

## REPORT FOR STRATEGIC PLANNING COMMITTEE

<b>Date of Meeting</b>	14/09/2016
<b>Application Number</b>	15/11153/OUT
<b>Site Address</b>	Land at Forest Farm Chippenham, South of Pewsham Way & West of the A4, London Road, Chippenham, Wiltshire, SN15 3RP
<b>Proposal</b>	Mixed Use Development Including the Construction of up to 200 Dwellings Including Affordable Housing, B1 Employment, Community Building, Creation of New Vehicular Access, Footways, Cycleways and Bus Stop Lay-bys, Ancillary Road Infrastructure, Public Open Space, Children's Play Areas, Landscaping, Pumping Station and Surface Water Attenuation Facilities
<b>Applicant</b>	Gleeson Developments Limited
<b>Town/Parish Council</b>	CHIPPENHAM
<b>Electoral Division</b>	CHIPPENHAM HARDENS AND ENGLAND
<b>Grid Ref</b>	393871 171605
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Sam Croft

**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.

The applicant has submitted an appeal in respect of this application on grounds of non-determination. As a consequence no formal decision can be made in respect of this application. However, in order to progress with the appeal, officers seek the opinion of the Committee in respect of the application had they been in a position to determine it and on what grounds the Committee wish to contest the scheme at appeal, if at all.

### **1. Purpose of Report**

1.1 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, had the Council been in a position to determine the application, planning permission be REFUSED.

### **2. Report Summary**

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

1. Principle of development
2. Design and layout
3. Landscape/Visual
4. Ecology
5. Impact on the Historic landscape and heritage assets
6. Access and highway issues
7. Flood Risk and drainage

2.2 The application has generated 37 letters of objection and 2 letters of support. Chippenham Town Council objected to the application.

### **3. Site Description**

3.1 Forest Farm is located to the south of Pewsham on the south east outskirts of Chippenham. It is bordered to the west by woodland and Pewsham Way, beyond which lies the residential suburb of Chippenham known as Pewsham which developed in the 1980s and 1990s. To the north of the site lie a number of residential dwellings and the A4 London Road, and to the east lies the former Wilts and Berks Canal. To the south can be found hedgerows adjoining part of the Avon Valley Walk. The Stanley Park Sports Ground lies immediately opposite the site to the north east beyond the A4 London Road, while Abbeyfield Secondary School lies approximately 0.95 kilometres to the north.

3.2 Footpath CHIP16/CALW83 crosses the western part of the site, linking Pewsham with the disused Pewsham Locks and wider countryside to the south. Overhead electricity pylons cross the site in a north east to south west direction. An aviation fuel pipeline and a rising sewer cross the northern part of the site in an east west direction. Part of the former Wilts and Berks Canal lies within the southern part of the site.

3.3 Topographically, the site generally rises by eight metres from a low point in the south east to its highest point in the North West.

3.4 The existing suburb of Pewsham is served by a local centre, which contains a public house (The Old Lane), a retail convenience store, a series of smaller shops, a community centre and The Lodge Surgery. This local centre is located approximately 1.4 kilometres to the west of Forest Farm. Other facilities within Pewsham include Pewsham Park and the King's Lodge Community School, both of which are within 1.1 kilometres of the site; the London Road cemetery and the Cricketts Lane Allotments, which are within 1.6 kilometres of Forest Farm.

3.5 Within 1.95 kilometres to the east of Forest Farm towards Derry Hill lie other facilities including a car dealership, a range of businesses at the Forest Gate Business Park, the Pewsham Garage and the Lysley Arms public house.

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

4.1 There is no relevant planning history relating to this site.

### **5. Proposal**

5.1 Gleeson's planning application for the mixed-use development of Forest Farm has been made in outline, with details of the appearance and scale of the proposed buildings, the site layout and landscaping proposals left for future determination should permission be granted.

5.2 As details of the proposed access into the site from the A4 London Road are considered to be critical to the site's potential future development, full permission is being sought for these details now. The form of the proposed roundabout takes into account the potential for a new access to be provided into the Stanley Park Sports Ground, which was Chippenham Town Council's desire over a decade ago.

5.3 A site of one hectare has been allocated within the proposed master plan to accommodate up to 4,645 square metres of class B1 office and light industrial units. The site is located close to the proposed new vehicular entrance from the A4 and although located adjoining the proposed housing units, is capable of being served by a stand-alone vehicle access. Whilst the design of the employment units would be a matter for determination at the reserved matters stage, Gleeson envisages that the units would comprise a traditional, rural, barn-like appearance, arranged in a courtyard manner and landscaped.

- 5.4 The illustrative master plan makes provision for 200 new homes, of which up to 40% would be affordable in accordance with the policies of the Wiltshire Core Strategy. The gross developable area allocated to housing on the illustrative master plan extends to 7.2 hectares, giving an average net density of 28 dwellings per hectare.
- 5.5 The illustrative master plan makes provision for four hectares of public open space within the proposed development. None of this open space is proposed to accommodate formal sports pitches given the proximity of the Stanley Park Sports Ground opposite the site. Children's play areas would be accommodated within the areas of proposed open space, with details of the number and type to be agreed as part of discussions with Wiltshire Council prior to the determination of the application.
- 5.6 Public footpath CHIP16/CALW83 has been accommodated on the illustrative master plan within the areas of proposed open space to ensure the route can be maintained within a green corridor. Provision has also been made for a footpath/cycleway to loop around the site, connecting with public footpath CHIP16/CALW83 and allowing connections through to Pewsham, the A4 London Road and the wider countryside.

## **6. Planning Policy**

### National Planning Policy Framework (NPPF)

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

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

### Wiltshire Core Strategy

- 6.2 The Wiltshire Core Strategy (WCS) was adopted by the Council in January 2015. For the purposes of s38(6) of the Planning and Compulsory Purchase Act 2004 and Annex 1 of the NPPF, the WCS including those policies of the North Wiltshire Local Plan saved in the WCS (Appendix D) constitutes the statutory development plan relevant to this case.
- 6.3 The WCS introduces a housing requirement for the period to 2026 presented by Housing Market Areas.
- 6.4 Core Policy 1 and Core Policy 2 of the WCS set the foundations for how 'sustainable development' is defined and applied in Wiltshire. The strategy recognises the importance of delivering new jobs and infrastructure alongside future housing. The delivery strategy seeks to deliver future development in Wiltshire between 2006 and 2026 in the most sustainable manner by making provision for at least 178 ha of new employment land and at least 42,000 homes, with 24,740 of these distributed to the North and West Housing Market Area.
- 6.5 Chippenham is identified within the WCS as a Principal Settlement which acts as a strategically important employment and service centre for a number of villages in the Community Area and beyond. Chippenham is to be a focus for development (Core Policy 1).
- 6.6 Core Policy 2 states that development outside the "limits of development" for Chippenham will only be permitted in exceptional circumstances, or if the site is identified for development through a site allocation document or neighbourhood plan. The limits of development are defined on the Policies Map.

