

AGENDA

Meeting: Eastern Area Planning Committee

Place: Wessex Room - The Corn Exchange, Market Place, Devizes, SN10 1HS

Date: Thursday 19 February 2015

Time: 6.00 pm

Please direct any enquiries on this Agenda to Adam Brown, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718038 or email adam.brown@wiltshire.gov.uk

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

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

Membership:

Cllr Charles Howard (Chairman)	Cllr Nick Fogg MBE
Cllr Mark Connolly (Vice Chairman)	Cllr Richard Gamble
Cllr Stewart Dobson	Cllr Jerry Kunkler
Cllr Peter Evans	Cllr Paul Oatway

Substitutes:

Cllr Liz Bryant	Cllr Jeff Osborn
Cllr Terry Chivers	Cllr James Sheppard
Cllr Ernie Clark	Cllr Philip Whitehead
Cllr Dennis Drewett	Cllr Christopher Williams

AGENDA

Part I

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

1 **Apologies for Absence**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 5 - 16*)

To approve and sign as a correct record the minutes of the meeting held on

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation and Councillors' Questions**

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register in person no later than 5.50pm on the day of the meeting.

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

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than **5pm on Thursday 12 February 2015**. Please contact the officer named on the front of this agenda for

further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6 Planning Appeals

To receive details of the completed and pending appeals.

7 Planning Applications

To consider and determine the following planning applications.

7a **14/07804/FUL - Granham Garage, Granham Close, Marlborough
SN8 4DH (Pages 17 - 38)**

8 Urgent items

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

Part II

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

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EASTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 29 JANUARY 2015 IN THE WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.

Present:

Cllr Charles Howard (Chairman), Cllr Mark Connolly (Vice Chairman), Cllr Stewart Dobson, Cllr Peter Evans, Cllr Richard Gamble, Cllr Jerry Kunkler and Cllr Paul Oatway

1. Apologies for Absence

Apologies were received from:

Cllr Nick Fogg MBE

2. Minutes of the Previous Meeting

Resolved

To approve and sign as a true and correct record the minutes of the meeting held on 20 November 2014.

3. Declarations of Interest

Cllr Peter Evans declared a non-pecuniary interest in item 7a, as he was a member of Devizes Town Council. Cllr Evans stated that he had not taken part in the application at the Town Council level and would participate in the item with an open mind.

4. Chairman's Announcements

There were no Chairman's announcements.

5. Public Participation and Councillors' Questions

The rules on public participation were noted. There were no questions submitted.

6. Planning Appeals

There were no planning appeals.

7. **Planning Applications**

8. **14/10471/FUL - Southfield House, Victoria Rd, Devizes**

Public Participation

Peter Jordan spoke in objection to the application.

Adrian Abbs spoke in support of the application.

The Planning Officer introduced the application which was recommended for approval subject to conditions. Key issues were stated to include principle of development and provision of care facilities; design, landscaping and visual impact; and density and layout.

There were no late items.

Members of the Committee then had the opportunity to ask technical questions of the officer. It was asked what control there was over the hours of work and deliveries during the construction period. Condition 11 set out the construction method, with point F giving provision to include time restrictions. These would be set at the Wiltshire Council's standard, which was for work to operate Monday to Friday 7am-6pm, Saturday 8am-1pm and no work on Sundays.

Clarification was sought over the amount of parking which would be provided for staff, residents, and visitors. It was noted that an average had been calculated through other schemes, and that this scheme was above the average. Links were available to the town centre, and staff numbers on site would be reduced.

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

The division member Cllr Sue Evans spoke in favour of the applications. It was suggested that construction should take place during working hours and that no deliveries should take place at weekends.

It was explained that deliveries from 8am-1pm on Saturdays were considered standard working hours. The location of the bins was clarified as being placed in the most convenient place to limit their impact on amenity. The separation distances from the proposed building and the neighbouring houses on the west were stated to exceed the minimum distance.

A debate followed whereby the development of the site, its location, and access to town were discussed. The issue of balconies overlooking neighbouring properties was discussed. Restrictions on construction and delivery hours were considered.

At the conclusion of debate it was,

Resolved

To grant planning permission subject to the following conditions, a unilateral undertaking to secure 30% affordable housing and £6,609.00 towards public open space, and the inclusion of an informative restricting large-scale site deliveries to weekdays:

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. Each of the apartments hereby permitted shall be occupied only by:
 - a. persons of 55 years of age or over;
 - b. persons living as part of a single household with such a person or persons;
 - c. persons who were living as part of a single household with such a person or persons
 - d. who have since died.

REASON:

The units of the residential home/sheltered accommodation have been designed for occupation by persons who satisfy the above criteria and are unsuitable for family housing.

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

REASON:

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

4. No above ground development, excluding demolition, shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, and canopies 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.

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

REASON:

To ensure that the development can be adequately drained.

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

REASON:

In the interests of highway safety.

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

REASON:

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

8. 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 protective fencing as shown on drawing no.00210.00025.16.002 RevB 'Vegetation Retention, Protection and Removal Plan' and in accordance with the approved Arboricultural Method Statement and Tree Protection Plan and British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction - Recommendations"; has been erected to protect all trees to be retained.

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 practice.

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.

[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 and neighbour amenity.

9. The lighting scheme hereby approved shall comply with guidance issued by the Institution of Lighting Professionals Engineers for an E3 Zone.

REASON:

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

10. All building services, plant and fixed machinery shall be so sited and designed in order to achieve a Rating Level LArTr of 37dB between the hours of 0700 and 2300 and Rating Level LArTr 30dB between the hours of 2300hrs and 0700hrs as measured at the nearest noise sensitive receptor. Measurements and assessment shall be carried out in accordance with BS4142.1997.

REASON:

To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

11. 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. lloading and unloading of plant and materials;
- c. storage of plant and materials used in constructing the development;
- d. measures to control the emission of dust and dirt during construction;
- e. a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- f. hours of construction, including deliveries;
- g. details of the soft stripping process to demolish the existing building; and
- h. details of sensitive measures to be employed in removal of trees and other vegetation from the site has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON:

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

12. The development hereby permitted shall be carried out in accordance with the following approved documents and plans:
- a. Planning, Design and Access Statement, received 04 November 2014;
 - b. Drawing no.P-Site-01 Issue P02, Site Location Plan, received 04 November 2014;
 - c. Drawing no.P-Site-02 Issue T016, Proposed Site Plan, received 14 January 2015;
 - d. Drawing no.P-0-10 Issue P03, Proposed Ground Floor Plan, received 23rd December 2014; Drawing no.P-1-10 Issue P03, Proposed First Floor Plan, received 23rd December 2014;
 - e. Drawing no.P-2-10 Issue P03, Proposed Second Floor Plan, received 23rd December 2014;
 - f. Drawing no.P-3-10 Issue P03, Proposed Roof Plan, received 23rd December 2014;
 - g. Drawing no.E-10 Issue P03, Proposed North and South Elevations, received 23rd December 2014;
 - h. Drawing no.E-11 Issue P03, Proposed East and West Elevations, received 23rd December 2014;
 - i. Drawing no.E-12 Issue P03, Proposed Courtyard Sectional Elevations, received 23rd December 2014;
 - j. Drawing no.00210.00025.16.001 RevB, Landscape Proposals, received 04 November 2014;
 - k. Drawing no.00210.00025.16.002 RevB, Vegetation Retention, Protection and Removal Plan, received 14 January 2015;

