception to the approach of indicative housing requirements and identification of sites for the other Principal Settlements. A pattern of development that can best realise the town's economic potential is to be identified through a separate Development Plan Document (DPD) for Chippenham Town (Chippenham Site Allocation DPD), which will support the area strategy. The DPD will focus on identifying land for mixed use development adjoining the built up area. The growth of Chippenham needs to be underpinned by investment in new infrastructure and a more detailed framework will be prepared through the DPD that co-ordinates growth and key infrastructure necessary to deliver the town a more resilient long term future. The Policy continues to envisage that masterplans should be developed for each strategic sites being brought forward in partnership with the local community, the planning authority and the developer. Such a masterplan would be approved as part of the planning application process.

- 6.10 Core Policy 10 identifies the level of housing growth appropriate for Chippenham. All strategic allocations are proposed to be removed from CP10, as originally configured, and the housing requirement increased to at least 4510 homes (previously 4000) in the town, with the employment land requirement maintained at 26.5Ha. CP10 goes on to identify “at least 2625 dwellings” (once existing completions and commitments, including the Hunters Moon site, have been taken into account) through the Chippenham Site Allocation DPD.
- 6.11 Criteria have been added to CP10 to guide development, in addition to the other provisions contained within the Core Strategy. They have been included to give direction to the preparation of the Chippenham Site Allocation DPD and to provide context for the consideration of any speculative development that may come forward before the DPD is available. The criteria relate to:
- Economic led growth
  - Town centre resilience and accessibility
  - Mixed use development and mix of housing
  - Major infrastructure and traffic impact
  - Environmental constraints

## 7. Consultations

### 7.1 Chippenham Town Council – Objection

*“The Town Council feel that this application is premature in the absence of the approval of the Wiltshire Core Strategy. Detailed consultation and interaction with the Town Council and residents needs be carried out prior to submission of any application. The application should be considered in conjunction with other large scale developments set out in the Core Strategy.”*

### 7.2 Langley Burrell Parish Council – Objection

*“This Council considered the above Application and Plans at a meeting on 23rd April 2012. At that meeting there were in attendance, in addition to Council members, 39 members of the public, comprising 18 from this Parish and 21 from the neighbouring parish of Chippenham Town. Numerous views were expressed at this meeting, and in subsequent deliberations by councillors the following objections and concerns were raised:*

*The proximity of the proposed "Link Road" to Birds Marsh Wood is a key concern. The nominal 50 metre "buffer zone" between the road and the wood is considered inadequate, particularly with the road being on the prevailing windward side of the wood. Noise and light pollution and traffic fumes will inevitably result in the sterilisation of this peaceful wildlife haven, destroying the only surviving natural woodland environment within close proximity to Chippenham. Vincent's Wood to the west of Chippenham is cited as an example of what happens when a road is built in close proximity -that woodland, formerly a prolific wildlife habitat, is now totally sterile since the construction of West Cepen Way (and for the most part, the buffer zone to the road is in that instance considerably more than 50 metres).*

*Any woodland site close to, and with easy access from, housing developments will, no matter how well managed, become a site for vandalism and fly-tipping and general dumping. It is believed Birds Marsh has hitherto suffered less than most due to the wide agricultural buffer zone that currently exists.*

*The current sloping fields between Hill Corner Road and Birds Marsh are good quality agricultural land, and form an attractive natural buffer between the town and the woodland and open countryside beyond. The whole ambience of this part of the town is enhanced by this rural backdrop, and the loss of such an amenity will be a loss to the whole town, not just to the immediate neighbourhood.*

*Access to Birds Marsh Wood will be seriously affected by the presence of the "Link Road". How will pedestrian road crossings be safely achieved? The Developers Highway Consultant who was present at the meeting, was evasive regarding what speed limit, if any, would be imposed on the road. Whilst accepting this is ultimately a matter for Wiltshire Council, it is felt this is an important key consideration and should be determined at an early stage. Traffic speed will also obviously have a bearing on noise levels.*

*Management of traffic from the proposed new estates interfacing with Hill Corner Road is of concern -there are various hazard points already in Hill Corner Road, and current proposal would not appear to alleviate these, but rather exacerbate them. The stopping up of Hill Corner Road at some point prevent "rat-running" needs to be done in careful consultation with local residents. There is the danger that traffic local will be forced into the Hill Rise/Heathfield/Greenway Lane area and have a knock-on effect in those residential areas.*

*The development would further erode the designated rural buffer zone between Chippenham and the rural settlements of Langley Burrell and Kington Langley. Indeed*

*much of the development, and the associated link road will be visible from the Langley Burrell village and the increase light noise and traffic pollution will adversely affect the rural ambience of what is, after all, a designated Conservation Area.*

*There was suspicion and a degree of cynicism relating to the current proposal to include a primary school in the development. Such a provision was also included in the early stages of the Cepen Park North development, but this failed to materialise for various reasons, resulting in the designated land being used for even more residential development on the site.*

*The siting of the proposed school immediately adjacent to the link Road is totally inappropriate.*

*We would question whether there is a demand for additional employment capacity within the new development when there are already ready numerous empty office buildings and industrial units in Chippenham. If the designated space for employment is not taken up, there is a danger that the land will be diverted to other uses, or left waste.*

*Due to down-scaling of projected housing needs for the entire area over the last two years, the need for the additional capacity to be provided by this development is disputed. Furthermore, the whole case for this development is based on the Core Strategy, which is currently still only a draft.”*

7.3 Spatial Planning Officer – Comments form basis of “Principle of Development” section below.

7.4 Highway Officer – Comments for the basis of “Access and Highway Issues” section below.

7.5 Environmental Health Officer – No objections subject to the imposition of standard planning conditions in respect of contaminated land and hours of construction, as well as contributions in respect of air quality management.

(Note: the requested contribution towards the planned Air Quality Management Plan is considered to be unreasonable at this time, when assessed against the necessary tests set out in the NPPF and recently issued PPG).

7.6 Council Leisure and Amenity Officer (public open space) – Require contributions. Whilst the quantum of POS appears to have been provided, remain concerned about its format.

The majority of the requirement is proposed as wildlife corridors. Whilst these areas could form part of the provision, currently there is a lack of useable Open Space within the residential areas of the development. (The large area of informal Open Space is separated from the development by what presumably will be a busy road.)

In relation to play provision, notes that a MUGA is proposed within the school grounds. If not open to the public, then it should not be counted within the play provision. The two LEAPs are welcomed, but the location of the more southerly should be reconsidered due to its proximity to one of the SUDS. There is currently an under provision of Play onsite, a further LEAP/NEAP would be required.

(Note: the masterplan has been revised to take account of these required changes).

7.7 Council Housing Enabling Officer - Require contributions

*“In line with emerging draft Wiltshire Core Strategy; Core Policy 43 and Core Policy 45. Affordable housing provision of 40% will be provided on site of 5 or more dwellings at nil subsidy subject to housing need. The tenure mix should be 70% Affordable Rent and 30% new build homebuy, with a mix of houses and flats in line with the below housing need:*

*Affordable Rent - 20% 1 bed flats; 30% 2 bed house; 40% 3 bed house; 10% 4 bed house.  
New Build Homebuy - 50% 2 bed house; 50% 3 bed house.*

*There are 1136 households seeking an affordable home in the Chippenham Community Area (excluding Bronze Band). The units are to be provided at nil subsidy, built to code for sustainable home level 3 as a minimum, meet Homes and Communities Agency Design Standards and Housing Quality Indicators. The units are to be pepper-potted throughout the site. Further meetings should be held with the New Housing Team to ensure the affordable housing meets the requirements of Wiltshire Council emerging Affordable Housing policy.”*

7.8 Council Ecologist – No objection. Comments form part of: “Birds Marsh Wood, Village Green designation and ecology” section below.

7.9 Council Landscape Officer and Urban Design Officer – No objection subject to conditions. Provide comments on the submitted revised masterplan and suggest ways in which a Reserved Matters submission could be configured, so as to improve upon the illustrative layout currently submitted. Comments for part of the *Design, layout and Landscaping* section, below.

7.10 Council Arboricultural Officer – No objection subject to conditions.

*“I have taken a look at the Masterplan and from the information provided, I would have no objections in principle to the proposed development. The Masterplan seems to have taken account of the majority of trees and hedgerows and it would appear from the Tree Survey that only a small number of trees will be removed to accommodate the new distributor road.*

*We did agree that no TPO’s would be placed on the trees at this stage, as they could be protected by condition. It is my feeling that if these trees are covered by a condition in the interim, then anyone proposing to carry out any works to the trees in the future would have to consult the Council. If at that stage, I felt that a tree or trees were under threat, then I could serve a TPO.*

*If planning consent is given for this development and a Reserved Matters application was submitted, I would welcome the submission of: Arboricultural Impact Assessment; Tree Retention and Removal Plan; Plan provided to show all retained trees with RPA’s plotted on a proposed layout; Arboricultural Method Statement; Plan to show alignment of utilities (including drainage) in relation to trees.”*

7.11 Council Archaeologist - No objection subject to conditions.

*“I have now had a chance to look at the environmental statement and the reports from the archaeological evaluation. As described in the reports, the evaluation had uncovered the remains of at least two probable prehistoric or Roman settlements and a range of other features of archaeological significance.... I have noted that there is no detailed archaeological mitigation strategy included in the Environmental Statement. Therefore, if the development is consented, I would like to see a detailed and agreed strategy developed and implemented as part of the archaeological condition.”*

7.12 Council Education Officer – Require contributions

*“The first point to make is that the number of planned units appears unchanged at 750, and as previously, there is no indication of mix and in particular, no level of affordable housing specified. In view of this, the pupil products of the development quoted at this stage can only be indicative, as they are very much dependent upon the actual housing mix.*

*The figures we provided in previous e mails were based upon the assumption that 40% affordable housing would be provided and we may well end up with a lower figure and this will impact upon the education position. In the circumstances, I've made two indicative assessments to show what the outcome will be on 30% affordable and another based on the expected 40% – neither allow for any one bed properties which as you know, we exclude from our calculations, so that's a further complication. If an even lower level of affordable ends up being negotiated, then both these figures will be irrelevant and I'll need to recalculate again. The differences aren't/won't be large, but in terms of the required contributions, they do add up.*

*On 30% affordable:*

*There will be 225 affordable units x standard 30% discount = 67 units*

*So qualifying properties = 750 – 67 = 683 to assess*

*683 x 0.31 = 211.73 rounded to 212 primary places needed x current primary new build cost multiplier of £ 13528 per place = £2,867,936*

*And*

*683 x 0.22 = 150.76 rounded to 151 secondary places needed x current secondary expansion cost multiplier of £19155 per place = £2,892,405*

*On 40% affordable:*

*There will be 300 affordable units x standard 30% discount = 90 units*

*So qualifying properties = 750 – 90 = 660 to assess*

*660 x 0.31 = 204.60 rounded to 205 primary places needed x primary new build cost multiplier of £13528 per place = £2,773,240*

*And*

*660 x 0.22 = 145.20 rounded to 145 secondary places needed x secondary expansion cost multiplier of £19155 per place = £2,777,475*

*We have previously advised that a new primary school is required in either scenario ( ref Nick's briefing note from last year, copy attached – the figures are slightly smaller in it because the developer had indicated then that there may be 15 one bed units and so this reduced the qualifying properties accordingly. The latest D &A Statement doesn't seem to mention them, so I've erred on the side of caution and not applied those exclusions to today's assessments). However, the developer has previously queried the position at St Paul's - nominally the catchment area /nearest school to the site. The school has a capacity of 292 places all in permanent accommodation and there are currently 62 spare places forecast at peak forecast numbers, so we ought to offset these against our primary places requirements , reducing them to 150 and 143 respectively = £2,029,200 and £1,934,504.*



*At secondary level, our position remains as previously advised last year. The only one of the Chippenham schools with any space is Abbeyfield and it has just 179 spare places at current peak forecast numbers. However, a large number of them (58) are already accounted for by other known developments applied for/approved in the area, which have priority of registration date over Birds Marsh, as it is our practice to allocate them on a “first come, first served” basis. This application as it currently stands, generates a need for either 151 or 145 secondary places, and so whilst most of the pupil product of this development can be accommodated without further expansion, there remains a shortfall of 30 or 24 places. We therefore require a developer contribution towards the funding of these places at the current capital cost multiplier for expansion, of £19155 each.*

*As this is an outline application the usual caveats again apply i.e. our 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 our assessment at the later time. School forecasts are updated on an annual basis and this is now due for 2014, so the assessments above reflect the 2013 forecasts which will be updated and so subject to change, upon completion of that annual updating process. Payment of education contributions is to be secured by way of an S106 to which standard terms will apply. The capital cost multipliers applicable to an S106 will be those in operation at the time of its completion, and the figures quoted here are being reviewed and re – calculated at the moment, and will be updated shortly as part of the introduction of a revised S106 Policy.”*

#### 7.13 Rights of Way Officer – No objection

*The development would have an impact upon a number of rights of way in the vicinity. Require the development to bring forward a number of contributions to improve the following: (i) upgrading of stiles to gates on rights of way near the sites; (ii) improvements to drainage and laying of stone to LBur34, a key link to the site to the north; (iii) to improve cycle link / shared path along B4096 from site to start of Cocklebury Lane.*

Further comments in respect of revised masterplan:

- *The site itself is currently very open in character. In order for us to meet our duty under the Equality Act, the ROW through the site must be equally accessible after the development (eg kissing gates must not be installed within the site)*

- *It is not that easy to follow from the plan what is proposed for the rights of way network, but it's clear that some diversions and extinguishments will be required. The developer needs to discuss these with us at the earliest opportunity. The rights of way are currently very rural in character, a rural "feeling" must be retained as far as possible within the site to keep the routes attractive. However, use would be high so hard surfacing would be appropriate. A good width must be retained. Exact details such as this must be agreed through discussions with the applicant*
- *As per previous e-mail we require a contribution for upgrading stiles to gates near the site, to improve access for the residents to the nearby countryside. The contribution would be £2500, enough to pay for and install 10 gates as required*

7.14 Environment Agency – No objections subject to conditions relating to surface water disposal and contamination.

7.15 Highway Agency – No objection

*"The Agency has now reviewed the information provided by PFA Consulting in relation to the development proposals and traffic impact on the M4. The Agency has reviewed the planning application documents in accordance with the policy requirements set out in OfT Circular 02/2007 - "Planning and the Strategic Road Network" and National Planning Policy Framework (NPPF) (March 2012) and emerging Agency policy requirements. Following review of the latest information provided and further to detailed correspondence with the applicant's consultants over the preceding months, it is considered that the applicant has now provided the necessary evidence base to satisfactorily assess the impact of the development on the Strategic Road Network. A technical Note summarising the findings of the study work is attached to this letter. It is considered that the development will not have a severe impact on the SRN and that no mitigation is required. Wiltshire Council should ensure that the Travel Plan prepared for the proposals is monitored and achieves the desired mode shift targets in order to protect the strategic road network from traffic increases beyond those stated in the TA, which take account of mode shift potential. In view of the above, please find attached a TR110, recommending no objection to the granting of planning permission for the proposals."*

7.16 Wessex Water – no objections subject to conditions.

*"The drainage and water supply networks in the vicinity of the site do not have the capacity to accommodate the requirements of this major site. The developer has engaged with*

*Wessex Water to pursue network modelling to confirm the nature and extent of required capacity improvements.*

*Foul Drainage - The receiving sewage treatment works is located south of Chippenham. Two indicative options to mitigate against the increase in flows within the foul sewerage network have been discussed with the developer. The developer will be expected to contribute towards capacity improvements to reduce the risk of downstream flooding and pollution.*

*Surface Water Drainage - We note the Preliminary Surface Water Drainage Strategy Plan (DO61/17) as shown in the Appendices of the Flood Risk Assessment and Drainage Strategy. The developer will provide separate systems of on site drainage which will be adopted in agreement with Wessex Water.”*

#### 7.17 Natural England

Conclude that the proposed development is unlikely to affect any SSSI/SAC/SPA and therefore have no comments to make in terms of impacts upon designated sites.

Commentary goes on to suggest measures that should be incorporated into scheme and policies within emerging planning policy.

### **8. Publicity**

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

8.2 108 letters in total received in response to publicity. 105 of which were in objection to the scheme, including a letter from the CPRE. Summary of key relevant points raised:

- Loss of well used amenity space at Birds Marsh Wood and surrounding green fields
- Impact upon ecology – especially Birds Marsh Wood County Wildlife Site and hedgerows.
- Development would take place in very close proximity to Birds Marsh Wood.
- Loss of significant trees.
- Highway safety would be compromised by additional traffic.
- Already a traffic problem in and around this part of Chippenham, which this proposal would exacerbate.

- The link road would be busy, would be difficult to cross and would prevent access to the Birds Marsh Wood.
- Noise and disruption from construction phase.
- Overlooking into existing residential properties at Hill Corner Road and Malmesbury Road.
- Building would take place on greenfield land and valuable farm land.
- Impact on landscape.
- Chippenham does not need more housing - recent permissions for 100s of houses. No need for new housing in Chippenham
- Impact upon local drainage and flooding – site is one of wettest in Chippenham.
- No need for additional employment development – plenty of vacant floorspace already in Chippenham.
- Chippenham does not have necessary infrastructure to accommodate additional residents.
- Development was rejected on this land back in the 1980s.
- The development is long overdue and will provide the first step in the link between the A4 and the A350, leaving Chippenham centre free from through traffic.
- Birds Marsh Wood is bereft of wildlife and proposal will provide management it needs.
- Great scheme – should be built as soon as possible so Chippenham is not left behind.

## **9. Principle of development**

Adopted North Wiltshire Local Plan 2011.

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

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

- 9.2 Saved policies within the adopted North Wiltshire Local Plan 2011 (NWLP) comprises the development plan. Policy H4 of the adopted NWLP 2011 controls new residential development in the open countryside. Outside of the Settlement Framework Boundaries defined within the plan, residential development is strictly controlled and only permitted if in

connection with the essential needs of agriculture or forestry, or it is a replacement dwelling. The substantive C3 residential element of the proposal under consideration is neither.

- 9.3 Since the proposal is outside of the Settlement Framework Boundary of Chippenham and is therefore, by definition, development in the open countryside, the C3 residential element of the proposed development is considered contrary to policy H4 of the North Wiltshire Local Plan, the statutory Development Plan. In reaching this conclusion, it must be acknowledged that whilst the principle of using settlement boundaries as part of the emerging development plan for Wiltshire has been confirmed as appropriate by the Inspector examining the Wiltshire Core Strategy, in his 10<sup>th</sup> Procedural letter of 2<sup>nd</sup> December 2013, he has nonetheless raised concerns over whether the settlement boundaries are up to date.