- 6.7 Core Policy 10 (CP10) of the WCS identifies the level of housing growth appropriate for Chippenham. CP10 also sets out the intention to prepare a Chippenham Site Allocations Development Plan Document (DPD), which seeks to identify land for employment and housing in Chippenham. The DPD will also set out a range of facilities and infrastructure necessary to support growth.
- 6.8 Several topic specific development management type policies within the WCS are relevant when considering this planning application. They are referred to within the report where necessary, but include:
- CP1 (Settlement Strategy)
  - CP2 (Delivery Strategy)
  - CP3 (Infrastructure Requirements)
  - CP10 (Spatial Strategy: Chippenham Community Area)
  - CP34 (Additional Employment Land)
  - CP41 (Sustainable Construction and Low-Carbon Energy)
  - CP43 (Providing Affordable Homes)
  - CP50 (Biodiversity and Geodiversity)
  - CP51 (Landscape)
  - CP52 (Green Infrastructure)
  - CP57 (Ensuring High Quality Design and Place Shaping)
  - CP58 (Ensuring the Conservation of the Historic Environment)
  - CP61 (Transport and new development)
  - CP62 (Development impacts on transport network)
  - CP63 (Transport strategies)
  - CP66 (Strategic transport network)

Saved policies of the North Wiltshire Local Plan 2011 (NWLP)

- 6.9 Several policies within the North Wiltshire Local Plan (2011) have been saved and continue to be relevant to this application.

- NE14 – Trees and the Control of New Development
- H4 – Residential Development in the Open Countryside
- CF3 – Provision of Open Space

## **7. Consultations**

Chippenham Town Council – The Town Council reserves the right to make further comments relating to this outline application in future once the Chippenham Site Allocation Plan has been adopted. However, concerns raised by Town Council Members and members of the public include potential flooding issues, transport issues, access onto the busy A4 and the impact on housing numbers to the current level.

Lacock Parish Council - Resolved to object to the planning application on the ground that it is premature pending determination of the Chippenham Site Allocations DPD.

Wiltshire Council Highway Officer - No objection subject to a planning agreement/conditions

Wiltshire Council Leisure and Amenity Officer (public open space) – No objections, subject to the securing of the open and play space being secured through provisions within s106.

Wiltshire Council Housing Enabling Officer - No objection.

Wiltshire Council Environmental Health Officer - No objection subject to conditions.

Wiltshire Council Ecologist - No objection.

Wiltshire Council Council Landscape Officer - Objection, see Landscape/Visual Impact section.

Wiltshire Council Council Conservation Officer - Objection.

Wiltshire Council Arboricultural Officer - No objection.

Wiltshire Council Archaeologist - No objection subject to conditions.

Wiltshire Council Council Education Officer - Require contributions.

Highways Agency - No objections subject to conditions.

Wessex Water - No objections.

Canal and River Trust - No comment

Wiltshire Swindon & Oxfordshire Canal Partnership - The Canal Partnership would like to comment on this application as the Masterplan indicates a Phase 2 which will be adjacent to the restoration line for the Wilts & Berks Canal. The Partnership would ask that consideration is given to the recreational and amenity value of the restored canal for this site and Phase 2 and suitable financial contribution is given to help fund the canal restoration.

CPRE - This application is premature to the site selection process for the Chippenham Local Plan. The access proposed leading directly on to the A4 by means of a new roundabout would lead to very considerable effects on traffic flows in both directions along the A4 and all existing journey time calculations. No reference is made to the issue of how the increased car numbers resulting from the development will affect the western sections of Pewsham Way and Avenue La Fleche which have three mini roundabouts (Canal Road, Webbington Road and the Magistrates Court) and two northern access roads (King Henry Drive and Lodge Road) and how the potential increase of 400 plus extra car movements will be handled to avoid traffic congestion. This will further exacerbate the present difficulties at the Bridge Roundabout and all routes from it. New homeowners are much more likely to be heading towards the A350 employment sites than heading east towards Calne. The proposed access on to the A4 opposite the sports fields, and the suggestion that there should be a new access to these fields from the same roundabout, thereby drawing yet more traffic along the already very busy A4 is traffic planning at its worst.

## **8. Publicity**

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

8.2 Thirty-seven letters of objection received, including letters from highway consultants employed by local community. Summary of key relevant points raised:

- Traffic and highways impact
- Suitability of access and impact on current infrastructure
- The development is outside the development framework boundary
- Impact on Archaeology
- Impact upon drainage
- Infrastructure implication when East Chippenham, North Chippenham and Rawlings Green development are complete
- Air/noise pollution
- Urbanisation of a rural area and narrowing of the gap between Derry Hill and Chippenham
- Harmful to landscape character
- Loss of high grade agricultural land
- Impact on local services including schools/doctors surgeries
- Impact on Ecology
- Loss of amenity
- Poor design/layout

- Lack of bus service/connectivity to Chippenham
- Lack of pedestrian/cycle access to local facilities

8.3 Two letters of support were received in respect to the application.

## **9. Planning Considerations**

### **Principle of Development**

9.1 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.

9.2 In this case, the Wiltshire Core Strategy, including those policies of the North Wiltshire Plan saved in the WCS, forms the relevant development plan for the Chippenham area. The Chippenham Site Allocations DPD remains an emerging Plan submitted to the secretary of state for examination. Weight can be afforded to this document in accordance with Annex 1 of the NPPF, which states that weight to be given is proportionate to the stage of preparation, the extent of unresolved objections and the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework. Given that there are still objections to the plan, and the examination is due to reconvene shortly, little weight can be attached to it at this stage.

9.3 Important material considerations in this case include the requirement in the National Planning Policy Framework (NPPF) to assess whether the Council has a five year housing supply for the north and west housing market area that includes Chippenham, and recent appeal decisions within Wiltshire.