- l. Drawing no.00210.00025.16.003 Rev1, Hard Landscape Proposals, received 14 January 2015;**
- m. Drawing no.00210.00025.16.004 Rev1, Soft Landscaping Proposal, received 14 January 2015;**
- n. Drawing no.00210.00025.16.005.0, Timber Fence and Gates, received 14 January 2015;**
- o. Drawing no.414.00210.00 025.16.01, Plant Schedule, received 14 January 2015;**
- p. Drawing no.DECH-ATK-Z0-XX-PL-E-4600, Electrical Services - External Lighting Light Spill', received 04 November 2014;**
- q. Drawing no.C14730-C-01 RevP2, Drainage Layout - Preliminary, received 04 November 2014;**
- r. Schedule of Luminaires by Atkins, received 14 January 2015;**
- s. TR1 GRP Substation, received 14 January 2015;**
- t. Tree Survey and Constraints Plan by Tim Pursey Arboricultural Consultant, received 14 January 2015;**
- u. Arboricultural Method Statement and Tree Protection Plan by Tim Pursey Arboricultural Consultant, received 14 January 2015;**
- v. Landscape Management Plan by SLR Global Environmental Solutions, received 14 January 2015;**
- w. Environmental Noise Assessment by Atkins, dated 14 November 2014, received 20 November 2014; received 20 November 2014.**

REASON:

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

13 INFORMATIVE TO APPLICANT:

The attention of the applicant is drawn to advice and guidance provided by the Wiltshire Fire & Rescue Service within their letter dated 17 November 2014.

14 INFORMATIVE TO APPLICANT:

The attention of the applicant is drawn to advice and guidance provided by the Wessex Water within their letter dated 07 November 2014.

15 INFORMATIVE TO APPLICANT:

The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's

Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

16 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 _____

17. INFORMATIVE TO APPLICANT:

It is recommended that the hours of construction should be restricted to the following times:-

Mondays to Fridays 0730 - 1800

Saturdays 0800 - 1300

Not at all on Sundays or Bank Holidays

It is recommended that the delivery and despatch of goods to and from the site should be limited to the hours of 0730 - 1800 on Mondays to Fridays, and at no times on Saturdays, Sundays, nor at any time on Bank or Public Holidays.

9. 14/11572/FUL - 4 Turnpike Cottages, Hilcott

Public Participation

Nigel Keen spoke in support of the application

Thomas Bailey spoke in support of the application

Carolyn Whistler spoke on behalf of North Newnton Parish Council

The planning officer introduced the application which recommended that it be refused. Key issues were stated to be the principle of new residential development in the countryside; the impact upon the rural character of the area; and the sustainability of additional new residential development in this location.

One late item was reported, which were the comments of North Newnton Parish Council.

There were no technical questions from members of the Committee.

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

The division member Cllr Paul Oatway spoke in support of the application. It was explained that the application had the full support of the parish council. There were other similar existing properties in the area, and it was heard that the application was within the village of Hilcott and was served by Wiltshire Council funded buses.

It was explained that whilst the application was within the village of Hilcott the assessment was that it was not within the built-up area of Hilcott. With regards to sustainability, there was no provision for pedestrian walking alongside the road, and the street lighting was limited.

A debate followed whereby core policy one of the Wiltshire Core Strategy was discussed. The access and the location of the application site were discussed. The reliance on cars in rural areas was considered. Strategy objective six from the Wiltshire Core Strategy was discussed.

At the conclusion of debate it was,

Resolved

To refuse planning permission for the following reasons:

1. **The development would not constitute ‘infill’ and would occupy a countryside location beyond the built up part of the village of Hilcott (identified as a ‘small village’ in Core Policy 18 of the Wiltshire Core Strategy). It would therefore conflict with Core Policies 1, 2 and 48 of the Wiltshire Core Strategy, which sets a presumption against development outside of the villages in rural areas unless for a number of exceptional circumstances, none of which apply in this instance.
Furthermore, the development would be poorly served by local services, facilities and amenities such that the occupants of the dwellings would likely be heavily reliant on the use of private cars for the majority of routine journeys, contrary to the principles of sustainable development set out in Core Policies 1, 2 and 60 of the Wiltshire Core Strategy.**
2. **The siting and layout of the development set perpendicular to the road would be out of keeping with the general character of development around the crossroads of Hilcott and would elongate the built up area of the village into open countryside and towards the neighbouring built up area to the north, thereby eroding the separation between built up areas to the detriment of the rural character of the area and the landscape and scenic beauty of the North Wessex Downs AONB contrary to Core Policies 2, 51 and 57 of the Wiltshire Core Strategy.**

10. **14/10281/FUL - Land at Home Farm, Woodland Rd, Patney**

Public Participation

Peter Small spoke in opposition to the application

Mike Holland spoke in support of the application

Andrew Snook spoke in support of the application

Mike Fowler spoke in support of the application

Tracy Rose spoke on behalf of Patney Parish Council

The planning officer introduced the application with the recommendation that it be refused. Key issues were stated to be the principle of development, the impact on the character of the landscape and the special quality of the North Wessex Downs area of outstanding natural beauty, and the impact on nearby trees.

There were no late items.

There were no technical questions from members of the Committee.

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

The divisional member, Cllr Paul Oatway, spoke in support of the application. The application had received support from the parish council. Patney was a sustainable village, and care would be taken with regards to the protected trees. The application was described as infilling, and would provide local employment opportunities.

It was explained that the application would have been recommended for refusal by officers under the Kennet Local Plan. The application did not fit the definition of infilling, as this applied to small gaps only capable of accommodating one dwelling.

A debate followed where the classification of the area was discussed, along with the weight of the recently adopted Core Strategy.

At the end of debate it was,

Resolved

To refuse planning permission for the following reasons:

- 1. The application site is not identified as an appropriate location for future housing development in the 'Delivery Strategy' and 'Settlement Strategy' set out at Core Policies 1 and 2 of the Wiltshire Core Strategy. It would therefore constitute unsustainable development to which no exceptional circumstances apply that may otherwise warrant the proposal acceptable. Furthermore, the proposed development would be poorly served by local services, facilities and amenities such that the occupants of the dwellings would likely be heavily reliant on the use of private cars for the majority of routine journeys. It would therefore be contrary to Core Policies 1, 2, 48 and 60 of the Wiltshire Core Strategy.**
- 2. The proposed development would result in an undesirable encroachment into the countryside and a consolidation of sporadic loose knit development. This would have an adverse impact on the landscape character of the village of Patney and the special qualities of the North Wessex Downs Area of Outstanding Natural Beauty, which would be contrary to Core Policies 51 and 57 of the Wiltshire Core Strategy.**
- 3. The proposed development fails to adequately consider important landscape features and as such would lead to future pressure to**

prune or fell protected trees in a tree belt which is an important and dominant feature in the local landscape. This would be contrary to Core Policies 51 and 57 of the Wiltshire Core Strategy.

