

## REPORT OUTLINE FOR AREA PLANNING COMMITTEES

<b>Date of Meeting</b>	16 August 2017
<b>Application Number</b>	15/11886/FUL
<b>Site Address</b>	Land over Railway Line, End of Parsonage Way, Chippenham, Wiltshire, SN15 3LR
<b>Proposal</b>	Construction of a Bridge Across the London to Bristol Railway Line, as an Extension to Parsonage Way so as to Serve the Proposed Housing Development at Rawlings Green
<b>Applicant</b>	KBC Developments LLP
<b>Town/Parish Council</b>	Langley Burrell
<b>Electoral Division</b>	Kington – Cllr H. Greenman
<b>Grid Ref</b>	393297 173929
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Mark Staincliffe

### **Reason for the application being considered by Committee**

Under the Scheme of Delegation Specific to Planning, this application does not need to be considered by the Strategic Planning Committee. However, the application is for infrastructure associated with a large-scale major application which, by its nature would raise issues of more than local importance.

The application was called to committee by Cllr Greenman due to the consternation amongst local residents on a number of fronts. Specifically- harm to the character and appearance of the area, deliverability of the bridge and land ownership concerns.

### **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 planning permission be **GRANTED**, subject to conditions listed below.

### **2. Report Summary**

The key issues in considering the application are as follows:

- Principle of the development.
- Conformity to the local plan and CSAP
- Impact on Conservation Area and setting of listed buildings
- Impact on character and appearance of the area
- Impact on highway safety

Chippenham Town Council, Bremhill PC & Langley Burrell Parish Council objected to the proposed development and 51 letters of objection and 0 letter of support have been received.

### **3. Site Description**

The development site is located off Parsonage Way and will form a crossing over the Great Western Railway Line. The bridge will provide access to approximately 51Ha of mixed farmland to the north east of Chippenham. This area of land is allocated within the Council's formally adopted Chippenham Site Allocations Plan (CSAP).

### **4. Planning History**

15/12351/OUT      Outline Permission for up to 700 Dwellings, Including 4.5ha Employment Space and Primary School. Up to 10ha New Public Open Space, Landscaping, Stormwater / Drainage Works, Substation and Associated Works. Access Using Parsonage Way, Darcy Close and from Cocklebury Lane (for Cycling and Pedestrian Only). **NOT YET DETERMINED**

### **5. The Proposal**

Construction of a bridge across the London – Bristol railway line. The development will form an extension to parsonage way so as to serve the proposed mixed use development at Rawlings Green.

### **6. Local Planning Policy**

Wiltshire Core Strategy Jan 2015:

Core Policy 1-	Settlement Strategy
Core Policy 2-	Delivery Strategy
Core Policy 3-	Infrastructure Requirements
Core Policy 10-	Spatial Strategy: Chippenham Community Area
Core Policy 51-	Landscape
Core Policy 50-	Biodiversity and Geodiversity
Core Policy 51-	Landscape
Core Policy 57-	Ensuring high quality design and place shaping
Core Policy 58-	Ensuring the Conservation of the Historic Environment
Core Policy 60-	Sustainable Transport
Core Policy 61-	Transport and Development
Core Policy 62-	Development impacts on the transport network
Core Policy 63-	Transport Strategies
Core Policy 67-	Flood Risk
Appendix D	
Appendix E	
Appendix G	

Saved Policies of the North Wiltshire Local Plan:

NE18- Noise and Pollution

T5- Safeguarding

National Planning Policy Framework 2012:

- Achieving sustainable development – Core Planning Principles (Paragraphs 7 14 & 17)
- Chapter 1- Building a strong, competitive economy (Paragraphs 18 & 19)
- Chapter 6- Delivering a wide choice of high quality homes (Paragraphs 47, 49, 50 & 55)
- Chapter 7- Requiring Good Design (Paragraphs 56, 57, 60, 61, & 64)
- Chapter 8- Promoting healthy communities (Paragraph 75)
- Chapter 11- Conserving and enhancing the natural environment (Paragraphs 109, 112, 118 & 123)
- Chapter 12- Conserving and enhancing the historic environment (Paragraphs 126, 128, 129, 132, 133 and 139)

Chippenham Site Allocations DPD- Policy CH 2 Rawlings Green

The emerging Langley Burrell Neighbourhood Plan

## **7. Summary of consultation responses**

Chippenham Town Council - Object with particular concerns relating to traffic and transport, air pollution, flora and fauna, loss of agricultural land, flood risk and drainage, landscape impact & public consultation.