#### Emerging Wiltshire Core Strategy

- 9.4 The emerging development plan is contained within the emerging Wiltshire Core Strategy Submission Document including Proposed Changes (July 2012) and Schedule of Proposed Modifications (August 2013). The hearing sessions of the eWCS has taken place and the Council is currently awaiting the Inspector's Report. The Inspector has asked for more information on certain areas of the strategy through a series of procedural letters and the Council's responses.<sup>1</sup> In its most recent submission to the Inspector of 28<sup>th</sup> February 2014, the Council sets out Proposed Modifications to the Core Strategy, so as to address concerns raised. It remains anticipated the Core Strategy will be adopted in 2014. Accordingly, emerging policy within the WCS is a material planning consideration with some weight.
- 9.5 The spatial strategy (specifically core policies 1, 2 and 3) sets the foundations for how sustainable development is defined and applied in Wiltshire. The strategy recognises the importance of delivering new jobs and infrastructure alongside future housing. The spatial strategy within the emerging Wiltshire Core Strategy is the local expression of the principle of sustainable development as required by para 15 of the NPPF (see below).
- 9.6 For this proposal the relevant policies relating to the principle of development in Chippenham are:

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<sup>1</sup> CS Inspector's Procedural Letters 10, 11 and 12, together with the Council's responses, are available at <http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/wiltshirecorestrategy/wiltshirecorestrategyexamination.htm>

- Core Policy 1: Settlement Strategy
- Core Policy 2: Delivery Strategy
- Core Policy 10: Chippenham Area Strategy.

- 9.7 Core Policy 1 of the draft Wiltshire Core Strategy identifies the most sustainable locations for growth within Wiltshire based on principal settlements, market towns, local service centres and large and small villages. Chippenham is identified as one of three principal settlements, which are considered to be strategically important centres and the primary focus for development in Wiltshire. The principal settlements will provide significant levels of jobs and homes, together with supporting community facilities and infrastructure meeting their economic potential in the most sustainable way to support better self containment.
- 9.8 Core Policy 2 sets out the delivery strategy for Wiltshire in the period 2006-2026. This is to be delivered in a sustainable pattern, in a way that prioritises the release of employment land and previously developed land. At least 42,000 homes are to be delivered in Wiltshire, with 24,740 of those distributed to the North and West Housing Market Area. The strategic allocations previously set out in CP2 in relation to Chippenham have now been removed as a result of the 28<sup>th</sup> February 2014 Council modifications.
- 9.9 As of 28<sup>th</sup> February 2014, Core Policy 10 has been modified to address the concerns raised by the Core Strategy Inspector. It does, however, continue to set out the spatial strategy for Chippenham town and explains that over the plan period (2006 to 2026) at least 4,510 new homes and 26.5 ha of employment land will be provided at Chippenham.
- 9.10 Modified CP10 now states Allocations at Chippenham will be identified in a forthcoming Chippenham Site Allocations Development Plan Document (DPD). The DPD will identify mixed use land opportunities necessary to deliver at least this scale of growth. In this context there are a number of strategic areas where large mixed use sites could be located. CP 10 states that these broad 'strategic areas' for growth are indicated by barriers such as main roads, rivers and the main railway line. The A350 is one such barrier to development, but is also considered to be a clear and logical boundary to the town, which should not be breached unless other options are exhausted. Hence no strategic areas are shown west of the A350. The Chippenham Site Allocations DPD will assess how each of these areas performs against a range of criteria, also contained in Core Policy 10. These being:
- 1) The scope for the area to ensure the delivery of premises and land for employment development reflecting the priority to support local economic growth and settlement resilience

- 2) The capacity to provide a mix of house types, for both market and affordable housing alongside the timely delivery of the facilities and infrastructure necessary to serve them;
- 3) Improves local traffic access to the primary road network and redresses traffic impacts affecting the attractiveness of the town centre
- 4) Improves accessibility by alternatives to the private car to the town centre, railway station, schools and colleges
- 5) Has an acceptable landscape impact upon the countryside and the settings to Chippenham and surrounding settlements, improves biodiversity and access to the countryside
- 6) Avoids all areas of flood risk (therefore within zone 1) and surface water management reduces the risk of flooding elsewhere

9.11 Although not now identified as an allocated site within the Core Strategy, the application site has consistently been identified as a potential strategic site at Chippenham. For this reason, it is not altogether surprising that when assessed against the criteria set out in CP10, the site performs well.

9.12 With the emergence of the Proposed Modifications set out in the Council's 28<sup>th</sup> February 2014 submission to the Inspector, the policy retains its clear vision that sites on the edge of town should come forward through the Chippenham Site Allocations DPD. However, the criteria included within CP10 could be applied to planning applications, particularly where there is the need to bring these forward in advance of the DPD to maintain a 5 year supply of housing land, as is the case in Chippenham (discussed below).

#### Housing Requirement and the need for a 5 year supply of housing

9.13 In accordance with the NPPF the Council is expected to maintain a 5 year supply of housing sites. Where a 5 year supply cannot be demonstrated, relevant policies of the development plan should not be considered up to date and planning applications should be considered with a presumption in favour of sustainable development.

9.14 The essence of the housing changes being proposed in response to the WCS Inspectors concern is that the overall housing requirement for Wiltshire is to increase from 37,000 to 42,000 homes. This has been disaggregated to the three Housing Market Areas in Wiltshire resulting in an increase in the North and West Housing Market from 21,400 to 24,740 homes. The housing market area requirement is expressed as 'at least'. Against this revised requirement the Council consider there is 5.64 years supply of deliverable housing in the North and West HMA. As a site that has been consistently been identified for development,

the homes deriving from this application site is counted as part of that supply.

#### Housing delivery at Chippenham

- 9.15 Chippenham is a town which has seen limited levels of housing delivery in recent years as compared to historic levels of delivery. Indeed, only 24 dwellings were completed between 2012 and 2013, and on average 137 dwellings have been completed per year since the start of the plan period (2006 to 2013) compared to an annual average of 200 homes required over the plan period as a whole.
- 9.16 It could be argued that at present the needs of Chippenham are being met at other, more rural locations within the North and West Wiltshire Housing Market Area. This is contrary to the sustainable delivery strategy of the emerging Core Strategy, which focuses growth at the principal settlements. Indeed a change to the core strategy at paragraph 4.28 explains that the community area housing requirements are there to prevent settlements receiving an unbalanced level of growth justified by under or over provision elsewhere.
- 9.17 It has already been explained that the average build rate for Chippenham over the plan period is 200 homes and that this has not been achieved for the period since 2006. Whilst the emerging core strategy identifies sites to be brought forward in the future, delivery rates are not expected to return to average build rates for Chippenham until 2015.
- 9.18 Paragraph 4.29 of eWCS is relevant as it states that *'the town and community area requirements should be capable of being a material consideration to ensure that delivery is distributed broadly in line with the strategy'*. In the case of Chippenham, at this moment in time, the early delivery of the housing element of the proposal would improve the short term delivery of housing in Chippenham to support the distribution of housing proposed in the plan whilst strengthening the strategy to make Chippenham a strategic centre for growth in the county. It would also support the strategies for other towns where pressure for housing has been felt in the past because of the historical under delivery of housing in Chippenham.

#### The strategy for Chippenham and the presumption in favour of sustainable development

- 9.19 The strategy for Chippenham in the emerging WCS is to seek to build a more resilient community to strengthen its role and function as a principal settlement (WCS vision page 15). Delivering job growth to help improve the self containment of the town is central to the strategy (paragraph 5.47 of the Plan) because creating the opportunity for people to have the choice to live and work locally will make Chippenham more resilient.



- 9.20 As stated earlier the NPPF contains a presumption in favour of sustainable development and policies in the eWCS represent the local definition of sustainable development for Wiltshire. In the NWLP and eWCS Chippenham is identified as a settlement where there is a concentration of services and facilities and where development is appropriate to support its role and function. It is, therefore, identified as one of the communities capable of promoting sustainable development in the context of Wiltshire.
- 9.21 It is also necessary to consider the nature of development. The emerging WCS recognises that reducing levels of out commuting from many of Wiltshire's settlements is perhaps the most important strategic challenge for Wiltshire (para 2.7, eWCS), as it undermines their role and function by diminishing the jobs and services they can support. The eWCS therefore includes in its spatial vision the objective that '*Wiltshire will have stronger more resilient communities based on a sustainable pattern of development focused principally on Trowbridge, Chippenham and Salisbury*' (p15, eWCS). The strategy for Chippenham is based on delivering significant job growth to improve the self containment of the town. (paragraph 5.47, eWCS)
- 9.22 This proposal provides homes and jobs at a principal settlement on a site consistently identified throughout the Core Strategy process as being suitable for development. It would bring forward homes in the short term to respond to the recent under delivery of housing against the annual average completion rate assumed in the core strategy helping to reinforce the principal settlement status of Chippenham and fulfil its role within the sustainable settlement hierarchy of the plan expressed in core policy 1. The employment element will provide local jobs. The proposal also includes a new link road and other highway improvements which will have wider strategic benefits for Chippenham as a whole.
- 9.23 Ostensibly the applicant seeks support for their application from the emerging WCS. In this context, Core Policy 43 and Core Policy 45 of the WCS must apply to this proposal, whereby affordable housing provision of 40% will be provided on sites of 5 or more dwellings at nil subsidy subject to housing need. This would equate to some 300 of the dwellinghouses, if the entire 750 dwellings being proposed were to be built. This requirement remains unaffected by the recent submission to the CS Inspector of a further viability review for affordable housing.
- 9.24 In the context of a town that has, like others in Wiltshire, been identified as having a need for affordable housing (some 1136 households have been identified by the Council's Housing Officer as seeking an affordable home in the Chippenham Community Area), the provision of such accommodation is a material planning consideration.

## **10. Design, layout and landscaping**

### Principles

- 10.1 This planning application is submitted in outline only. With the exception of access, all matters are reserved for later consideration. In order to assist in consideration, a masterplan and series of “Parameter Plans” have been provided on an illustrative only basis. When considered in conjunction with the concepts and principles set out within the also submitted Design and Access Statement, the illustrative master and parameter plans are able to demonstrate that a development of the quantum proposed can, in principle, be accommodated on the site. This is precisely the purpose of an outline submission, where all matters relating to layout, landscaping, appearance and scale are reserved for later consideration under separate Reserved Matters applications.
- 10.2 Following the Council’s decision to designate part of the application site a “Village Green”, a revised masterplan was submitted by the applicant on 20<sup>th</sup> December 2013. The intent of the revisions precisely being to take account of the new Village Green status.
- 10.3 Defined in the North by the new road (linking Malmesbury Road and Maud Heath Causeway), this aspect of the proposal generally accords with the North Chippenham Strategic Site development template, set out in Annexe A of the emerging Wiltshire Core Strategy. The quantum and general composition of the proposal set out in the master and parameter plans also reflect the principles established in the template. Residential development is to be arranged in parcels through the main body of the site, such that mature hedgerows and trees are respected (see Council’s Arboricultural Officer comment based on the submitted Landscape Parameter Plan and consequential recommendation for planning conditions to be imposed) and working with existing topography. Centrally located is a 0.12Ha space for a community/mixed use development (a potential combination of shop, doctor/dental surgery and other community uses) as well as a 1 form entry primary school site, some 1.32Ha in size. Situated between the link road (to the East) and the Malmesbury Road (to the West) is a 2.77Ha employment parcel. Public open space would be provided on the site in combination with the arterial cycleways and footpaths penetrating into the site from the Hill Corner Road pedestrian accesses. Birds Marsh Field would remain free for public use, with a formal play area being positioned in proximity.

10.4 As one would expect by modern development standards, the parameter plans do demonstrate a range of residential density across the site (30 dph through to 45 dph) and building heights that confirm residential building heights to be 2 storey (ranging from 9.5m – 11.0m) and 3 storey (with a maximum of 13.5m). As would be expected, the parameter plans envisage employment and educational buildings to be on average a little taller, ranging between 10m – 12m. Whilst the details provided are in illustrative form, the submission is a likely solution given site constraints and it remains the case that any Reserved Matters submission will need to incorporate the principles established by this outline permission (if and when granted).

#### Detailed consideration

10.5 Changes to the proposed development from the previous masterplan can be summarised as follows:

- Removal of all development, drainage infrastructure and equipped children's play from the southernmost field parcel, now part of the Village Green (referred to within the Village Green decision as Birds Marsh Field). Its relocation elsewhere on the development site (thereby retaining a similar quantum of development on a smaller "developable" site area);
- Amendments to access points on Hill Corner Road to account for registration of Birds Marsh Field;
- Removal of proposed woodland management facilities from area adjacent to Birds Marsh Wood Village Green, and revision of proposed allotment location, areas around allotment to be retained in agricultural use rather than provided as informal Public Open Space;
- Minor amendments to internal roads and proposed development blocks to improve potential for frontage and respond to other issues raised during consultation;

10.6 It is certainly the opinion of the Council's Urban Design and Landscape Officers that the recent designation as Village Green status of land referred to as Birds Marsh Field (ie. immediately north of the junction of Greenway Lane and Hill Corner Road) and the resultant removal of all potential development from this land has also resulted in a lost design opportunity to better link the proposed development with the existing town. Indeed, it has been consistently advised that at this point (where Birds Marsh Field is positioned),

the development should form a key pedestrian and cycleway connection / entrance node. While it would seem that the creation of a formal new access point into the Village Green area will not now be possible, it does remain the view of the Urban Design and Landscape Officers that a strategic footway and cycleway connection should continue to be provided as close to this original point as possible. To that end, it was considered reasonable to require that the proposed access point from Hill Corner Road close to the NEAP (Neighbourhood Area of Play) and attenuation ponds to be changed from an 'informal' to a 'formal' footpath and cycleway access/entrance point arrangement. Revised Masterplan (Rev.C) and associated Parameters Access Plan (Rev.B) have now been submitted reflecting this requested change.

- 10.7 Previous comments have highlighted the significance of the “desire line” from the development to the town centre along Greenway Lane, and the broader objective of allowing integration of the proposed community facilities (shop /surgery/ school) on the application site with the existing neighbourhood to the South. Such a route would, happily, also pick up the line of the key PROW into the countryside beyond. Although not shown on the submitted revised masterplan, which in contrast, demonstrates a deflection away from a more direct line at the top end of the site, it is certainly recommended that any Reserved Matters submissions should address the significance of this connection route through the development. Clarity in arterial routing through the development will contribute to an achievement of a strongly legible, hierarchical building / streetscape /open space design; a creative response having the potential to be a defining element in realising a development which is locally distinctive.
- 10.8 Though the significance of the removal of the Woodland Management workshop and separate Wiltshire Wildlife Trust residential dwelling on land to the north of the proposed link road in respect of the management of Birds Marsh Wood itself is dealt with separately within this report, from a settlement containment and land form perspective, its removal from the proposal is welcomed. Despite its small scale, the existence of the workshop building and dwelling in previous iterations of the masterplan did, to some extent, represent built form bleeding over the otherwise definitive edge of development provided by the link road. Such a withdrawal of built form does also increase the distance between built form and the Birds Marsh Wood, a locally raised concern regarding development. The simplified layout of allotments and associated parking area is also viewed as an improvement from the original proposal.
- 10.9 The revision on the Masterplan to indicate an “active” built frontage addressing the link road in the eastern area is welcomed in response to previous comments. The Masterplan appropriately now conveys that 'active' fronts and sides of dwellings rather than rear garden boundaries should be possible along the built perimeter facing the Link Road.

## Reserved Matters

- 10.10 Despite its brevity, the NPPF (Section 7) continues to attach great importance to the design of the built environment. The importance is reinforced in the more recently issued NPPG. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The guidance also states that permission should be refused for development of poor quality that fails to take into account the opportunities available for improving the character and quality of an area and the way it functions. All subsequent reserved matters applications submitted in respect of this site will be considered in this context and final agreement of the detail for; detailed plot and building layout; design quality including materials and finishes; hard and soft landscaping including boundary treatments; landscape structure, buffer and amenity planting; design and appearance of SUD's areas; tree and hedgerow protection etc. can all be assessed at that stage

## **11. Birds Marsh Wood, the village green designation and ecology**

- 11.1 Designated a County Wildlife site, Birds Marsh Wood (BMW), is an area of semi-natural woodland located immediately to the north of the application site. BMW is acknowledged to be well used locally for recreational purposes with evidence of regular use by dog walkers and some evidence of use by cyclists. Although not all remain passable, there are a number of Public Rights of Way that pass directly through and adjacent to the woodland. In addition, within the woodland there are a number of informal paths that have been created together with numerous informal access points. Largely as a consequence of the lack of formal management, the woodland has become dominated, in parts, by Cherry Laurel, Rhododendron, Bracken and regenerating Sycamore saplings, thereby reducing its overall ecological value.
- 11.2 The less than optimal condition of the BMW was recognised within the now (proposed to be) removed North Chippenham Development Template contained in the eWCS. Within that template, the proposed development was obliged to conserve and enhance the BMW in terms of the ecological value as well as promoting its understanding and accessibility to the local population. The farmland between the BMW and the routing of the distributor road was intended as a "buffer zone" so as to limit the impact of the development on the wood.

- 11.3 Due to the proximity of the BMW to the development site and associated distributor road, it is axiomatic that a commensurate increase in usage and demand for the environment the wood would offer the local population would result. For this reason the removal of the North Chippenham Strategic Site Development Template from the eWCS is ineffectual on the consideration of the proposed developments impact on the BMW and, therefore, the intent of the Template should be a material consideration. It is understood that the BMW, as well as the farmland between the wood itself and the routing of the distributor road, is under the control of the applicant.
- 11.4 Since the submission of the Core Strategy, a 3<sup>rd</sup> party application to register the entire application site (including the BMW) as a “Village Green” has been, in part, successful. Birds Marsh Wood itself and a small field in the south of the application site (referred to as ‘Birds Marsh Field’) was designated as Village Green by the Council on 17<sup>th</sup> May 2013. It is the opinion of the applicants that it is no longer possible to propose or encourage an intensification of activities in the Wood itself without leading to the potential for legal action in light of the rather restrictive nature of the relevant Victorian Statutes which cover what is and is not possible on a registered Village Green. This view is not entirely shared by the Council.
- 11.5 Nevertheless, the practical result has been that, in December 2013, the applicant chose to amend the submitted proposal such that the previously proposed educational centre (together with ancillary residential, visitor, training, catering and storage facilities) alongside the woodland, to be potentially managed and operated by the Wiltshire Wildlife Trust has been removed in its entirety. Similarly, the previously submitted Birds Marsh Wood Management Plan has also been significantly altered, with large parts of the previously embedded provisions for enhancement and improvement to accessibility being entirely removed.
- 11.6 Given the developer’s removal of the original offer of the educational facilities, dwelling, car parking and the freehold of land to the south of BMW, it is understood that the WWT may no longer wish to taken on management of the woods. While this clearly creates some uncertainty over delivery of the BMW Management Plan it must be accepted that alternative parties such as the Town Council may be interested, and responsibilities for implementation could therefore be determined through S106 negotiations.
- 11.7 Following further negotiation between the Council and the applicant, a potential way forward has been agreed. Since, in contrast to the applicant, the Council do not believe the VG designation is necessarily problematic to the conservation and enhancement of the BMW (as set out in the original Management Plan), the solution will involve a transfer of the

BMW to the Council. Following such a transfer The Council will then be in a position to decide who or what body is best positioned to discharge those conservation, enhancement and management responsibilities. Transfer arrangements can be controlled through a s106 Agreement associated with the planning permission.