11. **14/09307/ADV - Roundabout South of 248 High Street, Burbage**

Public Participation

Steve Colling spoke on behalf of Burbage Parish Council.

The planning officer introduced the application which recommended that permission be granted subject to conditions. Key issues were stated to be the principle of development, public amenity, and public safety.

A late item of representation from a local resident was reported.

Members then had the opportunity to ask technical questions. It was asked whether the paint used for the signs would be reflective. The type of paint could not be confirmed, but the signs would be non-illuminated. It was clarified that the subject of the advertisement did not need consent; however the structure required consent.

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

The divisional member, Cllr Stuart Wheeler, spoke in objection to the application. It was heard that Wiltshire Council were looking at reducing signage clutter, and that the sponsor money from advertisers would not go to the roundabout's maintenance. It was also mentioned that the amenity of those affected by the erection of the signs should be considered.

It was explained that public safety impact included signs that impair sightlines or are distracting to drivers. The definition of amenity was said to include the visual impact on the area. It had been determined that this application would not result in any harm to the amenity of the area.

A debate followed where the Wiltshire Council policy of de-cluttering signs was considered. Paragraph 67 of the National Planning Policy Framework and Wiltshire Core Strategy CP57 were discussed. Highways safety and public amenity were debated. It was noted that this was a primary tourist route during summer.

At the conclusion of debate it was,

Resolved

To refuse permission for the following reasons:

- 1. The proposed signs, by reason of their size, location and number (both in isolation and cumulatively with existing signage), would be incongruous in the rural context and would result in a proliferation of signage on the roundabout, to the detriment of the character and appearance of the area, which is designated as an area of outstanding natural beauty. The signs would therefore be harmful to amenity, which would be contrary to Core Policy 57 of the Wiltshire Core Strategy, paragraphs 67 and 115 of the National Planning Policy Framework and guidance contained in the Planning Practice Guidance.**

- 2. The proposed signs, by reason of their size, location and number (cumulatively with existing signage) would have an adverse impact on public safety as road users would be distracted. This would be contrary to Core Policy 57 of the Wiltshire Core Strategy, paragraph 67 in the National Planning Policy Framework and guidance contained in the Planning Practice Guidance.'**

12. Urgent items

(Duration of meeting: 6.00 - 8.30 pm)

The Officer who has produced these minutes is Adam Brown, of Democratic Services, direct line 01225 718038, e-mail adam.brown@wiltshire.gov.uk

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

REPORT FOR EASTERN AREA PLANNING COMMITTEE

Report No. 1

Date of Meeting	19 February 2015
Application Number	14/07804/FUL
Site Address	Granham Garage, Granham Close, Marlborough SN8 4DH
Proposal	Demolition of existing buildings and redevelopment of site to form 27 apartments including car parking, communal areas and landscaping
Applicant	McCarthy & Stone Retirement Lifestyles Limited
Town/Parish Council	MARLBOROUGH
Division	MARLBOROUGH WEST
Grid Ref	418724 168533
Type of application	Full Planning
Case Officer	Morgan Jones

Reason for the application being considered by Committee

This application is brought to committee at the request of the division member, Councillor Nicholas Fogg, due to the concerns raised by Marlborough Town Council regarding the proposed number of parking spaces, increase in vehicular movements to and from the site and lack of pavement for safe pedestrian access.

1. Purpose of Report

To assess the merits of the proposal and to consider the recommendation that the decision to grant planning permission should be deferred and delegated to the Area Development Manager subject to the prior completion of a Section 106 legal agreement to secure financial contributions towards affordable housing and the Wessex Stone Curlew Project, and subject to the planning conditions.

2. Report Summary

The key issues for consideration are:

- Principle of development and provision of care facilities
- Density and layout
- Design, landscaping and visual impact
- Ecology
- Archaeology
- Environmental impacts, flood risk and drainage
- Impact on highway & pedestrian safety

- Impact on residential amenity
- Planning obligations

3. Site Description

The application site comprises the Clarke & Rodway Garage site on Granham Hill, Marlborough. The site is situated on the corner of Granham Hill and Granham Close, next to the roundabout which also serves Pewsey Road (A4345) and George Lane (B3052).

The site is set into Granham Hill. It measures 0.35ha and land levels change through the site, approximately 1.2m north to south and 9m north to south-east up Granham Hill. The western boundary of the site is adjacent to a wooded area which falls within the corridor of the River Kennet. The remainder of the site is surrounded by residential properties. Granham Close is a cul-de-sac and with the exception of the application site is residential in nature. The southern boundary of the site adjoins a bungalow fronting onto Granham Close. The site itself accommodates a number of industrial buildings and a car showroom.

The application site falls within the Limits of Development for Marlborough as delineated on Inset Map 6 of the former Kennet Local Plan, but outside of the defined town centre. Marlborough and its surroundings lie within an Area of Outstanding Natural Beauty. Bridleway ref MARL33 is adjacent to the west boundary of the site.



Site Location Plan

4. Planning History

The most relevant planning history relates to planning application ref: K/5877/F - 'Erection of a part 2 & part 3 storey building comprising 36 category 2 sheltered apartments for older people

together with owner's lounge, visitor suite, laundry and estate manager's office, access and parking provisions (existing garage to be demolished)'. The application was refused planning permission on 8 August 2008 for the following reasons:

1. The proposal would result in unacceptable harm to the reasonable living conditions of the occupiers of no.1 Granham Close;
2. Insufficient information was submitted to enable an accurate assessment of the impact on the proposed development on protected wildlife species;
3. The proposed development made no provision for on-site renewable energy; and
4. The applicant failed to provide a mechanism to provide affordable housing and public open space.

Although the planning application was refused, there were certain principles that were accepted, including the change of use of the site from business to residential and the provision of older persons' accommodation. The scale, massing, and layout of the building was also deemed acceptable for the area and was considered not to detrimentally harm the townscape or surrounding landscape setting of Marlborough.

5. The Proposal

The application seeks full planning permission for the erection of 27 two bedroom age exclusive apartments for the retirement sector. The development is to be provided by McCarthy and Stone who specialise in the provision of retirement accommodation. The accommodation will be exclusively for those aged 55 and over. The apartments will be self-contained. However, the scheme will include communal areas and a concierge house manager service.



Proposed Site Layout

The proposed development is for a three storey building which will include a total of 27 two bed apartments with ancillary accommodation for refuse and external communal areas. The scheme

will include a covered secure car park with 17 spaces plus 12 external spaces within the curtilage of the site.

The Design and Access Statement outlines that the scheme has been carefully designed to complement the site's setting in the town. The following materials will be used to ensure a sensitive fit with the character of Marlborough:

- Hanging clay tile with continuous scalloped feature banding;
- Facing brick at ground floor level- to match clay tiling to upper levels;
- Rough finish white render- on feature bays; and
- Clay roofing tiles to pitched roofs.

