

**STRATEGIC PLANNING COMMITTEE 28 SEPTEMBER 2016**  
**ADDITIONAL INFORMATION**

This is information that has been received since the committee reports were written.

**N/13/00308/OUT** – The text of the report refers to building heights at a maximum of 10-12m, but they are in fact of 8.5m in plot 300; 12m on plot 400 and 15m on plots 100 and 200.

Condition 3 as proposed can be removed as following the guidance in the NPPF, development should only be refused on transport grounds where the residual cumulative impacts of development are severe. As there is no highway safety issue identified, it is considered that reliance on CP62 as a reason for refusal in this case does not satisfy the requirements of the NPPF and cannot be sustained. This means that a special case does not have to be made to justify the roundabout, which the condition originally sought deal with.

**14/12118/OUT** – There was an omission from the report that the draft Heads of Terms of Terms for Legal agreement were not added to the report. They are added below:

Proposed Heads of Terms

- Minimum 30% Affordable Housing.
- Contribution of £385,000 to improvements to cycle and pedestrian routes.
- Contribution of £438k for bus service for years.
- Contribution to access works including roundabouts and right turning lanes; securing SLR route; £35k for link between north and south areas across Pudding Brook; 50k for Rights of Way improvements to Lackham College; monies for RoW conversions and diversions; monies for Bridge Centre Gyratory, A420 Marshfield Rd and New Rd/Station Hill.
- £4,788,078 (plus indexation) for primary school places. Land for building of primary school. Early Years contribution.
- Playing pitch and indoor sports provision contribution £823,304 for off-site improvements.
- Provision of Riverside Park.
- Public Art Contribution of £300 per dwelling and £3 per square metre of commercial development with no more than 10% being spent on a public art plan.
- Provision of 0.71 ha of allotment land.
- provision of waste and recycling containers for each residential unit.

Corrections:

The secondary Education contribution will be secured via CIL.

Air quality assessment conditions and contributions have been added.

Environmental Health do not object on Odour issues.

### Additional consultation responses:

Air Quality EHO state that whilst the proposed development is not one identified as being poor air quality, development pressure on Chippenham and air quality concerns in Chippenham necessitate that an Air Quality Assessment is undertaken for all major developments. This is secured via condition. Notwithstanding the findings of the AQA which may find that impacts will not be significant, the desired scenario in terms of air quality and development is one that serves to help reduce potential air quality impacts locally. The overriding concern in Wiltshire is for the satisfaction of the Adopted Core Strategy, Air Quality Strategy, Air Quality Plan and Draft SPD which works towards contributions to the reduction of nitrogen oxides across the county. They are concerned with how developers are going to contribute to the improvement of local air quality and so seek positive contributions to the Aims of The Air Quality Strategy. Positive contributions may take the form of sustainable travel alternatives and infrastructure, driver training, tree planting, contributing to local air quality action groups. They would also require a contribution to local air quality planning projects. S106 contributions are calculated at 5.66p x1000 dwellings = £5660. This is met through the revised CIL 123 list.

Early years learning have requested a contribution of £1,033, 798.00. However, this is not accompanied by a full justification, has not been requested on other sites and is therefore not considered to be appropriate.

A further comment has been received from a local GP querying the timing of the application being determined and the provision of a GP surgery which is not considered to be appropriate.

### Comments of ADM:

Additional conditions:

21. The applicant must undertake an Air Quality Assessment (AQA) to be approved by the LPA prior to commencement of construction. This must quantify the effect of the development on existing local authority air quality monitoring locations and sensitive receptors as well as the proposed development. It must also identify and make adjustments for all core strategy based development in the Rowden Park locality. The effect of any proposed mitigation must be quantified in terms of its contribution to the reduction of oxides of nitrogen and PM 2.5 in the Calne locality. Use of CURED data in the AQA is expected along with any other currently accepted approaches to AQA.