### Wiltshire Core Strategy: Core Policies CP1, CP2 and CP10

9.4 The relevant policies relating to the principle of development in Chippenham are:

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

9.5 Core Policy 1 and Core Policy 2 of the WCS set the foundations for how 'sustainable development' is defined and applied in Wiltshire. The strategy recognises the importance of delivering new jobs and infrastructure alongside future housing. The delivery strategy seeks to deliver future development in Wiltshire between 2006 and 2026 in the most sustainable manner by making provision for at least 178 ha of new employment land and at least 42,000 homes.

9.6 Chippenham is identified within the WCS as one of three Principal Settlements which act as a strategically important employment and service centres for a number of villages in the immediate area and beyond. Chippenham is to be a focus for development (Core Policy 1). The principal settlements will provide significant levels of jobs and homes, together with supporting community facilities and infrastructure meeting their economic potential in the most sustainable way to support better self containment.

9.7 Core Policy 2 sets out the delivery strategy for Wiltshire in the period 2006-2026. This is to be delivered in a sustainable pattern, in a way that prioritises the release of employment land and previously developed land. At least 42,000 homes are to be delivered in Wiltshire, with 24,740 of those distributed to the North and West Housing Market Area.

9.8 Core Policy 2 states that development outside of the limits of development of existing settlements will only be permitted in exceptional circumstances, or if the site is identified for development through a site allocation document or a Neighbourhood Plan. The exceptional circumstances are set out in paragraph 4.25 of the Core Strategy. In this case, the site lies

outside of the limits of development for Chippenham and has not been identified for development through either the emerging Chippenham Sites Allocation DPD or a Neighbourhood Plan. The proposal does not meet any of the exceptional circumstances identified in WCS paragraph 4.25 where development outside limits of development is acceptable. Similarly, as it lies beyond the limits of development, it does not comply with saved policy H4 of the North Wiltshire Local Plan as it does not meet the exceptions, such as agricultural needs, set out in that policy. The proposal is therefore in conflict with the development plan in this respect.

- 9.9 Core Policy 10 of the WCS identifies the level of housing growth appropriate for Chippenham. The housing requirement for the town is identified as at least 4510 homes supported by 26.5 ha of employment. CP10 also sets out the intention to prepare a Chippenham Site Allocations Development Plan Document (DPD), which seeks to identify land for employment and “at least 2625 dwellings” (once existing completions and commitments have been taken into account). The DPD will also set out a range of facilities and infrastructure necessary to support growth. The status of the emerging DPD is discussed further below).
- 9.10 Criteria are included in CP10 to guide development, in addition to the other provisions contained within the Core Strategy. The criteria are based on the key issues identified for Chippenham in paragraphs 5.46 – 5.48 of the WCS. They have been included to give direction to the preparation of the Chippenham Site Allocation DPD. However, the criteria could also provide a useful set of benchmarks against which planning applications may also be measured. The criteria relate to:
- Economic led growth
  - Town centre resilience and accessibility
  - Mixed use development and mix of housing
  - Major infrastructure and traffic impact
  - Environmental constraints
- 9.11 The context provided through the core strategy specifically for Chippenham is that the town should be a focus for growth which will be delivered through planned strategic allocations which deliver the requirements set out in Core Policy 10.

#### Chippenham Site Allocations Plan DPD (CSAP)

- 9.12 The CSAP has been submitted to the Secretary of State for Examination. The CSAP has been amended following the suspension of hearings identified below and identifies mixed use land opportunities necessary to deliver at least the scale of growth required by Core Policy 2 of the WCS. Two strategic allocations are identified at South West Chippenham (a current application site - together with 3 smaller additions) and Rawlings Green.
- 9.13 The CSAP hearings were suspended by the Inspector on 11th November 2015. In a letter from the Inspector on the 16 November 2015 he sets out his main concerns which were:
- Adequacy of the site selection procedure in terms of the ranking used and the two tiered approach taken
  - Adequacy of the Sustainability Appraisal which also used the two stage process and failed to consider reasonable alternatives
  - Deliverability of a plan which relies on a northern arc of development to deliver an Eastern Link Road
- 9.14 In response to these concerns the Council has set out a programme of work, to include public consultation, which will enable the hearings to recommence (Letter to the Inspector on 4 December 2015). This is scheduled to commence later this month. Although the suspension of the hearings has introduced a delay to the process the evidence prepared to support the Plan in the form of topic specific evidence papers linked to the CP10 criteria in the WCS remains relevant. However, for the present purposes little weight can be attached

to the CSAP itself given the fact that outstanding objections remain and the examination has yet to recommence.

- 9.15 Notwithstanding the progress with the DPD, CP10 retains its clear vision that sites on the edge of the town should come forward through a plan led process. The criteria included within CP10 could, however, usefully be applied to the consideration of planning applications.

#### Material Considerations relevant to the principle of development

- 9.16 The NPPF, within the context of a presumption in favour of sustainable development, aims to significantly boost the supply of housing. It requires local planning authorities to identify and regularly update a supply of specific deliverable sites sufficient to provide 5.25 years' worth of housing land supply measured against the housing requirements of the housing market area identified in the WCS (a description normally abbreviated to 5 years supply). The NPPF makes it clear that where this cannot be demonstrated, relevant policies for the supply of housing (which in this case would include CP1, CP2 and CP10) cannot be considered up to date, and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. However, while CP1, CP2 and CP10 are deemed out-of-date, that does not necessarily mean that they carry no weight. In the instant case it is believed that the policy objective of identifying Chippenham as a principal settlement which is to be a focus for development is still highly relevant and credible so that this policy objective should continue to carry significant weight.
- 9.17 Housing land supply has to be regularly assessed. The Council cannot currently demonstrate a 5 year housing land supply in the North & West HMA, and the current calculation is that the Council has a 4.76 years supply. This does not include the proposed site allocations in the Chippenham Site Allocations DPD. In these circumstances, NPPF Paragraph 49 advises that policies relevant for the supply of housing should not be considered up-to-date. As a result the presumption in favour of sustainable development as set out at Paragraph 14 of the Framework is engaged so that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 9.18 The conclusion that can be drawn from the foregoing is that the principle of development on this site must be considered acceptable unless evidence exists of adverse impacts that would significantly outweigh the benefits of providing housing and employment development in Chippenham.

