

REPORT FOR STRATEGIC PLANNING COMMITTEE

Date of Meeting	14 September 2016
Application Number	16/03515/OUT
Site Address	Langley Park, Chippenham, Wiltshire, SN15 1GE
Proposal	Outline Application for the demolition of existing buildings and redevelopment to provide up to 400 units (C3); a 69 bed hotel (C1) with cafe (A3) up to 199 sqm; a discount foodstore (A1) of up to 1,741 sqm; B1, B2 & B8 floorspace (up to 13,656 sqm) and highway improvements to the Little George and the B4069/Pew Hill junctions with all matters (except access) reserved.
Applicant	Chippenham Properties Ltd & Langley Properties Ltd
Town/Parish Council	CHIPPENHAM
Electoral Division	CHIPPENHAM HARDENHUIISH – Cllr Caswill
Grid Ref	392385 174316
Type of application	Outline Planning
Case Officer	Mark Staincliffe

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

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that authority is delegated to the Head of Development Management to GRANT planning permission, subject to the completion of a Section 106 legal agreement and the imposition of appropriate conditions within six months of the date of the resolution of this Committee.

In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Area Development Manager to REFUSE planning permission for the following reason:-

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Waste; Air Quality Management and is therefore contrary to Policies CP3 CP43 & CP55 of the Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

2. Report Summary

The key issues in considering the application are as follows:

- Principle of the development.

- Conformity of the local plan
- Impact on Conservation Area and setting of listed buildings
- Whether the development constitutes over development of the site.
- Impact on residential amenities of adjoining neighbours.
- Impact on character and appearance of the area.
- Retail Impact

Chippenham Town Council raised no objection to the proposed development and 15 letters of objection and 15 letters of support have been received.

3. Site Description

The application site lies within the framework boundary of Chippenham and is classified as previously developed land comprising industrial buildings of varying use and age. The site lies immediately to the north of Chippenham town centre and has residential land uses on its north and west boundaries along Langley Road, Tugela Road and Hawthorn Road. To the north east of the site is Cocklebury Lane Industrial Estate which is separated from the site by Cocklebury Lane. Forming the south eastern boundary of the site is the railway line, Chippenham Railway Station surface level car park, Chippenham Railway Station itself, Wiltshire College and industrial units beyond. Currently, the site is served from Pew Hill and Foundry Lane with additional accesses at Tugela Road, Hawthorn Road and Cocklebury Lane albeit these are not actively used by the industrial estate other than for pedestrian access.

4. Planning History

2006 - Applications N/06/00650/OUT & N/06/00649/OUT

Outline planning application submitted for the partial demolition and redevelopment of a 14.59ha part of the estate for mixed use redevelopment comprising employment, residential and retail, together with associated amenity space, car parking, access, servicing, and other ancillary uses and development. The planning application was refused

2007- Applications N/07/00791/OUT & N/07/00802/FUL

Revised outline application and a full planning application for a retail store. The outline planning application sought consent for the partial demolition and redevelopment of a 7.7ha part of the Estate for mixed use redevelopment comprising residential (Use Class C3) and retail (Use Class A1) together with associated amenity space, car parking, access, servicing and other ancillary uses and development. The full planning applications sought consent for the provision of a food retail store (52 000sqft net sales area) with associated car parking and enabling development. The planning application was refused.

An appeal against the Council's decision was lodged and dismissed by the planning inspectorate. The inspector's reasons for dismissing the appeal are discussed later in this report. The applicants subsequently lodged a High Court Challenge against the Inspector's decision, this challenge failed and the decision to refuse planning permission was upheld

2009 - Application N/09/00317/OUT

An outline planning application was submitted in February 2009 for 'demolition and redevelopment of the site to provide a mixed use scheme comprising residential, retail, hotel, public open space, together with car parking, servicing, access and other ancillary uses and development. The planning application was withdrawn by the applicant prior to its determination.

2013 - Application N/13/01776/OUT

An outline application was submitted in June 2013 for 'Demolition and Redevelopment of Land at Langley Park and Extension and Refurbishment of Hathaway Retail Park for up to 115 Residential Units, Food and Goods Retail Units, Multi Storey Car Park, Leisure and Hotel, Industrial Units. Highway Improvements to The Little George Junction, Landscaping and Associated Development'. Members of the Northern Area Planning Committee resolved to grant planning permission subject to the signing of a s106 agreement.

The Council formally disposed of the application in April 2015 as the applicants had failed to complete the legal agreement. No formal approval for the redevelopment of the site was issued.

5. The Proposal

The Site currently accommodates 74,173m² gross floor area (GFA) of B1, B2 and B8 employment uses. Existing employers on the site include Siemens, IXYS and Vysiion and will be retained within the site, with the provision of additional space for their consolidation and expansion.

The proposals seek to redevelop part of the site following demolition of existing vacant and under-used building stock to facilitate the development of a mix of uses including:

- Approximately 13,565m² new employment (B1/ B2/B8) floor space;
- Discount food store (A1) of 1,741m²;
- Café (A3) of 199m²;
- 69-bedroom hotel (C1);
- Up to 400 residential units (C3);
- New public open space including Linear Park.
- Highway Improvements

6. Planning Policy

Wiltshire Core Strategy Jan 2015:

- Core Policy 1- Settlement Strategy
- Core Policy 2- Delivery Strategy
- Core Policy 3- Infrastructure Requirements
- Core Policy 9- Chippenham Central Areas of Opportunity
- Core Policy 10- Spatial Strategy: Chippenham Community Area
- Core Policy 34- Additional Employment Land
- Core Policy 35- Existing Employment Land
- Core Policy 36- Economic Regeneration
- Core Policy 38- Retail and leisure
- Core Policy 40- Hotels, B&Bs, Guest Houses and Conference Facilities
- Core Policy 41- Sustainable Construction and Low Carbon Construction
- Core Policy 43- Providing Affordable Homes
- Core Policy 45- Meeting Wiltshire's Housing Needs
- Core Policy 51- Landscape
- Core Policy 45- Meeting Wiltshire's housing needs
- Core Policy 50- Biodiversity and Geodiversity
- Core Policy 51- Landscape
- Core Policy 56- Contaminated Land
- Core Policy 57- Ensuring high quality design and place shaping
- Core Policy 58- Ensuring the Conservation of the Historic Environment
- Core Policy 62- Development impacts on the transport network
- Core Policy 64- Demand Management
- Core Policy 67- Flood Risk

Appendix D

Appendix E
Appendix G

Saved Policies of the North Wiltshire Local Plan:

- NE18- Noise and Pollution
- T5- Safeguarding
- CF2- Leisure facilities and open space
- CF3- Provisions of open space

National Planning Policy Framework 2012:

Achieving sustainable development – Core Planning Principles (Paragraphs 7 14 & 17)

Chapter 1- Building a strong, competitive economy (Paragraphs 18 & 19)

Chapter 6- Delivering a wide choice of high quality homes (Paragraphs 47, 49, 50 & 55)

Chapter 7- Requiring Good Design (Paragraphs 56, 57, 60, 61, & 64)

Chapter 8- Promoting healthy communities (Paragraph 75)

Chapter 11- Conserving and enhancing the natural environment (Paragraphs 109, 112, 118 & 123)

Chapter 12- Conserving and enhancing the historic environment (Paragraphs 126, 128, 129, 132, 133 and 139)

7. Summary of consultation responses

Chippenham Town Council- No objection. However the Town Council does have concerns regarding delivery vehicles accessing the site and would ask that careful consideration be given to the street scene and in particular the design of adequate safety railings at this junction

Sport England - Object- Sport England considers that the application conflicts with Objective 3: *Provide new facilities to meet demand*, in that it there is absence of any reference to the levels of formal recreation provision likely to be required on and/or off-site, to meet immediate demand for the new residents and facilities available in the wider region.