**Reason:** Core Policy 55; Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

22. Prior to the first occupation of any dwelling on site full details must be submitted to and approved in writing by the Local Planning Authority specifying a scheme of air quality mitigation measures that will contribute to the reduction of oxides of nitrogen and PM 2.5 in the Rowden Park locality or at least an air quality neutral outcome. This must include but not be limited to the provision of Electric Vehicle (EV) charging infrastructure. Within 6 months of the occupation of 90% of the dwellings, monitoring of air quality within the site and

immediate locality (as identified in Chapter 9 of the submitted Environmental Statement) must be undertaken and the results submitted to, and approved in writing by the LPA, demonstrating that the above mitigation has made a contribution to air quality improvement. Should the submitted reports not demonstrate an air quality neutral outcome a programme of mitigation must be submitted to and approved in writing by the LPA and the actions carried out in accordance with that plan.

**Reason:** Core Policy 55; Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity

23. The development hereby permitted shall not commence until a Construction Management Plan providing details of the management of heavy goods vehicle construction traffic, including their routes approaching and leaving the site, has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect the existing highway links that serve the site from damage by large goods vehicles, to assist in the environmental protection of the interests of nearby residents, and to ensure that provisions are in place to address any problems associated with highway damage caused by such vehicles.

24. Prior to occupation of any of the dwellings taking access from Coppice Close the access to Coppice Close shall be provided and shall thereafter remain open and available for use.

Reason: In the interests of safe and convenient access to the development.

25. Prior to first occupation of any dwelling served by the access to Coppice Close, the access to Coppice Close shall be provided with visibility with nothing to exceed the height of 600mm above carriageway level between the carriageway edge, and a line drawn from a point 2.4 metres back along the centre line of the access from the carriageway edge, to a point on the nearside carriageway edge 36 metres to the west.

Reason: In the interests of highway safety.

26. No development shall commence until a Residential Travel Plan has been submitted to and approved in writing by the Local Planning Authority. No residential part of the development shall be occupied prior to the implementation of the Residential Travel Plan, (or implementation of those parts capable of being implemented prior to occupation). Those parts identified for implementation after occupation shall be implemented in accordance with the timetable contained therein, and shall continue to be implemented as long as any part of the development is occupied.

Reason: In the interests of reducing the amount of private car movements to and from the development.

27. The primary school shall not be brought into use until a School Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The School 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 these results.

Reason: In the interests of highway safety and reducing private car movements to and from the development.

28. Prior to occupation of any dwelling details shall be submitted to the Local Planning Authority of between 2 and 6 bus stops and shelters within the development, and a programme for their implementation. (The number to depend on whether buses route 1 or 2 way and on agreement with the Public Transport Team). On approval of the submitted details the bus stops and shelters shall be constructed and made available for use in accordance with the approved programme.

Reason: In the interests of safe and convenient travel by public transport.

29. Prior to occupation of any part of the development south of the rifle range a 3 metre wide shared use cycleway shall have been constructed and made permanently available for use by pedestrians and cyclists, between the Central Northern access and the end of the existing footway on Patterdown Road just north of the highway layby, in accordance with details to be first submitted to and approved by the Local Planning Authority.

Reason: In the interests of safe and convenient pedestrian and cycle access to the development.

30. Prior to occupation of any part of the development areas 1-5 (Proving Layout plan 3787/300/D) a footway connection between the development and the eastern side of Queens Bridge as outlined on plan 20399/042/009, plus footway markings through the bridge and a short footway connection at the western side of the bridge to enable safe pedestrian access into Saltersford Lane shall have been constructed and made permanently available for use by pedestrians in accordance with details to be first submitted to and approved by the Local Planning Authority.

Reason: In the interests of safe and convenient pedestrian access to the development.

31. Prior to occupation of any part of the development areas 1-6 (Proving Layout plan 3787/300/D) a 3m wide shared use cycleway shall have been constructed and made permanently available for use by pedestrians and cyclists between the development and the

entrance to the Showell Farm development as outlined on plan 20399/042/005, in accordance with details to be first submitted to and approved by the Local Planning Authority.

Reason: In the interests of safe and convenient pedestrian and cycle access to the development.

32. Prior to first occupation of any dwelling hereby permitted, the relevant parts of the shared use pedestrian and cycle route known as Rowden Mile (which will include the spur to Avenue La Fleche and the spur to Gypsy Lane), shall have been constructed to a width of 3 metres including street lighting, and made permanently available for use by pedestrians and cyclists, in accordance with details to be first submitted to and approved by the Local Planning Authority.