Bremhill Parish Council - Object. Concerns relating to prematurity, highway infrastructure, flooding both downstream of this site at Chippenham Town and upstream at Kellaways, cumulative effect of traffic arising from all these proposed developments will cause a road safety issue on the M4 slip roads, landscape impact, the access from the railway crossing into the Wavin distribution centre

Langley Burrell Parish Council- Object. Considerable underestimation of the traffic generation at the proposed site. Traffic generation and subsequent assessment of the peak hours has been underestimated by over 150 vehicles in the AM peak hour and over 200 vehicles in the PM peak hour.

The proposal fails to make any allowance for the potential for the Barrow Farm development to be permitted at appeal. Neither of these developments has modelled the potential increase in traffic through Langley Burrell, Kingston Langley and other local villages during the period before the Northern and Eastern Bypass is complete.

Development must avoid adversely affecting the rural and remote character immediately around the site and increasing the visual prominence and urban influence of Chippenham over a much wider area.

Network Rail- Whilst there is no objection in principle to this proposal, we note the applicant wishes to use the existing bridge as a cycle way and pedestrian access, thereby closing it to vehicular access. This would suggest that the developer wishes to downgrade the status of the bridge. The route over the bridge is currently classed as a Byway Open to All Traffic.

Highways- No objection subject to conditions

Archaeologist- No objection

Conservation Officer- The proposal will have an impact on the Settings of the Green Bridge Grade II and Rawlings Farm House Grade II.

In reference to the setting of Rawlings Farm House the application site is screened from view by the presence of the existing planting that encloses the railway corridor, the impact of the proposed bridge is therefore not considered to be significant. However any road system associated with the bridge will impact on the setting of the Farm complex via its presence in the existing rural landscape.

The proposal will have an impact on the setting of Green Bridge via the addition of a structure within the existing railway cutting in close visual proximity to the existing structure. As the principle of the construction of new bridge would obscure views of Green Bridge along the cutting the work would cause a negative impact on its existing setting. The harm caused is considered less than substantial and therefore sections 132 and 134 of the NPPF must be considered in addition to section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Tree Officer- No objection

Historic England- The bridge, which could be at a height of approximately 7-8 metres, will further exacerbate the feeling of industrialisation identified with the car park, causing a greater accumulation of harm to this historic asset (Kilvert's Parsonage).

## **8. Publicity**

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

The application has generated over 51 letters of objection and 0 letters of support. A summary of the comments is set out below:

- Development will ruin the open countryside
- Adverse impact on businesses in Parsonage Way.
- Wavin own the land not the applicants- Bridge not deliverable
- The application and determination of it are premature
- No EIA was submitted
- The bridge development is an integral part of the access strategy for the proposed CH2 development and therefore should be considered with the proposals for that larger development
- Vehicular Access at Darcy Close during the construction is not acceptable and would create a rat run
- No financial commitment from developer to deliver the bridge
- Bridge not deliverable
- Flood Risk
- Highway Safety Issues
- No need for Eastern Link Road
- Parsonage Way Link Road necessary for any development to take place
- Concern over Construction Traffic Route and Darcy Close
- Noise Impact

- Air Quality/Pollution
- Ecological Impact
- Loss of/Impact on Public Amenity
- Loss of Hedgerow and Trees
- Scale/Concentration of Development
- Need for Employment in this location?
- Insufficient employment land provided
- Brownfield sites should be used first
- Alternative sites preferable
- Impact on PROW/ Cycle Routes
- Crime impacts
- Pressure on Local Services/ Provision of Infrastructure
- Robustness of traffic assessment
- Coalescence concerns rural villages/ urban sprawl
- Light Pollution
- Impact on heritage assets
- Impact on Landscape
- Viability of the scheme
- Development to the north of the relief road is contrary to the belief that the road would form the limit of development for Chippenham
- The Bridge access should not open until the link road is complete
- Air pollution
- Public consultation poor
- Necessary improvements to J 17 of the M4 not in place
- Bridge is not deliverable as third parties own land for the bridge on Parsonage Way

Objection letters and statements have also been received from Langley Burrell Residents Association, CAUSE 2015, Tytherton Lucas Residents Association & Wavin. Their concerns and objections are summarised above.