Historic England- We welcome this proposal for regeneration in the heart of Chippenham. The site partly comprises a small section of the Chippenham town centre Conservation Area. It also impacts upon a number of designated heritage assets including Avon House that is Grade II and the Grade II* listed Church of St Paul. There is also the undesignated heritage asset known as Westinghouse, a 1930s office building that is located within the development site. However, we understand that many of the un-designated heritage assets have already received prior approval for their demolition.

In the case of St Paul's Church, we wish to ensure that its setting has been fully assessed and any potential harm from this development mitigated. Our particular issue will be with any proposed highway alterations around Little George Roundabout.

Whilst the majority of the site is outside the terms of our remit, we would wish to ensure that the scheme reflects the distinctive character of Chippenham and that the design of the scheme is to an appropriate quality in line with Paragraph 64 of the National Planning Policy Framework.

Highway England- No objection subject to a planning condition

Wiltshire Police - No objection subject to conditions but no indication appears to be given as to what strategy has been adopted in respect of the physical security of the dwellings, their perimeter protection and that of the car parking courts referred to in any of the documentation provided.

Wessex Water- Submitted details confirm design flow rates for the 1 in 1 year and 1 in 30 events. The assessment principally addresses the flood risk requirements for extreme events with allowance for climate change and indicates how surface water run-off will be managed across the site.

We acknowledge that the development will be brought forward in phases and there are likely to be design changes as these phases progress. We accept that detailed design will bring changes and we will need to manage these changes through adoption approvals.

We agree that there will be reduced impermeable areas and therefore marginal improvements to existing service levels. We are unable to guarantee that capacity will be available to drain exceedance flows beyond a 1 in 30 year event.

The developer will need to agree hydraulic conditions with the sewerage undertaker for these design events when submitting adoption drawings and proposals.

It may be appropriate to place a condition on the NOD to ensure that we can co-ordinate and agree the necessary engineering measures to deliver the drainage strategy from outline to detailed permissions.

Wiltshire Council Drainage - No objection subject to conditions. There are public and private foul sewers crossing the site thus site layout will need to accommodate them in existing locations with required clearances or an application to divert will be required to the sewerage undertaker

Checks and modelling by the undertaker likely to be required to ensure that the existing systems have sufficient capacity to serve the proposed development. It is known that some of the existing foul sewers actually have storm water connections

Storm Drainage - Site is located in FRZ 1 according to EA on line mapping. There is also is a surface water flood risk for 1 in 30 (high), 1 in 100 (medium), and 1 in 1000 (low)

Drainage strategy report-

- Covers the moving of storm to foul requirement
- Proposals for attenuation to ensure flood risk is reduced on/off site
- Ground investigation needed should infiltration disposal be proposed at detail stage
- Some confusion as Executive Summary, 2.5 and 4.3 mentions 40% in relation to climate change but 1.16 says 30% - latest guidance from EA is climate change allowance is site specific and sets out how to determine – applicant needs to confirm which figure he is using and how this meets the latest guidance

Any alteration to highway drainage systems will need the approval of Wiltshire Council's Highways & Drainage teams

Wiltshire Council Urban Design - Some concerns with the original submission but amended plans have overcome some of these concerns. Some reservations with the proposed development but largely relates to detail which would form part of the reserved matters scheme.

Wiltshire Council Primary Education- The application generates a need for 4 classrooms (up to 120) of new places. The exact financial requirements here are dependent on the level of affordable housing included. There would also be the possibility of requirements for both a new primary school site and/or a crossing to create a safe walking route from the development to that new school provision. Secondary Education- Were we assessing this

enquiry as a registered application today, the Council would pursue the funding for secondary infrastructure expansion via the CIL mechanism. Early Years - Local Authorities are required by legislation to secure sufficient early years education places for two, three and four year olds. The development would generate a contribution totalling between £332,918.00 & £350,440.00 depending on total number of units and percentage of onsite affordable housing.

Wiltshire Council Affordable Housing- There is a demonstrable need for affordable housing in the Chippenham Community Area and therefore a 40% on site affordable housing contribution at nil subsidy should be sought. In order to meet current demonstrable need the tenure mix required would be 60% Affordable Rent and 40% Shared Ownership.

Wiltshire Council Ecology- Support subject to planning conditions.

Wiltshire Council Noise and pollution - Consideration should be given to the hierarchy of noise control where the noise is firstly managed through good design/internal layout and lastly glazing and acoustic ventilation.

I have concerns about train noise and vibration disturbance to potential residents and would need a noise and vibration impact assessment at reserved matters stage.

It is important that any detailed application takes consideration of noise and provides properties with suitable mitigation through design orientation, firstly with glazing elements and acoustic vents. I would requesting that all internal rooms achieve the Good Standard as stated in BS 8233: 2014 for both daytime and night time with an openable window. A full noise assessment would be requested if there are any proposed noise generating leisure venues i.e. skate parks, basket ball courts or similar a similar condition will be required for new plant required on the hotel, foodstore and cafe.

To ensure there is no disturbance to existing residents an hours of construction condition should be attached to any planning permission this can be incorporated into the site construction management plan.

Wiltshire Council Contaminated Land- No objection but a contaminated land condition will be required.

Wiltshire Council Arts Services- There is no particular reference to the inclusion of public art and design in this application, which we would expect for such a significant development of this size and nature, as referred to in Core Policies 3 and 57 of the Wiltshire Core Strategy.

The NPPF recognises that cultural wellbeing is part of achieving sustainable development and includes cultural wellbeing within the twelve core planning principles that underpin both planmaking and decision-taking.

Based on an indicative figure of £300 per dwelling and £3 per sq metre of commercial development, a contribution of in the region of £167,000 would seem to be an appropriate figure for this site.

Wiltshire Council Tree Officer - As this is an outline application and the full impact of the scheme proposals have not been given, the report does address the need for a full Arboricultural Impact Assessment (AIA) along with a corresponding Arboricultural Method Statement (AMS). If permission is given for the above application planning conditions will be required.

Wiltshire Council Spatial Planning - The principle of a mixed use development at Langley Park is acceptable. The brownfield site is located within the Chippenham Central Area of Opportunity and is allocated in the WCS Core Policy 9 to provide business uses as part of a mixed use development.

These proposals will help to ensure that the existing business uses on part of the site are retained as envisaged in WCS Core Policy 9. It will also ensure that site continues to be a vibrant business location, one of the key considerations for proposals within the Chippenham Central Area of Opportunity and consistent with the employment led strategy for Chippenham. The proposed uses are also in line with the Chippenham Town Centre Masterplan.

This site is one of the few previously developed sites available in Chippenham. The delivery of housing as part of a mixed use site will contribute to boosting housing supply in Chippenham and Wiltshire and to Chippenham being a place to live and work in, another of the considerations for proposals within the Chippenham Central Area of Opportunity.

The site has been identified as the most sequentially preferable site to accommodate a large supermarket in Chippenham with easy access to the town centre in the context of the 2014 retail study and the proposals will provide additional convenience floor space in excess of the 1338sq net by 2020 identified in the WCS and will go some way to meet the additional floor space requirements identified in the 2014 retail study.

However, further information is required in relation to the retail impact of the proposal in accordance with core policy 38 and further information is required in relation to the design and layout of the scheme to ensure its compliance with Core Policy 57.

Wiltshire Council Highways - The applicant has addressed the various concerns raised at pre application stage and expressed in earlier meetings. This included but not limited to:

- I. the provision of an acceptable access arrangement for the main Pew Hill access, by way of a double mini-roundabout to include the Birch Grove junction
- II. satisfactory evidence has been submitted to support the levels and locations of car parking proposed on the site
- III. an adequate access arrangement to serve as a potential second access to the north side railway station access has been included on the submitted revised drawings.

No objection is raised subject to planning conditions and s106 financial contributions.

Wiltshire Council Conservation Officer - The loss of the existing industrial buildings appears justified; the applicant has considered the significance of the existing buildings and concluded for the most part they make limited contribution to historic environment.