- 11.8 Confirmation has now been received from the applicant that the freehold transfer of the wood to the Council will be possible, at nil cost to the Council. Whilst the extent of land to be transferred as well the precise terms remains to be agreed, it is now clear that a means to achieve the appropriate management of BMW is indeed available and achievable.

## **12. Access and highway issues**

### Means of access

- 12.1 The application is submitted in outline form with means of access being a matter for consideration. To this end, details have been provided for both vehicular and pedestrian access points to the site (discussed in paragraph 10.6, above). The basic form and distribution of development across the site is, however, primarily defined by the two main points of vehicular access: at the A350 Malmesbury Road roundabout and Maud Heath Causeway, opposite Parsonage Way junction. The routing and design of the link road is a matter for consideration.
- 12.2 Drawings have been submitted, D061/63A and D0261/64, showing the arrangements for the horizontal layout of the roundabouts proposed at Malmesbury Road and at Langley Road/Maud Heath Causeway respectively. The Council's Highway Officer considers the design to be generally acceptable. Revised drawing D061/42D, showing the horizontal alignment of the internal road with a 50mph design speed has now been agreed with the Council's Highway Officer. Although a road with a 50mph design does represent a substantial barrier between the Birds Marsh Wood and the surrounding community, such a road is, however, necessary from a road safety angle, because it is important to ensure that speed limits reflect driver perception/actual speeds.
- 12.3 Another T-junction off Hill Corner Road is proposed but no detailed drawing has been submitted at this stage. Nevertheless, the Highway Officer is of the opinion that an acceptable access arrangement is achievable within the controlled land.
- 12.4 The Council has commenced improvement works to the A350 in the vicinity of the Malmesbury Road roundabout junction, making use of Government "Pinch Point" funding.

That work is described as follows: “*The A350 is the key route from the M4 motorway into Chippenham and also forms the Chippenham Western Bypass (West Cepen Way). The objective of the scheme is to reduce congestion and to help unlock the growth potential of two key development areas.*” The scheme will dual this part of the A350. Since this work precedes the development now being proposed, the applicant’s transport consultants have now undertaken a review of the Malmesbury Road junction (as well as the B4069 junction), undertaken appropriate capacity tests and incorporated the improvements into the detailed site junction layouts.

- 12.5 It must be acknowledged that the completion of the link road between the main points of vehicular access, which are integral to the proposed development, does have wider wider strategic benefits and significance for Chippenham town, facilitating the envisaged growth in the town.

#### Chippenham Transport Strategy

- 12.6 The proposal for a new link road between the A350 at the Malmesbury Road roundabout and Maud Heath Causeway, is identified as key strategic infrastructure, not just to ensure that the site has adequate access, but also in relation to wider infrastructure delivery and as a part of the aspirations for a link forming part of a wider northern corridor route to serve other planned for growth in Chippenham.
- 12.7 The northern corridor would need to cross the railway line. Such a connection is anticipated at the eastern end of Parsonage Road, where the road was diverted with a view to achieving this connection some years ago, at the time of the Wavin Plastics factory being extended. A bridge across the rail line will comprise a key element of the northern corridor, together with the distributor road serving strategic development proposed to the East of Chippenham.
- 12.8 At the time of preparing this report, it is unclear when or if a planning application will be submitted for strategic growth to the East of Chippenham. However, it was certainly confirmed by the relevant parties during the Core Strategy hearing sessions (summer 2013) that the principle of providing a new railway bridge to connect with Parsonage Way has been agreed with Network Rail. Naturally, the Council as the Highway Authority will seek to ensure that an appropriate road link between East Chippenham and the A350 via the North Chippenham site is secured and a planning obligation will be sought accordingly.
- 12.9 Whilst the submitted Transport Assessment (TA) seeks to demonstrate that, in transport impact terms, the land at North Chippenham can stand alone, the TA is largely silent on the



wider transport interests of the town. The Council's Highway Officer notes that such an omission is surprising, given the long held view of all parties promoting sites in Chippenham that the strategic transport network must be a factor universal to all. The recent deletion of the strategic allocations for Chippenham in the eWCS does not alter the necessity to properly consider the transport network within the town in a strategic and comprehensive manner. Fortunately, the proposal itself does not prejudice achieving comprehensive transport network in Chippenham and indeed, the creation of the link road is an important part of that strategic network.

- 12.10 Irrespective of any omission of wider considerations within the application, the development will be expected to deliver its fair contribution towards the Chippenham transport network.

#### Accessibility and impact of development

- 12.11 The TA adequately addresses issues in relation to the accessibility of the site, but there is a lack of information supplied to demonstrate where local off-site improvements will be provided. The Pedestrian and Cycle Audit, appended to the TA offers an indication of areas where works might be necessary. Further details will be required, and off-site works will be needed to address identified deficiencies; it is reasonable that these be funded through the Chippenham Transport Strategy contribution that will be required from the development.
- 12.12 Traffic impacts on key junctions of the local road network are not evident from the TA with the micro-simulation modelling not being made available as part of the application. Nevertheless, the Council's Highway Officer notes that changes to average journey times across the network are not a cause of significant concern, subject to the site contributing to the Chippenham Transport Strategy.
- 12.13 The Highway Officer questions that the TA might over-estimate the number of internalised trips associated with the development (up to about 16% in the am peak period) as scant evidence is offered to support the assumptions, made in this regard. However, in the scale of operations, this issue is not considered to be material, subject to the wider strategic transport issues being addressed through the implementation of a properly funded Chippenham Strategic Transport contributions scheme.
- 12.14 Provision of improved bus transport to serve the site will be key to the delivery of travel plan objectives and targets. The TA is vague in relation as to what will be provided to ensure a high level of site accessibility, but appears to acknowledge that measures should be in place for at least seven years following commencement of development to encourage

sustainable transport. The transport authority will seek to provide a bus service for this period, or longer if required, aiming to achieve commercial viability. It is considered reasonable that the provision of bus services be supported by way of the Chippenham Transport Strategy contribution.

### Parking

- 12.15 The parking on site will be required to meet the standards embraced in the Council's LTP3 Car Parking Strategy. An appropriately worded planning condition can adequately ensure proper parking is provided on the site.

## **13. Flooding and drainage**

### The site

- 13.1 It is established that the application site is contained within Flood Zone 1. The Environment Agency define Flood Zone 1 as a "Low Probability" zone assessed as having a less than 1 in 1000 (0.1%) annual probability of river flooding and that all uses of land are appropriate in this zone. The Flood Risk Assessment submitted with this outline planning application concludes that the application site is not considered to be at risk from fluvial flooding. The Environment Agency do not disagree with this conclusion.
- 13.2 Anecdotal evidence has, however, been received from local residents that the lower part of the site, in particular, does flood on a regular basis with a proportion of the year, seeing the fields and sometimes the road remaining waterlogged.
- 13.3 Consisting of a series of green fields, the application site is presently drained by a network of unnamed ditches. The ditch network drains to three distinct outfall locations. Catchment A discharges to a ditch that runs from south to north alongside Malmesbury Road B4158. Catchments B and C discharge via ditch systems to the public sewers located within Hill Corner Road. Wessex Water's public surface water sewer system conveys the flows to the south in the direction of the River Avon in Central Chippenham. Catchment D drains via two main ditches, the first running through the site, the second located along the field boundary. The ditch located alongside the field boundary drains to the public surface water sewer system in Langley Road/Maud Heath Causeway B4069. The second ditch, running through the Assessment Site, is culverted prior to crossing Maud Heath Causeway.

### Proposed drainage scheme

- 13.4 It is acknowledged by the applicant within the Environmental Statement that the development will disrupt the prevailing surface water drainage regime and increase the extent of hard surfacing across the site. This inevitably leads to an increase in the volume and magnitude of surface water runoff discharged to the receiving water courses and public surface water sewer system. This is not an exceptional situation and is precisely the case with all new development on green field sites. Accordingly, mitigation measures in the form of Sustainable Urban Drainage Systems are proposed to be put in place.
- 13.5 Surface water runoff from the proposed development is to be intercepted by on-site drainage systems incorporating attenuation storage facilities designed to contain the runoff from storms up to the 1:100 year flood level (including an allowance for climate change). Most obviously, this can be seen by the inclusion of attenuation ponds on the submitted masterplan, typical of most modern housing developments. Draining from roofs, roads and other hard surfaces, surface water would be piped to said attenuation ponds – typically grassed and having a visual and/or ecological role in the development. As typically required by the Environment Agency, measures to control the inflow outfall from those ponds would be used (such as rain water harvesting, pervious pavements, soakaways, swales and other retention devices), all designed to limit surface water discharges into the existing ditch network to that no greater than existing greenfield runoff rates.
- 13.6 The proposal incorporates measures for temporary drainage facilities to be put in place during the construction phase. Surface water drainage from the link road would drain to a new ditch or swale adjacent to the road with flows discharged at Greenfield rates to the existing ditch system within the site.

#### Environment Agency

- 13.7 Subject to the imposition of conditions that would see the submission and agreement of full drainage details prior to any development taking place on the site, the Environment Agency raise no objections to the proposal. Indeed, the EA have signalled their support of the intention to incorporate SuDs measures and see no reason why greenfield run-off rates cannot be achieved from the development. They add, *inter alia*, that consideration should be given to creating attenuation ponds in a manner that would deliver ecological benefit.
- 13.8 The Environment Agency suggest a further planning condition requiring further details to be submitted in the event of contamination being found on the site that has not already been identified.

## Wessex Water

- 13.9 Wessex Water note the Preliminary Surface Water Drainage Strategy Plan (DO61/17) as shown in the Appendices of the Flood Risk Assessment and Drainage Strategy. The developer will provide separate systems of on-site drainage which will be adopted in agreement with Wessex Water.
- 13.10 Wessex Water identify that the receiving sewage treatment works is located south of Chippenham town. Two indicative options to mitigate against the increase in flows within the foul sewerage network have been discussed between Wessex Water and the developer and it would be expected that the developer would contribute towards capacity improvements to reduce the risk of downstream flooding and pollution.
- 13.11 Final Agreement between the developer and Wessex Water will need to be reached under separate legislation and there is no suggestion that such agreement will not be possible. In this context there is no reason for planning permission to be withheld on this basis.
- 13.12 To meet the development's requirements whilst maintaining levels of service to existing water consumers, Wessex Water have identified that off site reinforcement to the water supply network will be necessary. Preliminary network modelling undertaken by Wessex Water has indicated approximately 2km of new off-site main and diversion and upsizing of the current water main which crosses the site will be required. The developer will be expected to contribute towards off site network improvements, outside of the planning application process.

## **14. Impact upon neighbour amenity**

- 14.1 It is undeniable that existing residents at Hill Corner Road, Greenway Lane and Malmesbury Road, looking out across the site will experience an abrupt and significant change to their view – from open fields to urban form. However, a change to an existing outlook is simply that, and does not necessarily result in an unacceptably oppressive form of development, loss of amenity or, therefore, a reason to refuse planning permission.
- 14.2 Clearly since the application is submitted in outline only, it remains the case that the final layout, appearance, landscaping etc. will almost certainly be different from that shown on the submitted masterplan, as is allowed for under a Reserved Matters submission. Nevertheless, to a very large extent the masterplan does demonstrate that the amenities of surrounding existing residents are able to be protected by reasonable rear gardens and

intervening landscaped space, out-buildings (that would be typically found) and boundary treatments, whilst simultaneously delivering an attractive development. Equally, with the exception of one entrance at the Eastern end of Hill Corner Road (and that only serving a small proportion of the new development), all vehicular access would be away from residential areas, likely meaning that traffic would not be greatly increased to a point that would unreasonably impinge upon levels of existing residential amenity.

- 14.3 In particular, the employment elements of the scheme can be configured and sited at appropriate distances in relation to surrounding residential properties so as to successfully mitigate against unacceptable noise, disturbance or visual obtrusion.

## 10. Conclusion

Although no longer identified as a strategic allocation, a mixed used development on this site is, when considered against adopted and emerging local policy (and especially that criteria contained in Policy CP10 of the WCS), as well as having regard to the principles set out in the National Planning Policy Framework and the recently released NPPG, considered to be sustainable development. In particular :

- Subject to the imposition of suitably worded planning conditions and all parties entering into an agreement under s106 of The Act, the proposal will not result in significant harm to the natural or built environment. In particular, the transfer of Birds Marsh Wood and, where considered necessary, the buffer land to Council control will ensure its future management.
- The Council's Highway team have confirmed that the development can be accommodated on the existing road network, subject to the completion of the on-site road link between the A350 and the B4069 which provides for a wider strategic benefit to the town. It is expected that the development should bring forward an appropriate contribution towards the Chippenham Transport Strategy.
- The development of a range of housing types on this site would contribute towards the housing requirement for Chippenham set out in CP10 of the eWCS, where the delivery of housing is currently acknowledged to be weak. Such development would reinforce Chippenham's role as a principal settlement within Wiltshire, in accordance with CP1 of the eWCS.

- The provision of new employment land would contribute towards providing new jobs in the town and provide the opportunity for more people to live and work locally in accordance with CP10 of the eWCS.
- As a substantial site and comprising a mix of land uses, the development, through the use of planning conditions, would allow for the timely delivery of the facilities and infrastructure necessary to serve the expected growth of Chippenham.

On the balance of factors and having regard to the above, it is recommended that planning permission should be granted.

## **11. Recommendation**

**That authority be given to the Associate Director of Economic Development and Planning to GRANT PLANNING PERMISSION subject to the planning conditions listed below**

**and**

**subject to all parties entering into an agreement under s106 of The Act in respect of the following matters:**

- **Delivery of distributor road, other off site highway works and appropriate contribution towards Chippenham Transport Strategy;**
- **Commitment to modify the Malmesbury Road roundabout and a new B4069 roundabout together with a new priority junction to Hill Corner Road and new pedestrian/cycle connections to Hill Corner Road and Malmesbury Road;**
- **Commitment to prepare and implement travel plans. In relation to the residential element of the development the travel plan will require a co-ordinator to address the issue initial welcome packs which are to include vouchers for all dwellings to off-set purchase costs for cycles, and bus-pass vouchers;**
- **Commitment to undertake and fund any local traffic regulation orders required to address the consequences related to the development, and to facilitate local improvements, including parking, speed and weight restrictions, and prohibition of driving orders, both temporary and permanent;**
- **Provision of bus stops/shelters within the site;**

- **Transfer of Birds Marsh Wood and, where considered necessary, other land to Council, together with appropriate measures and/or financial contributions to secure future maintenance, management, conservation and enhancement;**
- **Provision of financial contribution towards the upgrading of stiles to gates near the site so as to improve access for the residents to the nearby countryside and the Birds Marsh Wood;**
- **Phasing of development to secure delivery of the employment component of the proposal at the appropriate time so as to enable a balanced and sustainable form of development;**
- **Delivery of affordable housing;**
- **Delivery and maintenance of on-site play provision and public open space;**
- **Provision of a contribution in respect of local indoor and outdoor sports provision;**
- **Provision of land on site for primary school and financial contributions in respect of local primary and secondary education;**
- **Provision of not less than 1.0Ha of land on site for allotments, including a method of transference to the Council, method of delivery and arrangements for future maintenance;**
- **Off site contribution towards local cemetery provision;**
- **Off site contribution towards library facilities;**
- **Delivery of a scheme for public art;**
- **S106 monitoring fee.**

**Planning conditions:**

1. The development hereby permitted shall be begun either before the expiration of

three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

2. No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:
  - (a) The scale of the development;
  - (b) The layout of the development;
  - (c) The external appearance of the development;
  - (d) The landscaping of the site;

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

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

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

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

4. Applications for the approval of the reserved matters shall be in accordance with the principles and parameters described and identified in the Design and Access Statement and approved Parameter Plans. A statement shall be submitted with each reserved matters application which demonstrates that the application proposals comply with the Design and Access Statement or, where relevant,



explaining why they do not.

REASON: So as to provide certainty and clarify the expectations for the form of development to take place on the site.

#### Limits of permission

5. The residential element of the development hereby granted planning permission shall not exceed 750 dwellings.

REASON: To define the limits of the planning permission and to set the maximum number of dwellings to be constructed on the application site.

6. No more than 12,710 sqm (gross) of employment floorspace [Use Classes B1, B2, B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification)] shall be constructed on the site pursuant to this planning permission.

REASON: To define the limits of the planning permission and to set the maximum amount of employment floor space to be constructed on the application site.

7. The total gross retail floorspace available for use by customers (excluding toilets and other ancillary facilities) of all premises falling within Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) shall not exceed 200 sqm.

REASON: To define the limits of development and to ensure retail development on the site does not adversely impact upon the town centre.

#### Phasing

8. As part of the first reserved matters application a phasing plan for the whole site

shall be submitted to the local planning authority for approval in writing. The phasing plan shall include details of the intended number of market and affordable dwellings for each phase of development together with general locations and phasing of key infrastructure, including surface water drainage, green infrastructure, community facilities and access for pedestrians, cyclists, buses and vehicles. Development shall take place in complete accordance with the phasing plan so agreed.

REASON: So as to ensure a balanced development for the benefit of future residents and Chippenham town as a whole.

#### Refuse and recycling

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

REASON: In the interests of public health and safety as well as effective and efficient refuse collection.

#### Tree protection

10. As part of the first Reserved Matters application, an Arboricultural Impact Assessment, a Tree Retention and Removal Plan as well as an Arboricultural Method Statement shall be provided for the entire site. Such documents shall show all retained trees with Root Protection Areas plotted so as to demonstrate the necessary alignment of utilities and drainage so as to retain and respect trees on the site. Development shall take place in complete accordance with the details so agreed.

REASON: In the interests of securing a form of development that retains and respects existing trees on the site.

11. No operations shall commence on site in connection with the development until a scheme showing the position of protective fencing to enclose all retained trees and hedgerows in accordance with *British Standard 5837: '2005: Trees in Relation to Construction'* has been submitted to and approved in writing by the Local Planning Authority. Protective fencing must be erected in accordance with the approved plans and shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations without prior written approval by the Local Planning Authority.

In this condition "retained trees" means an existing tree which is to be retained in accordance with the approved plans and particulars; the paragraphs above shall have effect until the expiration of five years from the completion of the development.

REASON: To prevent trees being retained from being damaged during the construction works, in the interest of visual amenity

#### Contamination

12. No development shall commence on site (other than that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition), until steps (i) to (iii) below have been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until step (iv) has been complied with in full in relation to that contamination.

Step (i) Site Characterisation:

An investigation and risk assessment must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

A survey of the extent, nature and scale of contamination on site;

The collection and interpretation of relevant information to form a conceptual

model of the site, and a preliminary risk assessment of all the likely pollutant linkages; If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants; An assessment of the potential risks to

- human health,
- property (existing or proposed) including buildings, crops,
- livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwater and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

Step (ii) Submission of Remediation Scheme:

If any unacceptable risks are identified as a result of the investigation and assessment referred to in step (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

Step (iii) Implementation of Approved Remediation Scheme:

The approved remediation scheme under step (ii) must be carried out in accordance with its requirements. The Local Planning Authority must be given at least two weeks written notification of commencement of the remediation scheme works.