The proposal maintains the existing access point and the scheme has a basement car park. The landscape treatment will be a mix of private, semi-private and communal areas. The Design and Access Statement outlines that "residential units on the ground and first floor levels (due to the level split) will have private outdoor garden space. These will comprise a patio space, lawn and ornamental species. The garden spaces will be linked to shared communal areas and focus on seating and art works to provide interest and promote social interaction".



Proposed Elevations

The application is supported by the following reports:

- Design and Access Statement (including Sustainability Statement)
- Planning Statement
- Transport Statement
- Archaeological Desk-Based Assessment
- Extended Phase 1 Habitat Survey
- Statement of Amenity Space Provision
- Site Noise Assessment
- Refuse and Waste Management Plan
- Flood Risk Scoping Report
- Ground Investigation Report
- Affordable Housing Report
- Statement of Community Involvement

6. Planning Policy

The **National Planning Policy Framework (NPPF)** with particular regard to Chapters 1 'Building a strong, competitive economy', 4 'Promoting sustainable transport', 6 'Delivering a wide choice of high quality homes' and 7 'Requiring Good Design'.

The **Wiltshire Core Strategy**, which carries very significant weight, in particular:

- Core Policy 14 Spatial Strategy: Marlborough Community Area;
- Core Policy 35 Existing Employment Sites;
- Core Policy 41 Sustainable Construction and Low-Carbon Energy;
- Core Policy 43 Providing Affordable Homes
- Core Policy 45 Meeting Wiltshire's Housing Needs
- Core Policy 46 Meeting the Needs of Wiltshire's Vulnerable and Older People
- Core Policy 50 Biodiversity and Geodiversity;
- Core Policy 51 Landscape;
- Core Policy 52 Green Infrastructure;
- Core Policy 57 Ensuring High Quality Design and Place Shaping;
- Core Policy 58 Ensuring the Conservation of the Historic Environment;
- Core Policy 60 Sustainable Transport, 61 Transport & Development, 62 Development Impacts on the Transport Network;
- HC34 Recreation Provision on Large Housing Sites (Appendix D saved Kennet Local Plan policy);
- HC37 Demand for Education (Appendix D saved Kennet Local Plan policy).

Community Benefits from Planning (March 2005) Supplementary Planning Guidance.

This document provides guidance on how the Council will implement the above policies and secure benefits to existing and new communities from development through the use of planning obligations where necessary.

Wiltshire Local Transport Plan 2011 – 2016: Car Parking Strategy (March 2011).

Wiltshire and Swindon **Waste Core Strategy** 2006 – 2026 (July 2009).

7. Consultations

Thames Water – No objections, subject to conditions.

Wiltshire Council Highways – No objections, subject to conditions.

Environment Agency – No objection, subject to conditions.

AONB Unit Officer – No observations received.

Wiltshire Council Public Protection team – No objection, subject to conditions.

Wiltshire Council Landscape and Design Officer – No objection.

Wiltshire Council Ecologist – No objection, subject to conditions.

Wiltshire Council Archaeologist – No objection, subject to conditions.

Wiltshire Council Urban Design Officer – No objection to the proposal.

Wiltshire Council New Housing team – No objection subject to a legal agreement to secure a financial contribution towards affordable housing.

Wiltshire Council Leisure Services – No objection subject to a legal agreement to secure a

financial contribution towards recreation facilities.

Marlborough Town Council – Object to this application for the following reasons –

- Increase in traffic;
- Inadequate parking for the size of the development;
- Access into the development;
- Highway safety, particularly as no provision had been made for a pedestrian crossing.

8. Publicity

The application has been publicised via press and site notices and letters sent to properties within close proximity of the site. As a result of the publicity 1 letter has been received in support of the proposal, outlining that a sensitively designed scheme would result in an enhancement to the site and be an asset to the town, and 12 letters have been received raising the following concerns:

- The proposal will have a negative impact on highway and pedestrian safety;
- The existing (free) parking along Granham Close will be lost;
- The proposed siting of the development will further increase traffic flows across the roundabout outside the Scout Hall and make this a more dangerous crossing;
- The proposal is too large for the site, being three storeys high, and overpowering;
- Further sheltered housing is not required within Marlborough;
- The proposal will attract older people from outside Marlborough thus skewing the already top heavy demography;
- The site should only be developed for affordable housing available to all ages;
- The proposal will increase pressure on health services;
- The proposal will increase the pressure of the sewage infrastructure;
- The proposals mention the introduction of a new pedestrian crossing in the vicinity of the development but this does not appear to be shown on any of the submitted plans.

Observations and guidance have also been received from the Wiltshire Fire & Rescue Service and the Police's Crime Prevention Design Adviser.

The concerns raised as a result of the public consultation period are all addressed within the following section of the report.

9. Planning Considerations

9.1 Principle of Development & Provision of Care Facilities

The application site falls within the Limits of Development and although it is not specifically identified as a 'Principal Employment Area' within the Wiltshire Core Strategy (WCS) it is currently within an employment use and therefore Core Policy 35 'Existing Employment Sites' of the WCS is applicable.

Core Policy 35 seeks to protect existing employment sites unless it can be demonstrated that the site has no long term and strategic requirement to remain in employment use. The NPPF also advises that where there is no reasonable prospect of the site being used for alternative employment uses, then applications for alternative uses should be judged on their own merits.

The applicant's Planning Statement highlights that there is no long term or strategic requirement for the site to remain in employment use, and there would be environmental benefits in redeveloping the site, both visually and through remediation of contaminated land. Additionally, the vendor of the site has identified another site in Marlborough to relocate to. As such, the proposed development will not result in the loss of the business and the scheme would help contribute towards the housing need within Marlborough as outlined within Core Policy 14 'Spatial Strategy: Marlborough Community Area' of the WCS.

The planning history of the site is also particularly relevant when considering the principle of the proposed development as the change of use of the site from business to residential and the provision of older persons accommodation was accepted in 2008 during the assessment of application K/5877/F as noted above in section 4.

The Planning Statement, however, provides a justification for the proposed use and the application is supported by an 'Evidence of Housing Demand and Supply' report which considers the need for retirement housing in light of availability of owner occupier accommodation for the older population and forecast demographics and modelled need to support such provision. The report outlines that "there is a clear and unmet need for a range of specialised retirement housing options for local people, primarily home owners. The proposed McCarthy and Stone Retirement Living scheme can make a positive contribution to meeting this need."

The Council's New Housing department has confirmed that the scheme will contribute towards meeting the identified need for older people's housing in the Marlborough area [as with the whole county] as outlined within the Older People's Accommodation Development Strategy [2010].

Paragraph 50 of the NPPF advises that local planning authorities should plan for a mix of housing based on current and future demographic trends and the needs of different groups in the community including older people. The WCS outlines that "Wiltshire has been one of the fastest growing populations in the country. Since 2001, the level of population growth has been above the national average; however, it is an ageing population which will have implications for the future economic base of the county. By 2026 there will be a higher proportion of the older age groups, including the over 85s. This part of the population is predicted to grow the fastest, by 89.4%, over the next 15 years, and it is also predicted that there will be double the number of older disabled people by 2026. It is necessary to both plan for the needs of the ageing population, while also seeking the jobs and homes that can support a more diverse population encouraging economically active and younger people to live in the area" (par 2.14).