The demolition of the industrial buildings is considered acceptable on this occasion as the existing buildings make a limited contribution to local character and distinctiveness and that the removal of these redundant structures will allow the reuse of this brownfield site in close proximity to the town centre and railway station.

The potential improvements to the setting of the Grade II listed Avon House are noted and deemed to be significant public benefits to the setting of this Grade II listed building. This element of the scheme is considered to better reveal the significance of the designated

heritage asset in accordance with requirements of section 12 of the NPPF and section 66 of the Planning (LB and CAs) Act 1990.

The loss of the Whitehouse building is regrettable however this structure does not benefit from statutory protection, the potential public benefits of the delivery of a viable new use, local facilities, employment, and residential are considered to offset the harm caused to the historic environment (the scheme is therefore considered in accordance with section 12 of the NPPF paras 132 and 134).

The low scale nature of the proposed food store will preserve views of the spire of the Grade II listed St Pauls Church and the existing visual relationship with the Grade II Station. The proposed hotels and apartments fronting Foundry Lane and the Railway appears an acceptable response the buildings being of similar outline to the existing built form.

The storey heights referenced in relation to the residential components of the scheme is consider to be of a similar scale to the existing industrial buildings there the existing setting of the heritage assets around the site will be preserved.

Wiltshire Council Estates Department- I confirm that in my judgement, having assessed the applicant's Viability Appraisal, the Langley Park Chippenham development scheme (16/03515/OUT) is unviable if the package of contributions requested by consultees is required. Only limited contributions can be requested. This is covered within the report.

8. Publicity

The application was advertised by neighbour letter, site notices and press advert.

The application has generated 15 letters of objection and 15 letter of support. However, some of the letters of support did highlight minor concerns with the development. A summary of the comments is set out below:

- Additional housing required
- Highway safety
- Congestion
- Insufficient parking
- Impact on residential amenity
- Management of new public open space
- Ecological impacts
- Pedestrian access to the site from existing streets
- Issues with contaminated land
- Air quality
- Whitehouse should not be demolished
- Drainage & Flood risk
- Overlooking
- Public Art needed
- Existing trees need to be retained
- Strict control of deliveries necessary

Waitrose - Summary of comments set out below:

- Permitting the application will have a major detrimental impact on the turnover of the existing store.
- Only limited weight should be afforded to the previous consent on the site as no formal decision was made, only a resolution to grant.
- the level of adverse impact on the Little Waitrose store (and the knock on effect on linked trips) will in no way 'strengthen' the retail offer of Chippenham town centre,

and will instead significantly 'weaken' the existing offer, contrary to the objectives of the Core Strategy.

- the Retail Assessment is based on the Council's Town Centre and Retail Study published in March 2011, which itself is based on the results of a household survey that was undertaken in June 2010 i.e. prior to the opening of the Little Waitrose store in Chippenham.

Tesco - Summary of comments set out below:

- RIA has been undertaken by the applicant, but serious reservations over the methodology and assumptions applied.
- M&S proposed at Bath Road Retail Park has not been factored into the assessment. This is not yet a commitment, but is expected to be in the near future.
- Fundamental flaws in the town centre impact assessment that supports the application, and in reality, the impact on Chippenham town centre would be significantly adverse

9. Planning Considerations

9.1 Principle of Development

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

In this case, the Wiltshire Core Strategy, including those policies of the North Wiltshire Local Plan saved in the WCS, forms the relevant development plan for the Chippenham Area.

The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) are material considerations which can be accorded substantial weight.

Core Policy 1 of the Wiltshire Core Strategy sets out the settlement strategy for the area, identifying Chippenham as a 'Principal Settlement', a focus for new development. Core Policy 2 confirms a presumption in favour of sustainable development within the defined limits of development.

The NPPF encourages the reuse of brownfield land. One of the twelve core planning principles is "*encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;*"

Paragraph 111 also says:

"Planning policies and decisions should encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. Local planning authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land."

The strategy for Chippenham is based on delivering significant job growth, which will help to improve the self-containment of the town by providing more jobs for local people (WCS Paragraph 5.47).

WCS Core Policies 2 and 10 require 26.5ha employment land and at least 4510 houses to be provided at Chippenham between 2006 and 2026.

This site is identified in WCS Core Policy 9 Chippenham Central Area of Opportunity “to deliver a mixed use site solution for a key redevelopment opportunity area to support the retention of significant business uses on part of this site.”

WCS Paragraph 5.54 sets out the key principles to be addressed in developing Chippenham Central Area. All proposals for development in this area should establish appropriate high quality public realm and pedestrian and cycle routes to create a lively visual and social environment focused on linking all parts of the town with its centre. The Langley Park site forms part of one of the Character Areas identified in the Chippenham Central Area Masterplan and is also a saved Policy H2 allocation from the North Wiltshire Local Plan 2011 to provide 250 dwellings as part of a mixed use site.

The Chippenham Central Area Masterplan

The Chippenham Central Area Masterplan was produced in 2013 by Chippenham Vision, a local stakeholder partnership and was consulted on thoroughly with the local community. The Masterplan is based on an analysis of how the region, Chippenham and its town centre are performing and planning for housing and employment growth. It includes guidance to improve the town centre and surrounding area. The Masterplan area comprises the Chippenham Central Area of Opportunity as set out in the Wiltshire Core Strategy CP9. In the Masterplan Langley Park is identified as one of five character areas within the central area of opportunity. The introduction to the character area says:

“Regenerating Langley Park and the surrounding area with uses that compliment and support the vitality and viability of the town centre, through a mixed-use development that facilitates new linkages across the railway. A key aspiration of the Masterplan is to support the retention and enhancement of business uses on Langley Park”

The detailed character area guidance for the Langley Park goes on to say:

“The area has a longstanding history of industrial uses which have now partly disappeared. Where redevelopment has occurred, replacement development has been generally low quality and out of scale with the rest of the area (over-sized and impermeable) It is crucial, therefore, that future redevelopment opportunities complement the existing retail, residential and employment uses that make up or border this area at an appropriate scale.

A redevelopment opportunity of particular note is the Langley Park site itself. New employment uses can be located adjoining those businesses that will remain on the site but these must allow for the appropriate redistribution of car parking on the site. The residential area adjoining Langley Park should be extended eastwards into areas that are not to be maintained for employment use Where appropriate, flexibility is permitted within a restricted set of uses to maximise opportunities for regeneration Foundry Lane would benefit from public realm improvements and the northern entrance to the railway station would benefit from an enhanced arrival space....A new link across the railway is vital and would improve connections to the town centre. Improved access to the station through Langley Park and town centre parking will relieve the Little George roundabout which can be enhanced as a pedestrian and movement focus with opportunities for active frontages around this key entrance point to the town. Upper New Road and land to the north of Great Western Arches provide opportunities for new retail and improved public realm”

The Chippenham Central Area Masterplan, though useful in ascertaining what local community groups, business etc would like to see as part of the site redevelopment, has not been subject to full public consultation or scrutiny and formally adopted as a Development

Plan Document and can therefore only be afforded very limited weight in the decision making process.

Employment Land

The site currently accommodates a number of industrial and commercial units, some of which are now vacant. This site is not identified as a Principal Employment Area in the WCS. However, it is located within the Chippenham Central Area of Opportunity and is in a key location near to the Railway Station and defined town centre.

These proposals will help to ensure that the existing business uses on part of the site are retained as envisaged in Core Policy 9. It will also ensure that the site continues to be a vibrant business location, one of the key considerations for proposals within the Chippenham Central Area of Opportunity. The level of additional employment floor space is in accordance with the policies and principles of the Core Strategy.

The applicants are seeking additional employment floor space for existing businesses and new businesses to locate to the area. The submitted supporting information states that these employment generating uses will be limited to uses within classes B1(b), B1(c), B2 & B8 land uses. This information has been considered by Highway's England & the Council's Highway Officer and no objection is raised subject to conditions.

Having considered the submitted information the proposed additional floor space and uses are considered to be in accordance with both local and national policies including CP34 & CP36.