Reason: In the interests of safe and convenient pedestrian and cycle access to the development.

The applicants should be informed of the following:-

Any application for approval of reserved matters should include for the design of all roads within the estate as a 20 mph zone, other than the bus route which runs from the primary access roundabout to the northern junction, but with only minimal amounts of vertical traffic calming. Traffic calming will generally be by horizontal alignment changes and use of surface texture changes.

Number of rights of way cross the development. The rights of rights of way users must be safeguarded and the paths must be incorporated into the layout or suitable diversion or closure orders arranged.

33. Prior to the commencement of the development hereby permitted details of the a 'Riverside Park Management Plan' shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the occupation of the 150<sup>th</sup> dwelling. The Management Plan shall set out a clear vision for how the Riverside Park land holding will be used by people and community groups, and how the land (individual fields / land parcels) will be managed in perpetuity by the designated management body. The Management Plan shall clearly define and prescribe how management objectives and maintenance operations will protect and enhance the existing heritage, ecology and landscape value and character of the site, within the context of wider green infrastructure links and functions of this land.

REASON: In the interests of securing the long term maintenance of the Riverside Park.

34. The development hereby permitted shall be carried out in broad accordance with the Masterplan, parameters plans and design ethos as set out in the ES Addendum received by the Local Planning Authority on 20<sup>th</sup> July 2016.

REASON: In the interests of clarity and to ensure protection of the setting of the heritage assets nearby and the landscape character of the area.

35. Prior to the commencement of the development a construction traffic management plan shall be submitted to and approved by the local planning authority, and the development shall be undertaken in accordance with the approved plan. The construction traffic management plan shall include inter alia, details as to routeing arrangements for lorries delivering to the site during the identified phases of the development and how they will be signed to the site, details of wheel cleaning facilities, details of parking and manoeuvring space within the site for lorries and construction workers vehicles, and measures to prevent site construction traffic parking on nearby residential streets.

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

36. No more than 1000 dwellings shall be constructed on the site.

REASON: For the avoidance of doubt and as the mitigation impacts of the proposal have been assessed against this number of dwellings.

37. Prior to commencement of development, details of a wildlife sensitive lighting scheme for roads and footpaths within the site, and any lighting for the areas of public open space, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out only in accordance with the approved details.

REASON: To satisfactorily mitigate the ecological impact of the development.

38. No dwelling shall be occupied until arrangements to facilitate broadband and/or high speed internet connection to that dwelling has been implemented in accordance with details that shall previously have been submitted to and approved in writing by the local planning authority.

REASON: To ensure digital connectivity.

39. The following information should accompany any reserved matters application:-

- Tree retention/removal plan (finalised);
- Retained trees and RPAs shown on proposed layout
- Strategic hard and soft landscape design, including species and location of new tree planting;
- Arboricultural Impact Assessment;
- Arboricultural Method Statement - detailed
- Details for all special engineering within the RPA and other relevant construction details;
- Alignment of utility apparatus (including drainage), where outside the RPA or where installed using a trenchless method;
- Dimensioned tree protection plan;
- Schedule of works to retained trees, e.g. access facilitation pruning

REASON: To protect the site trees and ensure suitable landscaping.

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

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

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

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

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

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

41. No development shall commence on site until a scheme of safe pedestrian and cycle routes, and details of secure covered cycle parking and changing and shower facilities in respect of the non-residential use classes has been submitted to and approved in writing by the Local Planning Authority. Such facilities shall be provided in accordance with the approved details prior to any part of the development being first occupied and maintained thereafter.

REASON: In pursuit of sustainable transport objectives.

42. No development shall commence on site until Travel Plans for the various land uses (residential, employment and education) permitted have 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.

43. Car parking provision for the site shall be in accordance with the required standards set out in the Wiltshire LTP3 Car Parking Strategy. Garages to be counted towards car parking provision shall have minimum internal dimensions of 3m x 6m.

REASON In order to ensure an adequacy of site parking provision and to avoid.

44. The noise levels in all parts of all private amenity space shall not exceed an SNL of 55dB

REASON: In the interests of residential amenity