In light of the above, the principle of the proposed use and development is considered acceptable.

9.2 Density and Layout

The proposed development would be built at a density of 77 units per hectare. Whilst this is well above the densities expected for conventional family housing, this is a flatted development and therefore making comparisons is difficult as densities for this type of scheme will always be higher.

The site falls within the Limits of Development of Marlborough and is within walking distance of the town centre and has easy access to public transport facilities. The site is therefore

considered to be within a very sustainable location. As the proposal will provide housing for special local needs (i.e. elderly people) the high density of the proposal is considered acceptable. The density of the scheme will be similar to other developments of this type within the county.

As such, the key consideration is whether the scale and massing of development is appropriate in this location and whether the scheme displays a high standard of design which is discussed within the following section.

In relation to the amount of amenity space, the application is supported by a Statement of Amenity Space Provision which demonstrates that the amount of on-site private and shared amenity space will be appropriate for the type of development proposed.

9.3 Design, Landscaping & Visual Impact

Core Policy 57 'Ensuring High Quality Design and Place Shaping' of the WCS lays down the requirement for good design. The policy outlines that a high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality.

The building layout is heavily influenced by the shape of the site, with the buildings positioned in two main linked blocks mainly orientated north to south. The buildings will provide three storeys of accommodation. There is no question that the proposed buildings are sizeable in terms of their scale and massing. However, the use of separate blocks and varying orientations and roof heights has helped to break up the massing and amendments made during the course of the assessment of the application have further improved the design, character and identity of the building. The proposal will use appropriate materials for the context of the site. In order to ensure they are of a high quality samples can be required via a condition of any planning permission along with information on the architectural detailing.

The site occupies a prominent position at the foot of the hill and is clearly visible from various vantage points from the public realm. However, the scheme is considered to be of a high quality design and will be an improvement on the current character and appearance of the site. The building has been designed to respond to its prominent position and will achieve an active street frontage. The site will also be well landscaped to help soften and integrate the development into the site.

9.4 Ecology

A Phase I Habitat Survey has been prepared by Marishall Thompson Group, dated December 2013 and it accompanies this application submission. This report confirms that the site is classed as low ecological value due to its built nature being dominated by concrete and buildings.

The Council's Ecologist has stated that the site currently comprises mainly hardstanding with some buildings, therefore natural habitats within the site are scarce and is in agreement with the conclusions of the ecological survey report that the site itself is of low ecological value and offers only a limited function for biodiversity. The development is unlikely to result in adverse impacts to any important habitats or species within the site boundary.

The Council's Ecologist has noted that the proposed soft landscaping plan is welcomed as it will increase opportunities for biodiversity within the site, offering potential habitat for birds, small mammals and reptiles and increasing the connectivity of different habitat areas. Enhancement of this nature is in line with the requirement of NPPF.

However, the proposal does have potential to impact on surrounding habitats, especially the wooded area to the north-west and south and the riparian corridor of the River Kennet immediately beyond this. Together these areas are likely to offer significant foraging for a range of wildlife species, with opportunities to move safely between different habitat areas in some seclusion. The addition of artificial lighting and resultant light spillage along the edges of the wooded areas (and beyond) is likely to present a significant barrier to wildlife movement and a reduction in the function these habitats provide for biodiversity.

The Council's Ecologist is therefore of the opinion that subject to the submission of a suitable lighting plan that ensures potential impacts from lighting are removed or reduced as far as possible, the development will not result in any adverse impacts to biodiversity either within or adjacent to the site.

The site does not fall wholly or partially within any area designated for nature conservation, however it does fall within the 15km buffer zone for the eastern parcel of Salisbury Plain Special Protection Area (SPA) and therefore a payment to the Wessex Stone Curlew Project will be triggered to make the development compliant under the Habitats Regulations Assessment (HRA), as required by the adopted HRA and Mitigation Strategy for Salisbury Plain SPA. The contribution amount is discussed under section 9.9 below.

9.5 Archaeology

The application is accompanied by an Archaeological Desk Based Assessment, dated February 2014 and prepared by CgMs. The assessment concludes that there are no archaeological heritage assets located within or in close proximity to the site furthermore, the site is situated beyond the setting of the scheduled Castle Mound; the Monument's setting and significance will be unaffected by the proposed development.

The report outlines that "this assessment has established that the study site has a low potential to contain buried archaeological remains of all periods; such activity is likely to have been limited to that of former agricultural practices. Substantial landscaping and 20th century development will have wholly or partially removed any archaeological deposits within the study site, should they have been present. Based on the above, it is considered that there should be no requirement for further archaeological work in relation to proposed development at the study site."

However, the Council's Archaeologist has indicated that the site is in an area of archaeological interest. Adjacent to the River Kennet, the site lies approximately 300m from the Marlborough mound (Scheduled Monument 1005634). Recent radio-carbon dating has confirmed this to have Neolithic origins and considered to be a mini Silbury Hill, it was later incorporated into a Norman motte and bailey castle which lay at the western end of the medieval town (the southern edge of the medieval settlement is postulated just to the north of the site). Archaeological features have been recorded to the south east of the site.

It is stated within the application and clear from photographs that the natural slope of the site has been terraced in the more recent past but the extent of cut and fill is unknown at present.

The Council's Archaeologist has therefore indicated that there is some potential for archaeological remains to be impacted below the area of fill and has therefore recommended that an archaeological watching brief would be appropriate in this case. This will be secured via a condition of any planning permission to ensure the proposal would be in accordance with Core Policy 58 'Ensuring the Conservation of the Historic Environment' of the WCS.

9.6 Environmental Impacts, Flood Risk & Drainage

The proposed development does not lie within an area of flood risk, although the site is located approximately 75 metres to the east of the River Kennet albeit at an elevated position. The Technical Note, prepared by Peter Brett Associates, submitted in support of the application identifies that there are no records of flooding and there do not appear to be any flood risk constraints at the site for residential development.

The Environment Agency (EA) has outlined that the site has had a fairly contaminant history (garage) and is within a relatively sensitive area in regards to controlled waters (River Kennet 50m/principal aquifer). The EA is in agreement with the conclusions of the submitted report that a site investigation needs to be undertaken on site to adequately characterise the site based on the contaminant history and assess the potential risks posed to controlled waters from contaminants/activities that have occurred on site. As such, provided an assessment and/or remediation strategy is submitted and approved via a condition of any planning permission the EA has no objection to the proposed development. This is in line with the recommendation of the Council's Public Protection Team.

The development will produce foul water effluent of a domestic nature only. Thames Water originally raised concerns regarding the ability of the existing waste water infrastructure to accommodate the needs of the proposed development. However, following the submission of further information and a review of the development Thames Water confirmed that they have no objection to the proposal.