Many of the comments received appear to be duplications of representations received for the adjacent mixed use site. Many of these comments are not directly applicable or relevant to the application under consideration but have been noted above.

## **9. Planning Considerations**

### **a. Principle of development**

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

In this case, the Wiltshire Core Strategy, including those policies of the North Wiltshire Local Plan saved in the WCS & CSAP DPD forms the relevant development plan for the Chippenham Area. The emerging Langley Burrell Neighbourhood Plan underwent informal consultation in March 2016 and formal submission to the Council has now taken place. Due to its limited progress to date, this document can only be afforded very little weight.

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

b. Chippenham Sites Allocation DPD

The CSAP DPD was formally adopted by the Council in May 2017. The proposed development forms part of Strategic Allocation CH2 (Rawlings Green). The proposal is in full compliance with CSAP.

c. Eastern Link Road

Paragraph 4.22 of CSAP states:

“Both proposals safeguard the potential for future road alignments to the east and south of the town and require that their design and layout must not prohibit road connections in the future. This is based on evidence prepared for the Plan that indicates an Eastern Link Road and/or a Southern Link Road may be longer term solutions to improving the town’s network resilience. The policies ensure that development during the Plan period does not undermine the future development of the town and will enable further investment in roads to support the growth of the town if required in future plan periods.”

The proposed development has been designed to a standard and specification that does not undermine the future provision of an Eastern Link Road from Parsonage Way across the River Avon should one be provided in the future. The proposal is therefore in compliance with CSAP.

d. Highways

The proposed cross section of the bridge provides for a 7.3 m wide carriageway together with margins, and is considered sufficient to accommodate the need for forecast traffic flows, pedestrians and cyclists.

It will be necessary to ensure that bridge design is compatible with vertical and horizontal alignments of road on both sides, and any constraints imposed as a result of the structure’s parapet walls must not interfere with stopping sight distances and junction visibility requirements for the road.

The bridge will be required to be adopted as a highway structure; provision will need to be made under a formal agreement for its adoption, and for a commuted sum payable in respect of ongoing maintenance liabilities, this will be dealt with under the provisions of s38 and s278 of Highways Act.

Subject to planning conditions the proposed development is considered to be acceptable and in accordance with CSAP, and CP60, CP61, CP62 & CP63.

e. Deliverability and Land Ownership

Concerns have been raised about the cost of the bridge and whether it is viable to deliver. The examining Inspector for the Chippenham Site Allocations DPD, at paragraph 40 of his report, concluded the following:

*The Government's PPG, particularly para 005 (ID 10-005-20140306), indicates an iterative approach to development plan policies. The advice states that evidence should be proportionate to ensure plans are "...underpinned by a broad understanding of viability". The updated assessment uses an industry standard residual approach to test the impact of the Council's policies on site viability. However the report recognises the limitations of the assessment and advises that residual valuations can only ever serve as a guide. Nevertheless, I am satisfied that the updated SSVA provides a satisfactory basis for assessing the viability of the potential strategic sites.*

Wavin and other representations received have also raised questions about land ownership and the ultimate deliverability of the bridge. This matter was specifically addressed during the CSAP examination and the examining Inspector, in finding the DPD sound, concluded the following:

*The remaining concern with deliverability of the rail bridge, that of disputed land ownership, was a matter raised as part of the resumed Examination. The small area of land in question lies between the built section of Parsonage Way which ends in a short spur adjacent to the top of the railway embankment and the ownership of Network Rail. The dispute is between Wiltshire Council and adjacent landowner, Messrs Wavin Plastics, each claiming a controlling interest in the land. The matter of land ownership is not a planning matter to be resolved within the Examination process, it is for the parties concerned to seek a resolution, ultimately through the courts. However, there are implications so far as deliverability of the rail bridge is concerned, and therefore completion of the development of the Rawlings Green site.*