#### Housing Delivery

- 9.19 Chippenham is a town which has seen limited levels of housing delivery in recent years as compared to historic levels of delivery. In part this is due to a downturn in the economy, which, of course, is now on an upward trajectory. Annual monitoring also suggests that at present the needs of Chippenham are being met at other locations within the North and West Wiltshire Housing Market Area, particularly Calne and Corsham. While Chippenham is identified as a Principal Settlement in the Core Strategy, the neighbouring settlements of Calne and Corsham are identified as market towns. In contrast to Chippenham annual monitoring shows rates of housing at these two towns are exceeding anticipated rates, indicating that growth has probably been deflected to them and away from Chippenham as a result of a lack of allocated land for development. (All of Calne and Corsham's indicative requirement for housing has been granted permission with 11 years of the Plan remaining, (Housing Land Supply Statement, April 2015 updated with appeal decisions at Corsham).
- 9.20 To deliver the indicative housing requirement set for Chippenham Town within the plan period an average build rate for Chippenham of about 225 homes is needed. This has not been achieved for the period since 2006 with 1015 homes built in 9 years.



9.21 As mentioned above the suspension of the CSAP has introduced doubt into the deliverability of the proposed allocations which has led to a shortfall in relation to the 5 year housing land supply position in the North and West Wiltshire HMA. Delivering housing now could be seen as a benefit to help address any shortfall in housing land supply. It should be noted that North Chippenham Housing site has recently been approved for 750 houses (N/12/00560/OUT 15th Feb 2016). However, although this is a significant number of houses, compared to the number that needs to be provided in Chippenham (4510), it is a relatively small proportion and certainly does not take away from the argument that a 5 year housing land supply cannot be demonstrated and that Chippenham has not been fulfilling its role as a Principal Settlement in housing terms.

#### Prematurity

9.22 PPG advice is as follows:

*'Arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:*

*a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and  
b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.'* (PPG 21b/14)

9.23 In the present case it is concluded that the proposal is not so substantial either on its own or in combination with other proposals to undermine the Plan-making process. The granting of consent for the application proposal would not prevent either of the proposed Sites Allocations DPD sites coming forward. Officers are aware that the Applicant in this case sees this application as Phase 1 of a larger development. However, officers' view is that the Council can only consider the application that is actually before it.

### **10. Design and Layout**

10.1 This planning application is submitted in outline only. With the exception of access, all matters are reserved for later consideration. In order to assist in consideration, an 'Indicative Masterplan' embedded within a Design and Access Statement document setting out the principles of development has been provided so as to provide an indication of how the site could be developed in the quantum applied for. This is precisely the purpose of an outline submission, where all matters relating to layout, landscaping, appearance and scale are reserved for later consideration under separate Reserved Matters applications.

10.2 Since the application is submitted in outline only, reserved matters application(s) would be required for appearance, layout and scale before any development could take place. Accordingly, the detail for such matters as detailed plot and building layout; must all be assessed at that stage.

### **11. Landscape/Visual Impact**

11.1 The Wiltshire Core Strategy – Core Policy 1: Settlement Strategy identifies Chippenham as a 'Principal Settlement' in the hierarchy of Wiltshire settlements. Principal Settlements are identified to deliver a greater proportion of Wiltshire's overall housing and employment land. It is accepted that this amount of growth cannot be delivered through re-development of large brown field sites in Chippenham, as there are not sufficient such sites. Therefore green field sites will be necessary to allocate for development in order to deliver this new strategic growth for the town.

- 11.2 All new development has the potential to result in landscape and visual change effects. So it should not be unexpected that this proposed large scale urban extension on green field land will result in some adverse (harmful) changes to the landscape as a resource, and also result in some adverse visual effects for people (visual receptors) viewing this proposed new development.
- 11.3 The landscape character assessments identify that large scale development connected with the future expansion of Chippenham is a specific issue which needs to be planned carefully in order to minimise harmful urbanising effects to landscape character and amenity. The 'Chippenham Landscape Setting Assessment' (TEP report) identifies that the future expansion of Chippenham needs to pay particular regard to the separate identity and character of its outlying rural settlements and built heritage assets which are important characteristic features of the wider landscape character.
- 11.4 A Landscape and Visual Impact Assessment (LVIA) was submitted with this application. The LVIA has identified a number of harmful landscape and visual effects, some of which have been assessed to be 'significantly adverse'. The most harmful change effects resulting from this development proposal are identified as; the permanent loss of existing farmland pasture and its replacement with urban development; the breach of the existing urban containment provided by mature wooded landscape structure south of Pewsham resulting in prominent new urban development extending into countryside south of the A4 Pewsham Way; the loss of rural openness within and across the application site from various private and public viewpoints, with new development and planting restricting and containing views.
- 11.5 While this application must be considered on its own merits, a number of other large outline planning applications for mixed use urban development schemes have also been made to the Local Planning Authority, all of which are located outside the existing defined limits of development, and all of which will result in some adverse landscape and visual change effects. All of these application sites are included within 'Strategic Site Areas' and have been assessed in terms of potential landscape implications within 'Chippenham Landscape Setting Assessment', prepared by TEP (2014). This report forms part of the council's wider evidence base underpinning the emerging 'Chippenham Site Allocations Plan'. 'Strategic Area D' is not currently being promoted as one of the Council's preferred allocation sites for strategic settlement growth.
- 11.6 This application site occupies a small part of Area D and it could be argued that this part of Area D exhibits the least rural and least tranquil characteristics and qualities of Area D, and might therefore be considered to represent the least sensitive part of this wider strategic area in landscape terms. This is due to the close proximity and influence of the busy A4 (on 2 sides), presence of detracting overhead power lines crossing the site, shared inter-visibility with Stanley Park Sports Ground and loose grained urban influences from existing ribbon development located along the A4 between Chippenham and Derry Hill. However, this proposal will introduce a new large scale highly visible dense urban block viewed from the A4 and from some private and public receptors along the elevated limestone ridge. The proposal will undermine and breach the existing wooded and well contained settlement boundary along the relevant stretch of Pewsham Way from the southern and eastern viewing arc. These effects will not be mitigated until the proposed mitigation planting begins to mature (estimated at 20-30 yrs) at which point residential roof tops will still be visible from elevated receptors located along the limestone ridge in a similar way to the existing Pewsham estate roof tops that are currently visible, although those on the proposed site will be closer. The proposed 3 storey dwellings at the edge of the site and on rising land will remain prominent, and it is considered that an outline development parameter of maximum 2.5 stories should be secured within the proposal. The issue of new development creating a narrowed rural separation and increased settlement coalescence between Chippenham and Derry Hill will also be a permanent effect resulting from urban development of this site. This would cumulatively increase in severity if phase 2 of this development is ever progressed. The possibility of height and species restrictions for new

planting within the area of the proposed new southern landscape buffer under and adjacent to the line of existing overhead electricity infrastructure raises concerns. In order to support local countryside character, this planting would need to incorporate the largest of locally occurring native tree species typical of the local area and planted in areas which will not be at risk of removal or 'tree topping' by the utility company in the future, if this proposed mitigation is to prove effective and sustainable over the longer term. To this end the applicant should be asked to confirm further detail of any National Grid or other electricity company's specific easement routes and maintenance access requirements across the site. Any necessary standoffs to new native woodland planting under and in close proximity to this overhead infrastructure will need to be clearly illustrated within their outline parameter plans and landscape strategy as a development constraint.