Step (iv) Reporting of Unexpected Contamination:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in

writing immediately to the Local Planning Authority. An investigation and risk assessment should be undertaken in accordance with the requirements of step (i) above and where remediation is necessary, a remediation scheme should be prepared in accordance with the requirements of step (ii) and submitted to and approved in writing by the Local Planning Authority.

Step (v) Verification of remedial works:

Following completion of measures identified in the approved remediation scheme a verification report (referred to in PPS23 as a validation report) must be produced. The report should demonstrate the effectiveness of the remedial works.

A statement should also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the approved scheme have been carried out (The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage (ii) above).

The verification report and signed statement should be submitted to and approved in writing of the Local Planning Authority.

Step (vi) Long Term Monitoring and Maintenance:

If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in the scheme approved pursuant to step (ii) above, until all the remediation objectives in that scheme have been achieved.

All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other

offsite receptors.

### Archaeology

13. No development shall commence within the area indicated until 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. The approved programme of archaeological work shall be carried out in complete accordance with the approved details.

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

### Drainage

14. No development shall commence on site until a surface water drainage scheme for the site based on sustainable drainage principles (SUDS) 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 prior to completion of the development. The scheme shall also include details of how the scheme is to be managed after completion.

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

15. No development shall commencement on site until a foul water drainage strategy is submitted and approved in writing by the local Planning Authority. The drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.

REASON: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property.

### Amenity

16. No building services plant shall be installed until a scheme for its siting and design has been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the approved scheme and retained as such thereafter.

REASON: To protect the amenity of nearby residents, especially those sited closest to the care home.

17. No external lighting shall be erected on the site until a scheme for such lighting has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved scheme and retained as such thereafter.

REASON: To protect the amenities of nearby residents.

Construction phase

- 18.. No development shall commence on site (including any works of demolition), until a Construction Environmental Method Statement has been submitted to and agreed in writing by the local planning authority, which shall include the following:
- a. the parking of vehicles of site operatives and visitors;
  - b. detailing of routing arrangements for lorry traffic associated with the development;
  - c. loading and unloading of plant and materials;
  - d. storage of plant and materials used in constructing the development;
  - e. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - f. wheel washing facilities;
  - g. measures to control the emission of dust and dirt during construction;
  - h. a scheme for recycling/disposing of waste resulting from demolition and construction works; and
  - i. measures for the protection of the natural environment.

- j. hours of construction, including deliveries;
- k. measures for protection of retained habitat features
- l. sensitive working protocols including vegetation clearance to avoid impacts upon protected species

19. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out other than in accordance with the approved Statement without the prior written permission of the Local Planning Authority.

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

During the site preparation and construction of the development, activity which may give rise to noise audible beyond the site boundary shall not be undertaken outside the following hours unless written permission is obtained from the Local Planning Authority:

- 08:00 to 18:00 Monday to Friday
- 09:00 to 13:00 Saturday
- No working Sundays and Bank Holidays

20. This shall include, excavation, construction, loading, unloading, deliveries or any similar construction related activity.

REASON: To protect the amenity of nearby residents.

#### Highways

21. No development shall commence on the site unless and until a phasing plan for the development has been submitted to and approved in writing by the local planning authority in relation to highway infrastructure. The phasing plan shall include, *inter alia*, full details in relation to the completion of the road junctions at Pew Hill, Malmesbury Road and Hill Corner Road, and the connecting distributor road. The development shall be completed in accordance with the approved phasing plan.



REASON: In order to ensure that the development proceeds in an acceptable manner.

22. There shall be no vehicular accesses to Hill Corner Road, Malmesbury Road or the B4069 other than those shown on the Revised Illustrative Masterplan – Rev.A (received 23<sup>rd</sup> December 2013).

REASON: In the interests of highway safety, and to deter rat-running through the site and onto Hill Corner Road.

23. Prior to the commencement of the development a detailed drawing showing the network of cycle/footpaths to serve the site, with particular emphasis on access to the proposed primary school and the employment areas, shall be submitted to and approved by the local planning authority. Development shall be carried out in complete accordance with those details so agreed.

REASON: In the interests of sustainable transport and to ensure that a comprehensive approach to movement within to and from the site has been secured.

24. The gradient of all private drives shall not at any point be steeper than 7% for a distance of 5 metres from its junction with the prospectively maintainable highway.

REASON: In the interests of highway safety.

25. There shall no gates provided on any private accesses served from the prospectively maintainable highways, unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of highway safety

26. No development within any individually approved phase of the development shall commence on site until details of the estate roads, footways, footpaths,

unsegregated pedestrian/cycle routes, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works within any particular phase, have been submitted to and approved by the Local Planning Authority. The development shall not be first occupied until the estate roads, footways, footpaths, unsegregated pedestrian/cycle routes, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture have all been constructed and laid out in accordance with the approved details, unless an alternative timetable is agreed in the approved details.

REASON: To ensure that the roads and paths are laid out and constructed in a satisfactory manner, and are of adequate amenity for users.

27. 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 binder course level between the dwelling and existing highway.

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

28. No dwelling shall be occupied until the parking space(s) for that dwelling, together with the access thereto, have been provided in accordance with the approved plans. Parking provision for all dwellings shall meet the minimum parking standards set out in the Wiltshire LTP3 2011-2026 Car Parking Strategy, March 2011, and any garages counting towards parking spaces shall be provided with minimum internal dimensions of 3m by 6m per vehicle space; provision shall be made for the parking of cycles for all dwellings in accordance with Appendix 4 of the LTP 2011-2026 Cycling Strategy

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

29. No development of the employment land shall commence on site until details of

secure covered cycle parking, changing and shower facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first occupation of the buildings to which they relate and shall be retained for use at all times thereafter.

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

Approved plans

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

1:5000 Site Location Plan (dated 12<sup>th</sup> January 2012)

Revised Illustrative Masterplan – Rev.C

Parameters – Land Uses – Rev.B

Parameters – Amounts – Rev.B

Parameters – Building Heights – Rev.B

Parameters – Access – Rev.B

Parameters – Landscape – Rev.B

Environmental Statement: Supplement

Environmental Statement (dated February 2012)

Design and Access Statement (dated March 2012)

All Received 23rd December 2013, unless otherwise stated.

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

**INFORMATIVES TO APPLICANT:**

1. Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
2. 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].

3. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.
  
4. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.



CEPEN PARK NORTH

HARDENHUISH

Bird's Marsh

Malmesbury Rd

W Cepen Way

A350

B4158

Malmesbury Rd

B4158

Pew Hill

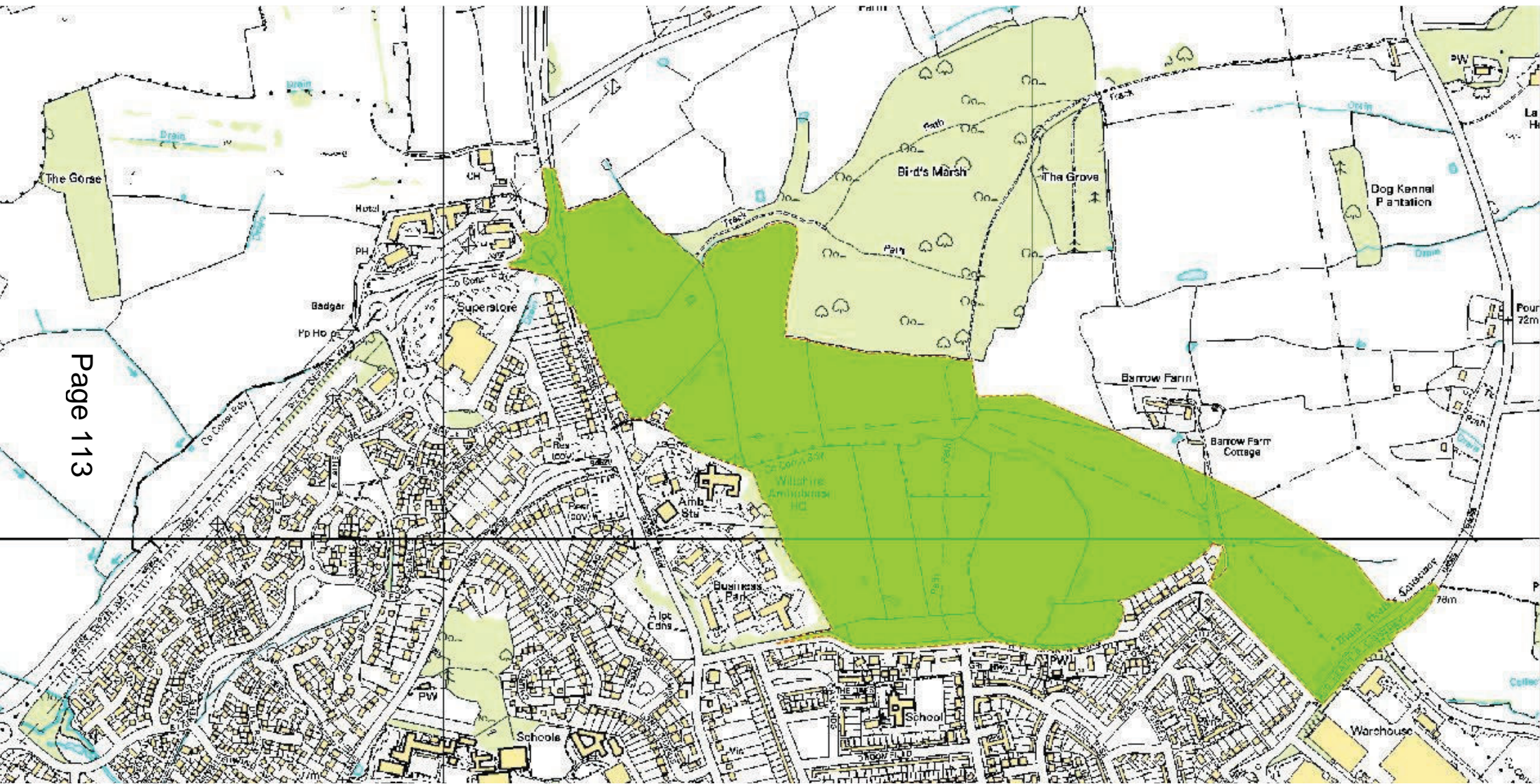
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Bristol Rd

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## REPORT TO THE STRATEGIC PLANNING COMMITTEE

<b>Date of Meeting</b>	16 April 2014
<b>Application Number</b>	13/04870/OUT
<b>Site Address</b>	Wilton Hill (Erskine Barracks), Wilton, Salisbury SP2 OAG
<b>Proposal</b>	Outline and Full application for the demolition of existing buildings and development of 292 residential dwellings, public open space, associated access and infrastructure works. Part Outline application for demolition of existing buildings and development of mixed use community comprising; residential, employment and commercial facilities in an Enterprise Hub (Use class B1,D1,D2,A3), Employment units (Use class B1,B2,B8), commetresila produce growing, Veterans accommodation delivered by a registered provider (Use class C2), Care home (Use class C2), Local convenience store (Use clas A1), Retirement accommodation (Use class C3), and associated access and infrastructure works including potential for a combined heat and power facility and food waste collection facility. All matters reserved accept for access.
<b>Applicant</b>	Redrow Homes
<b>Town/Parish Council</b>	Wilton Town
<b>Ward</b>	Wilton and Lower Wylye Valley
<b>Grid Ref</b>	410477 131664
<b>Type of application</b>	Hybrid – Outline and part Full
<b>Case Officer</b>	Andrew Bidwell

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

The application relates to an allocated site in the South Wiltshire Core Strategy. The Local Division Member, Cllr Edge, has called the application to Committee in view of the significant amount of local interest and the unique circumstances of the proposal.

### **1. Purpose of report**

To consider the application and the recommendation of the Area Development Manager (South) that planning permission is approved subject to the applicant entering into a Section 106 agreement.

## **2. Main Issues**

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

- Key policy issues and principle of development
- Design / layout and visual amenity
- Affordable housing
- Impact on highway safety
- Landscape character / open space
- Impact on protected species
- The 'veterans' hub' and employment land
- Section 106 issues

The application has support from Wilton Town Council.

Third party responses:

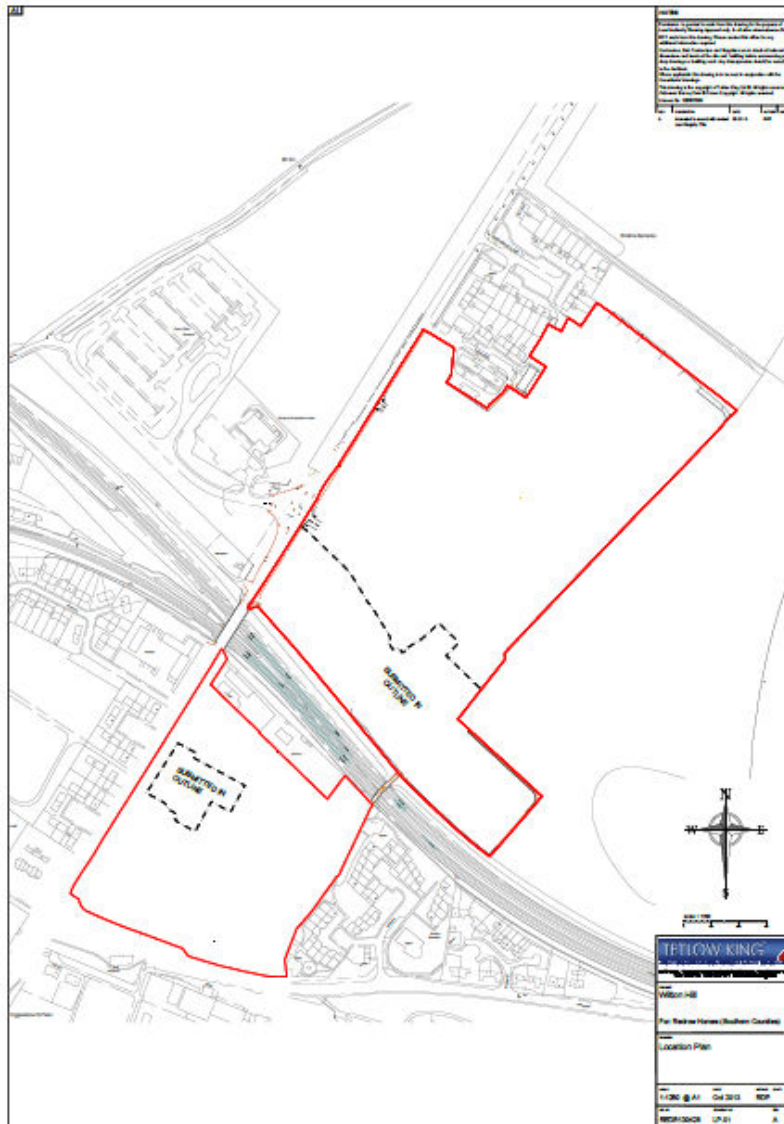
Objections -

Support -

Comments only -

## **3. Site Description**

The 13.5 ha application site is located at the corner of Wilton Road (A36 trunk road) and The Avenue, Wilton. It is divided into two parts by a railway line - the south part is approximately 4.7 ha (including an area of land owned by Wilton Estates) and the north part is approximately 8.8 ha. The larger part of the site is occupied by a now vacant military camp. A pedestrian bridge over the railway links the two parts of the site, but this outside of the application site being in separate ownership.



*Site Location*

The site is defined as a 'strategic allocation' in the South Wiltshire Core Strategy (SWCS), and is the subject of a specific 'development template'. Policy CP2 of the SWCS states that planning permission will be granted for 450 dwellings and 3 ha of 'employment and other uses' at the site. The template states that the site will deliver the following:

- Around 450 new dwellings of which 40% will be affordable;
- A minimum of 3 hectares of employment land to provide around 1,200 new jobs and to include some start-up units;
- New 1 FE primary school and secondary contributions; and
- Public open space.

The site is adjacent to the settlement boundary of Wilton and is in easy reach of the town centre approximately 0.7 km to the south - a ten minute walk.

To the north the site borders a small housing estate named Thornton Crescent and open countryside. The eastern side of the site borders open countryside (north of the

railway) and a housing estate named Fugglestone (south of the railway); and to the western side, The Avenue. On the opposite side of The Avenue is some further housing, the recent Wilton Diocesan Board of Education development and a 'park and ride' site. Close by to the south of the site is the grade I Listed Wilton House and the grade I listed Wilton House Registered Park and Garden.

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

The application site was last occupied as the UK Land Forces Head Quarters (a military use), but is now vacant. That occupier relocated to Andover, vacating the site at the end of March 2011.

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

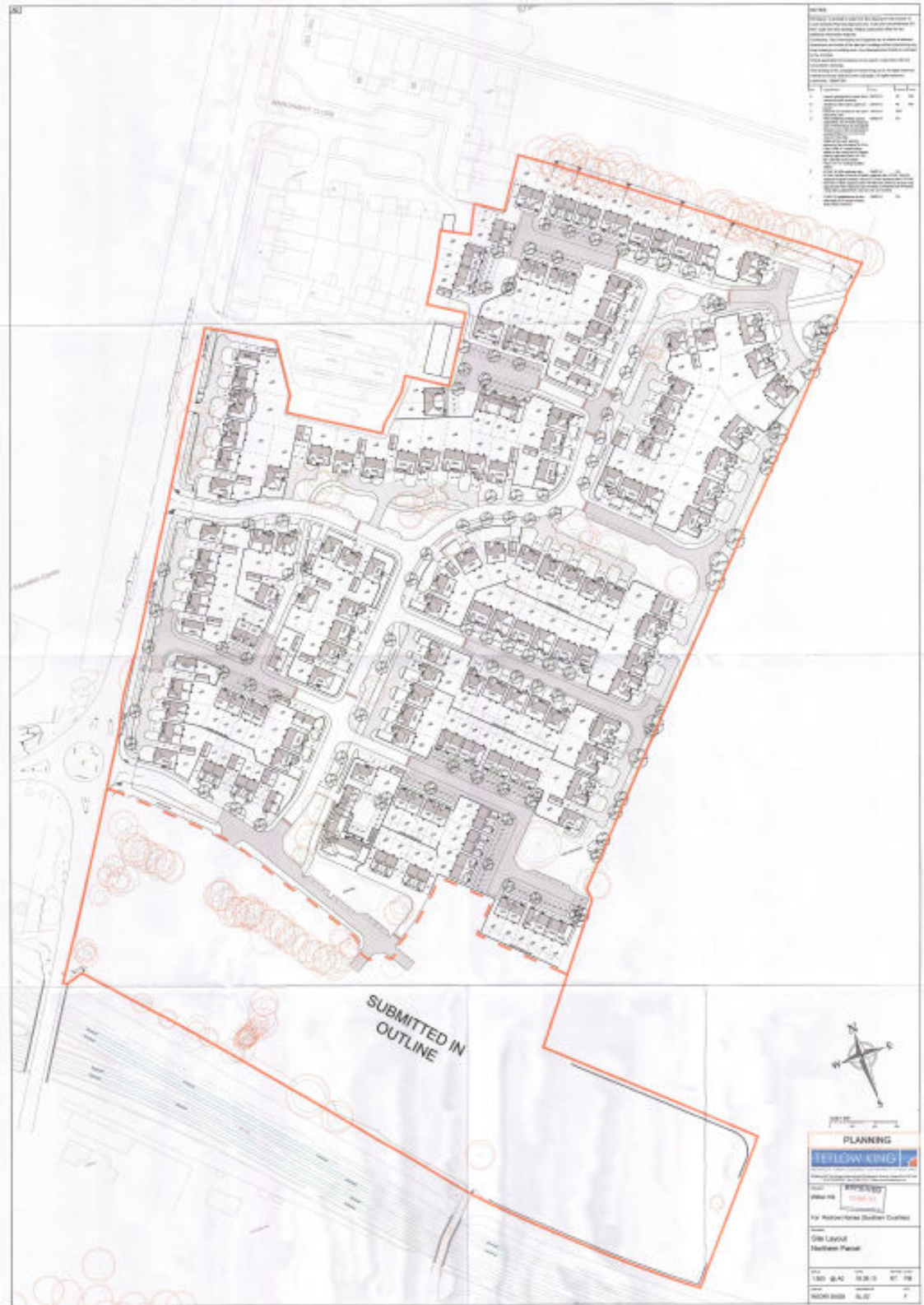
This site has an extensive and lengthy planning history including developments carried out under the old Crown exemption. Much of the planning history is not relevant and does not significantly impact upon this proposal.

