REPORT OUTLINE FOR AREA PLANNING COMMITTEES **Report No.**

Date of Meeting	14 June 2017
Application Number	16/03721/REM
Site Address	Land North of Bath Road, Corsham, Wiltshire, SN13 0QL
Proposal	Reserved Matters Application Relating to Appearance, Landscaping, Layout & Scale (following outline application 13/05188/OUT) Residential Development for 150 Units Together with Associated Highways, Drainage and Other Infrastructure Works, Landscaping and Play Area.
Applicant	Mr Edward Nelthorpe, Redrow Homes South West
Town/Parish Council	CORSHAM
Electoral Division	CORSHAM PICKWICK – Cllr Ruth Hopkinson
Grid Ref	385631 170465
Type of application	Full Planning
Case Officer	Chris Marsh

Reason for the application being considered by Committee

The application was originally called in to Committee by Cllr Macrae - the call-in subsequently upheld by Cllr Hopkinson - in order to consider the visual impact, relationship to adjoining properties, design and environmental impact of the proposal.

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 the application be approved, subject to conditions.

2. Report Summary

The key issues in the consideration of the application are as follows:

- Layout of the development;
- Landscaping of the development;
- Scale of the development; and
- Appearance of the development

Corsham Town Council has objected to the application, which has also attracted 48 public objections from neighbours of the site and local residents.

3. Site Description

The application site is located to the immediate North of the A4 Bath Road toward the western fringes of Corsham and comprises a large arable field, with a smaller historic

pasture inset, amounting to approximately 10ha. A public right of way traverses the site from southeast to northwest, linking Corsham Town to the listed Guyers House, which is located a short distance from the northern site boundary. The site is otherwise bounded by late-C20th residential development at Academy Drive, the A4 Bath Road and the narrow Guyers Lane, to the West, and is enclosed by a combination of estate fencing, mature hedgerow and stone walling. At around the midpoint of its southern boundary, the regular shape of the site is interrupted by 3no. separate properties, the historic cottages forming nos. 53, 55 and 57 Pickwick, inset from the main road.

A number of mature trees of varying quality and health are dispersed through the site, contributing to the estate character and public amenity of the landscape. A concrete airshaft approximately 1.5m in height and 1.5m in width protrudes from the ground close to the southwest corner of the site, indicating the extent of underground mining operations to date. The Corsham Conservation Area borders the site at its southeast corner and eastern side, covering in the immediate vicinity notable buildings including the Grade II-listed St Patrick's Church and The Coach House, together with the unlisted but historic no.51 Pickwick, to the immediate East.

Outline planning permission was granted in May 2015 for the erection of up to 150 dwellings and 1,394m² of employment space, subject to a S106 legal agreement and conditions, several of which relate to specific technical matters. Application 13/05188/OUT refers. At that time, a dual access system consisting of a new roundabout directly opposite the main Bradford Road junction at the southwest corner and T-junction with right-turn lane at the southeast boundary with Bath Road were also approved, engineering details of which remain under separate consideration. The associated application for the approval of reserved matters related to the 'employment' element is 16/04544/REM.

4. Planning History

13/05188/OUT	Outline planning application for erection of up to 150 dwellings, up to 1,394sqm B1 offices, access, parking, public open space with play facilities and landscaping – appeal allowed
16/04544/REM	Reserved Matters Application for Access, Appearance, Layout & Scale (Following Outline Application 13/05188/OUT) Proposed B1 Employment Units on Land to the West of Bath Road Development Corsham – pending decision
16/08668/ADV	Erection of V Stack Sign and Flags to Advertise the Land for Residential Development – approved

5. The Proposal

The principle of development of up to 150 dwellings and up to 1,394m² of B1 employment, together with details of access and associated off-site highways engineering works, at this site together with the adjoining parcel has been accepted by the grant of outline permission at appeal (13/05188/OUT refers). The outline permission remains extant and therefore these matters cannot be revisited at this time.

This reserved matters application seeks approval of the outstanding matters of the layout, landscaping, scale and appearance of the residential element of the outline permission. The full 150 units have been carried forward into the scheme, which also makes provision for associated public open space, play provision, ecological buffers and a large attenuation basin at the southeast corner of the site. The scheme broadly adopts

the hierarchical street layout indicated at outline stage, with a general succession from affordable and smaller dwellings, including flats, toward larger detached units as one moves away from the main adopted section into peripheral private driveways. Existing trees are to be incorporated into the scheme, whilst some historic stonework from within the site is to be re-used in the landscaping of the formal public open space. In terms of materials, the development is to comprise a mixture of reconstituted Cotswold stone, roughcast render, concrete tiles and slate, broadly dictated by the prominence and status of the individual units.