The proposed drainage scheme will comply with current guidance and promote the use of sustainable drainage systems as far as is reasonably possible. An outline of the proposed scheme has been provided. The proposed drainage strategy will remain preliminary at this stage but a condition will be attached to any planning permission requiring the submission and approval of a full strategy as requested by the Council's Drainage Engineer.

The application is supported by a Refuse and Waste Management Plan which details how waste and refuse will be dealt with during the construction and operational phases of the development.

The Design and Access Statement includes a Sustainability Statement which considers issues such as water use, energy consumption, accessibility and sustainable construction and concludes that the proposed development is in line with the key policies and guidance regarding sustainability.

9.7 Impact on Highway & Pedestrian Safety

The application is accompanied by a Transport Statement, by Paul Basham Associates, which concludes that from a highway safety perspective the proposal will offer a marked improvement over the existing arrangement.

Access to the site will be maintained off the existing roundabout junction and along Granham Close. The existing secondary entrance off Granham Hill will be closed. A main entrance for pedestrians will be provided along the site frontage on Granham Close and ties into the existing and upgraded pedestrian provision on Granham Close. The Transport Statement outlines that “in order to improve the pedestrian environment on Granham Close in the vicinity of the site, the footway on the eastern side of the carriageway is to be resurfaced and widened into the application site to an adoptable standard. A 1.8m footway on the western side of the carriageway is to be provided, connecting to the existing facilities on Pewesy Road. A pedestrian crossing facility is to be provided on Granham Close and will form a build out limiting the carriageway width to 3m.”

The Transport Statement further outlines that “improvements are also proposed to the mini-roundabout adjacent to the site, including pulling back the give way line for Graham Hill to allow for a gentler radius of entry into Granham Close. In addition, the effective width of the north eastern end of Granham Close is to be increased to allow vehicles to access and egress this junction concurrently.”

In terms of vehicular movement, the Transport Statement demonstrates and specifies that “the proposed development would result in a significant reduction in peak hour and overall traffic generation”.

The Transport Statement outlines that the proposed development does differ from traditional sheltered accommodation due to the greater independence of the residents. This subsequently results in the proposed parking provision being greater than that of a sheltered accommodation development, whilst not as high as a standard residential development. The statement outlines that “transport surveys have been undertaken at McCarthy and Stone sites over a number of years to understand the specific needs of their residents and inform their future developments. The studies show an average car ownership across such developments of 0.35 cars per 1 bed units and 0.39 cars per 2 bed units. Based on this the proposed accommodation schedule of 27 two bed apartments, the McCarthy and Stone surveys suggest an average of 11 cars would be owned by site residents overall.

On this basis, a parking provision of 29 parking bays has been proposed, allowing for one space per residential unit and two additional visitor bays. The proposed layout incorporates a large integral store which would accommodate mobility buggies and bicycles.

The Transport Statement demonstrates that “the proposed parking provision is based on McCarthy & Stone’s own requirements that are in excess of Wiltshire’s Sheltered Accommodation Residential Parking Standards but less than the standard Residential Parking Standards.”

The Council’s Highway Officer is satisfied that that the proposed development will not have an adverse effect on the highway network and that the proposed parking provision will be adequate to serve the needs of the development.

In relation to ‘sheltered accommodation’ the Wiltshire Local Transport Plan 2011 – 2026: Car Parking Strategy sets a requirement for a maximum of 1 parking space per 2 units + 1 parking space per 5 units. The maximum amount which should be provided is therefore 19 spaces.

The proposal will provide 29 spaces for 27 units. In addition, parking spaces are being provided for mobility scooters, a common form of transport for the residents of this type of development. The Highway's Officer recognises that traffic generation for this sort of development is also lower than for a normal residential development and its proximity to the town centre will facilitate trips on foot or by scooter.

It is recognised that the Town Council and a number of local residents have raised concerns about the potential highway safety aspects associated with the proposal. Their concerns have been carefully considered. However, the strength of evidence submitted by the applicant in relation to the proposed level of car parking, and the improvements proposed to the existing highway, means that there are no valid reasons to refuse planning permission on highway grounds.

The NPPF advises that development proposals should only be prevented or refused on transport grounds where the residual cumulative impacts of development are **severe**. The Council's Highway Officer is satisfied that with the level of parking provision being proposed and feel that the proposal will represent a betterment to highway and pedestrian safety. The scheme will result in an improvement to the existing access arrangement to Granham Close, will permanently remove an existing substandard access onto Granham Hill and will upgrade the existing pedestrian facilities to ensure a safe and continuous route to the town centre.

The Council's Senior Rights of Way Officer has highlighted that bridleway MARL33 is on the other side of the road to the development and access to the bridleway must be kept clear at all times.

9.8 Impact on Residential Amenity

The only boundary which adjoins a residential property is the western boundary which adjoins no.1 Granham Close. This is recognised within the Planning Statement; it is outlined that *"the site adjoins 1 Granham Close, a single storey residential property. The previous Pegasus scheme was refused as a result of direct overlooking of the proposed development into No.1 Granham Close. The application submission has removed windows from the flank wall facing onto No. 1 Granham Close. The proposed building is set further away from the boundary with No. 1 Granham Close compared to the existing workshop. The removal of this structure and use of the site will also be a material planning benefit to this neighbouring property."*

The existing commercial buildings which are located next to the boundary will be demolished to accommodate the new building which will be set further away from the boundary. A landscape buffer strip will be provided between the boundary and new building and a native hedge will be planted along the boundary. The proposed building will not directly overlook no.1 Granham Close and the building will be stepped back from the boundary to ensure it does not have an overbearing impact.

The Council's Public Protection team has requested that details of the methods to control the disturbance to neighbouring residents and the environment during the construction phase of the development. This can be provided within a construction management plan which can be required by way of a condition if planning permission is granted.

In light of the above, it is therefore considered that the scheme will not have a significant adverse impact on the residential amenity of the occupiers of any neighbouring properties.

In relation to the residential amenity of future residents of the development, each apartment will have a balcony to serve as private outside space. The Planning Statement outlines that in addition to private amenity space, “a great deal of attention has been given to the surrounding landscaping by Lavigne Lonsdale, qualified Landscape Architects given the specialist nature of the needs of future occupants of the proposed development, McCarthy & Stone have vast experience in catering for these needs. The overriding need for residents is the provision of a range of experiences for residents. This is especially beneficial with respect to this type of development where residents’ generally passive use of outdoor space require opportunities for both gentle walking around the site as well as sitting out in both sun and shade”.

The application is supported by a ‘Statement on Amenity Space Provision’ which outlines that the amount of amenity space should be bespoke to the type of development proposed and only a limited amount of amenity space is required for age restricted apartment. It also outlines that “McCarthy & Stone is well experienced in providing for the recreational needs of the elderly residents within its development having completed over 30,000 units of sheltered accommodation in over 700 schemes over the last 28 years”.

The amount of private/shared amenity space would not be considered acceptable for family housing. However, as the scheme is intended to provide specialist accommodation to meet a local need, and it has been demonstrated that the amount of amenity space is sufficient to meet the needs of the future residents, a reduction from the normal standard is considered acceptable in this instance. It must also be recognised that the River Kennet and Bridleway ref MARL33 is adjacent to the west boundary of the site which will be easily accessible by the residents of the development.