- 11.7 The Council's Landscape Officer is not convinced that the illustrative layout material has adequately responded to the mitigation requirements identified in the LVIA, or appropriately considered the landscape recommendations contained within the TEP report for strategic area D, or responded suitably to the local landscape character assessment guidelines. It is also of concern that the application boundary arbitrarily carves through the southern fields and fails to work with the existing obvious landscape structure of field pattern boundaries. The current proposal is clearly defining future development plots connected with a planned phase 2 development, which is particularly apparent close to the proposed access point.
- 11.8 The proposal does not, in officers opinion demonstrate that sensitive design, landscape mitigation or enhancement of landscape character would be appropriately incorporated into this development proposal. In this regard, the submitted 'Building heights parameter plan' (Figure NTS4) and 'Land use and landscape parameter plan' (Figure NTS3) may weaken the future ability of the council to control, or require that important changes are made within any subsequent detailed application/s. If the LPA is minded to further consider, or grant planning consent for a large scale urban extension at this site, then a condition requiring an additional reserved matters submission of a revised development parameters plan/s which should include 'Land use; Strategic landscape, green infrastructure, and ecology functions and areas; building heights & urban block/massing; external vehicular and pedestrian connections and internal circulation routes and clearly show development constraints such as utility service easements, and infrastructure would be required.
- 11.9 Further to these comments and following subsequent correspondence with the applicants landscape consultant, and the receipt of revised planning information the landscape officer provided the following additional comment;
- 11.10 The LVIA identifies that development could be mitigated to some extent by careful urban and landscape design parameters guiding the design and layout of new built development (i.e. restrictions to building heights) and by retaining and reinforcing existing trees and hedgerows within green swathes following existing field boundaries, strengthening landscape treatment along the A4, and also by identifying land for the creation of a new southern landscape buffer fronting countryside to the south.
- 11.11 The landscape officer concluded that he is unable to support the application. The revised illustrative 'Landuse and Landscape Parameter Plan' (included within the ES Addendum ref: Figure NTS3 / 2.2) better responds to the mitigation requirements identified in the LVIA, the management guidelines highlighted in the relevant Landscape Character Assessments, and also the landscape recommendations contained within the TEP report for strategic area D. The revised development parameters illustrate development up to 2.5 storeys maximum, retention and strengthening of hedgerows and trees; an increase of the landscape buffer fronting the A4, and establishes new design intent for inclusion of 'green streets' (tree planting in public realm) broadly following contours to help break up the proposed urban development blocks. However, the proposal is still considered to be at odds with the policy requirements of WCS - Core Policy 51, which requires that; *"Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts*

*must be mitigated as far as possible through sensitive design and landscape measures. Proposals should be informed by and sympathetic to the distinctive character areas identified in the relevant Landscape Character Assessment(s) and any other relevant assessments and studies. In particular, proposals will need to demonstrate that the following aspects of landscape character have been conserved and where possible enhanced through sensitive design, landscape mitigation and enhancement measures:*

- (i) The locally distinctive pattern and species composition of natural features such as trees, hedgerows, woodland, field boundaries, watercourses and water bodies.*
- (ii) The locally distinctive character of settlements and their landscape settings.*
- (iii) The separate identity of settlements and the transition between man-made and natural landscapes at the urban fringe.*

11.12 Notwithstanding the application being submitted in outline form, and despite the site's proximity to the edge of Chippenham, it is clear that the Landscape Officer regards urban development of this size and general scale at this location to have an unacceptably harmful impact on landscape character. He considers that the development proposal would breach the A4 and the strong well wooded landscape structure located along the southern edge of Pewsham which undermines the existing effective and established visual containment of the town. The introduction of this urban development into this open and visually prominent area of countryside also reduces the existing rural separation between the separate settlements of Chippenham and Derry Hill and erodes the existing valued and effective landscape transition between town and countryside.

## **12. Ecology**

12.1 The development would potentially impact upon a number of ecological receptors including:

- Cattle grazed pasture
- Hedgerows
- Mature/veteran trees
- Watercourses
- Bats
- Great crested newt
- Breeding birds

12.2 The submitted indicative masterplan and parameters plan suggest how many of the more significant habitat features would be incorporated into the fabric of the development, and this is explained in more detail within the ES and would be secured through the subsequent reserved matters applications. Impacts could be further reduced through sensitive construction methods, landscaping/habitat creation, sensitive lighting and favourable long-term management, which could be secured through planning conditions. The development would inevitably have some residual effects upon the above receptors within the development area and nearby as a result of habitat fragmentation and general effects of urbanisation, particularly on the hedgerow network and farmland bird assemblage. However, there are opportunities to improve the ecological value of other habitats on the periphery of the site, particularly through the creation of the SUDS.

12.3 The Council Ecologist is therefore satisfied that the proposals submitted are in accordance with paragraph 118 of the NPPF and CP50 of the Wiltshire Core Strategy, and meet all statutory requirements in accordance with Circular 05/2006, subject to a number of conditions.

### **Matters Considered:**

Statutory/non-statutory sites

- 12.4 The proposals are not considered likely to affect any statutory or non-statutory designated sites due to the nature, location and scale of development proposed.