Relevant planning history -

S/2012/0517/OL - Demolition of existing buildings and erection of 450 houses and 3 hectares of employment space and access - approved with conditions and a Section 106 agreement dated 14<sup>th</sup> February 2013.

#### **5. The Proposal**

This application is for part outline and part full planning permission (a 'hybrid application'). The full element of the application is for 292 'conventional' dwellings (including 30 affordable dwellings) on approximately 10 ha of the site. The outline element relates to the remaining land, and is for an 'enterprise hub' and accommodation and training/employment facilities for military veterans (including a care home) on approximately 2 ha, Class B1, B2 and/or B8 employment development on approximately 1 ha, and a neighbourhood retail store of approximately 400 sq m.



Site Layout - northern



Core Policy 2. Strategic allocations and UKLF development template  
Core Policy 3. Affordable housing  
Core Policy 5. Employment land  
Core Policy 18. Lifetime homes standards  
Core Policy 25. Air quality

Salisbury District Local Plan “saved” policies: Include amongst others  
G1 General principles for development  
G2 General criteria for development  
G9 Planning obligations  
H22 Urban sites outside housing policy boundaries  
R2 Open space and recreation  
TR1 – Transport, Salisbury urban area

## 7. Consultations

Wilton Town Council: supports the application in principle subject to clarification of the following -

- Whether there are sufficient car parking spaces provided
- Provision of a traffic plan in connection with shared space project around the A36
- Provision of primary education in Wilton town
- Provision of leisure facilities including a skate board park
- Clarification of the body to be responsible for the maintenance of the open spaces
- Provision of energy recycling, including the bulk selling of energy back to the community at reduced rates
- Vigorous enforcement by Wiltshire Council of any breach of condition imposed during the building period

The TC also notes that the applicant has not complied with Wiltshire Council’s street naming policy, and has not consulted the TC on the naming of the streets prior to the submission of the application.

WC Archaeology: Various concerns [which can be addressed by planning conditions].

WC Ecologist: no objection is raised subject to conditions being imposed to cover the following matters -

Phosphates and the River Avon SAC, Salisbury Plain SPA, Tree and Grassland Habitats, Bats and Reptiles and Invasive Non native plants.

WC Landscape Architect: the application documents have been studied in relation to landscape and no objections in principle are raised. The design broadly addresses the design objectives listed in the development template in the South Wiltshire Core Strategy.

WC Open Spaces Officer: a holding objection is currently in place until the following matters are agreed:

1. The equipped play space on-site provision and off-site contribution level.
2. The youth and adult open space off-site contribution level.
3. The adoptable areas and the commuted sums to be sought.

The above matters can be addressed in a S106 agreement.

WC Education: no objections subject to an appropriate financial contribution being paid based on the agreed formula.

WC Affordable Housing Officer: Initially significant concerns and issues arose concerning affordable housing provision, tenure split, property types / size mix, code level and nominations. The housing team had confirmed that although further information has been submitted by the applicants to justify the approach adopted (earlier in the application process), an objection was maintained to the application in principle. This was based on the level of provision of affordable housing; the application was not supported in terms of the detail of the affordable housing including tenures and property sizes, spread through the site and other matters.

However, greater justification from the applicants has led to a much clearer and better understanding of the housing offer and these matters are addressed in full in the affordable housing section below.

WC Highways: Final comments awaited in view of on-going negotiations.

This site is designated in the SWCS for development and the proposal is, therefore, supported. However, that support relies on the development contributing to the Core Strategy Transport Policy which requires new housing development to contribute to the overall impact of all housing developments up to and including 2025. To that end, a financial contribution will be sought. The developer will therefore be expected to enter into a Section 106 Agreement for the payment of the Transport Contribution amongst other items which are discussed below.

Also, the development site must be capable, in road safety and capacity terms, of satisfactorily meeting or mitigating its impact on the existing road network. The developer has submitted statements to quantify these impacts but there are some areas which need to be further clarified.

The areas in need of further clarification are referred to in more detail in the 'Highways' section of the officer's appraisal below.

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



WC Environmental Health Officers:

Land Quality / contamination -

A range of Land Quality Assessment reports have been submitted with the application and these have been assessed. It is recommended that any planning permission granted would need to be conditioned to ensure that the work including that referred to in the reports is carried out appropriately and to the satisfaction of this LPA.

This will include:

- Removal of Underground service tanks (UST's) will need to be confirmed.
- Area directly beneath the UST's and the over ground tank will need to be sampled to ensure no contamination - some remediation / validation may be required following this.
- Asbestos survey will be required to establish its presence in the buildings and control measures required.

Noise -

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

Consultations are ongoing in these regards including matters to be covered in the section 106. An update will be given at the meeting.

WC Waste & Recycling: no objection.

The submitted document "Outline Waste Audit" has been reviewed and it follows the councils waste guidance document closely, particularly in relation to the service to households, and includes an encouraging level of relevant detail.

WC Arts Service: Through the Core Strategy Wiltshire Council have developed further public art policies. No objections were raised to the previous application in relation to public art and a financial contribution has been agreed.

Negotiations are ongoing to secure public art for this application to be in line with Salisbury Local Plan Policy D8 / Objective 10 of Salisbury's Creating Places Design Guide SPG.

It is likely that the existing main gates to the Barracks off the park and ride roundabout will be refurbished, retained and maintained as part of the public art scheme for this proposal. In addition a financial contribution will be sought for the site generally.

Environment Agency: No objection to the proposals subject to conditions being attached to any permission granted. Conditions will cover: Contaminated Land, Flood Risk, Land Contamination, Drainage, Water Quality / Water Resources, Water Supply, Foul Drainage, Construction Environment Management Plan, Site Waste Management Plan, Pollution Prevention during Construction.

Wessex Water: No comments have been received to date. However, Wessex water have considered the Water Supply Reports compiled by Entec, submitted with the previous application which address matters connected with Wessex Water as water and sewerage undertaker for the area. The strategy for foul and surface water drainage and water supply appear to be in accordance with Wessex Water's understanding of discussions held with Entec regarding servicing the proposed site.

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

Highways Agency: Initial issues addressed.

English Heritage: no objection.

Advice - note that the application area lies in proximity to a number of sensitive, designated heritage assets. These include:

- the Scheduled Monument known as '*Bowl barrow 430m north west of Northdown Barn*' (ref. 1017705);
- the Coombe Bissett Conservation Area, encompassing a number of Listed Buildings; and
- the Grade I Registered Park and Garden at Wilton (ref. 1000440).

The applicants have commissioned a comprehensive Environment Statement (ES) that has robustly examined the potential impacts of the proposals to the historic environment in chapters 6 (Landscape and Visual) and 8 (Cultural Heritage). We have looked closely at the ES and our records of heritage assets in this locality and have come to the conclusion that the proposals *will not* result in 'substantial harm' (NPPF paras. 132 - 134) to the significance of the designated heritage assets noted above or to those located further away from the proposed site.

Sport England: No comments.

The Georgian Group: Partial outline planning permission does not seem to be the most appropriate way to deal with a site of this nature. The Group advises that detailed permission should be applied for all parts of the site so that the future of the site can be decided consistently and comprehensively rather than in a potentially piecemeal fashion. The parts of the site being submitted under outline permission are the parts of the site that will have the greatest impact on views from the Wilton Park Registered landscape.

The Group is concerned about the impact that these proposals would have on the setting of the Grade I listed Wilton House, the Grade I registered landscape of Wilton Park, and the impact on other historic buildings within the vicinity.

Salisbury Campaign for Better Transport: Object to the application on the following grounds:

The link between the northern and southern halves of the site provided by the footbridge across the railway line was considered a key part of the sustainability of the development when previous outline application S/2011/0517 was approved by Wiltshire Council's Strategic Planning Committee on 16/11/2011. This condition was subsequently removed before the formal approval of the application on 14/2/2013 and the current application does not include this bridge within the site. We believe it to be essential that this link forms part of the development in order to maintain permeability of the site and to facilitate access within the site by sustainable means.

There is insufficient attention paid to the requirement for safe cycling routes both into Wilton and into Salisbury from this site.

The provision of safe crossing points across the A36 needs more thought, given the requirement for those returning from Salisbury by bus to cross the A36 to the east of the A36/A30 roundabout. Also the proposal to relocate the existing pelican crossing to the west of the A36/A30 roundabout further to the east needs to be given careful thought taking into account the needs of existing users as well as those from the new development. Rather than formal crossing points, consideration should be given to a 'shared space' solution on the A36 which could help to better integrate the new development with the rest of Wilton Town and provide a better 'sense of place' than the existing A36 street scene.

Salisbury Civic Society: The overall proposal has some promising aspect but others that are particularly disappointing and it is the hybrid nature of this application that raises many uncertainties regarding the delivery of good design and sustainable development in line with the principles set out in the National Planning Policy Framework. Although the scheme attempts to tick the boxes generally regarding the retention of existing trees, semi-natural planting, the creation of streets with defined frontages, boundary treatment, the integration of SUDS and ground infiltration for drainage into the open space system, there are a number of important aspects which cause concern which are, Housing Density, Layout and Design, Shared Space, Green Infrastructure, Planting, Connectivity, Community Integration

Salisbury Sustrans: Objection on the basis that the submitted transport assessments and travel plans are inaccurate and the proposed measures to support sustainable access to the site inadequate. While supporting the objective of developing the site for new homes and employment the current proposals will create a community which is physically isolated from Wilton. Residents or employees will predominantly rely on trips by car to access the site or services and amenities which should be accessible on foot or by bike.

Change step: Unqualified support for the proposals - consider that WC housing officers should reconsider their objections to this innovative and needed scheme.

Wiltshire Fire & Rescue: Wiltshire Fire & Rescue Service does not receive funding to mitigate the risk generated by new growth in Wiltshire, and considers that the burden of related infrastructure cost should be passed on to developers through Section 106 of the Town & Country Planning Act 1990 and the Community Infrastructure Levy when adopted by local authorities. Wiltshire Fire & Rescue Service's requirements are written into the local planning policies in the Swindon Council and Wiltshire Council Core Strategy Documents and the Infrastructure Delivery Plans.

It follows that a financial contribution will be required and used to support the provision of services in this case.

## **8. Publicity**

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

Letters of objection and support have been received together with others making observations.

Summary of key relevant points arising:

- This development will contribute much to the people and habitat of Wilton. Concrete decisions on affordable family homes are needed. Support plans for multi-generation sustainable housing, linking footways and good play provision.
- The 2.23 hectares shown (under retail A1 use and various dwellings) should be included in the land which the detailed application is proposing for housing use.
- The veterans' hub and various care and retirement living dwellings are appropriate, but they should be part of the mix of the residential land use on the site and not postured as 'employment use'.
- The need for a retail shop should be included with the residential land area as it is only required in order to serve the homes being proposed.
- Poor ecological assessment of the site with lack of available information on ecology which should be a material consideration.
- The link between the northern and southern half of the sites is retained and improved for pedestrians and cyclists.
- Links for cyclists to destinations listed in the Travel Plans are improved to enable the proposed journeys to be undertaken directly and safely.
- The link between the northern and southern half of the sites must be retained and improved for pedestrians and cyclists.
- The proposals in the application leave cyclists very poorly served.
- Object to the plans for 292 dwellings as the A36 and adjoining roads are already congested.
- A comprehensive, long term vision is needed. Would like to see Wiltshire Council taking a lead in grasping the opportunities offered by these developments. Whilst there is a need to re-think traffic management, I believe

there is also an opportunity to boost the tourist economy and improve outdoor leisure facilities for local people.

## **9. Planning Considerations**

### 9.1 Policy issues and Principle of development

Key spatial planning considerations:

The March 2011 Statement *Planning for Growth* indicates that the ....

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

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

National Planning Policy Framework:

The National Planning Policy Framework (NPPF) makes it clear that there should be a presumption of favour of sustainable development. It states:

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

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

The housing section of the NPPF states that:

*110. The presumption in favour of sustainable development means that Local Plans should be prepared on the basis that objectively assessed development needs should be met, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. Applications should be considered in accordance with the presumption. Planning permission should be granted where relevant policies are out of date, for example where a local authority cannot demonstrate an up-to-date five-year supply of deliverable housing sites.*

The adopted South Wiltshire Core Strategy:

This document is the current development plan for South Wiltshire. Key policies include CP1, CP2, CP3 and the template for this particular allocated site.

Likewise the emerging Wiltshire Core Strategy is an important material consideration.

## 9.2 Principle of development

Core Policy 2. Strategic Allocations and UKLF development template:

The principle of development on this site is established by its allocation in the SWCS. The development template in the Strategy sets out details of the quanta of development, the place shaping requirements, and the additional infrastructure made necessary by the development.

## 9.3 Design / Layout / Scale and visual amenity

The proposal has been the subject of a very extensive and lengthy pre-application community consultation process. This has included public meetings held at Wilton Community Centre in order to inform the local community and to provide the opportunity for comments and feed-back. Invitations to these community consultation events were sent to residents and businesses within the vicinity of the site, Wilton Town Council and Salisbury City Council, and Wiltshire Council members and the local MP.

The outcomes of this process are set out in the Design & Access Statement and the Statement of Community involvement which accompany the application.

Design Concept -

In terms of design concept, the proposal largely reflects the key issues which evolved from the pre-application process. In particular, the proposal delivers an integrated, distinctive and responsive place for people to live and work.

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

In creating a memorable place the proposal provides a mix of residential, commercial, community and open spaces accessible to a wide range of people.

Regarding the pedestrian bridge over the railway, this is in the ownership of a third party, and it came to light during the processing of the previous application that its availability to provide access between the two parts of the site is complicated by this. In the event, the previous application was granted planning permission without this bridge providing access, primarily because the separate road bridge at The Avenue

provides adequate connectivity. This principle applies equally to the current application. The layout of the proposal can be arranged to provide potential access over the foot bridge, should at some future date it become available.

Whilst the design concept considers the site as a whole, site topography dictates that the proposed layout is in two parts. The upper northern part of the site will accommodate the higher proportion of dwellings whereas the lower part section will provide a greater proportion of homes as apartments / flats. The southern section will be slightly more dense than the north but, the site as a whole will achieve density of dwellings per hectare that is considered to be appropriate for this location within easy walking distance of town centre facilities and public transport provision.

The layout will result in distinct areas that provide variety of built form, architectural design, density and landscape character. This will exude a memorable sense of place with a distinct local character.

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

#### Scale / Massing / Density –

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

Whilst the design approach adopted is very good overall, officers are continuing to negotiate improvements on some aspects of design and amended plans are being considered at the time of writing this report. Due to the on-going negotiations and as comments are awaited on the latest design proposals, the Committee will be updated at the meeting and the plans shown will comprise the latest amendments. The applicants have to date been very keen to assist the council in evolving the whole scheme aimed at providing an exemplary approach to design.

#### 9.4 Historic environment issues

As part of the proposal a Cultural Heritage Statement has been submitted. This identifies that the development has a low to minimal risk relating to historic sites and their setting, and in regard to potential heritage assets.

The statement identifies that the northern part of the site adjoins the conservation area and refers to the nearby Grade I Listed house and park.

The southern part of the site is not visible due to the existing tree belt and site topography.

In considering the extant application agreement was reached with English Heritage on matters of what they would expect in the event of the re-development of the site. These include limiting building heights to two stories due to the site being on a rising slope. This has been accommodated with this application as building heights will be limited to two stories in the northern part of this site which includes the higher areas.

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

### 9.5 Archaeology

This site is of archaeological interest for a number of reasons. It is directly adjacent to the Grade I designated Wilton Registered Park and Garden, elements of which lie outside the designated area and within the site. There are also a number of other archaeological sites in the immediate vicinity, including prehistoric enclosures and medieval finds. In addition, the brickearths in this area have the potential to contain archaeological and palaeoenvironmental evidence which relates to the Palaeolithic period. The mapping of the head deposits particularly identifies deposits of this period in the southern part of the site. Extant deposits from this period are rare and have the potential to contain remains of national and international importance.

The National Planning and Policy Framework (NPPF) contains the following Policy:

*128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.*

A previous application on this site included a desk based assessment, however there is no such document with this application. Given the archaeological potential for the site and the presence of a designated heritage asset (the Registered Park & Garden) directly adjacent to the site the WC Archaeologist would prefer to have this. In light of this the archaeologist recommends that a heritage assessment is submitted for the application. She also recommends that an archaeological field evaluation is carried out prior to the determination of the application.



The WC Archaeologist, therefore, recommends that no decision on approval of this scheme should be made until the results of a field evaluation have been made known. She further states that if the results are positive, it may be necessary for a further programme of archaeological works as an appropriate planning condition to be carried out prior to development, or to recommend preservation *in situ* of the remains.

However, in the Cultural Heritage Statement it is stated that the applicant will put all measures in place to ensure archaeological site investigations are undertaken by a suitably qualified archaeological contractor in line with an agreed programme of work, endorsed by Wiltshire Council.

In light of this statement, and in view of the very productive working relationship between all parties in this case, there is no reason to doubt that archaeological matters will not be properly dealt with. As such it is not considered necessary to require pre-determination work but, pre-commencement conditions are recommended instead.