6. Local Planning Policy

Core Policy 57 (Ensuring high quality design and place shaping) of the adopted Core Strategy is of critical relevance in this instance, supported by Core Policies 43 (Providing affordable homes), 50 (Biodiversity and geodiversity), 51 (Landscape), 58 (Ensuring the conservation of the historic environment) and 64 (Demand management).

Paragraph 17 and Sections 7 (Requiring good design) and 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework are also of importance.

7. Summary of consultation responses

Corsham Town Council – objections, relating broadly to:

- Inadequacy of ecological mitigation;
- Unsuitable cul-de-sacs in respect of refuse collections and pedestrian permeability;
- Generic house types unsuited to context, with a predominance of render;
- Lack of integration of affordable units;
- Unsuitable surfacing, such as block paving prone to damage;
- Inadequate boundary planting/landscaping;
- Unclear specification of play area; and
- Need for safe access to attenuation basin if this is to be part of amenity space

Comments also related to off-site highways works, public art, future mine workings and ecological derogation licensing, all of which are separate matters not subject to consideration under this application.

Highways – no objection, subject to conditions
Urban Design – recommended changes – revised details received subsequently
Ecology – objections, although limited to those impacts on protected species and retained trees already subject to the previous Inspector's conclusions
Trees – no objection, subject to conditions
Housing – recommended changes to integration of affordable homes – revised details received subsequently
Drainage – no objection – final details to be agreed by outline condition
Rights of Way – no objection, however noted that footpath CORM75 may require diversion
Police Crime Prevention Design Advisor – no objections
Historic England – no comments
Natural England – no objection in respect of internationally and nationally protected sites, refer to standing advice in respect of protected species.

8. Publicity

The application was advertised by site notice, press notification and neighbour letter.

48 letters of objection were received, based on the number of households, raising the following points:

- Design out of keeping with Corsham/Pickwick (29 references)
- Materials inappropriate/unsympathetic to context (28)
- Landscaping is inadequate or inappropriate (32)
- Ecological constraints are not fully addressed (34)
- Layout will impact adversely on neighbour amenity (27)
- Adverse impact on retained trees (11)
- Adverse impact on setting of the Conservation Area (13)
- Inadequate or unsuitable highways layout (3)
- Affordable Housing inadequately incorporated into layout (1)

As the principle of residential development and means of access to the site are already agreed matters, any such points should be discounted from consideration for the purposes of the current application. Several comments also related to drainage, access, off-site highways works, licensing and future mining works, all of which are either already approved or subject of separate conditions attached to the outline permission.

9. Planning Considerations

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.

Given the relationship to designated heritage assets at Guyers House and Pickwick Conservation Area, the provisions of S66(1) and 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 are relevant.

<u>Layout</u>

It is considered that the overall layout adopts a legible hierarchy as one would reasonably expect of a development of this size where the dual access arrangements are already agreed, and are generally in accordance with the indicative details submitted at outline stage. The main crescent highway will provide for an active principal route through the site, also creating prominent corner plots where this adjoins subsidiary adopted sections. Following revisions to the scheme, the built envelope of the development is to be contained within the restrictions imposed by the original Ecological Parameters Plan barring the slight incursion of access and parking areas into the indicative mine shaft buffer and otherwise providing scope for peripheral landscaping, open space and reinforcement of the public right of way within the scheme. Although

terminating in cul-de-sacs, the hierarchy of circulation areas now provides for a number of pedestrian breakthroughs into the continuous informal footpath through the East and West ecological buffers, increasing permeability and access to open space and, beyond, the open countryside.

Formal open space is to be provided at the southern end of the site, framing the initial section of the right of way and adjoining the permanent attenuation basin and overflow area at the southeast corner. In re-using the stone walling removed from the earlier inset field boundary, the open space is to be enclosed to a high standard, with a good quality hoggin path providing circulation between the adopted highways and public right of way. The open space is also to incorporate a Local Equipped Area of Play (LEAP), the specification of which has been agreed with the Council's Environmental Services Officer. There is now a permanent pond of sealed construction to prevent water ingress to the mines below, with an overflow area attenuation basin designed together with the areas toward the southern site boundary to meet the 1 in 100yr + 30% storage capacity for extreme weather events. Both are to be left open to the open space, with the permanent water body to retain a constant depth of approximately 500mm.