*Counsel's Opinion submitted to the Examination, based on documentary evidence [CTTRAN/15], and legal advice obtained by KBC Developments Ltd [RM/7a], supports the Council's view that – on the balance of probabilities - the land between the kerb-line of Parsonage Way and the boundary of Network Rail's ownership was adopted as highway maintainable at public expense. Even if this were not the case, Counsel's Opinion is that Wiltshire Council could exercise compulsory purchase powers to acquire the land in order to construct or extend an existing highway.*

*From the evidence, and using a common-sense approach to the matter, it appears that the physical layout of Parsonage Way took account of a potential rail crossing and that the narrow strip of land in dispute has no other obvious use. It also appears unlikely that, if the matter of ownership were so important, it has not been disputed in the 20 or so years since this section of Parsonage Way was adopted. In particular, it does not appear to have been the subject of dispute earlier in the process of developing the CSAP and its submission for Examination. For these reasons there do not appear to be insurmountable problems which would prevent the construction of the rail bridge.*

*The future possible electrification of the rail line was raised at the hearings as a potential problem for the construction of a bridge. However, the Council's evidence was that the depth of the cutting at the point of crossing would be more than adequate for the inclusion of electrification apparatus, and no contrary evidence was presented.*

As set out above, all of these matters were raised during the examination of CSAP and it was found to be sound and ultimately adopted by the Council. For the reasons given above there is no sound basis to refuse the application.

f. Landscape Impact

Whilst this entry point to the 'Rawlings Green' site will see the removal of some trees, scrub and hedgerow and will impact on the open nature of the countryside, this could be mitigated and would not be a significant longer term adverse affect.

The proposal would inevitably change the character of the part of the site from soft rural boundaries to one that is developed and some visual and landscape harm would result. Whilst retained trees and hedgerows will mitigate the visual impact of the development to some extent, it will be necessary to provide additional landscaping to mitigate the harm, this can be controlled by condition. until the landscaping has matured and become fully established the development would be noticeable integrated in the context of the town. However in the longer term, the effect of this would be less significant.

Policies 51 & 57 of the NWLP seek high quality design and the provision of landscaping respectively officers, as was the CSAP examining Inspector, are satisfied that an acceptable landscaping scheme can be formulated to mitigate any harm. It is concluded that the proposed development would not conflict with Policies 51 & 57 of the CS or with the NPPF as any harm could be adequately mitigated.

g. Visual impact & Design

The proposal is for a road bridge and the appearance is ultimately going to be somewhat functional in character and appearance. The proposed design, subject to conditions controlling materials, is considered to be acceptable and will have no significant harmful impact on the character and appearance of the area. The detail submitted is considered to be acceptable.

Having considered the submitted plans and additional information officers are satisfied that the proposed development is in accordance with the NPPF and Policy CP57 of the Wiltshire Core Strategy.

h. Flood Risk

The Environment Agency, the Council's drainage team and highway officers raise no objection to the proposed scheme, subject to conditions. It is considered that the development is acceptable with regards to this matter. The development therefore accords with Core Strategy Policy CP67.

i. Air Quality

Whilst the area is not currently of concern regarding air quality it is recognised that all development is additive of air quality to some degree. Notwithstanding the findings of the air quality assessment that suggests impacts will be negligible, 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 here in Wiltshire is for the satisfaction of the adopted Core Policy, Air Quality Strategy, Air Quality Action Plan and adopted SPD which work towards



achieving contributions to the reduction of oxides nitrogen across the county irrespective of the existence of an AQA.