9.9 Planning Obligations

9.9.1 Affordable Housing

Core Policy 43 ‘Providing Affordable Housing’ of the WCS seeks to secure 40% affordable housing in this location.

In relation to affordable housing, the Planning Statement recognises the policies of the local development plan. However it further states that “the emerging Core Strategy like the National Planning Policy Framework makes reference to the need to retain viability of residential development. Affordable housing policies were never formulated with specialist forms of accommodation in mind and accordingly, because of their characteristics, it will not be possible to deliver the target level of affordable housing provision. In accordance with Core Policy 43, a viability appraisal for the proposed scheme accompanies this application. The appraisal has regards to the very particular characteristics of specialised accommodation for older persons. It is considered that there are inherent difficulties with trying to mix affordable housing within a specialised development designed for older persons. Accordingly, it is considered that any provision is best made by way of an off-site financial contribution. This is a position that has been agreed with Wiltshire Council at McCarthy & Stone’s recent schemes at Devizes and Amesbury.”

The Council’s New Housing team has confirmed that in this instance, an off-site financial contribution in lieu of on-site affordable housing provision would be acceptable. The financial contribution in lieu of the Council’s affordable housing requirement has been assessed at £548,316.

9.9.2 Recreation Provision

Saved policy HC34 'Recreation Provision on Large Housing Sites' of the former Kennet Local Plan requires developments of 20+ units to provide recreational open space. This standard comprises three parts: (i) equipped play for younger children; (ii) casual equipped play for older children; and (iii) formal pitch provision for adults. The development generates no requirement for children's play and therefore only the adult element is relevant. This is normally provided via a commuted sum, and the monies in this instance should be used for any form of recreation suitable for the over 55s. Based on the size of the development, the relevant figure, calculated in accordance with the Supplementary Planning Guidance document 'Community Benefits from Planning' would be £17,083.00 which would be spent on improvements to the Bowls Club, in Salisbury Road, Marlborough.

9.9.3 Other Contributions

As the site falls within the 15km buffer zone for the eastern parcel of Salisbury Plain Special Protection Area a contribution of £13.87/dwelling will be required towards the Wessex Stone Curlew Project as required by the adopted HRA and Mitigation Strategy for Salisbury Plan SPA. The proposed development is for 27 units which result in a requirement for £374.49.

9.9.4 Development Viability

Financial viability has become an increasingly important material consideration in the planning system. While the fundamental purpose of good planning extends well beyond financial viability, the capacity to deliver essential development and associated infrastructure is inextricably linked to the delivery of land and viable development.

The NPPF specifies that Local Planning Authorities should ensure that development proposals are viable and deliverable. In light of the new measures introduced within the NPPF the RICS published new guidance on development viability, 'Financial Viability in Planning: Guidance Note (2012)'. The RICS guidance, which was put together in consultation with the public and private sectors, includes a definition of what is meant by 'financial viability' in a planning context. It defines this as:

"An objective financial viability test of the ability of a development project to meet its costs including the cost of planning obligations, while ensuring an appropriate site value for the landowner and a market risk adjusted return to the developer in delivering that project."

The application is supported by a viability appraisal which seeks to demonstrate the maximum figure which can be provided. It specifies that "the viability appraisal identifies a surplus of £233,587 available for affordable housing provision and any other financial contributions sought by the Council."

Officers have scrutinised this information and following prolonged discussions with the applicant it has been agreed that a figure of £335,000 is realistic and achievable having regard to the individual site characteristics.

As noted above the following contributions have been requested:

- Affordable Housing - £548,316.00
- Public Open Space - £17,083.00
- Wessex Stone Curlew Project - £374.49.00

However, as only £335,000 is available, the necessary contribution towards the Wessex Stone Curlew Project will be paid in full to ensure the proposal complies with the Habitats Regulations and the remainder, £334,625.51, is recommended for allocation towards the provision of affordable housing.

10. Conclusion

The principle of redeveloping the brownfield site is acceptable and it is evident that the development of 27 apartments for people over 55 years old will meet a recognised need for older people's housing in the Marlborough area.

The scheme is considered to be of a high quality design and will not result in a detrimental impact on the local landscape or townscape character. The development will not have any adverse ecological, or environmental impacts and will result in a betterment to highway safety through improvements to the existing access arrangements onto Granham Close, improvements to the pavements in front of the site and provision of a crossing point along Granham Close, along with the stopping up of the existing dangerous access onto Granham Hill. The applicant has also presented evidence to demonstrate that the number of parking spaces is adequate to serve the development.

No statutory consultees have objected to the proposal, and whilst the concerns of the Town Council and some local residents have been carefully considered, the scheme is considered to be in accordance with both the national and local planning policy and with suitably worded conditions, and a section 106 agreement to secure a contribution of £334,625.51 towards affordable housing and £374.49.00 towards the Wessex Stone Curlew Project, it is recommended that planning permission be granted.

RECOMMENDATION

That the decision to grant planning permission should be **deferred and delegated** to the Area Development Manager subject to the prior completion of a Section 106 legal agreement to secure financial contributions towards affordable housing and the Wessex Stone Curlew Project, as outlined above, and subject to the planning conditions set out below.

- 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 Each of the apartments hereby permitted shall be occupied only by:
 - persons of 55 years of age or over;
 - persons living as part of a single household with such a person or persons;
 - persons who were living as part of a single household with such a person or persons who have since died.

REASON: The units of the residential home/sheltered accommodation have been designed for occupation by persons who satisfy the above criteria and are unsuitable for family housing, particularly given the parking and amenity space provision.

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

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

- 4 No above ground development, excluding demolition, shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys, dormers and canopies 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.

- 5 Details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Development shall be carried out in accordance with the approved details prior to the development being occupied.

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

- 6 No above ground development, excluding demolition, shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.

REASON: In the interests of visual amenity.

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

- a) a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- b) finished levels and contours;
- c) all hard and soft surfacing materials;
- d) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);.

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

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

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

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

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

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

REASON: In the interests of highway safety.

- 11 No above ground development, excluding demolition, shall commence on site until full details of the off-site highway improvement works, as shown on drawing no.034.0041.100 RevP3, 'Proposed Pedestrian Crossing and Junction Alterations', have been submitted to, and approved in writing by, the Local Planning Authority. No part of the development shall be occupied or first brought into use until the improvement works have been carried out in accordance with the approved details.

REASON: In the interests of highway safety.

- 12 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The lighting plan shall include a lux plot that shows darkened edges to the site, with a maximum level of 1 lux at canopy level of all tree lines.

The approved lighting shall be installed and shall be maintained in accordance with

the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site to ensure the potential impacts from lighting to biodiversity adjacent to the site are removed.

13 No development shall commence until:

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

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

REASON:

To enable the recording of any matters of archaeological interest.

14 No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment has been carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON:

To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved.

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

REASON: To protect the water environment from pollution

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

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

- 17 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) measures to control the emission of dust and dirt during construction;
- e) measures for the protection of the natural environment.
- f) hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period.