In the first instance, the proposals were met with a holding objection from the Council's Drainage Engineer; owing to uncertainty over the current runoff and the capacity of the downstream system, Officers could not be certain that the layout could accommodate suitable surface water management. Although the (now considerably overdue) Atkins report into the capacity and condition of the Corsham system – into which the development would feed – remains outstanding, a subsequent revision to the Drainage Strategy for the site shows the layout capable of supporting an on-site system reducing maximum runoff rate to 10l/s. In the view of the Council's Engineer, with any reasonable assumption of current runoff arrangements, this represents a level that will not exacerbate existing, unrestricted flows, and will provide some betterment in extreme weather events. Accordingly, the Officer is content to remove the holding objection and control the detailed foul and surface water drainage arrangements under Conditions 13 and 14 of the outline permission respectively.

Having requested successive minor adjustments to highway surfacing, widths and alignments, vehicle tracking and parking provision, the Council's Highways Officer is now satisfied that the adopted and private street hierarchy is of an appropriate layout and specified to adoptable standards (excepting the private driveways). Visibility at junctions is adequate and can be secured by planning condition to ensure that the development is laid out in a timely and safe manner and retained in an appropriate arrangement. It should be noted that off-site works including the provision of a new roundabout at the Bath Road/Bradford Road junction were agreed under the outline permission, subject to approval of details under technical highways regulations, and are therefore not relevant considerations in this case.

Following initial concerns raised by the Council's Housing Officer, revised details have provided improvement in respect of the distribution of affordable units on site, with a terrace of four units (47-50 on the most recent iteration) repositioned within the northeast part of the site. Although there remains a general bias of affordable housing toward the southwest portion, when mindful of constraints such as the requirement for

adopted highways and value of these more dense units in creating an active street scene, a sensible layout has now been achieved in this regard. The scheme also includes flats to be offered as affordable rented units, together with a mixture of dwelling sizes. So far as reasonably practical, therefore, it is considered that the proposals comply with Core Policy 43's *On site distribution and standards.* Being broadly in accordance with the outline details, in respect of which concerns over overlooking were not upheld by the Inspector, it is considered that the proposals will promote an adequate standard of residential amenity to all new and existing properties.

Landscaping

The peripheral landscaping to the application scheme is largely dictated by the Ecological Parameters Plan, agreed previously, which provides *inter alia* for suitable landscaped buffers to protect important bat commuting and foraging routes, guarding against undue intrusion from activity and, in particular, lighting. These are retained along the North, West and East site boundaries, the former providing for an uninterrupted link between Guyers Lane and the retained mine shaft. Following negotiation, the treatment of the landscaping around the mine shaft has been refined, now comprising a double-row of tree planting and cat-proof wire mesh fencing. The latter will secure the area – accessible only for maintenance from the East – and also guard against vandalism and damage, as a chain link fence would likely require regular repair/maintenance. The County Ecologist has considered in detail the submitted landscaping scheme and its integral ecological mitigation and considers this to be broadly consistent with the measures originally provided for in the outline application, notwithstanding some minor variations in layout and lighting, and as such is satisfied with the proposals' compliance with Condition 4 of the outline permission.

Turning to the detail of the landscaping scheme, the Ecologist notes the treatment of retained trees, which are generally contained to incidental pockets rather than part of any strategic landscaping scheme, and the pressure they may subsequently encounter due to their proximity to dwellings. Although this is not ideal, the Trees Officer is content that such matters can be addressed by condition, ensuring their independent retention as valuable habitat as much as in the interests of general amenity. The Ecologist does however also raise concerns consistent with the professional judgement reached at the time of the outline application. In particular, the Officer remains of the view that the effect of the development on non-SAC protected bat species using the mine shaft has been dramatically underestimated, and that the construction and occupation phases are likely to impact detrimentally upon these species. Concerns are also raised in respect of the potential for light intrusion from the illumination of the new roundabout access, notwithstanding existing sub-optimum conditions, impacting upon the use of the southern mine shaft buffer area by bats. Nonetheless, as indeed noted in the Ecologist's comments, these matters must be considered in the round with other material considerations including the approved quantum of development (i.e. whether the full 150 units previously approved could be accommodated with significantly better ecological mitigation) and, critically, the Inspector's earlier judgements in respect of ecology. In both cases, a number of concerns were either dismissed altogether or considered by the Inspector to be insignificant or outweighed in relation to the substantive benefits of the scheme and its associated mitigation measures. Notwithstanding the professional view

of the Ecologist, when having regard to the number of units to be accommodated the findings of the Inspector and the scheme of mitigation now proposed, it is considered that to substantiate a refusal on the above grounds would amount to unreasonable behaviour that would not be defensible on appeal.