#### Habitats

- 12.5 The site is dominated by improved cattle grazed pastures of low ecological value bounded by hedgerows. These pastures would be lost, however this would be compensated by the creation of smaller areas of species-rich grassland in the SUDS basins and surrounding areas.
- 12.6 These hedgerows are variable in condition, species richness and ecological value, with the most valuable being the hedgerow which runs north/south through the site along the site of the public right of way (H7/H10) which is species-rich and has a large number of mature standard trees and is of BAP quality. The illustrative masterplan shows how the majority of these could be successfully assimilated into the layout, including those which traverse the site, albeit there will be a degree of loss which will fragment the remaining network as a whole. Some of the hedgerows on the northern boundary of the site would be bounded on both sides by residential gardens, leading to their probably long-term decline through unfavourable management; however the majority would be within the public realm on at least one side. The masterplan indicates that the most important hedgerow would be largely retained within the public realm on both sides along most of its length, and this could easily be achieved along its entire length through detailed design. The scheme will include a degree of native structure planting and new hedgerows which will help to compensate for the impacts on the wider hedgerow network.
- 12.7 Mature trees occur almost entirely within the hedgerow network which would be retained with the exception a single free standing mature oak, however this is not believed to be of particularly notable ecological value. A single specimen oak exhibits signs of being a 'veteran'; however the indicative masterplan indicates that this would be retained within an area of public open space. An area of mature mixed deciduous woodland is present to the west of the development site; however this would be buffered from development.
- 12.8 A number of ditches traverse the site, flowing in a generally southerly direction towards the River Avon. These are variable in character, being drier and of lower ecological value at their northern end, becoming wetter and more diverse further south. While it appears that the ditches which cross the site would be lost, the creation of permanently wet SUDS features in the south of the site is likely to create ecologically more valuable wetland habitats in the long-term.

#### Species

- 12.9 Populations of great crested newt have been confirmed as breeding within 250m of the site to the north (Wedmore Farm) and south of the site (former canal). The A4 road is likely to be a barrier to migration of newts from the northern population onto the site; however it is likely to provide terrestrial habitats for the southern population, which would be lost to the development. This would be compensated for the creation of areas of rank grassland and hibernacula at the western end of the development (closest to the ponds), and also through the creation of SUDS features and native planting. Newts would also be translocated out of the development footprint prior to commencement of construction in order to avoid killing/injury of animals which may be present at the time, while adapted gully pots are proposed to reduce mortality in the long-term. It is expected that these measures will be sufficient to maintain the favourable conservation status of the local populations.
- 12.10 Bat roosts are present in Forest Farm to the south of the site; however no roosts were identified within the site itself. A good diversity of bats (ten species) was recorded using the local hedgerow network for commuting/foraging, although greatest activity was recorded outside of the development area, with the exception of the species-rich hedgerow which runs along the public right of way. Rare species including barbastelle, nathusius pipistrelle, greater horseshoe and lesser horseshoe were all recorded by static detectors, however only in relatively low numbers. The proposals include the provision of 50 bat boxes,

incorporation of valuable hedgerows within the development scheme, and a sensitive lighting scheme to ensure that those retained hedgerows remain dark and of value to commuting/foraging bats.

- 12.11 The site supports an assemblage of 42 breeding birds including six red list and eight amber list species, representing a fairly typical breeding assemblage for a greenfield site in this location. This assemblage would be largely dispersed from the development site due to human disturbance, while they are likely to be replaced by an assemblage of common urban species. The effects of disturbance and predation (by cats) are likely to extend beyond the site boundaries into the wider countryside, decreasing with distance.
- 12.12 Badgers are active in the local area, but no setts were recorded within the site itself.
- 12.13 No evidence of reptiles, dormouse, water vole or otter was recorded during the surveys.

### **13. Impact on Historic Landscape and Heritage Assets**

13.1 The existing A4 (London Road) provides a visual separation from the existing Pewsham extension to Chippenham and the adjacent rural landscape. The character of the immediate area surrounding the application site is rural. There are a handful of properties on the southern side of the A4 adjacent to the roundabout, typically these houses are set within generous plots and their rear gardens adjoin open farm land. The site is currently fields which affords views to Derry Hill behind and the Tower of the Golden Gates to the Bowood Estate. The Golden Gates are Grade II\* listed and currently perceived in a rural open setting when viewed from the context of the A4 Corridor as one leaves Chippenham. The gates and tower are located within the Derry Hill Conservation Area and in close proximity on a number of other listed building including:

- 21 Derry Hill - Grade II
- 22 Derry Hill - Grade II
- 23 Derry Hill - Grade II
- The Lansdowne Arms - Grade II
- 25 Devizes Road - Grade II

13.2 In addition the gates and tower mark the entrance to the Bowood Estate, a Grade I registered Park and Garden.

13.3 Whilst the statutory list entry refers to the villages of Derry Hill and Studley as being part of the Northern Setting of the registered park, the wider setting of the estate has been historically a belt of rural fields and agricultural land interspersed with modest pockets of housing and farmsteads leading towards the direction of Chippenham. The principle of housing on the land known as Forest Farm would alter the current situation causing a degree of harm to the setting of the heritage assets located on top of Derry Hill.

13.4 The submitted information details a study area that requires expansion to explore full impact of the proposed scheme on the setting of these designated heritage assets.

13.5 In addition to the issues mentioned above the Conservation Officer has also noted that the scheme will have an impact on the current setting of the following designated heritage assets:

- Forest Gate Farm House - Grade II
- Hill View - Grade II
- Jeroans - Grade II
- The Lysley Arms – Grade II

13.6 It is similar considered that the proposed development would result in a degree of harm to the setting of these heritage assets.