The Council are principally concerned with how developers are going to contribute to the improvement of local air quality, hence the councils adopted core policy seeks positive contributions to the aims of the Air Quality Strategy in Wiltshire; positive contributions may take the form of sustainable travel alternatives and infrastructure, driver training, tree planting, contributing to local air quality action groups. The Council also seek a financial contribution towards Air Quality Action Planning projects. The applicant has agreed to the requested contribution and this will be incorporated into the planning obligation/S106 agreement for the wider mixed use site at Rawlings Green.

j. Listed Buildings and Conservation Area

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

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

The access from Parsonage Way will impact on the setting of the Grade II listed Green Bridge via the creation of vehicular access bridge over the Great Western Railway Line. The existing bridge and its setting are described within the Statutory List entry for the asset. The proposal will have an impact on the setting of this listed bridge via the addition of an additional structure within the existing railway cutting in close visual proximity to it. This harm is considered to be less than substantial and at the lower threshold.

The Council’s Conservation Officer and the applicant’s supporting documentation agree that the proposed development is harmful to the setting of the listed bridge adjacent to the application site.

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

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

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

The wording of core policy 58 and the supporting text to the policy is quite clear that if harm is identified it is in conflict with the policy. As the proposal fails to conserve or enhance the setting of the heritage asset the development is in conflict with CP58. This is a matter that weighs against the scheme in the planning balance.

Failure of the proposed development to comply with CP58 is not necessarily fatal to the acceptability of the proposed development. Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

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

The process of determining the degree of harm, which underlies paragraph 132 of NPPF, must involve taking into account the value of the heritage asset in question. In considering harm it is also important to address the value of the asset, and then the effect of the proposal on that value. Not all effects are of the same degree, nor are all heritage assets of comparable significance, and it is for the decision maker to assess the actual significance of the asset and the actual effects upon it.

The Court of Appeal in *E Northants DC v Secretary of State for Communities and Local Government* [2014] EWCA Civ 137 (“Barnwell”) makes clear that the duty imposed by s72 (1) meant that when deciding whether harm to a conservation areas/listed buildings was outweighed by the advantages of a proposed development the decision-maker should give particular weight to the desirability of avoiding such harm. There is a “strong presumption” against the grant of permission in such cases. The exercise is still one of planning judgment but it must be informed by that need to give special weight to maintaining the conservation area/listed building. For the reasons set out above the proposal is in conflict with Core Policy 58 of the Core Strategy, it would also be in conflict with the NPPF unless the benefits of the scheme clearly outweigh the harm.

The public benefits of the scheme are significant. The new crossing will provide access to and allow the delivery of much needed market & affordable housing, will facilitate the provision of the Darcy Close-Parsonage Way relief road and give access to additional employment land.

Currently the listed building is visible from only limited public vantage points. The proposed bridge will provide additional public vantage points for members of the public to better appreciation of the heritage asset. For the reasons given above the minor harm caused by the construction of the bridge is outweighed by the significant public benefits set out above.

The points raised by Historic England are noted but it is difficult to agree with the conclusion reached in relation to the harm identified by them. Taking into consideration the development recently permitted at Wavin, existing site circumstances and landscaping between the proposed bridge and heritage asset it is considered that the bridge will not be clearly visible from Kilvert's Parsonage and the bridge will be read in the backdrop of existing commercial development and the railway. It is therefore concluded that the development will have a neutral impact on the setting of Kilvert's Parsonage. The development is considered to accord with CP58 and the NPPF in this respect.

Moving onto the conservation areas in the locality, it is not possible to identify any harm to the conservation areas or their setting the proposal would therefore conserve the setting of the conservation areas. The development is therefore not in conflict with the NPPF or Core Policy 58.

k. Prematurity

PPG advice on the issue of prematurity 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)*

As set out above, CSAP was formally adopted by the Council in May 2017. Policy CH2 allocates the Rawlings Green Site for development, in particular the allocation requires:

*A Link Road from Parsonage Way to Darcy Close, including connection over the main railway line and a road to Darcy Close (Cocklebury Link Road) to be completed and open for use as part of the first phase of development*

The bridge is required to be delivered at an early stage of the development. The provision of the bridge or determination of this application prior to granting of planning permission for residential development is not premature.