Given the time elapsing between the determination of the appeal and consideration of the reserved matters applications, the County Ecologist has undertaken an update to the appropriate assessment under the Habitats Regulations in respect of any likely impacts upon the integrity of the Bath and Bradford-on-Avon Bats Special Area of Conservation (SAC). Although it should be noted that the earlier judgement of the Inspector, as competent authority in this regard, at the time of his decision represents the 'baseline' position that must be accepted, the update assessment has regard to any changes in circumstances arising since that time and the extent of effect these may have on relevant protected species. The assessment concludes that *relative to the accepted findings of the Inspector*, the proposed scheme whether independently or in combination with other 'live' or pending developments locally will not impact detrimentally on the qualifying features of the SAC. In this respect, the application is considered in conjunction with the Landscape and Ecological Management Plan (LEMP) submitted in respect of Condition 5 to the outline permission. The recommendations of the Ecologist as set out in the appropriate assessment have been reviewed by Natural England and agreed without amendment. On a related note, it should be made absolutely clear that neither the Council nor Natural England has the power to compel the applicant to apply for a derogation licence. Nonetheless, given the Inspector's earlier conclusions and the outcome of the update AA, there is no reason to believe a licence would not be forthcoming if applied for and therefore any speculation that no application would be made in this respect is neither relevant nor fatal to the current reserved matters applications. This is a separate matter to be monitored and, if necessary, enforced by Natural England should a breach of the Regulations occur subsequently.

Although the northern boundary buffer area in particular appears to have been reduced relative to the indicative outline layout, the original plan was only indicative and an objection on this basis is considered unreasonable. The Inspector previously concluded that some harm to the setting of Guyers House would be experienced (but that this was outweighed by the public benefits of the scheme) and it is not considered that the closer proximity of built development as proposed exacerbates this effect to any significant extent. Similarly, the development's relationship to the Pickwick Conservation Area is substantively the same as that indicated at outline stage and accordingly, it is considered that the Inspector's findings in respect of the impact on designated heritage assets remain valid in considering the current details. Having regard to the provisions of S66(1) and S72(1), therefore, it is considered that in light of previous conclusions there is no fundamental conflict with the relevant legislation when considering the proposals at this time. The private cul-de-sac arrangement facing the boundary emulates the driveway access to Guyers House; together with the intervening landscaping, this will avert the unwelcome 'sterilisation' of the space with uninspiring domestic boundaries and paraphernalia associated with dwellings backing on to this edge. It should also be noted that independently this section offers considerable ecological improvement, as detailed in the Ecologist's response.

The North and West buffers are to incorporate an informal hoggin pathway, providing an alternative daytime link between the public right of way and the various cul-de-sacs. The right of way is to be of more formalised construction – being surfaced in tarmac in the interests of longevity – and is to be set within a landscaped corridor extending throughout the site. Following initial concerns raised by the Council's Urban Design and Landscape Officers, negotiations have sought the improvement of this, including reviewing the orientation of neighbouring units and alignment of adjacent driveways, to improve the setting of the right of way. Although the proposals represent a fundamental shift in the character of the route, it is considered that its treatment is now of a high standard contributing to the overall public realm of the scheme and addressing the initial shortcomings identified in this respect.

Scale

The proposed scale of the development maintains a consistent maximum of two storeys throughout, including the proposed flats, whose design is considered to be in keeping with the suburban location and character of the development as a whole. This is consistent with the original Design & Access Statement and indicative details considered at outline stage. Although building height is fairly constant throughout – albeit with the depth of some of the large units creating a greater ridge height – the greater density and closer proximity to the highway will give the units fronting the main arc the most presence as perceived from the public realm. Garages maintain a modest single-storey scale, with roof coverings rather than gable ends generally orientated toward the highway, in turn minimising their apparent bulk within the street scene. The scale of the development is considered acceptable, therefore.