9.2 Highways

As acknowledged earlier in the report. The application is similar in nature to the previous application (13/01776/OUT) which the Strategic Planning Committee determined should be approved subject to a planning obligation to secure defined requirements. The submitted Transport Assessment acceptably sets out the principal transport issues.

The site is relatively well located in Chippenham to be considered sustainable from a transport perspective, with its proximity to the railway station and the town centre, with its attendant facilities. School trips are less favourably accommodated, but there are local pedestrian and cycle networks available to serve this need. Specific highway matters are addressed in turn below:

Little George Junction - The application proposes a modification of the Little George junction, in accordance with the principles for improvement agreed for the previous application on the site. The impacts of the development are forecast by the TA to be severe at this junction if left in unmodified form. The junction of New Road and Marshfield Road is overcapacity in future years with queues on New Road forecast to increase over existing (2015) levels; this is likely to interfere with the proposed traffic signals at the Little George junction; measures will be required to ensure that these two junctions do not conflict.

Pew Hill Access Junction- The applicant has now addressed the various concerns expressed earlier in the application process. The access arrangement for the main Pew Hill access, by way of a double mini-roundabout to include the Birch Grove junction is considered to be an acceptable solution. Though final detailed plans will be required this can be controlled by condition.

General Access Arrangements - Through movement of traffic is anticipated to be modest; the TA suggests that most commercial development traffic would access the site via the Langley Road junction rather than via Foundry Lane. A TRO will be required to restrict the largest vehicles from travelling through the proposed 'King Alfreds Gate' residential part of the development (both from Langley Park and from Hathaway Retail Park.). It is not

considered that the internal site link road offers an appropriate route for general lorry traffic associated with the site employment uses. Evidence will be required to ensure that the road can comfortably accommodate a bus route, as proposed.

The Langley Park site has several accesses, not all of which have been used for a number of years by regular vehicular traffic. However, these accesses need to be kept available for pedestrian and cycle use to encourage non-car trips.

Pedestrian and cycle linkage to the town centre is prejudiced by the presence of the railway line, which has a severing effect. There are currently two bridges which can be used for town centre access, a pedestrian only bridge within the station, the other on public footpath CHIP11, which has recently been rebuilt, with lifts at the town and platform sides, but not at the Old Road side of the station.

The TA acknowledges the severance issues for cyclists caused by the railway bridge, and the deterrents on the alternative routes to the town centre. There is no plan within the submitted application to install a lift or contribute towards the provision of one. This is disappointing as the previous application provided a contribution. However, taking into consideration the viability issues it would be difficult to justify this contribution.

Site Parking - The application proposes parking which falls below the Council's standards, but proposals are referenced to 'manage' parking on the site, not least so that railway station parking is not problematic. A TRO to restrict parking on all site roads will need to be included within the heads of terms of the s106 agreement; this should also address any under-provision against standards resulting in on-street parking problems.

Parking proposals for the hotel will need to be reviewed/addressed at RM stage, so that local streets are not used for private development parking purposes. It is considered that the degree of under-provision for the apartments proposed on the site (measured against adopted standards, and notwithstanding the census data provided for existing low occupancy housing) would likely result in on-street parking, in the absence of local controls.

Given the reliance on on-street parking for the hotel, the situation could become unacceptable. No on-street parking will therefore be allowed unless a satisfactory arrangement of resident only parking can be devised. It is questionable whether the Census data for residential development in the surrounding area will necessarily be reflected in the new development for the non-apartment residential element of the development. Actual on-site provision will be determined at RM stage, but generally parking will be required in accordance with the council's standards.

Access to Railway Station Car Park - The railway station car park to the north side of the railway is poorly served via Old Road; the previous application made provision to facilitate a new access from the development site to the eastern end of the car park. Plans have now been submitted showing how this access could be facilitated if the land owner was wishing to provide an alternative for pedestrians and vehicles.

Construction Traffic - Planning permission should be subject to the submission and approval of a construction traffic management plan and development phasing plan. This plan should identify how construction traffic will be managed so as to minimise the effects on the amenity of local residents, and to avoid the use of inappropriate routes on the outskirts of the town. Timing of construction traffic will have to be managed to avoid impacts during network peak periods. Construction traffic leaving the site will likewise be controlled, and facilities effected to ensure that dirt from the site does not fall onto the highway from the wheels of construction traffic. It is important that the individual new land uses are not opened for trading or occupation unless and until they are provided with an appropriate access.

In summary, subject to appropriate conditions and the provision of s106 contributions the development is considered to be in accordance with local and national planning policies, in particular CP3, CP62 & CP64.

9.3 Hotel

Core Policy 39 supports tourist development in the Principal Settlement's. Core Policy 40 also supports the provision of new hotels in Principal Settlements, as well as in smaller settlements where the proposals are of an appropriate scale and character within the context of the immediate surroundings and the settlement as a whole. In all cases, it must be demonstrated that proposals will not have a detrimental impact on the vitality of the town centre; and avoid unacceptable traffic generation.

The Wiltshire and Swindon Visitor Accommodation Futures Final Report (June 2014) considers the opportunities for hotel and visitor accommodation in the area. It recognises the important role of tourism and identifies a shortage of hotel accommodation, including Chippenham. This document further refines this position and suggests that at least two budget hotels are needed in Chippenham (in Chippenham and on the outskirts of Chippenham).

Paragraph 23 of the NPPF is clear that needs for main town centre uses should be met in full and should not be compromised by limited site availability. The Planning Statement accompanying the application considers the potential impact of the hotel, concluding that the proposed budget hotel may take some trade away from the Angel Hotel but also notes that the accommodation offering is different i.e. a budget hotel.

There is no prescribed method for carrying out an impact assessment for hotels but the Planning Statement has considered this issue. It is acknowledged that the Angel Hotel is the only sizable hotel in the centre of Chippenham and there are no other consented hotels to be constructed in the Town Centre or edge of centre.

Alternative sites for the proposed supermarket have been considered and these sites are equally applicable for the construction & consideration of a hotel in Chippenham. Whilst the proposed development may bring greater and wider benefits to the town in terms of the economy and its contribution towards the redevelopment aspirations of the town if it were located more centrally, a suitable site (Bridge Centre) is not available at the current time (this is explained in more detail with the retail impact assessment).

There is a clear need for hotel accommodation in the town and the application site proposal would contribute to this need. Furthermore, Langley Park is within the defined Chippenham Central Area of Opportunity as defined by CP9, within which mixed use schemes are promoted which support the vitality of the town centre. Paragraph 5.48 of the plan supports proposals which will enhance Chippenham's offer as a service centre, particularly the town centre for retail, leisure and the evening economy in order to reduce the outflow of shopping and leisure trips. Therefore it is considered that the proposal for hotel provision is acceptable and is in accordance with the Core Strategy and NPPF.

9.4 Retail Impact assessment

The proposed development involves a 'main town centre uses' as defined by the National Planning Policy Framework (the Framework). As the site is in an out of centre location the application is accompanied by a Retail Impact Assessment (RIA) which undertakes the sequential test and impact assessment required by paragraphs 24 and 26 of the Framework and Policy CP38 of the CS.

The shopping patterns evidence base data used for the applicant's assessment is the same as the shopping patterns evidence commissioned specifically for the Core Strategy. As with

most evidence base studies, these will become less reliable over time and it is not unusual for applicant's to commission their own up-to-date surveys. It is disappointing that up to date surveys have not been submitted by the applicant. However, it is important to note that the Council has relied on the 2010 household survey to determine other recent planning applications for retail development in the Chippenham area, the most recent application being determined in June 2016 for M&S Simply Food. In terms of adopting a consistent approach the data is considered to be acceptable.