- 13.7 Historic England have also reviewed the application and commented that the majority of designated heritage assets within close proximity of the site are Grade II or of local interest and do not come within their remit (for normal comment). There may also be archaeological deposits present in this area that should be properly evaluated in line with the County Archaeologist's Advice. Of particular note is the undesignated disused canal that has considerable historic and communal interest. Further away to the south east, is the Registered Bowood Park, a Grade I listed historic park with its array of separately listed assets within the grounds including the Grade I Bowood House and Grade II\* Golden Gates, the main entrance to the park which commands a dominant position on the hills overlooking this site.
- 13.8 Historic England are pleased to see that an appropriate specialist report has been commissioned to better understand the historic environment close to the development site but are disappointed that more work has not been undertaken to ascertain the impact of this proposal on the heritage significance of Bowood Park and its setting. Of particular interest will be the impact of lighting for this development including the new roundabout and associated road works and how this will impact on the rural qualities of this agricultural land that forms a pastoral backdrop and buffer between the town and villages. The creation of an employment area with large footprint buildings so close to the southern edge of the development could also have a dramatic impact on the landscape character.
- 13.9 Central to Historic England's advice to local authorities is the requirement of the Planning (Listed Buildings and Conservation Areas) Act 1990 in Section 66(1) for the local authority to *"have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses"*. When considering the current proposals, in line with paragraph 128 of the NPPF, Historic England did not consider that enough information has been provided for them to judge the impact of this development on this highly significant heritage asset and its setting. The settlements of Derry Hill, including Old Derry Hill Conservation Area and Studley are important historic estate villages, lying to the north of the Park's perimeter, forming part of the wider historic landscape to Bowood and should also be subject to a thorough assessment. Historic England noted the additional information submitted on the 13th April 2016; however, this did not include sufficient information for Heritage England to make a proper assessment of the likely impact. Without this information Heritage England are unable to support the application.
- 13.10 In respect to archaeological interest, this site has been the subject of archaeological evaluation with two phases of geophysical survey and a programme of trial trenching. The results of this work were included within the Environmental Statement Addendum. The survey and trenching work has revealed a small Roman farmstead present in the central and southern western of part of the site, as indicated in Figs 5.7 and 5.8 of the Addendum. As the remains here are of local and regional significance they can be mitigated by archaeological excavation, as detailed in sections 5.58-5.64 of the Addendum, and secured as a condition to any grant of consent. However, there is some confusion about the type and extent of mitigation required as set out in sections 5.58-5.64 of the Addendum, and the details will need to be clarified and approved in a Written Scheme of Investigation prior to any work commencing. Fig 5.7 indicates a proposal for the extent of mitigation required which the Council's Archaeologist does not agree with. More mitigation on the west part of the site is required than indicated here.
- 13.11 Overall, this development is considered to harm the setting a number of heritage assets because the rural character would be eroded, the agricultural land that many of the heritage assets were constructed to be associated with will be lost and the setting urbanised. The Conservation Officer expresses the view that the harm caused would be less than substantial but that the harm cannot be outweighed by the public benefit. The proposals would therefore be contrary to the NPPF section 12, as well as section 16(2) and 72(1) of the Planning (Listed Building and Conservation Area) Act 1990.

- 13.12 Notwithstanding the application being submitted in outline form only where only at Reserved Matters stage will all details be known, it is clear that the Conservation Officer regards development of this size and general scale, in this location, to have an unacceptably harmful impact on the landscape setting of heritage assets including the Listed Buildings and Derry Hill in particular.

## **14 Access and Highway Issues**

### Travel Plans

- 14.1 The planning submission includes two framework travel plans, one each for the housing and employment elements. These FTPs will be required to be modified to a degree to make them acceptable (e.g. to secure adequate monitoring periods following full occupation; to better define how TP Coordinators will be established and funded, to ensure that early incentives for bus and cycle travel are included etc). Fundamentally, however, the FTPs offer a sound base on which to grow.

### D&A Statement

- 14.2 The D&A Statement identifies, amongst other things, that Pewsham Way severs the site from parts of the town. This will need to be addressed by way of formal crossing arrangements on Pewsham Way to facilitate easier movement for cyclists and pedestrians.
- 14.3 At 5.54 the D&AS suggests provision of a refuge on Pewsham Way to aid movement to local services; monitoring over time will determine the most appropriate form of crossing. It also identifies a requirement for new surfaced routes on Pewsham Way to accommodate demand and attract sustainable transport options.

### Transport assessment

- 14.4 The TA demonstrates that, with local improvements for pedestrians and cyclist the site can be regarded as being reasonably sustainable from a transport perspective; it is adjacent a good local bus corridor, with bus stops appropriately located to serve the site. However, it is noted that some of the proposed dwellings would fall in excess of the recommended maximum walking distance to the bus stops on London Road. There are currently no bus services on Pewsham Estate.
- 14.5 The Highways Officer is satisfied that the requisite local improvements (to include but not limited to improved and new cycle track links on the A4, including Chippenham Transport Strategy Refresh 2015, radial route scheme PC09, cycle-track provision on links to Pewsham estate across Pewsham Way, and footpath surface upgrades) can be achieved by way of conditions and planning obligations. The TA clarifies the D&AS on issues related to off-site transport improvements.
- 14.6 The traffic forecasts are based on 2014 traffic data, which is accepted, although it is known that for London Road 2015 peak hour counts were up to 4.5% higher.
- 14.7 The assessment shows that the proposed site access will not have capacity issues at 2020, but the existing Pewsham Way roundabout will be required to have capacity improved on its eastern arm to accommodate forecast flows and mitigate impacts (the sensitivity testing, Chapter 8, confirms the development impacts on queuing traffic in the morning peak period). Likewise the Pewsham Way arm of the Avenue La Fleche roundabout will require some modification to improve capacity. Impacts at the Bridge Centre junction, where capacity is limited, would be slightly adversely affected by the development, but improvements here could not readily be justified at the expense of the development.
- 14.8 The development would, if permitted, have an impact on the restricted numbers of dwellings allowed to access the A4 from the East Chippenham site in advance of other infrastructure works associated with the East Chippenham, the North Chippenham and



Rawlings Green sites, if the restraints identified in the transport evidence for the Core Strategy EIP are to be maintained.

#### Masterplan

- 14.9 The general arrangement of the development (as set out in the broader masterplan in the D&AS) appears to assume a second (emergency) access to the site, but no provision is shown to facilitate bus movement into or through the site (again an issue for RMs). It is disappointing that no second access is shown to Pewsham Way, but this is not considered to be justification to refuse the application.
- 14.10 The masterplan for the site shows the provision of possible cycle-tracks to link to the existing infrastructure on the west side of Pewsham Way; such links are critical to the delivery of sustainable transport travel options, and delivery of the off-site connecting routes will need to be secured by condition or planning obligation.
- 14.11 Within the site the potential arrangements appear to be acceptable in principle, but the road junction to serve the Phase 2 development might need to be located further from the roundabout to ensure that TD9 paragraph 1.26 SSD is available (an issue to be resolved through RMs).
- 14.12 There is no route within the site shown connecting with the permissive footpath link to the canal to the south of the site; this will be required along with the surfacing of CHIP 16 within the site.