The development shall not be carried out otherwise than in accordance with the approved construction method statement.

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.

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

- Drawing no.A01_1972_001 RevB, Site Location Plan, received 13 August 2014;
- Drawing no.A01_1972_002 RevB, Existing Site Plan with Survey, received 13 August 2014;
- Drawing no.A01_1972_003 RevB, Existing Site Sections, received 13 August 2014;
- Drawing no.A01_1972_005 RevB, Landscape Plan, received 13 August 2014;
- Drawing no.A01_1972_020 RevB, Existing Section AA and Proposed Section AA, received 13 August 2014;
- Drawing no.A01_1972_021 RevA, Existing Section BB and Proposed Section BB, received 13 August 2014;
- Drawing no.A01_1972_009 RevB, Proposed Site Plan (Roof), received 13 August 2014;

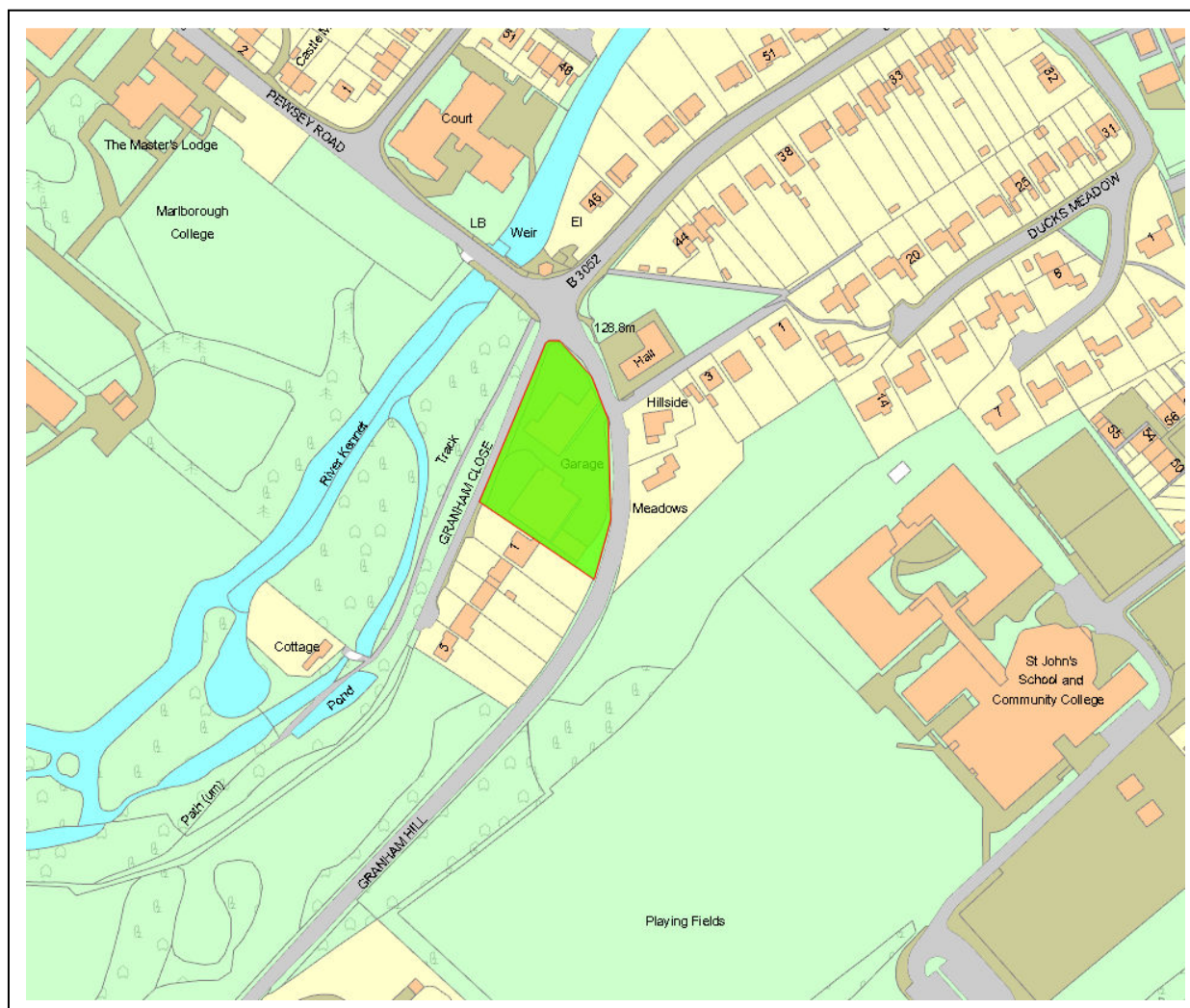
- Drawing no.AP07 (A01_1972_013_C), Ground Floor Layout, received 16 December 2014;
- Drawing no.AP08 (A01_1972_013_C), First Floor Layout, received 16 December 2014;
- Drawing no.AP09 (A01_1972_013_C), Second Floor Layout, received 16 December 2014;
- Drawing no.AP10A (A01_1972_013_C), Roof Layout, received 16 December 2014;
- Drawing no.AP20 (A01_1972_030_D), Elevations 01 & 02, received 26 November 2014;
- Drawing no.AP21 (A01_1972_031_E), Elevations 01 & 02, received 26 November 2014;
- Drawing no.034.0041.100 RevP3, Proposed Pedestrian Crossing and Junction Alterations, received 13 August 2014;
- Drawing no.034.0041.103 RevP2, Refuse Vehicle and Car Tracking, received 13 August 2014;
- Extended Phase 1 Ecological Survey by Marishall Thompson Group, ref E1410131516v2, received 13 August 2014;
- Site Noise Assessment by AAD, ref 14140/001/lwr, received 13 August 2014;
- Refuse and Waste Management Plan, received 13 August 2014;
- Transport Statement by Paul Basham Associates, received 13 August 2014.

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

- 20 INFORMATIVE TO APPLICANT: The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that an agreement with the Highway Authority under Section 278 of the Highway Act 1980 will be required before any works are carried out on any carriageway, verge or other land forming part of the highway.
- 21 INFORMATIVE TO APPLICANT: Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses or adjoins the application site.
- 22 INFORMATIVE TO APPLICANT: The attention of the applicant is drawn to advice and guidance provided by the Environment Agency within their letter dated 07 October 2014.
- 23 INFORMATIVE TO APPLICANT: The attention of the applicant is drawn to advice and guidance provided by the Wiltshire Fire & Rescue Service within their letter dated 26 August 2014.
- 24 INFORMATIVE TO APPLICANT: The attention of the applicant is drawn to advice and guidance provided by Thames Water within their letter dated 29 January 2015.
- 25 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 _____

Application Number	14/07804/FUL
Site Address	Granham Garage, Granham Close, Marlborough SN8 4DH
Proposal	Demolition of existing buildings and redevelopment of site to form 27 apartments including car parking, communal areas and landscaping
Case Officer	Morgan Jones

Map 1



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