#### 9.6 Employment and economic development issues

The case for the applicant -

The applicant's rationale for the employment generating aspects of the proposal are set out as follows:

*Generating and sustaining high quality employment opportunities is a key objective of the Wilton Hill scheme. The current planning permission allows for substantial office accommodation associated with large corporate tenants. We have commissioned a report by local property agent Philip Holford, from Mydleton and Major, to assess the local commercial property demand for this type of accommodation and also learn lessons from other business park schemes in the locality.*

*The report confirms that a large scale office based business park on the 3 ha at Wilton is not viable for this site and that not only is there no demand for this type of accommodation now, but that in Wilton, it is unlikely to ever materialise.*

*In the current economic climate (a very different one from the original permission) we believe it is essential to establish a more realistic and thoughtful approach to employment on this site. It is not just about allocation of land, it is about ensuring a lasting sustainable employment generation base that can be flexible, meet local demand and create new opportunities for local people in perpetuity. It is also important that the local community is more empowered to actually deliver this new employment strategy and activity and take charge of its current and future development, as they are best placed to do so.*

*It is also important to state that there was no substantial job loss from the closure of Erskine Barracks and this is confirmed by the MoD.*

*Our proposals under this new scheme have the following core objectives:*

- *Wilton Hill will create and secure new employment opportunities both on and off the site;*
- *Encourage employment that will contribute to place making and the vibrancy of the Wilton Hill community;*
- *Support community driven approaches to creating, building and sustaining employment by contributing a community owned and run Enterprise Centre;*
- *Create specialist training and job opportunities for more vulnerable veterans and those who are facing redundancy from the services more generally;*
- *Provide affordable and accessible child care on site to enable those who want to work do so;*
- *Meet existing needs as well as future potential by enhancing the infrastructure and support for small businesses and start-up's in Wilton – which are the main source of current employment.*

*The veterans care community will be a significant employment generator on the site with in excess of 100 jobs (full time and part time) in care related professions. The Veterans' Hub will also create 30 new sheltered jobs for its residents and this work is already underway with OurEnterprise establishing a new veterans' start-up business in Salisbury in partnership with local colleges and Charities (including Remploy) so that once the hub building is completed the business and its related employment is ready to move in.*

*At the core of the employment building strategy is a new enterprise hub owned, operated and managed by the community. This will be approximately 20,000 square feet of enterprise accommodation, with a super fast broadband link as a key feature of the offer. This facility will support home workers, who want hot desking space and somewhere more sociable to work, small businesses who need modest office space and incubator space for local business people to support and mentor new start-up's and a specific enterprise offer to encourage young people to find either training, employment or start their own business. There will also be a link to the childcare facility.*

*The community run Enterprise Hub will create in excess of 140 Full time jobs based on calculations from the HCA Employment Densities Guide 2<sup>nd</sup> Edition 2010.*

*It is also important to point out that the benefit of the community owning and operating the enterprise hub secures the building use for this purpose in perpetuity and enables multiple job creating opportunities by incubating new start-ups as well as providing facilities for more established small business.*

*There is also a further employment area that can accommodate up to 5,780 sqm of floor space. Based on those assumptions this can generate an additional 470 jobs approximately. This is based upon 4,768sqm/10 per full time employee = 474.*

The planning policy perspective -

The Council's Economy and Enterprise Service have been consulted on this proposal. The Service has pointed out that there is at present a comparative shortage of development sites for employment uses that can be delivered in the immediate or short term in the county. This issue was commented on in the 2011 Roger Tym and Partners Wiltshire Workspace and Employment Land Review:

*The shortage of readily available land has been raised as a key issue that must be addressed sooner rather than later if existing larger employers are to be retained and new enquiries catered for. Agents and key stakeholders consulted during the course of this study have identified a number of businesses that have either relocated outside Wiltshire or are considering doing so because they cannot find suitable land on which to expand their operations.*

Businesses in the local area who are looking to expand their operations in the near future may decide to relocate if they cannot obtain a site locally. This could result in job and business losses. A range and diversity of available sites in the area has to help support the retention and growth of locally based businesses and also support attracting inward investors.

Furthermore, the Service considers that reference to the context of this site is very important. When it was announced that the MOD were largely vacating this site the council immediately set up the Wilton Task Force, a group comprising the MOD, the council and the local community. The principal purpose of this group was to ensure that the impact of the loss of 1,200 jobs from the Wilton area could as far as possible be mitigated. In this context, the employment component of this site has always been a high priority. The policy supporting mixed use provision came through positive discussions with Defence Estates and a consensus that the site could help meet local needs across a broader range of land uses, as well as potentially raising its attractiveness to the market. It is within this context of evidence that the core strategy policy was written, i.e. mitigating job losses.

With this in mind, the following is material:

1. The applicant has chosen to include retail and veteran extra care housing and a veteran care home as 'employment' uses (albeit that the veterans' facilities also provide training and employment for the veterans within the 'hub'). These are not Class B employment uses. That said, there is no opposition to the veterans' facilities planned for the overall site per se, and the job creation numbers contained in the employment report are encouraging.
2. The total Class B employment proposed for the scheme is a reduction from the 3 ha required by Core Policy 2. The applicant has provided independent evidence suggesting that there is a lack of demand for this amount of office space, but has not demonstrated any evidence supporting why they have not considered the inclusion of a greater amount of light industrial, general industrial and storage and distribution uses instead.
3. There is concern that the proposed location of the Class B2 and B8 uses which are proposed will not be commercially attractive. The application provides that

the employment uses lie to the rear of the site and are to be accessed via the residential area. It is anticipated that this location is unlikely to appeal to prospective tenants and occupiers as not only does it fail to offer any visual prominence on the A36 for businesses, it also fails to provide adequate separation between the proposed commercial and residential uses. Such a configuration could hinder marketing of the commercial elements.

The balancing exercise -

As is evident, it is necessary to balance the aims of the core strategy policies with the unique circumstances of this application offer. It is clear that a good proportion of the applicant's proposed employment offer is quite different to what the strategy policies originally envisaged for the site in that it is 'wrapped-up' with, and incorporated in, other uses including the veterans' accommodation and an enterprise hub. However, it is this overlap of uses which, in fact, helps to tip the balance in favour of the proposal – the veterans' training and employment facilities are implicitly part of the veteran's accommodation, and there is also interdependency with the enterprise hub and, potentially, with the conventional employment uses. It is also relevant that although these are not all Class B employment uses, they will still provide employment, and create trained veteran employees ready for the civilian job market, as evidenced in the applicant's independent report and as further summarised in the following table.

<b>Permanent on-site employment</b>	<b>Jobs</b>
Sheltered veteran jobs for injured, sick, disabled	40
Veteran care jobs	100
Enterprise hub jobs	200
Specific employer jobs (currently confidential)	300
Jobs generated from veteran enterprise activity	200
<b>Training (per annum)</b>	
Veterans in on-site training	1,000
<b>Off-site (per annum)</b>	
Veterans and reservists fast track paid training/employment	1,000
<i>Total jobs/training</i>	<i>2,840</i>

Finally, it is significant that there is local support for an enterprise hub and the veterans' facilities which, in terms of localism, is a material consideration to be given appreciable weight.

So, on balance it is considered that this is an acceptable form of exceptional development in terms of its employment offer and the benefits it will provide to the community and to military veterans, this notwithstanding the strict incompatibility with the allocation and employment policies of the SWCS.

### 9.7 Affordable Housing

SWCS Policy CP3 is the affordable housing policy. It requires 40% affordable housing provision on large sites such as this. It is supported by Policy CP10 which

sets out the specific affordable housing needs for the Wilton Community Area.

Depending on how rigidly the definition of affordable housing is applied, the application offers between 8% and 28% of the houses as affordable which is clearly less than the Policy CP3 requirement. It follows that the proposal is strictly contrary to the policy and the related development template.

The proposed mix is set out in the following table:

House types	Open market houses	Specific needs houses	Specific needs as % of open market
Open market houses	262		
Policy CP3 affordable houses		30	8.2%
+ Veterans (houses)		+ 30	16.5%
+ Veterans (other accommodation)		+ 40	27.6%
Total	262	100	27.6%

Wiltshire's position -

There is a high level of conventional affordable housing need across Wiltshire with 1,668 applicants currently in need of affordable rented accommodation, 343 of who are in immediate need for housing in the South West Wiltshire Community Area which includes Wilton. There are no other large strategic sites coming forward in the South West Wiltshire Area to help address that housing need. Normally any reduction from 40% could only be supported if firm evidence that it would render the development unviable is provided.

In addition to the needs for affordable rented accommodation there is also a need for intermediate housing in the form of shared ownership accommodation. This would form part of the overall affordable housing provision. House prices in the Wilton area are beyond the reach of many people, and in many cases shared ownership is the only way to access home ownership and avoid costly open market rented housing. There are currently 35 applicants on the Home Buy Agent's register who already live in Wiltshire and are expressing an interest in shared ownership housing in Wilton. In view of this background the WC Housing Officer, therefore, recommends that the affordable housing provision on this site is split between 75% affordable rented housing and 25% shared ownership housing.

General needs affordable housing versus supported housing -

The proposal includes specific needs housing in the form of conventional affordable housing and specialist veterans' accommodation. When broken down, the actual percentage of proposed 'conventional' affordable housing compared with the total number of proposed houses is 8.2% (assuming that all the veterans' accommodation falls within the Class C3 category, making the total number of houses proposed 362). Factoring in the veterans' accommodation as a specialist form of affordable housing this percentage increases to 16.5% - 27.6% (the latter figure again

assuming that all the veteran's accommodation falls within the Class C3 category). Such an approach does not comply with Policy CP3.

The proposed level of general needs affordable housing is below the Policy CP3 expectation and would not significantly help to address the identified need in the local area, and with no other large sites in the pipeline in the South West Wiltshire Community Area, that need would continue to become more acute.

Other material considerations -

Notwithstanding the policy position, there are a number of material considerations which also need to be considered in the 'mix'. Firstly, the proposed veterans' accommodation is a form of affordable housing which the Council as local planning authority has a duty to consider. The NPPF is relevant in this respect stating that local planning authorities should have an understanding of the need for housing in their areas, including affordable housing for different groups in the community, which would include military veterans. It is of note that the Council's recently published report entitled Veteran Population in Wiltshire refers to, amongst other things, levels of homelessness amongst veterans in the county. As set out above, factoring in the proposed veterans' accommodation as a specialist form of affordable housing pushes the provision to up to potentially 28% of the total number of units being proposed.

Secondly, it is relevant that the veterans' hub is not just about providing accommodation. As already stated in the employment section of the report, the accommodation is part of a bigger picture where training and employment will be provided for the accommodated veterans to enable them to more ably enter civilian life and obtain employment. These other elements of the hub make up a key part of the overall facility beyond just the accommodation.

Thirdly, there is support for the veterans' accommodation from a good proportion of the local community. Both the Community Land Trust and Wilton Town Council are broadly in agreement with the current proposals, and this support reflects the general views of many local residents.

Fourthly, the promoter of the veterans' accommodation has stated that elements of the accommodation could also be made available for local people at times when demand from veterans is low, and that priority will be given to veterans with a local connection in any event, in accordance with the new allocations policy.

The balancing exercise -

Having regard to these material considerations it is considered that in this particular case there are unique circumstances which justify flexible application of Policy CP3 to allow veterans' accommodation on this site as an alternative form of affordable housing to that normally required. It is also considered appropriate in this case to allow a reduced overall provision of affordable housing in view of the manner in which the veterans' hub will function, with critical training and employment space being provided rather than just residential accommodation.

The unique circumstances of this proposal would not set a precedent for other strategic sites offering only conventional affordable housing.

Care Home -

The applicant also proposes a care home. However, as this is a Class C2 Use it cannot be considered as contributing towards the overall affordable housing provision on the site.

Allocations policy -

The Council's allocations policy has recently been reviewed so as to give priority to applicants with a local connection to the area in which a site is being developed, provided that they are considered to be in housing need. It is therefore important to ensure that any affordable housing being provided on a site is meeting an identified local need, hence the importance of the evidence required to support the need for veterans' accommodation for those with a local connection.

Affordable housing distribution on-site -

The original proposal was for the affordable housing (veterans and general needs) to all be located at the south end of the site, with the north of the site accommodating the open market residential homes. Policy CP3 of the SWCS requires affordable homes to be evenly distributed throughout a development and to be indistinguishable from the open market dwellings.

The applicant has since provided amendments to the proposal. The amendments will now locate affordable housing on both halves of the site.

#### 9.8 Education Issues and provision

A new assessment of education need has been completed by the WC Education Officers in relation to this application, which is intended to replace the existing application and its attendant S106 agreement, should it be approved.

The new assessment is based on the reduced figure of 292 units of housing. For the purposes of the assessment, it is assumed that 40% affordable housing is being proposed, although in the event of a different proposal the assessment can be adjusted.

The Education Officer states:

*Assuming 40% affordable housing of 292 units .... 117 are affordable units, and 175 are open market. Applying the standard 30% discount for affordable housing reduces these by 35 units to 82 units and so the qualifying properties for assessment are 175 + 82 = 257 units. These generate a need for 79.67 rounded to 80 primary places and 56.54 rounded to 57 secondary places.*

*A new primary school to serve this area of Salisbury/Wilton is required and will be built as part of the development at Fugglestone Red. This applicant is therefore*

*required to contribute towards this project by funding the capital cost of the 80 primary places that its development generates.*

*At secondary level, work has been undertaken in recent months using the latest pupil data on the availability of places in the Salisbury schools. As a result, an allowance for existing spare places across the city is being applied to draft Core Strategy sites of one spare place per 30 units of build, and this is applicable to applications in respect of the strategic sites coming forward.*

*As this is a combined application for outline and full planning approval, Education Officers caveat that as the number of places required is derived directly from the housing number and mix, the current uncertainty in this regard and any changes to those details will necessitate a revised assessment, in order to ensure that the contributions required reflect the “final” number/mix of units approved at reserved matters stage. The assessments use the pupil data, forecasts, capacities and details of other developments within the same designated area/s current at the time they are made, and are application specific. As such, was this application not to progress for any reason, the situation at the relevant schools, and the contribution requirements quoted today, would be unlikely to remain unchanged. The capital cost multipliers applicable to the ensuing S106 agreement will be those in operation at the time of its signature/completion. At the moment, assessments are using the 2012/13 figures quoted above, but they are likely to be updated for the remainder of 2013/14 financial year on a newly costed basis, and in the very near future.*

*Should the S106 need to be concluded before the housing number and mix are finalised, then it can be arranged to include appropriate formulae to allow for calculation at a later date. Standard S106 payment triggers for a development of this size would be 50% upon commencement of development and the remainder at the midway building point i.e. before starting construction of the 147th housing unit.*

## 9.9 Impact upon highway safety / Infrastructure

### Access and Movement –

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

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

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



#### Vehicular access –

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

#### Internal movement –

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

#### Parking Provision –

Vehicular parking provision is based on the standards provided in Appendix B of the Wiltshire Local Transport Plan (LTP) 3. Residential parking will be provided in a mixture of on street allocated bays and off- street private drives and garages.

The Wiltshire Local Transport Plan (LTP) 3 doesn't include cycle parking standards and for this reference has been made to Appendix 6 of the Salisbury District Local Plan. This is considered to be an appropriate source for reference regarding such provision in this case.

#### Travel Plan -

A separate Transport Assessment and a Residential Travel Plan has been produced which sets out the objectives and targets, initiatives and an implementation programme to be taken through the process of planning, design, construction and occupation of the development.

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

These measures will include walking and cycling, public transport, car parking and parking management and workplace travel plan good practice measures.

The Transport Assessment and Travel plan are sizable documents. The above is a summary of the main aspects of their contents and details with full content available via the council's web site.

The WC Highways Officers have been involved in ongoing negotiations with the applicant. Whilst this has resulted in notable improvements to the highways aspects of this development, there remain some outstanding matters at the time of writing

this report. The Committee will be updated in this regard at the meeting. The outstanding matters are set out below:

*With regard to the internal layout, swept paths plans are required of the entire site to ensure that a large refuse vehicle can turn. Particular areas of concern are around flats A & D.*

*Site Layout 01 (Southern Parcel):*

- 1. The access serving the outline site and flats A requires a 2m footway into the site to link with the outline site and to provide a safe pedestrian route.*
- 2. The roads serving the outline site and flats A does not need to be adopted.*
- 3. The access road serving the remainder of the southern site requires a 0.5m buffer strip.*
- 4. The access serving mews plots 1-4 is located close to the junction. Appropriate sight lines from this access are to be provided and maintained.*
- 5. A footpath to the south of the site needs to be added or relocated to link with the proposed pedestrian crossing on the A36.*

*Site Layout 02 (Northern Parcel):*

- 6. The current parking standards (Wiltshire Local Transport Plan 2011-2026) state that garages are not included as part of the allocated parking provision except where there are overriding design considerations. Generally garages that are oversized will be accepted, thereby allowing an element of storage, based on the internal dimensions of 6m by 3m. The proposed single garages (drawing ref: GAR01.pe) meet these requirements, but garages included in the dwellings with integral garages do not. This would appear to relate to certain house types. So, unable to accept the parking provision for these dwellings as either the garages should be enlarged or an additional parking space is necessary.*
- 7. House type KEN4 are four bedroom dwellings but some have only been allocated 2 parking spaces (e.g. plots 169, 170, 190, 191 194-197, 270-273, 289-292).*
- 8. The road serving the outline employment / retirement site is inadequate in width and should measure a minimum of 6.5m along the entire length to accommodate the larger vehicles likely to be accessing the site.*
- 9. There is the potential for conflict between the employment traffic and vehicles reversing from plots 111-116. These plots should be provided with a turning facility.*
- 10. A surfaced bin collection point is required at the entrance to plots 148-152.*
- 11. A sight line to the roundabout should be provided and maintained for plot 111. The vegetation shown on the front boundary may interfere with visibility.*
- 12. Low key (rumble strip) traffic calming features are required close to plots 134/135 and plots 139/140 to ensure speeds remain at or below 20mph.*
- 13. The on-street layby parking adjacent to the access serving plots 155-157 (opposite plot 139) could obstruct visibility for vehicles emerging from the access. The layby should be adjusted in position.*
- 14. It is necessary to ensure that proposed trees will not interfere with short sight lines at the adoptable highway junctions.*

*15. Although more a S38 matter, need to know how the cycleway will be treated particularly when it crosses the carriageway i.e. change of surface material / colour.*

The above points will require the submission of revised plans and negotiations are ongoing in this regard.

In the event that the development proceeds and the existing pedestrian bridge linking the 2 sites remains, there will be pressure from residents to open the bridge for regular pedestrian and cycle use. While acknowledging the difficulties in achieving a safe and adoptable route across the bridge, this should be fully investigated between the applicant, Network Rail, the LPA and the Highway Authority.

Wiltshire Council officers are currently undergoing negotiations with the applicants and Network Rail to secure a possible way forward. However, the Committee should note that the extant planning permission does not include the footbridge over the railway and thus it would be unreasonable to require that this link be included now, particularly as it is in the ownership of a third party. Officers will, however, continue discussions in this regard.

Highways Section 106 –

In the event that this application is approved, there will be planning obligations to secure the following:-

1. Contribution to measures in the Salisbury Transport Strategy of £2900 per residential dwelling unit index linked. (This is the reduced contribution taking into account previous MoD traffic levels as agreed on the previous planning permission and contained in the Section 106 Agreement.)
2. Highway contribution of £40,000 index linked, to short term safety measures at the junction of The Avenue and the A360, as an interim scheme prior to the upgrade of the junction as part of the Fugglestone Red development.
3. Footpath Link contribution of £26,500 index linked towards the provision of an off-site footpath link between the site and the Fugglestone Red development.
4. A Toucan formal pedestrian crossing of the A36 east of The Avenue / A36 roundabout.