The applicant has provided an additional convenience goods assessment which takes into account the impact of the Whitehall Garden Centre redevelopment and the M&S Simply Food proposal. As set out above the information is not up to date and can only be indicative although it shows that:

- Based upon GVA predicted impact for the Tesco, the proposed store will have a 4% solus impact on the convenience goods sector in Chippenham town centre and which is part of a wider 11% cumulative impact on this sector.
- If Tesco's forecast is used, then the solus impact on the convenience goods sector will be 7% and the cumulative impact will rise to 14%.
- The proposed store will have a small 0.3% impact upon the comparison goods sector in Chippenham town centre and which is a small part of the 5% cumulative impact on the town centre's comparison goods sector.
- The overall impact of the proposed Langley Park foodstore is between 0.7% and 1.1% on a solus basis and between 5% and 6% on a cumulative basis.

The anticipated cumulative trade impact on the convenience and (to a lesser extent) comparison sectors in Chippenham will increase should permission be granted for the supermarket. However, this level of impact will be well below the level of impact which the Council found acceptable in relation to the previous supermarket which members resolved to grant planning permission for in 2013.

There will be a trade impact on Chippenham. This will however be low and would not have any significant effect on viability. Paragraph 27 of the NPPF is clear, where an impact assessment is required, that planning permission should only be refused where the development is likely to have a significant adverse impact.

Though the data relied on by the applicants is from the 2010 household survey there is nothing in the evidence to suggest that the conclusions reached by the applicant and GVA would be in conflict with the Core Strategy or NPPF, in fact quite the contrary as this survey data has been used when determining other recent retail applications. As such, it is concluded that the development would not have a significant adverse impact on the vitality or viability of Chippenham Town centre or elsewhere. It is considered that there will be no conflict with Policy CP38 because the impact assessment carried out in accordance with the Framework has been satisfied; and the level of harm will be far less than the harm caused by the previous scheme for the site which members resolved to grant planning permission.

9.5 The Sequential Test

Within the retail impact assessment the applicant has sought to address this requirement, assessing a range of alternative sites in and around Chippenham. This report concluded that there are no sequentially preferable sites that were suitable or available.

Section 4 of the submitted RIA considers the following sites:

1. Bath Road car park / Bridge Centre
2. Borough Parade car park
3. Railway Station car park
4. Westmead fields
5. Hathaway Retail Park

Of the above sites, sites 2-5 have been considered in relation to the other recent retail development proposals and dismissed on the basis of either their suitability and/or availability to accommodate retail development. However, the consistent focus for the sequential test for many recent retail development proposals has been the Bath Road car park/Bridge Centre site which lies on the edge of the defined primary retail frontages in the Local Plan and is also allocated for retail development in the same document. The site is also a retail allocation in Policy CP9 of the Core Strategy.

The Bath Road car park has a long history of proposals to redevelop this site and the surrounding area. This has included supermarket use and more recently a mixture of food and non-food retail units. The recent proposal to provide a mix of retail units via ING's development agreement with the Council has ended. However, the Bath Road site remains available and the Council are looking to develop this site.

Bath Rd Car Park site has been on the table for a number of years and has yet to reach a planning application stage. There are a number of constraints: not least the need to reconfigure the highway, the listed building on site, its conservation area location and the need to deal with a culvert that runs across the site.

The latest advice (10th March 2016) from the Economic Development Team has listed the stages that will need to be completed to bring the site forward, which are:

1. A consultant has been commissioned to assess and cost the works to reconfigure the road. The results are not yet available.
2. A bid has been submitted to Swindon and Wiltshire Local Economic Partnership (SWLEP) for Growth Deal funding for the road alterations.
3. The site clearance of the Bridge Centre will commence (now complete).
4. If the scheme becomes a priority scheme, which is dependent on the outcome of LEP Board meeting and central Government's budget, then an Outline Business Case including a more detailed scheme design and costings will need to be produced, followed by procurement of contractors. At the same time negotiations can be pursued with the investor which may in turn require formal procurement. A planning application for the site would have to be produced and agreed.
5. If both activities are pursued in parallel and all went smoothly, physical development could start in 18 months. However, at this stage there are a lot of unknowns and uncertainties and the above time scale is hugely optimistic.

The very soonest that it is predicted that physical works could commence is within 18 months, but that relies on everything going according to plan and this is unlikely (given the complexity of the site) to be the case. Additionally there is absolutely no certainty at this stage that anything will actually come forward which is both financially viable and acceptable in planning terms.

The site has been promoted for in excess of 10 years with M&S expressing an interest in the site since 2007, with nothing even getting as far as a planning application.

The likelihood of a scheme coming forward within the best scenario timeframes is considered unlikely, given that nothing about the site has fundamentally changed. It is not

considered that Bath Rd Car Park site, at this stage, can be considered to be available or suitable.

It is considered that the applicant has demonstrated that there are no sequentially preferable sites available that could accommodate the proposed development, even if the scale and format of the unit was to be altered in some way.

Paragraph 24 of the NPPF suggests, when considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. The site is located in an established commercial area on the edge of the secondary shopping frontage, directly adjacent to a train station and to a cycle route, pedestrian routes and public transport. It is accepted that the site is accessible and this weighs in favour of the proposal.

9.6 Ecology

The site is comprised of heavily urbanised habitats, dominated by expansive areas of buildings and hard standing. The areas adjacent to the railway embankment have patches of semi-natural habitat including grassland, scrub and woodland which contribute to the wider wildlife corridor through the town provided by the railway line and support a population of slow worms and foraging bats; impacts on these habitats would be limited and the creation of the SUDS and linear park would compensate for the loss of these habitats and be beneficial in the long-term. Buildings within the site are largely unsuitable for roosting bats and very limited evidence of bats has been recorded, indicating that individual bats might occasionally use one or two of these for night roosting; pre-commencement checks and sensitive working methods should reduce any risk of encountering bats during the demolition phase and replacement roost features could easily be accommodated within the new development. The proposal is therefore not in conflict with Core Policy 50.

9.7 Impact on Listed Buildings

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses. Considerable weight must therefore be given to the preservation of the listed building, including its setting.

The House of Lords in *South Lakeland District Council v Secretary of State for the Environment* case decided that the “statutorily desirable object of preserving the character or appearance of an area is achieved either by a positive contribution to preservation or by development which leaves character or appearance unharmed, that is to say preserved.

Located within the application site is a Grade II listed building (Avon House). Beyond the site there are various listed buildings which are visible or partially visible from the application site including a Grade II Station & St Paul’s Grade II* listed church. Part of the site is within a Conservation Area and other parts of the site are viewed within the back drop of it.

The Council’s Conservation Officer and the applicant’s supporting documentation agree that the proposed extensions to existing industrial buildings in close proximity to the listed building will have some minor harmful impacts to the setting of Avon House. This harm is very minor and considered to be less than substantial.

For the purposes of determining the application Core Policy 58 is relevant and states:

Development should protect, conserve and where possible enhance the historic environment.

Designated heritage assets and their settings will be conserved, and where appropriate enhanced in a manner appropriate to their significance:

The wording of core policy 58 and the supporting text to the policy is quite clear that if harm is identified it is in conflict with the policy. As the proposal fails to conserve or enhance the setting of Avon House the development is in conflict with CP58.

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

The NPPF is a material planning consideration and paragraphs 133 & 134 of the NPPF are relevant to the determination of the application. Paragraph 134 provides: *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”*

The potential improvements to the setting of the Grade II listed Avon House with the demolition of other structures within the site, better landscaping and improvements to the existing building and possible increased employment opportunities are noted and deemed to be significant public benefits outweighing the limited harm identified to the setting of this Grade II listed building. Though some harm has been identified to the setting of Avon House and the scheme is therefore in conflict with CP58 it is concluded that this harm is outweighed by the significant public benefit associated with the scheme and therefore can be approved as there is no conflict with the NPPF for the reasons set out above.

With regard to the proposed food store, hotel and residential units - The low scale nature of the supermarket will preserve views of the spire of the Grade II listed St Pauls Church and the existing visual relationship with the Grade II Station. The proposed hotel and apartments fronting Foundry Lane and the Railway appears an acceptable response to the design challenges of the site and the supporting information has demonstrated that a form and scale of development can be achieved which will preserve the character of the area, conservation area and setting of the listed building and is therefore in accordance with local and national planning policies.