#### Site Access/A4 works/ Off-site highway works

- 14.13 The proposed site access is acceptable in principle, but the east side A4 road alignment will need to be amended to remove the reverse curves on the A4 carriageway, which would be aesthetically unacceptable, as well as unnecessary and a potential safety threat to motorcycle riders (from detritus in generally un-trafficked areas).
- 14.14 The layout provides for a potential 4th arm to serve the sports ground, currently served from Stanley Lane; this is an acceptable arrangement, but temporary arrangements in respect of carriageway edges will be required for such period as the fourth arm is not utilised. Temporary physical arrangements will be required to ensure that access is not possible to the sports site unless and until works have received planning permission and been constructed.
- 14.15 Bus bay provision will be subject to review.
- 14.16 The shared surface cycle-track should be (LTN 1/12) 3m wide where possible, linking back to Stanley Lane.
- 14.17 It is acknowledged that the Stage 1 RSA found no issues with the initially drawn arrangements for the site access.
- 14.18 The arrangements shown on Drawing GA-012C are acceptable in principle. Junction capacity improvements at either end of Pewsham Way do not require design drawings at this stage. A s278 agreement will be required to deliver the access works and other identified on-highway works.
- 14.19 The Highways Officer later provided additional comments following the submission of an addendum to the TA dated 13th April 2016, and has confirm that they concur with the conclusions reached therein. The matters raised above have all been addressed. In relation to the pedestrian crossing on Pewsham Way, the officer sees no reason why the Lodge Road link should not be provided by the developer, subject to the council making available the necessary land (where it is not already highway), as an alternative to a contribution being made, at the council's discretion.

14.20 Accordingly the officer has confirmed that they raise no objection to the application subject to conditions/planning agreement.

## **15. Flooding and Drainage**

15.1 The Council's drainage officer concluded that the drainage will be directed to Wessex Water sewers so if they have spare capacity then they raise no objection to the application. Wessex Water has commented that the site will be served by separate systems of drainage constructed to current adoptable standards. It is acknowledged the FRA submitted with the planning application which confirms Wessex Water's requirements for further appraisal to consider the impact of the predicted foul flows from the development on the downstream sewer network. Appraisal will need to consider the timing and phasing of other planned development in the upstream catchment to facilitate a sustainable drainage option, as appropriate, for development at East Chippenham.

15.2 The applicant has indicated that surface water will be attenuated on site and discharge to an existing watercourse to the south of the site; the strategy will require the approval of the LLFA. Wessex Water will discuss adoption arrangements as appropriate. Water supply modelling will be required to consider the impact of development upon Wessex Water's existing customers and a suitable point of connection for the development. The nature of off-site reinforcement will need to be considered in line with other approved developments within the area.

## **16. Conclusion**

16.1 The application site lies outside of the limits of development for Chippenham, as defined by Policy CP1 of the Wiltshire Core Strategy. Core Policy 2 goes on to state that development outside of the limits of development of existing settlements will only be permitted in exceptional circumstances, or if the site is identified for development through a site allocation document or a Neighbourhood Plan. The application is neither exceptional in this regard nor brought forward through the plan making process and is therefore contrary to the provisions of Policy CP1 and CP2 as well as saved Policy H4 of the North Wiltshire Local Plan 2011. CP10 is offended insofar as it is linked to CP1 and 2 and only envisages development in Chippenham being Plan led.

16.2 At present, the Council cannot demonstrate a 5 year supply in the North and West HMA, as required by the NPPF. In these circumstances, paragraph 14 of the NPPF is engaged and the application must be considered in the context of the "presumption in favour of sustainable development" and a weighing of the adverse impacts of the development compared to the benefits

16.3 In this particular instance, there are several material planning considerations that are reasons why the proposal cannot be regarded as being sustainable development:

- A development of this size and general scale, in this location, would have an unacceptably harmful effect on the landscape character of this rural area of countryside which generates a number of harmful landscape and visual impacts. Despite the site's close proximity to the existing edge of Chippenham large scale urban expansion at this location will undermine the valued countryside transition and setting to the town and breach the existing effective visual urban containment provided by mature wooded landscape structure south of Pewsham. This development will also reduce the existing rural separation between the individual settlements of Chippenham and Derry Hill, which is also considered to be harmful. The proposal is therefore contrary to the provisions of policies CP10, CP51 (i), (ii) and (iii) and also CP57 (i), (ii), (iii) and (vi) of the Wiltshire Core Strategy.
- The development is considered to harm the setting a number of heritage assets because the rural character would be eroded, the agricultural land that many of the heritage assets were constructed to be associated with will be lost and the peaceful setting urbanised. The Conservation Officer expresses the view that the harm caused

would be less than substantial but that the harm cannot be outweighed by the public benefit. The proposals would therefore be contrary to Core Policy 58 of the WCS, NPPF section 12, as well as section 16(2) and 72(1) of the Planning (Listed Building and Conservation Area) Act 1990.

16.4 It is considered on this occasion that the adverse impacts identified above outweigh the benefits of scheme. It is therefore not considered to be sustainable development in the context of the NPPF paragraph 49 and planning permission should be refused accordingly.

## **17. Recommendation**

17.1 Had the Committee been able to determine the application, officers would have recommended that planning permission be REFUSED. It is therefore recommended that officers be authorised to contest the appeal for the following reasons (including the delegated authority to negotiate potentially satisfactory outcomes that may address reason for refusal 4 prior to that appeal taking place):

1. The proposal is unacceptable when having regard to the principles of policies CP1 and CP2 of the Wiltshire Core Strategy (2015), saved Policy H4 of the North Wiltshire Local Plan 2011, as well as the principles set out within the National Planning Policy Framework.
2. A development of this size and general scale, in this location, would have an unacceptably harmful effect on the landscape character of this rural area of countryside which generates a number of harmful landscape and visual impacts. Despite the site's close proximity to the existing edge of Chippenham large scale urban expansion at this location will undermine the valued countryside transition and setting to the town and breach the existing effective visual containment provided by mature trees and woodland. This development will also reduce the rural separation between individual settlements which is also considered to be harmful. The proposal is therefore contrary to the provisions of policies CP10, CP51 (i), (ii) and (iii) and also CP57 (i), (ii), (iii) and (vi) of the Wiltshire Core Strategy.
3. The development is considered to harm the setting of a number of heritage assets because the rural character would be eroded, the agricultural land that many of the heritage assets were constructed to be associated with will be lost and the peaceful setting urbanised. The harm caused would be less than substantial but that the harm cannot be outweighed by the public benefit. The proposals would therefore be contrary to Core Policy 58 of the WCS, NPPF section 12, as well as section 16(2) and 72(1) of the Planning (Listed Building and Conservation Area) Act 1990.
4. The proposed development fails to provide and/or secure adequate provision for necessary on-site and, where appropriate, off-site infrastructure. Such infrastructure shall include (but not be limited to) affordable housing, educational facilities, public open space, play equipment and footpath connections to the town, public transport provision and directly related highways work, waste collection and measures for future maintenance of the site. The application is therefore contrary to Core Policy 3 of the Wiltshire Core Strategy.