Implementation of the full residential travel plan including provision of up to £250 sustainable travel tickets and vouchers per household, (£150 per household where one or more residents are eligible for concessionary travel), and appointment of a travel plan coordinator for five years from first occupation.

On balance it is considered highly likely that all outstanding highways matters can be secured satisfactorily. Therefore, there are no overriding highways objections to this proposal.

### 9.10 Highways Agency Issues

Comments have been received by a number of residents who in conjunction with the Town Council express a preference for the proposed Toucan crossing over the A36 to be located to the west of the roundabout at the bottom of The Avenue.

The S 106 for the extant permission has the crossing located on the east which was considered to be acceptable to the Highways Agency at the time. However, following negotiations with the Agency regarding several matters which include the crossing facilities on the A36 to serve the proposed Wilton Hill development, the EA has confirmed that it cannot accept the relocation of the crossing to the west of the roundabout because the road width is not adequate from a safety point of view. Other reasons include that the pavement width is too narrow to accommodate pedestrians and a cycle route safely and the land needed to improve widths is not owned by the Agency but, is part of a private garden area. This means that the owners of the land could ask a high price for it thus a ransom strip situation could develop. The HA would - in any event - not support the crossing to the west as preferred and as such, negotiations in this regard have not continued. The new toucan crossing will be located on the east side of the roundabout as previously agreed although it will be moved further east away from the roundabout to allow more space for vehicles to anticipate the crossing when in use and to wait without causing tailbacks that could block the roundabout.

The applicants have produced plans and reports including a revised layout for the crossing, a Stage 1 Road Safety Audit (RSA) and Non Motorised User Audit (NMUA) to support the proposals and have submitted these to the Highways Agency for their review. The RSA raised a few minor issues that will be addressed through the detailed design process. Subsequently the HA has confirmed that these reports are acceptable and the plans and reports have been received as part of the application. Wiltshire Council officers have also considered the plans and reports and the council is satisfied that all outstanding matters which affect our interests have been addressed.

### 9.11 Landscape character / public open space

Landscaping and trees -

The majority of trees to be lost to this development are low category due to their poor condition or small size. Some high to moderate category trees will also be lost but they are either well within the site or close to retained trees that will buffer their impact and their loss will have no significant impact on the character of the area. All the significant boundary tree cover will remain intact and there is plenty of space for significant new tree planting which is included as part of a comprehensive new landscape scheme.

The WC Landscape Officer has been consulted and no objections have been raised. Furthermore given the very extensive pre-application consultations - where all aspects of landscaping were considered - it is highly unlikely that any notable adverse impacts will occur.

On balance, therefore, there is no objection to this proposal in terms of the approach adopted for landscaping of the site.

A landscape and open spaces contribution will be sought via the section 106 agreement.

On and off site recreation provision (Policy R2) and public open space -

Community Infrastructure Levy Regulations 2010 – Regulation 122 states that planning obligations must be:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development

In order to make the development acceptable in planning terms, the standards for the provision of public open space in association with new residential developments are set out in Clause 2 of the Local Plan – Appendix IV.

With regards to Clause 6 of the Local Plan – Appendix IV, South Wiltshire is deficient in the provision of both children’s and adults facilities throughout, therefore Wiltshire Council has adopted the upper target figures for the provision of both children’s equipped play facilities and youth and adult facilities.

Clause 7 of the Local Plan – Appendix IV details how the population level is calculated on any new development. The calculation and the proposed population level is as follows:

	Number of Bedrooms	Occupants per	Number of Dwellings	Population
	2	3	67	67 x 3 = 201
	3	4	86	86 x 4 = 344
	4	5	139	139 x 5 = 695
<b>Total</b>			<b>292</b>	<b>1240</b>

Provision for onsite Children’s Use: Clause 2 of the Adopted Local Plan – Appendix IV - fairly and reasonably relates in scale and kind to the development by calculating the Provision of the Public Open Space in accordance with the proposed dwelling mix and population.

Therefore the calculations are as follows:

Population	Calculatio	Required Provision
1240	Equipped Children’s Play Grounds 0.3	0.3720ha
1240	Casual or Informal Play Space 0.5 hectares x	0.6200ha

In order to directly relate the equipped play space to the development, it has been noted that it is proposed to provide play space which centres on a play

trail that will weave its way through the development, at intervals connecting into the play trail, there will be local areas of play (LAP's) providing a space primarily aimed at children up to the age of 6.

Page 35 of the Design and Access Statement details an area of the play trail. However it is noted that the Play Trail continues in a Southerly direction and is also present on the southern side of the development. The current detail on the Play Trail on the Southern side appears to be limited. Where detail of the Play Trail is currently available, it has been estimated that the Equipped Play Trail Equipment comprises an area of approximately 84sqm (0.0084ha).

Further the detail on the LAP's currently appears to be limited and therefore it was requested that an increased level of detail on the LAP's and Play Trail Equipment is provided, in particular exactly what areas in total (m<sup>2</sup>) will house the equipment of the LAP's and Play Trail. Once this information is held the areas will be off-set from the offsite contribution to be sought in lieu of the full Equipped Play Provision being provided on site. The Off-site contribution will be sought towards the closest existing Equipped Play Space, located 300m away from the development proposals at Wilton Road.

With the current detail in mind there is an on-site under provision of 0.3636ha (0.3720ha – (0.0084ha)), however Environmental Services will accept a reduced level of Equipped Play Space on-site, with the on-site deficit to be made up by means of an off-site financial contribution. The contribution can be sought via the section 106 agreement.

It has been noted by the current level of detail provided to date that the approximate area of on-site Equipped Play space is 84sqm (0.0084ha) and therefore this will be taken into consideration with regards to the sum to be sought in lieu of the Equipped Play Space on-site deficit. The above off-site contribution can be reduced further when the full level of detail of the on-site Equipped Play Space area has been made available to Environmental Services.

The financial contribution will be allocated towards the upgrading of the Equipped Play Space at the nearest Equipped Play Space located on Wilton Road, approximately 300m from the development, therefore directly relating this request to the development.

The Casual Play Space is directly related to the development, as it has been estimated that there is approximately 1.25ha of Casual Play Space on the proposed development and therefore the provision level for Casual/Informal Play Space is adequate for the development.

No onsite Youth and Adult provision has been proposed, however it is noted from the Design and Access statement that any future s106 agreement will provide for a financial contribution towards provision of off-site Open Space. The Youth and Adult offsite contribution will be calculated in accordance with Policy R2, the adopted Local Plan.

Consultation with Wilton Town Council has taken place and it has been confirmed that the Contribution should be sought towards the upgrading of the Tennis Courts and provision of a Skate Park both located on Wilton Road, approximately 300m from the development proposals.

#### Summary -

There are no overriding objections to the proposal in regards to recreation and open space matters. However, as demonstrated above, in order to make the development acceptable in planning terms some improvements to the following provision is necessary and these can be agreed via a Section 106 agreement.

- Equipped Children's Play Grounds
- Casual/Informal Play Space
- Youth and adult Space

#### Maintenance Requirements -

Developers will be expected to demonstrate to Wiltshire Council that adequate arrangements for the ongoing maintenance of recreational and amenity space associated with the development have been made. (Clause 19 of the Adopted Local Plan – Appendix IV), such provision may be required in perpetuity.

A maintenance sum will be requested for all adoptable areas, and therefore will be calculated on receipt of a detailed adoption plan, Management Plan and Planting Schedule for all adoptable areas.

Prior to adoption the open space should be fully laid out, equipped and ready for use before either Wiltshire Council or its nominee accepts responsibility.

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

#### 9.12 Ecology / Impact upon protected species

The application includes a full ecology assessment that considers the impact of this proposal on protected species and wildlife habitat. The Ecology assessment report details habitat on the site, possible impacts and potential mitigation.

The proposed development includes a number of measures designed to minimise effects on biodiversity and ensure compliance with relevant legislation. In addition the scheme includes measures to enhance biodiversity.

The measures contained within the reports submitted with the previous application were assessed by the WC Ecologist and an initial stage appropriate assessment was carried out. The conclusions of the assessment are as follows:

### *Need for an Appropriate Assessment*

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

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

In regard to this application the WC Ecologist has been consulted and the following sets out his views:

*An Ecological Appraisal prepared by Hankinson Duckett Associates (Oct 2013), is submitted as part of the proposal. The report provides a good standard of survey and evaluation for the development site (although detailed bat and reptile surveys are still outstanding).*

*The sections on assessment and mitigation are considered to be weak because there are no firm proposals for mitigation. At present therefore it is difficult to determine whether the application will lead to a net ecological loss or net gain. The NPPF looks for development to achieve overall enhancement (para 109) which must be possible for a development of this scale and inclination. Conditions can be imposed which, in the absence of further information from the applicant, would meet these requirements.*

#### *River Avon SAC – phosphates -*

*The development lies in the catchment of the River Avon SAC. Wessex Water has previously confirmed that housing numbers proposed in the Core Strategy to 2026 could be accommodated within existing headroom at all Sewage treatment works. Further modelling is needed to demonstrate that this is still the case in the light of revised housing numbers and the 2011 census figures. However, Natural England and the Environment Agency have confirmed in a draft letter of intent on 7 December 2012 that Wiltshire Council should be able to rely on the EA's Review of Consents when undertaking appropriate assessments of the effects of proposed development on the River Avon SAC. This is the position of the HRA for the current Wiltshire Core Strategy submission draft. At present therefore it is not anticipated that the proposed development of 292 dwellings at Erskine Barracks will lead to likely significant effects in the SAC.*

*Conditions should however be imposed regarding water efficiency, a Construction Environment Management Plan to protect the River Avon SAC.*



#### *Salisbury Plain SPA -*

*The effects of recreational disturbance on stone curlew (a special feature of the SPA) have been well researched and found to be potentially significant, particularly in relation to dog walkers. The Habitats Regulations Assessment for the South Wiltshire Core Strategy identified that recreational pressure arising from new development is likely to have an adverse effect on Salisbury Plain SPA. Since then further work has been undertaken to support the Wiltshire Core Strategy. This demonstrates that the most effective and efficient way to control impacts will be through collecting developer contributions to support the Wessex Stone Curlew Project. This Project employs an ecologist to ensure that stone curlew breeding sites are monitored and managed appropriately to ensure birds can continue to breed despite pressures from recreation and military activities.*

*The application proposes to create 292 new dwellings on land lying within 15km of the eastern part of Salisbury Plain SPA. In accordance with council policy therefore this development will be required to make a contribution per dwelling through a S106 agreement.*

#### *Tree and grassland habitats -*

*Much of the application site is of low value for biodiversity including most of the buildings and hardstanding. Of higher value is the large number of trees, developing scrub and semi-improved grassland which possibly reflects effects of a calcareous substrate on unfertilised amenity grassland. Many of the mature trees on site will be retained but there is no indication of what proportion this will comprise and in what ratio they will be replaced.*

*The Design and Access Statement mentions that rough grassland in open spaces will contain wildflower or herb rich grassland but there is no indication of the distribution or extent of this. Ideally, all non-intensively used grassland areas should comprise a low maintenance, species rich mix to provide the dual advantages of a more relaxed cutting regime and enhanced biodiversity. The Council's Land Adoptions Team is supportive of this approach.*

*In order to address this issue a condition can be applied to enable the council to be sure that ecological gain is achieved by this scheme. In addition, we need to see that these measures can be managed suitably for wildlife in the long term and therefore officers also suggest a condition for a management plan. Given the amount of vegetation that may need to be cleared it is considered to be necessary that restrictions are imposed on the period when vegetation can be removed to avoid impacts to breeding birds.*

#### *Bats -*

*Bat surveys by ENTEC in Summer 2010 identified a soprano pipistrelle maternity roost (building 6) as well as two less significant common pipistrelle roosts (buildings 92a and 18). The only additional building identified in Summer 2013 which was found to contain bats was building 16b. This was considered to be a night roost for brown long-eared and pipistrelle bats. However there was some uncertainty over buildings 43a and 43b and a number of trees were also identified as having potential for bat roosts. Accordingly the Ecological Appraisal states emergence surveys were underway at the time the application was submitted and that a report should be*

*available before application is determined. (this does not appear to have been submitted to date and an update will be given)*

*Assuming that the outstanding bat report confirms conditions are unchanged for the 4 roosts in buildings that will be demolished, the planning authority must consider in broad terms whether Natural England is likely to issue a licence for this under the Habitats Regulations 2010. The roosts are modest in size and comprise relatively common species. In this situation, the development, which is identified as a strategic allocation in the South Wiltshire Core Strategy, is likely to be considered to be of overriding public interest. Likewise it is likely the applicant will be able to demonstrate no satisfactory alternative and that measures can be put in place to ensure the population will be maintained at a favourable conservation status. Therefore there is little doubt that a Natural England licence will be forthcoming.*

*Details of the alternative roosts can be obtained by condition.*

*Reptiles -*

*The results of the reptile survey should be submitted before determination so that we can be sure that the development can address the scale of mitigation required (e.g. a large reptile population would require suitable land set aside for translocation).*

*Invasive non-native plants -*

*Two species identified on the site, Rosa rugosa and Cotoneaster horizontalis are listed on Schedule 9 of the Wildlife and Countryside Act. Section 14 (2) of the Act makes it illegal to plant or cause these species to grow in the wild. The applicant will therefore need to remove them under supervision and dispose of them to a licensed tip. This can be covered by a condition.*

Additional information has been requested in this regard and members will be updated at the meeting.

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

Based on the above comments and given that this proposal is reduced overall (particularly for fewer dwelling and less light industrial use) than the previous approved scheme, affects on habitat are likely to also be reduced. Therefore it is considered highly unlikely that this proposal will have any adverse impacts that cannot be satisfactorily mitigated through planning conditions. Therefore, there is no objection to the proposal from an ecology point of view.

### 9.13 Flood Risk and Drainage, Environment Agency issues

The NPPF sets out the requirements for consideration of flood risk during each stage of the planning process. It advises that a site specific Flood Risk Assessment is carried out for all development falling in Flood Zones 2 and 3 from the Environment Agency Flood Maps and for any development greater than 1ha in area. The aim of

the FRA is to steer development away from areas of high flood risk, known as the Sequential Approach, and to prevent increased flood risk in other areas of the catchment as a result of increased run-off or impediment of flood waters from new development.

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

As such careful consideration must be given to the affect of surface water drainage derived from the site. A separate water study / drainage assessment has been undertaken and submitted with the application. This includes an assessment of existing and proposed run-off rates, it is expected that run-off rates will decrease as a result of the development.

Surface water flows will discharge into Wessex Water sewers at a nominated point.

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

However, the development has the potential to increase flood risk downstream of the site, as a result of changes in hard standing and subsequent changes in surface run-off rates. Therefore the overall drainage proposals are designed to existing run-off rates in accordance with the advice in PPS25. The report submitted entitled "Water Study" which assesses existing and proposed run-off demonstrates that there will be no increase in surface water run-off and flood risk as a result of the development.

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

Contamination issues:

The site lies within a designated Source Protection Zone 3 (SPZ3), which is a zone of protection surrounding a public drinking water borehole. Therefore groundwater is particularly sensitive in this location.

Whilst there is no in principle objection to the proposed scheme we have some reservations regarding the level of contamination investigation work carried out. The submitted site investigation report shows no clear proposals for the collection of data or further assessment in relation to risks to controlled waters, as we would expect for a site in such a location, and with such past site uses.

However, the desktop study, seemingly prepared after the site investigation report, identifies a number of potentially contaminative activities that have (or may have) taken place across the site. These activities are outlined in Section 3.1.1 of the desktop study report and include above ground oil tanks, electrical substations and a

variety of solvents.

The potential for such contaminants concurs with the Environment Agencies EA, understanding of the likely activities that may have occurred at this site. Whilst the facility, in recent years, provided largely administrative functions it is understood that there was a helicopter landing area (fuel filling points?) and a transport engineering (vehicle repair?) depot within the curtilage of the application. There is no detailed information on activities or infrastructure associated with these areas nor do the reports provide any details of associated surface water drainage systems (location and condition of any soakaways and interceptors etc).

It is also suspected that a number of buildings may have been heated with oil fired heating systems (either recently or in the past) as is common for military installations and therefore we consider that there may have been a number of such tanks distributed around the site.

The targeting of such features is not evident in Table 2.1 of the assessment report and it is clear from section 3.1 of this report that no geochemical (environmental) sampling has been carried out. A reliance on visual olfactory evidence cannot be considered to be protective of controlled waters.

It is noted that the assessment report makes no conclusions or recommendations in relation to contamination.

In summary, it is considered that the reports carried out have not benefitted from the findings of a detailed walkover survey and it is not certain that the intrusive investigations carried out have been appropriately targeted. It appears that the emphasis of the assessment report has been for engineering (foundation and drainage design) purposes rather than geo environmental reasons.

Whilst the reports are sufficient for the purposes of 'preliminary information' we consider that the site has not been adequately characterised and that further intrusive works and geochemical sampling will be required. In accordance with the EAs advice therefore any granted permission must be conditioned with full land contamination conditions in order to secure an appropriate assessment of risks to controlled waters.

The appropriate conditions will be imposed accordingly.

Please note that proposals for surface water soakaways cannot be considered in detail until such time that a land contamination assessment confirms that soakaway sites are free from contamination.

### **23. Climate Change and Renewable Energy**

The application also includes an Energy Statement report. The purpose of this report is to explore the possible options for incorporating renewable or, low carbon energy systems alongside the proposed development. Whilst this report has been submitted with the application, The South Wiltshire Core strategy does not make and specific reference to renewable energy provision given the lack of an evidence base.

However, whilst it also does not include a general policy requirement for on-site renewable, policy for the UKLF site specifically identifies the need for 10% renewable energy generated on or, near the site.

Nevertheless the report has considered the opportunities to include renewable energy via the use of renewable low carbon technologies. This is a response to (amongst other things) the need to consider how future regulatory standards, to be introduced through the buildings regulations, can be met.

In combination with passive design measures and more efficient homes, the key technologies identified as having potential for this site include micro-generation (solar thermal, solar PV) and a communal heating network. Whilst the report demonstrates a range of opportunities to reduce emissions etc it also provides a basis to inform further testing and agreement on an energy strategy for the site. Negotiations in this regard with the council's climate change team, the developers and other interested parties have resulted in greatly improved sustainability.

As a result of successful negotiations officers can advise that;

- The Energy Strategy shows a substantial improvement on the original submission.
- Data and methodology have been submitted exactly following proposals laid down in discussion and consultation.
- The commitment to CSH 4 and BREEAM 'Excellent' is to be commended.
- This gives the scheme real potential as a beacon of sustainability in Wiltshire.
- If the renewables are correctly commissioned and the Waste proposals adopted there will be genuine innovation
- Assuming conditions enforce these and that CSH BREEAM documentation is adhered to this scheme is exemplary.