The remaining housing, rearranged parking and additional business units are sufficient distance from any listed buildings to ensure that development in these locations will have a neutral impact on the setting of listed buildings and will therefore conform to local and national planning policies, in particular CP58 of the Core Strategy).

9.8 Impact on Conservation Area

During the consideration of the previous planning application concerns were raised in relation to the removal of a former Westinghouse office building known locally as ‘The White House’. The building is representative of a 1920s and 1930s Art Deco Architecture.

The Inspector, in his decision at paragraphs 34-39, considered the removal of this building and concluded that the removal of the structure was acceptable in principle. Although this decision was assessed against PPG15 and not the NPPF it is considered that the policy context is similar. Having considered the previous inspector’s decision and policies contained within the NPPF, & WCS it would now be difficult conclude other than that the historic form and values have been seriously eroded by unsympathetic alterations.

The loss of the Whitehouse building is regrettable however this structure does not benefit from statutory protection, the potential public benefits of the delivery of a viable new use,

local facilities, employment, and residential are considered to offset to any harm caused to the historic environment (the scheme is therefore considered in accordance with section 12 of the NPPF paras 132 and 134).

In relation to the conservation areas in the locality, it is not possible to identify any harm to the conservation areas or their setting, the proposal would therefore conserve the setting of the conservation areas and possibly improve the setting as a result of the removal of many unsightly buildings and their replacement with modern high quality structures.

9.9 Impact on Neighbours

Some concerns have been raised by local residents in relation to the proposed maximum height of the residential development backing onto Tugela Road and Hawthorn Road. Although this is currently an outline application and the precise detail is a reserved matter, the indicative layout and building height parameter plan demonstrate that adequate privacy can be achieved. The outlook from some properties will be improved due to the removal of the existing industrial buildings on site. The development accords with Core Strategy Policy CP57.

9.10 Scale Height Massing

Though the application is submitted in outline form the application has been accompanied by a significant volume of supporting information. This information has been provided to demonstrate how the scheme could work in urban design terms and to also demonstrate that the proposal will not have an adverse impact on the character and appearance of area.

Initial concerns were raised by officers with regards to the proposed mass and height of buildings along the Foundry Lane frontage, generally illustrated through the Design and access statement. It was considered that this form could be overbearing in immediate and longer view neighbourhood setting. Officers suggested that the heights and massing should strictly accord with the skyline profile shown on the 'Foundry Lane Elevation' on page 54/55 of the D&AS. Amended plans have now been submitted to address this concern and no objection is now raised to this part of the scheme. Officers are satisfied that a satisfactory reserved matters application can be submitted for the quantum of development proposed.

Concerns were also raised with regards to the indicative plans for the proposed 'Discount Supermarket' as shown in the perspectives on page 55 and page 59 of the Design and access Statement. It is considered that the indicative plans do not pay sufficient attention to the intrinsic local context and doesn't reinforce local distinctiveness. There are specific elements of the scheme that may be visually awkward in juxtaposition with the proposed Hotel in this prominent 'gateway' setting. These concerns were expressed during pre-application discussions and it is disappointing that the proposed occupier has chosen to ignore the professional advice provided by Council Officers.

However, amendments have been made to the supporting statements and these changes are welcome and demonstrate how an acceptable design could be achieved. The application is in outline format and officers are satisfied that a satisfactory design, taking on board the matters raised above, can be accommodated within the area of land earmarked for the discount supermarket.

Amendments have been made to indicative plans for the proposed Hotel. Concerns were originally raised to the perspective on page 49 of the Design and Access Statement and these changes are welcome and clearly demonstrate that should a reserved matters application be received the visual integrity of the 'stone' façade and the corporate advertising of the Hotel chain would be sensitive to the locality and maintain the quality and

distinctiveness of the area. Officers are now satisfied that a hotel of the maximum size proposed can be accommodated on the area of land shown on the constraints plan.

The revised Design and Access Statement has fully considered the original comments outlined by officers. The amendments convey the substantial use of 'stone' facings to buildings which would reflect an intrinsic characteristic of the town's distinctiveness and officers now have comfort that extensive use of render or brickwork facings will not materialise within the wider site and thereby undermine this quality on the Foundry Lane and spine route street facades of the 'King Alfred's Gate' residential area. Conditions can be applied to the permission to ensure that the developer follows through with use of these materials. Subject to an appropriately worded condition it is considered that a suitably high quality design could be achieved within the site and the development would thereby accord with policy CP57 and CP58 of the Core Strategy.

9.11 POS & Outdoor Sports Pitches

The amount of public open space within the site is limited and falls short of the requirements set out in the Core Strategy and saved policies of the North Wilts Local Plan.

As the application has been submitted in outline form the exact requirement for onsite public open space is not known, however, working on indicative property sizes it is clear that there will be a significant shortfall. It is possible to satisfy this requirement off site as a financial contribution in line with saved policy CF3 of the Local Plan. This would fall into two separate categories:

- i) Provision of open space elsewhere which is appropriately located in relation to the development;
- ii) Contributions towards the upgrading of existing nearby open spaces.

As discussed later in the report the scheme is unviable and an offsite contribution is not possible. As the proposal fails to provide sufficient onsite public open space, sports pitches or a financial contribution to cover the shortfall the proposal is in conflict with the policies contained within the local plan and Core Strategy (saved policy CF3 of the Local Plan). The failure of the proposal to accord with these policies is a matter that weighs against the proposal. However, the site is located in close proximity to two large local parks and leisure centre with excellent facilities and in relatively close proximity to the newly constructed and expanded sports facilities at Stanley Park.

It is disappointing that further offsite contributions or onsite facilities could not be provided, but taking into consideration the Brownfield nature of the site, viability of the site and the need for housing and employment within Chippenham it is considered that the harm from not providing sufficient public open space is outweighed by the benefits of the scheme.

9.12 Site Permeability

The planning inspector appointed to determine the previous planning appeal did not consider the store to be in a 'highly accessible' location. The inspector was of the view that the strength of potential links to the town centre was much over-stated. The inspector concluded that a distance of well over 1km from the store entrance would prevent easy linkage with the main retail core of the town.

To overcome these concerns the applicant has provided the opportunity of direct access to two existing pedestrian footbridges over the railway, these two bridges provide direct access to Chippenham Railway Station and access over the railway line allowing easy access to the

town centre, local parks and employment. Furthermore, the new road through the site will provide access to the new housing, industrial buildings, discount supermarket, Hathaway Retail Park and Chippenham Station's Northern Car Park.

The proposed development will provide new footways and cycleways within the site and connect the site to Tugela Road and Hawthorn Road. On balance these proposed improvements to existing town centre links, POS, services and employment are considered to enhance the links between the town centre and this site and increase the likelihood of linked trips and spin-off associated with the transference of spending and thereby having a positive impact on the retail economy of the town centre and the connectivity of this site and the immediate residential areas to Chippenham town centre, local parks, facilities and public transport hubs.

9.13 Landscape

Lines of trees are shown as an important and attractive feature to appropriately help reinforce the street hierarchy of Foundry Lane and the spine route. It will be essential for these to be contained and managed within the public realm and not contained within the private front boundaries of individual properties.

In terms of wider landscape impact the proposal is considered to have a positive impact on the area, both from the immediate street scene and wider landscape setting. The removal of the existing dilapidated, monolithic buildings and the replacement of these with high quality modern buildings, which respect the character of the area and industrial heritage of the site and surrounding area is considered to be a significant benefit to the area. The proposed development will accord with Policy CP57 and CP51 of the Core Strategy.

9.14 Viability & S106

Paragraphs 173-177 of the NPPF relate to viability. The NPPF states that plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.