Appearance

The proposed house types proposed are, by and large, of standardised form, with the flats being the notable exception and occupying a prominent position on the main ingress to the site. Notwithstanding this, the individual units themselves are appropriately distributed such that those with a greater street presence are sited on the principal routes and generally appear more engaged with their context. In particular, an increased density of units has been introduced facing Bath Road, and other prominent plots such as those on corners or facing public spaces given greater definition. Although not typical of the immediate context of the site, the Arts and Crafts style of the dwellings is in keeping with some of the examples of suburban housing in Corsham more widely and certainly not atypical of the type and distribution of residential development over the past 80 years or so. Improvements in the external appearance of the development have been secured by negotiation in the course of the application process and are considered to address largely the original concerns raised by the Council's Urban Designer.

Several representations make reference to the proposed mixture of materials, which broadly comprises natural stone boundaries together with reconstituted stone and render finishes to individual units, beneath either slate or concrete tile roofs. It is considered that, in principle, this combination is reasonable; although benefiting from a high quality setting it must be recognised that the site is not located within a Conservation Area and will read as an honest reflection of its status as a comprehensive

modern housing development. It is not considered that the use of higher-order materials such as natural stone would significantly diminish the level of harm to the setting of Guyers House identified by the appeal Inspector and it is acknowledged that reconstituted stone has been given precedence in the most readily visible parts of the site. Similarly, it is considered that the use of Welsh slate or stone roof tiles, for instance, would only confuse the legibility of what are, in reality, modern buildings.

Conclusion

In respect of the specific scope of the reserved matters application, it is considered that the substantive scheme represents an appropriate standard of design overall, and one that will deliver specific improvements including public open space, play and footpath provision. The matters assessed are considered to be satisfied by the submitted details and any approval is given without prejudice to any other outstanding technical matter, several of which have been raised through representations. Although ultimately subject to the granting of a Licence by Natural England, in the view of Officers the scheme will make adequate provision for the various elements of ecological mitigation sufficient to satisfy the relevant conditions and original terms of the outline application. Accordingly, it is recommended that the application is approved.

RECOMMENDATION

That the application is approved, subject to the following conditions:

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

5064/501 rev A - Attenuation Pond Details
Received 1 February 2017

1794 01 G H - Landscape Masterplan
1794 02 D - Detailed Planting Plan (1 of 7)
1794 03 C - Detailed Planting Plan (2 of 7)
1794 04 B - Detailed Planting Plan (3 of 7)
1794 05 B - Detailed Planting Plan (4 of 7)
1794 06 B - Detailed Planting Plan (5 of 7)
1794 07 D - Detailed Planting Plan (6 of 7)
1794 08 B - Detailed Planting Plan (7 of 7)
Received 20 September 2016

RHSW.5365.PL001 rev D - Planning Layout
RHSW.5365.SMP001 rev C - Surface Material Plan
Received 12 September 2016

RHSW.5365.MP001 rev D - Material Plan
Received 13 September 2016

F-SD-5365-01 - Stock Fencing Details
Received 7 September 2016

RHSW.5365.AHP001 rev B - Affordable Housing Plan
RHSW.5365.EP001 rev C - Enclosures Plan

5064/SK01 rev B - Preliminary Levels
Received 5 August 2016

04644 TPP - Tree Protection Plan
1794 09 A - Detailed LEAP Proposals
Received 26 April 2016

Housetype Booklet "Bath Road, Corsham"
F-SDO902 - Knee Rail Fencing
F-SDO906 rev A - Screen Fencing, 1.8m High, Standard Effect
dwg: Natural Dry Stone Wall
Received 18 April 2016

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

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

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

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

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

4 The screen walls and/or fences shown on the approved plans shall be erected prior to the first occupation of their respective dwellings hereby permitted and shall be retained and maintained as such at all times thereafter.

REASON: To prevent overlooking & loss of privacy to neighbouring property.

5 No dwelling shall be first occupied until its turning area and parking spaces and access thereto have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or

amending that Order with or without modification), the garages hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

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

8 INFORMATIVE TO APPLICANT:
Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses the site. You are advised to contact the PROW officer.

9 INFORMATIVE TO APPLICANT:
The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

10 INFORMATIVE TO APPLICANT:
Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.