Furthermore, the Energy Statement will be listed in the plans condition attached to any decision to approve. In so doing it will be clear that these matters are very high on the council's agenda and very careful consideration of their inclusion is expected.

In any event triggers for the delivery of these features will be carefully negotiated and incorporated into the section 106 agreement.

Section 106 issues / Heads of Terms:

#### **24. Other matters:**

Environmental Impact assessment EIA:

An Environmental impact screening opinion was requested from Wiltshire Council on the need to undertake an Environmental Impact Assessment EIA in line with the (Environmental Impact Assessment) (England and Wales) Regulations 2011 as amended. Wiltshire Council considered that the proposed development falls under

Schedule 2 development and the council is satisfied, in conjunction with statutory consultees, that there is no need for an EIA in this case.

## **25. Conclusion**

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

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

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

Therefore it is considered that on the basis that Wiltshire council is generously prepared to accept the bespoke characteristics of the employment offer, as the overall approach adopted to design and sustainability is very good, in combination with appropriate conditions and a section 106 agreement, the proposals is supported.

However, in terms of the affordable housing offer, as with employment, the offer is unusual and bespoke expressly designed for this proposal. Although unusual and bespoke, the housing offer will nonetheless provide accommodation covering a range of identified housing need. Furthermore, for the reasons set out above in accepting the housing offer and taking into account the uniqueness of this particular proposal which is highly unlikely to be repeated in the foreseeable future, the council is not considered to be at risk from precedent.

On balance therefore, in this particular case, including the employment and the housing offer, the proposal is considered to be in general accordance with the aims and objectives of relevant national and local planning policy and the Development Template for the site.

## **RECOMMENDATION**

**Subject to the applicant entering into a S106 agreement covering the matters set out below, (and any subsequent changes to these matters that may arise as a result of ongoing negotiation – delegated to the Area Development Manager) APPROVE –**

- Pedestrian (Toucan) Crossing
- Education – Primary Places

- Education – Secondary places
- Public Art
- Public Open Space Provision Comprising:
  - Casual or Informal Play Space
  - Commuted Sum for Future Maintenance
  - Commuted Sum for Off Site (Adult and Youth)
- Transport Contribution - per dwelling
- Travel Plan contribution
- Ecology contribution
- Affordable Housing
- Waste and recycling
- Sustainable Energy scheme
- Wiltshire Fire & Rescue contribution

**And subject to the following conditions (and any subsequent changes to these conditions that may arise as a result of ongoing negotiations – delegated to the Area Development Manager) -**

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

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

- 2 No development shall commence until a phasing programme for the entire site has been submitted to the local planning authority and approved in writing. The phasing programme shall state that the employment land development (Class B1, B2 and/or B8 uses) shall be substantially completed prior to occupation of 100 of the open market houses on that part of the site with full planning permission. It shall also state that the affordable houses on that part of the site with full planning permission shall be substantially completed prior to occupation of 100 of the open market houses on that part of the site with full planning permission. The development shall be carried out strictly in accordance with the approved phasing programme.

REASON: To ensure appropriate and timely delivery of the entire development in accordance with the agreed scheme.

- 3 No development (other than demolition and site clearance works) shall commence on the employment land, the enterprise hub and associated workshop units, the veteran's accommodation and the neighbourhood retail store until details relating to the following reserved matters relating to each of these developments have been submitted to and approved in writing by the local planning authority:

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

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

REASON: The application was made IN PART 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 There shall be a minimum of 30 conventional affordable homes on that part of the site with full planning permission, and a minimum of 30 veterans' houses (meeting the definition of a dwellinghouse under Class C3 of the Town and Country Planning (Use Classes) Order) in the veterans' accommodation. For the purposes of this condition "veterans' houses" comprise houses occupied by veterans as defined in the planning application or occupied as conventional affordable housing being defined as social rented, affordable rented and intermediate housing provided to specified eligible households whose needs are not met by the market.

REASON: To clarify the terms of the planning permission and to ensure appropriate delivery of affordable housing in accordance with the proposal and the policies of the development plan.

- 5 The details of the development which are required pursuant to Condition no.3 above shall generally accord with the illustrative site layout plan and the indicative details contained within the planning statement and the design and access statement that have been submitted in amplification of, but do not form part of, the outline aspects of the application.

REASON: For the avoidance of doubt.

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

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

- 7 Prior to first occupation a capacity improvement scheme for the A36 / The Avenue roundabout as outlined on Mayer Brown plan b/RHSalisbury.1/05/A shall have been completed in accordance with details to be first submitted to and approved by the Local Planning Authority.

REASON: In the interest of highway safety

- 8 Prior to first occupation a parking bay layby on The Avenue as outlined on Mayer Brown plan b/RHSalisbury.1/04 shall have been provided in accordance with details to be first submitted to and approved by the Local Planning Authority.

REASON: In the interest of highway safety



- 9 Prior to first occupation of the employment units a full travel plan for the employment uses, based on the framework travel plan, shall have been submitted to and approved by the Local Planning Authority. The travel plan shall then be implemented.

REASON: In the interest of highway safety

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

REASON: In the interest of highway safety

- 11 No development shall commence until details of 3 bus stops along the Avenue, (one northbound and two south bound) including a southbound stop located close to and south of the existing Park and Ride roundabout on The Avenue, and two stops to serve the southern development parcel towards the southern end of The Avenue, with bus shelters and real time information systems for the two southbound stops, and with a half width layby for the southbound stop near the Park and Ride roundabout have been submitted to and approved by the LPA; the bus stops and shelters to be provided in accordance with the approved details prior to first occupation of the development.

REASON: In the interest of highway safety

- 12 The four vehicular access points shall be constructed and made available for use prior to first occupation of any part of the development which gains access to the particular access point.

REASON: In the interest of highway safety

- 13 No development of the northern parcel of development shall commence until full engineering drawings for the roundabout access point to the northern parcel of development has been submitted to and approved in writing by the Local Planning Authority, and the access point shall be constructed in accordance with the approved details before first occupation of that part of the development which gains access via the roundabout access.

REASON: In the interest of highway safety

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

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

safety and residential amenities.

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

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

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

All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

All hard landscaping shall also be carried out in accordance with the approved details for any subsequent reserved matters submission for the landscaping of the site prior to the occupation of any of the development relating to that reserved matters submission or in accordance with a programme to be agreed in writing with the local planning authority prior to the commencement of development within that reserved matters submission.

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

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

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

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

REASON: To ensure that the lighting scheme respects the overall design qualities required from the development and to minimise the impact of the lighting scheme in the interests of visual amenity.

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

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

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

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

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

REASON: In the interests of public health and safety.

- 22 Prior to the commencement of development a scheme of acoustic insulation and ventilation to protect the dwellings affected by noise from the railway shall be submitted to and approved in writing prior to development taking place. This scheme should be designed to address night time and day time noise levels.

REASON: In the interest of public health and safety

- 23 Prior to the commencement of development specific proposals for B2 use containing specific and detailed assessment of the impact of the uses on adjacent uses shall have been submitted to and approved in writing by the LPA.

REASON: In the interest of public health and safety

- 24 No burning of waste shall take place on the site during the demolition and construction phase of the development.

REASON: In the interest of public health and safety

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

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

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

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

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

- 27 Vegetation clearance works will be undertaken in accordance with the recommendations in paragraphs 5.6 and 5.7 of the Reptile Survey Report (Hankinson Duckett Associates, December 2013).

REASON: In the interest of ecology

Breeding birds:

Breeding birds may occur in vegetation and buildings due to be cleared. All birds are protected during the breeding period and given the size of the site, there is potential for harm to local populations of birds. It is appropriate to include a condition to ensure that birds and their nests etc are not harmed during the works.

- 28 Before any demolition or vegetation clearance works commence, all areas of the site which may support breeding birds will be identified by a professional ecologist who will prepare a written plan for avoiding harm to breeding birds taking into account the constraints that other species such as bats and reptiles may also impose. The works will be completed in accordance with the written plan.

REASON: In the interest of ecology

- 29 The development, hereby approved, shall be carried out in accordance with the recommendations and mitigation measures detailed within the submitted ecological survey reports prepared by Hankinson Duckett Associates and dated October 2013 and December 2013. On completion of the works, no development shall take place until such time that a validation report detailing the mitigation works that have been undertaken at the site that has been prepared by the ecologist that has overseen the implementation of the mitigation works has been submitted to, and approved in writing by, the Local Planning Authority.

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

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

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

- 31 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:
- a) the parking of vehicles of site operatives and visitors;
  - b) loading and unloading of plant and materials;
  - c) storage of plant and materials used in constructing the development;

- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- h) measures for the protection of the natural environment.
- i) hours of construction, including deliveries;

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

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

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

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

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

REASON:  
In the interests of sustainable development.

- 34 No development shall commence until 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 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.

- 35 The development hereby approved shall be carried out in complete accordance with the plans and specifications set out in the following List and Table:

Planning Statement, including a Cultural heritage Statement, received 14/10/13  
 Design and Access Statement October 2013, received 14/10/13 (as updated - see amended plans)  
 Ecology Appraisal October 2013, received 14/10/13  
 Residential Travel Plan, October 2013, received 14/10/13  
 Proposed Site Redevelopment Transport Assessment, October 2013, received 14/10/13  
 Energy Statement, received 14/10/13  
 Air Quality Assessment, September 2013, received 14/10/13  
 Noise and vibration Assessment, September 2013, received 14/10/13  
 Ground Condition Assessment Report, September 2013, received 14/10/13  
 Ground Condition Desk Top Study, October 2013, received 14/10/13  
 Arboricultural Impact Appraisal and Method Statement, dated October 2013, received 14/10/13  
 Outline Waste Audit, September 2013, received 14/10/13  
 Employment Report, October 2013, received 14/10/13  
 Proposed Employment Uses, Wilton Hill, Framework Travel Plan, September 2013, received 14/10/13  
 Statement of Community Involvement, October 2013, received 14/10/13  
 Flood Risk Assessment April 2011  
 Water Study Report, April 2011

**The Amended and Additional documents and drawings - all received 2014:**

Design & Access Statement Addendum A, dated February 2014  
 Supplemental Employment Land Statement, dated February 2014  
 BREEAM Pre-assessment Report, dated 21<sup>st</sup> February 2014  
 Energy Statement, dated 25<sup>th</sup> February 2014  
 Phase 2 Contamination Assessment, dated March 2014  
 Material Planning Considerations Statement, dated 22<sup>nd</sup> January 2014

Drawing / document title	Drawing no.	
Architectural drawings (full application)		
Whole site		
Site layout – detailed planning application	CSL.01 Rev C	
Affordable housing layout – submitted 4 <sup>th</sup> April 2014	AHL.01	
Southern parcel:		
Site layout	SL.01 Rev G	
Boundary materials layout	BML.01 Rev A	
Dwelling materials layout	DML.01 Rev B	
House Type Brunswick Elevations	HT.BRU.e	
House Type Brunswick Floor Plans	HT.BRU.p	
House Type Cavendish Elevations	HT.CAV.e	
House Type Cavendish Floor Plans	HT.CAV.p	
MEWS3-A Elevations – Sheet 1	MEWS3-A.e1 Rev A	
MEWS3-A Elevations – Sheet 2	MEWS3-A.e2 Rev A	
MEWS3-A Floor Plans – Sheet 1	MEWS3-A.p1	

MEWS3-A Floor Plans – Sheet 2	MEWS3-A.p2	
MEWS3-B Elevations – Sheet 1	MEWS3-B.e1 Rev A	
MEWS3-B Elevations – Sheet 2	MEWS3-B.e2 Rev A	
MEWS3-B Floor Plans	MEWS3-B.p	
MEWS3-C Elevations – Sheet 1	MEWS3-C.e1 Rev A	
MEWS3-C Elevations – Sheet 2	MEWS3-C.e2 Rev A	
MEWS3-C Floor Plans	MEWS3-C.p	
MEWS4-A Elevations – Sheet 1	MEWS4-A.e1 Rev A	
MEWS4-A Elevations – Sheet 2	MEWS4-A.e2 Rev A	
MEWS4-A Floor Plans Sheet 1	MEWS4-A.p1 Rev A	
MEWS4-A Floor Plans Sheet 2	MEWS4-A.p2 Rev A	
MEWS4-C Elevations – Sheet 1	MEWS4-C.e1	
MEWS4-C Elevations – Sheet 2	MEWS4-C.e2	
MEWS4-C Floor Plans - Sheet 1	MEWS4-C.p1	
MEWS4-C Floor Plans - Sheet 2	MEWS4-C.p2	
Plots 32-40 Elevations – Sheet 1 of 2	P.32-40.e1 Rev A	
Plots 32-40 Elevations Sheet 2 of 2	P.32-40.e2 Rev A	
Plots 32-40 Floor Plans - Sheet 1 of 3	P.32-40.p1 Rev A	
Plots 32-40 Floor Plans - Sheet 2 of 3	P.32-40.p2 Rev A	
Plots 32-40 Floor Plans - Sheet 3 of 3	P.32-40.p3 Rev A	
Plots 62-73 Elevations - Sheet 1 of 2	P.62-73.e1	
Plots 62-73 Elevations - Sheet 2 of 2	P.62-73.e2	
Plots 62-73 Floor Plans – ground floor	P.62-73.p1	
Plots 62-73 Floor Plans – first floor	P.62-73.p2	
Plots 62-73 Floor Plans – second floor	P.62-73.p3	

Plots 74-85 Elevations - Sheet 1 of 2	P.74-85.e1	
Plots 74-85 Elevations - Sheet 2 of 2	P.74-85.e2	
Plots 74-85 Floor Plans – ground floor	P.74-85.p1	
Plots 74-85 Floor Plans – first floor	P.74-85.p2	
Plots 74-85 Floor Plans – second floor	P.74-85.p3	
Plots 99-110 Elevations – Sheet 1 of 2	P.99-110.e1	
Plots 99-110 Elevations – Sheet 2 of 2	P.99-110.e2	
Plots 99-110 Floor Plans – ground floor	P.99-110.p1	
Plots 99-110 Floor Plans – first floor	P.99-110.p2	
Plots 99-110 Floor Plans – second floor	P.99-110.p3	
Bin/Cycle Stores Floor Plans and Elevations	BSC01.pe	
Bin/Cycle Stores Floor Plans and Elevations	BSC02.pe	
Northern parcel:		
Site Layout	SL.02 Rev G	
Boundary materials layout	BML.02 Rev C	
Dwelling materials layout	DML.02 Rev C	
Street Elevations – Sheet 1	SE.02-1 Rev A	
Street Elevations – Sheet 2	SE.02-2 Rev A	
Site Sections	SS.02	
House Type Cambridge Floor Plans & Elevations	HT.CAM.pe	
House Type Cambridge Variation A Plans / Elevs	HT.CAM-A.pe	
House Type Henley Elevations	HT.HEN.e	
House Type Henley Floor Plans	HT.HEN.p	



House Type Kenilworth 4 Floor Plans / Elevations	HT.KEN4.pe Rev B
House Type Letchworth Elevations	HT.LET.e Rev A
House Type Letchworth Variation A Elevations	HT.LET-A.e
House Type Letchworth Floor Plans	HT.LET.p
House Type Marlborough Elevations	HT.MAR.e Rev B
House Type Marlborough Floor Plans	HT.MAR.p Rev B
House Type Oxford Floor Plans & Elevations	HT.OXF.pe
House Type Oxford Variation A Plans / Elevations	HT.OXF-A.pe
House Type Richmond Elevations	HT.RIC.e
House Type Richmond Variation A Elevations	HT.RIC-A.e Rev A
House Type Richmond Floor Plans	HT.RIC.p Rev A
House Type Shaftesbury Floor Plans & Elevations	HT.SHA.pe Rev A
House Type Warwick Floor Plans & Elevations	HT.WAR.pe
House Type Worcester Floor Plans & Elevations	HT.WOR.pe
HT Malvern-Ledbury Block Elevations Sheet 1 of 2	HT_MAL-LEDe1 Rev A
HT Malvern-Ledbury Block Elevations Sheet 2 of 2	HT_MAL-LEDe2 Rev A
HT Malvern-Ledbury Block Floor Plans	HT_MAL-LEDp Rev A
Plots 279-288 Elevations Sheet 1 of 3	P.279-288.e1 Rev A
Plots 279-288 Elevations Sheet 2 of 3	P.279-288.e2 Rev A
Plots 279-288 Elevations Sheet 2 of 3	P.279-288.e3 Rev A
Plots 279-288 Floor Plans Sheet 1 of 3	P.279-288.p1 Rev A
Plots 279-288 Floor Plans Sheet 2 of 3	P.279-288.p2 Rev

Plots 279-288 Floor Plans Sheet 3 of 3	P.279-288.p3 Rev A	
House Type Shaftesbury-A Floor Plans & Elevations	HT.SHA-A.pe	
House Type Windsor+ Floor Plans & Elevations	HTR.WIN+.pe	
House Type Windsor+ Variation A Plans & Elevs	HT.WIN+-A.pe	
House Type Windsor+ Variation B Plans & Elevs	HT.WIN+-B.pe	
House Type Windsor+ Variation C Plans & Elevs	HT.WIN+-C.pe	
Plot 117 – House Type Warwick Floor Plans & Elevations	P117.pe	
House Type Highgate5 Elevations	HT.High5.e	
House Type Highgate5 Elevations	HT.High5-A.e	
House Type Highgate5 Plans	HT.High5.p	
House Type Teme Elevatons	HT_TEMEe	
House Type Teme Plans	HT_TEMEp	
House Type Daqrt+Tavy3+Tavy Elevations Sheet 1 of 2	P165-168_18- 185e1	
House Type Daqrt+Tavy3+Tavy Elevations Sheet 2 of 2	P165-168_18- 185e2	
House Type Daqrt+Tavy3+Tavy Plans	P165-168_18- 185ep	

Drawings originally submitted remaining part of the application

Location Plan	LP.01	Tetlow King
Site Survey (existing) Sheet 1	701EB01A (sheet 1)	Site line
Site Survey (existing) Sheet 2	701EB01A (sheet 2)	Site line
Architectural drawings (outline application)		Tetlow King
Land use plan/site layout (indicative)	Sections 3 and 5 of design and access statement	
Highway drawings (full application)		Mayer Brown
Southern site access (see Appx 6 of transport assessment)	b/RHSalisbury.1/01	
Secondary northern site access (see Appx 6 of transport assessment)	b/RHSalisbury.1/02	
Northern site access roundabout (see Appx 6 of transport assessment)	b/RHSalisbury.1/03	
Proposed road longitudinal sections (northern parcel) sheet 1 of 2	548-1300-SK-005 rev A	
Proposed road longitudinal sections (northern parcel) sheet 2 of 2	548-1300-SK-006 rev A	
Proposed road cross sections (northern parcel) sheet 1 of 2	548-1300-SK-007 rev A	
Proposed road cross sections (northern parcel) sheet 2 of 2	548-1300-SK-008 rev A	
Proposed road longitudinal sections (southern parcel)	548-1300-SK-009	
Proposed road cross sections (southern parcel)	548-1300-SK-010	

#### Reason

In the interest of clarity as to the approved plans and specifications



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