The applicants have submitted an assessment of viability, the report states that the proposed scheme is currently unviable based upon existing planning policy and associated proposed S106 requirements. To ensure that the report is accurate and the reduced contributions are justified, the Council has undertaken a review of the viability assessment. The outcome of the viability assessment concluded that the contributions set out below plus CIL payments could be provided without jeopardising the deliverability of the scheme:

Subject to the issue relating to the Pew Hill access being resolved, the following requirements will be sought by way of a planning agreement:

- Ability to facilitate a second access to the railway station northern car park.
- A contribution towards the provision of a bus service/bus facilities through the site
- Payment for a TRO to address foreseeable (especially station-related) parking issues within Langley Park, and to regulate use of road by LGVs
- 14 affordable housing units
- The Air Quality monitoring contribution of £14,351.54p and
- A contribution for householder bin/recycling facilities
- Public open space to be managed by a Management Company.

It is important to note that when considering the previous application the Council accepted that the scheme was unviable and accepted a reduced s106 package, it should not therefore come as a surprise that this scheme is also unviable. Furthermore, the previous application

was not CIL liable and therefore could contribute greater levels of s106 contributions as it did not have the liability of CIL payments.

Having taken into consideration Policy CP3 of the Core Strategy and the NPPF officers are satisfied with the level of contributions proposed and do not feel that a reason refusal on these grounds could be justified.

10. Conclusion and Planning Balance

The proposed development would result in some adverse impact upon a Grade II Listed building. There would also be a shortfall in the required level of onsite affordable housing, and financial contributions in general. When these matters are considered with the proposed public open space provision, tree planting, decontamination of the site and enhancements to the visual appearance of the area it is considered that on balance, the scheme would satisfy the environmental dimension to sustainable development.

Given the fact that the proposal would have significant benefits in respect of the economic and social aspects of the scheme, the proposal would, in the context of the NPPF and Core Strategy comprise sustainable development.

The harmful impacts and the conflict with aspects of the development plan, including elements of saved policies in the North Wilts Local Plan, the failure to meet the full requirement of financial contributions, carry medium weight and weigh against the proposal.

It is considered that the scheme would accord with other provisions of the development plan, including elements of CS relating to the delivery of housing and employment within in Chippenham and focusing development on Brownfield land. Furthermore, given the very real and pressing need to deliver the housing that is required to meet the needs of the residents of the County and when weighed with the other social, economic and environmental matters that have been identified above, the totality of harm falls short of the requirement to significantly and demonstrably outweigh the benefits of the scheme.

The proposal would accord with the provisions of the NPPF. This is an important material consideration that outweighs the conflict with the development plan. There is also merit in the applicant's contention that the proposal would be a local housing solution to a local housing problem, as the development is proposing greater levels of housing than the indicative figures set out in the Core Strategy. Given all of the above, there is greater weight in the arguments for granting permission.

RECOMMENDATION

Authority is delegated to the Head of Development Management to GRANT planning permission, subject to the completion of a Section 106 legal agreement and the imposition of appropriate conditions within six months of the date of the resolution of this Committee.

In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Area Development Manager to REFUSE planning permission for the following reason:-

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Waste; Air Quality Management and is therefore contrary to Policies CP3 CP43 & CP55 of the Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

- 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 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 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 Prior to the commencement of the development a phasing plan shall be submitted to and approved by the local planning authority. The phasing plan shall identify, amongst other things, at what stage during the proposed road alterations at the Langley Road site access, the realignment of Foundry Lane, the provision of the link road (between Langley Road and the realigned Foundry Lane) and the improvement of the Little George junction will be secured, as well as access to individual units of development.

REASON; In order to ensure that all parts of the development are afforded reasonable access to the local road network, and that a choice of access is available at an early stage.

- 5 The development hereby permitted shall be carried out in broad accordance with the details shown on the approved plans and documents as listed below:

LP-01 H

MP-01 Z

PMP-01 C

PMP-02 G

PMP-03 F

PMP-04 J

PMP-05 J

PMP-06 C

PMP-07 D

PMP-09 B

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REASON: to ensure the development is carried out in accordance with the approved plans.

- 6 The internal floor area of the discount food store shall be no greater than 1,741sqm with the net sales area no greater than 1,254 square metres.

There shall be no more than 400 residential units (C3)

There shall be no more than 13,565m² new employment (B1/ B2/B8) floor space;

The Café (A3) shall have gross floorspace of not more than 199m²;

The hotel (C1) shall have no more than 69-bedrooms;

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

- 7 The landscaping scheme(s) for each phase of the development , as required by condition 2, the shall include:-

o location and current canopy spread of all existing trees and hedgerows on the land;

o details of any trees or hedgerows to be retained, together with measures for their protection in the course of development;

o a detailed planting specification showing all plant species, supply and planting sizes and planting densities;

o finished levels and contours;

o means of enclosure;

o car park layouts;

o all hard and soft surfacing materials;

o minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);

o proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

o retained historic landscape features and proposed restoration, where relevant.

The above details shall be provided prior to the buildings in that phase of the development being brought into use

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

- 8 No development shall commence on site until a scheme of phasing of landscaping has been approved in writing by the Local Planning Authority. The landscaping shall be carried out in the first planting and seeding season following occupation of the building(s) or the completion of the development, whichever is the sooner within that particular phase; 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.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development.

- 9 The detailed landscaping plans to be submitted pursuant to condition no. 4 shall include a plan at not less than 1:200 scale, showing the position of any trees proposed to be retained and the positions and routes of all proposed and existing pipes, drains, sewers, and public services, including gas, electricity, telephone and water. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or of any Order revoking and re-enacting or amending that Order with or without modification), no services shall be dug or laid into the ground other than in accordance with the approved details.

REASON: To ensure the retention of trees on the site in the interests of visual amenity.

- 10 No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works should be carried out in accordance with BS5837:2005 (Recommendations for Tree Work).

REASON: For the avoidance of doubt and to ensure the satisfactory appearance of the development.

- 11 No phase of development shall be occupied or brought into use until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes within that phase, has been submitted to, and approved in writing by, the Local Planning Authority. That phase of development shall not then be occupied or brought into use until the scheme has been implemented.

REASON: To ensure that satisfactory fire fighting facilities are incorporated into the site.

- 12 No phase of development shall commence, until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period of that Phase.

The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel cleaning facilities;
- vi. measures to control the emission of dust and dirt during construction;
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works;
- viii. measures to control noise during construction;
- ix. a signage strategy for construction traffic.

REASON: In the interests of highway safety and the amenity of local residents.

- 13 No phase of development shall commence on site until a scheme for the discharge of foul water from the site, including any on/off site improvements to provide capacity to serve the site and allowing clearances to existing sewers or diversions, has been submitted to and approved in writing by the Local Planning Authority.

No building within the phase of development shall be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

14 No phase of 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 together with permeability test results to BRE365; full details of attenuation including ownership and maintenance regimes to ensure that not increase (and preferably a decrease) in current storm water flows to public storm sewers and removing current storm to foul connections has been submitted to and approved in writing by the Local Planning Authority.

That phase of 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.

15 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 should be submitted to the Local Planning Authority. 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, 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.

- 16 Prior to the commencement of development of the foodstore (A1) a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, shall be submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall be designed so as to meet the criteria for Environmental Zone E3 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. The approved scheme shall be implemented before the development is first brought into use and shall be maintained in effective working order at all times thereafter.

REASON: To limit the impact of the development on adjacent residential amenity

- 17 (i) No deliveries shall be made to or collections made from the development hereby approved except between the hours of 06:00am and 22:00pm Monday to Saturday and 07:00am and 17:00pm on Sundays.

(ii) There shall be no use of reverse beepers on delivery or collection vehicles between 06:00am and 07:00am Monday to Saturday and between 07:00am and 09:00am on Sundays. All deliveries between these approved hours shall be direct via the loading and unloading dock shown on the approved plans.

REASON: To limit the impact of the development on adjacent residential amenity and prevent undue disturbance

- 18 The foodstore (A1) unit hereby permitted shall not be open to the public except between the hours of 08:00am to 22:00pm on Monday to Saturday, 09:00am to 18:00pm on Sunday & Public Holidays.