The application is not in conflict with the CSAP DPD but rather it is consistent with it. Moreover, the proposal will facilitate the delivery of the site and will allow the provision of the Parsonage Way and Darcy Close Link Road at an early stage of the development and in accordance with the requirements of CSAP.

l. Other matters

Some representations received from local residents, Parish/Town Council and Network Rail raised issues not specifically relevant to this planning application. These include, but not limited to, matters such as crime prevention, impact on PROW/Cycle Routes, Pressure on Local Services/ Provision of Infrastructure, coalescence with rural villages etc.

Often these representations were duplications of the representation received for the Outline Application for the mixed use development at Rawlings Green. Though the points raised are

material to the determination of the mixed use application they are not relevant material planning considerations for this application.

Network Rail have also questioned the need/proposal to stop vehicular traffic using the existing bridge on Cocklebury Lane and for it to be used solely as a cycle way and pedestrian access, thereby closing it to vehicular access. The current planning application doesn't propose any such closure. This is a matter to be considered in the determination of the Rawlings Green mixed use allocation.

As set out above- these are matters to be considered when determining the outline application and are not relevant to the determination of this application.

## **10. Conclusion**

It can be seen from the analysis in the body of the report that the proposed development is CSAP compliant. There is conflict with CP58 of the CS but when the proposal is considered against the NPPF the benefits of the scheme clearly outweigh any harm to the adjacent heritage asset.

The benefits of the scheme are clear. It would provide an opportunity to deliver the bridge required by CSAP at an early stage of the development and would help facilitate development within the site, furthermore, the proposal is consistent with the CSAP DPD and the benefits of granting consent are compelling. On balance, the public interest is best met by resolving to approve the application.

## **RECOMMENDATION**

### **Planning permission be GRANTED, subject to conditions listed below:**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until details of the external materials and appearance of the development hereby approved has 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 proposed application contains insufficient information and the matter raised above require 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 Prior to the commencement of the development full details of the structural design of the bridge, including cladding and exposed surface materials, arrangements for surface water drainage, lighting, lining and signing shall have been submitted to and approved in writing by the Local Planning Authority; the bridge shall be constructed in accordance with the approved details.

REASON: To ensure a structurally and aesthetically acceptable design.

- 4 Prior to the commencement of the development details of the alignment of the road over the railway bridge, and the design speed to be used, shall be submitted to and approved by the Local Planning Authority. The alignment shall be in accordance with the standards set out in Design Manual for Roads and Bridges. VOLUME 6 ROAD GEOMETRY. SECTION 1. PART 1. TD 9/93, and have regard to DfT Circular 01/2013.

REASON: To ensure that any future road across the bridge can be designed to a safe and appropriate speed standard, and be compatible with the bridge design.

- 5 Prior to the commencement of the development a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved CTMP. The CTMP shall include, but not be limited to, details of the access haul routes to the eastern side of the railway line, the arrangements for the main site compound (including access thereto and manoeuvring of lorries), craneage arrangements and timings for deliveries.

REASON: In the interests of highway safety and to ensure that inappropriate haul routes to the site are avoided.

- 6 The bridge, when completed, shall remain barriered to vehicles unless and until permitted development on the east side of the bridge requires vehicular access over the bridge.

REASON: In order to avoid unwanted encampment or parking in an area where a formal turning facility will not be provided, and in the interests of highway safety.

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

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in

the course of development;

- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- retained historic landscape features and proposed restoration, where relevant.
- details and location of any new or replacement trees, of a size and species and in a location to be agreed in writing with the Local Planning Authority, shall be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428

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

- 8 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first use of the bridge or the substantial completion of the bridge 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.

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

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

PF/9517.01- Site Location Plan- Received 08 December 2015

CB-001- Proposed Plan- Received 08 December 2015

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

#### INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic

importance, available access and the ground conditions appertaining to the sewer in question.

**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.

**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.

**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.

**INFORMATIVE TO APPLICANT:**

The proposed bridge will be subject to a legal agreement in respect of its adoption as highway and its future maintenance; the agreement will be made under the provisions of s38 and s278 of Highways Act, and the agreement should be concluded prior to the commencement of the works. The agreement will include a specific commitment to meet the costs of remediating unacceptable differential settlement at the bridge approaches, for a period of at least ten years.