REASON: To limit the impact of the development on residential amenity.

- 19 No development of the foodstore (A1) shall take place until full details of all proposed fixed plant installed on the building and/or site (and including all mitigation measures screening) has been submitted to and agreed in writing by the Local Planning Authority. Such details shall include confirmation that the plant will not exceed -5dB below the lowest background noise level and that noise rating not exceed 37dB when measured at the nearest residential properties. Development shall be carried out in complete accordance with such details so agreed.

REASON: To limit the impact of the development on residential amenity.

- 20 The foodstore shall not commence development until details of secure covered cycle parking for both customers and staff 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 development hereby permitted and thereafter retained.

REASON: In the interest of highway safety and to promote alternative and sustainable transport.

- 21 The foodstore (a1) shall not be opened for trade until the car park circulatory aisles, the car parking spaces, the disabled spaces and the parent and child spaces have been provided, surfaced and marked out in accordance with the a parking plan that shall be submitted to and approved in writing by the Local Planning Authority. These vehicle parking spaces shall thereafter be retained for their designated users.
- REASON: In the interest of highway safety and to ensure that sufficient off street parking is provided.
- 22 The Foodstore shall not open for trade until a Green Travel Plan relating to the Foodstore has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.
- REASON: In the interests of road safety and reducing vehicular traffic to the development
- 23 Development of the Foodstore shall not commence until details of the provision for the loading and unloading of goods vehicles servicing the Foodstore have been submitted to and approved in writing by the Local Planning Authority. The Foodstore shall not be first brought into use until such provision has been made. This space shall be maintained for such purpose at all times thereafter.
- REASON: To ensure that adequate provision is made for loading/unloading within the site in the interests of highway safety.
- 24 Development of the Foodstore 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 and drive gradients car associated with the Foodstore including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The Foodstore shall not be first brought into use until 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 and drive gradients, associated with the Foodstore have all been constructed and laid out in accordance with the approved details.
- REASON: To ensure that the roads are laid out and constructed in a satisfactory manner.
- 25 Development of the Foodstore (A1) shall not commence on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure associated with the Foodstore have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the Foodstore

brought into use.

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

- 26 Development of the Foodstore shall not commence on site until details and samples of the materials to be used for the external walls and roofs of the foodstore within that phase have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 27 No development of a residential phase shall commence until details and samples of the materials to be used for the external walls and roofs of dwellings within that phase have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 28 Prior to the commencement of development of the residential units details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure within that phase have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to any dwellings within the phase being occupied

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

- 29 Prior to the commencement of the residential phase of development 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, relating to that phase have been submitted to and approved by the Local Planning Authority.

No phase of residential development shall be first occupied until 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 associated with that phase have all been constructed and laid out in accordance with the approved details.

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

30 No dwelling in a residential phase shall be occupied until a Green Travel Plan addressing that phase of residential development has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

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

31 Development of the Hotel shall not commence on site until details and samples of the materials to be used for the external walls and roofs of the Hotel within that phase have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

32 Development of the Hotel 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 and car parking, associated with the Hotel including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The Hotel shall not be first brought into use until 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, and car parking associated with the Hotel have all been constructed and laid out in accordance with the approved details.

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

33 Development of the Hotel shall not commence until details of the provision for the loading and unloading of goods vehicles servicing the Hotel have been submitted to and approved in writing by the Local Planning Authority. The Hotel shall not be first brought into use until such provision has been made. This space shall be maintained for such purpose at all times thereafter.

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

34 The Hotel shall not be opened for trade until a Green Travel Plan relating to the Hotel has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

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

- 35 Prior to the commencement of development of the Hotel a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, shall be submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall be designed so as to meet the criteria for Environmental Zone E3 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. The approved scheme shall be implemented before the development is first brought into use and shall be maintained in effective working order at all times thereafter.

REASON: To limit the impact of the development on adjacent residential amenity

- 36 No development of the Hotel shall take place until full details of all proposed fixed plant installed on the building and/or site (and including all mitigation measures screening) has been submitted to and agreed in writing by the Local Planning Authority. Such details shall include confirmation that the plant will not exceed -5dB below the lowest background noise level and that noise rating not exceed 37dB when measured at the nearest residential properties. Development shall be carried out in complete accordance with such details so agreed.

REASON: To limit the impact of the development on residential amenity.

- 37 The Hotel shall not be opened for trade until the car park circulatory aisles and the car parking spaces have been provided, surfaced and marked out in accordance with the a parking plan that shall be submitted to and approved in writing by the Local Planning Authority. These vehicle parking spaces shall thereafter be retained

Reason: In the interest of Highway Safety.

- 38 The Hotel shall not be opened for trade until a Green Travel Plan relating to the Hotel has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

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

- 39 Development of the B1, B2 & B8 floorspace shall not commence on site until details and samples of the materials to be used for the external walls and roofs of buildings within that phase have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure the satisfactory appearance of the development

40 Development of the B1, B2 & B8 floorspace shall not commence until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure associated with the of the B1, B2 & B8 floorspace have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being brought into use.

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

41 Development of the Development of the B1, B2 & B8 floorspace 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 and car parking, associated with the Development of the B1, B2 & B8 floorspace including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The Development of the B1, B2 & B8 floorspace shall not be first brought into use until 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, and car parking associated with the Development of the B1, B2 & B8 floorspace have all been constructed and laid out in accordance with the approved details.

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

42 Prior to the commencement of development of the B1, B2 & B8 floor space a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, shall be submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall be designed so as to meet the criteria for Environmental Zone E3 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. The approved scheme shall be implemented before the development is first brought into use and shall be maintained in effective working order at all times thereafter.

REASON: To limit the impact of the development on adjacent residential amenity.

43 Development of the Development of the B1, B2 & B8 floorspace 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 and car parking, associated with the Development of the B1, B2 & B8 floorspace including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The Development of the B1, B2 & B8 floorspace shall not be first brought into use until 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, and car parking associated

with the Development of the B1, B2 & B8 floorspace have all been constructed and laid out in accordance with the approved details.

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

- 44 Development of the B1, B2 & B8 floorspace shall not commence until details of the provision for the loading and unloading of goods vehicles servicing the B1, B2 & B8 floorspace have been submitted to and approved in writing by the Local Planning Authority. The B1, B2 & B8 floorspace shall not be first brought into use until such provision has been made. This space shall be maintained for such purpose at all times thereafter.

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

- 45 Only B1(b) and (c) (Research & Development and light industry), B2 & B8 land uses as defined by the Town and Country Planning (Use Classes) Order 1987 shall be permitted.

REASON: To ensure trip generation levels are within the realm of those identified in the TA and considered for SRN traffic impact

- 46 Prior to the occupation of any dwellings on the site, access for pedestrian and cycle users between the site and Tugela Road and Hawthorn Road shall be provided in accordance with details which shall first have been submitted to and approved by the local planning authority. The details for Hawthorn Road shall include for the provision of a vehicle turning facility at the end of the existing road, and shall show measures to restrict movement of motorised vehicles to or from the development site. The works shall be undertaken in accordance with the approved details.

REASON: In the interests of sustainable transport, and to secure direct links to the site from adjacent land.

- 47 The detailed layout shall make provision to accommodate a landing ramp for a bridge for non motorised users crossing between the site and the south side of the railway. The design shall identify the route which potential future users of the bridge may use as a right of way between the prospectively maintainable highway and the bridge.

REASON: In order to secure a future sustainable transport route via the site to the south side of the railway.

- 48 Except where otherwise agreed by the local planning authority, car parking provision shall be in accordance with the minimum standards set out in Wiltshire Council's Car Parking Strategy for all new dwellings provided on the site, and in accordance with the Strategy's maximum car parking standards, adjusted in accordance with the provisions of the Strategy, for all other land uses on the site hereby permitted

REASON: To ensure adequate provision of car parking space is made for residential development on the site, and to ensure that over-provision is not made for traffic

attracting land uses other than residential.