

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

Date of Meeting	21 st March 2018
Application Number	17/09336/FUL
Site Address	Land at Three Bridges Derry Fields Ashton Keynes SN6 6PA
Proposal	Partial change of use of land to form a coach depot with improved access and enhanced landscaping.
Applicant	Mr Ellison
Town/Parish Council	Ashton Keynes
Electoral Division	Minety– Cllr Chuck Berry
Grid Ref	404125 193597
Type of application	Full Planning
Case Officer	Richard Sewell

Reason for the application being considered by Committee

Application called in by Councillor Chuck Berry for the due consideration of the proposals regarding the location of the development, relationship to adjoining properties and the potential impacts on residential amenity, visual amenity, highway safety, ecology and drainage.

1. Purpose of Report

To consider the above application and to recommend **APPROVAL** subject to conditions

2. Report Summary

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

- Principle of Development
- The scale, design, layout and materials of the proposed parking facility and impact on visual amenity
- Impact on the residential amenity
- Impact on highways
- Impact on ecology
- Impact on drainage
- Impact on the historic character and appearance of the Ashton Keynes Conservation Area

Ashton Keynes Parish Council **SUPPORTS** the application. 53 representations of support, 13 objections and 4 comments from members of the public were received.

3. Site Description

The application site is located to the west of Ashton Keynes, immediately adjacent but outside of the Ashton Keynes settlement boundary. The proposal site comprises the north-east corner of the former Three Bridges sand and gravel quarry, which is now undergoing restoration as approved under application N/11/01319/WCM. The permitted restoration proposals divide the application site into three distinct areas: a northern section restored to grassland, a central section restored to agriculture, and a southern section containing a fish nursery with grassed margins. These works are currently being undertaken.

The wider Three Bridges Quarry site covers an area of approximately 15ha, of which the application site covers approximately 2.7ha, currently comprising damp grassland and rough scrub surrounding a small lake that is currently being infilled in accordance with the permitted restoration scheme. A soil storage bund is located at the north-eastern corner of the lake, with the vehicle access being located at the north east corner allowing access from the B4696. This access has historically been used to accommodate large quarry vehicles and is currently used by vehicles carrying out earth works as part of the ongoing restoration scheme.

The site is predominantly flat and bounded on all sides by tall, unmanaged hedges and mature trees. The operations area of Dairy Farm Quarry is located to the northwest, and the remainder of the Three Bridges Quarry forms the rest of the western boundary. To the immediate south is a fishing lake with the eastern site boundary being mature hedgerow, shrubs and trees, beyond which lies the B4696.

The site is within a Local Wildlife Site (LWS) that is designated for the combination of lakes, quarries and grasslands that support some bird interest. Within the wider locality are other ecologically important sites, including the Pikes Corner SSSI which is located approximately 800m to the south east. Much of the proposal site lies within Flood Zone 2.

The nearest residential properties and approximate distances from the site access to the proposal site are Derryville (35m), The Grove (65m), 17 Derryfields (82m) and Derryfields Farm (100m). All of these dwellings are to the west, on the adjacent side of the highway immediately opposite the existing site access. That side of the road lies within the Ashton Keynes Conservation Area but none of these properties are listed. It is to be noted that the proposal site is not included within the Conservation Area

The B4696 to the immediate east of the site runs north to south and acts as a bypass for the large village of Aston Keynes, providing direct access to the Spine Road (East and West), approximately 0.9 miles to the north and the M4 Motorway, approximately 9 miles to the south. The existing site access is hard surfaced and wide enough to accommodate the heavy good vehicles associated with the former quarry operation and also those vehicles involved with the substantial earth works required as part of the consented restoration scheme currently taking place on site.

4. Planning History

N/10/01486/WCM- S73 Application to Continue Development Without Compliance with Condition 2 of Planning Permission N.02.0508 to Allow Continued Use of the Site for Silt Disposal and to Allow a Revised Scheme of Restoration (To Revise Consented Scheme and Include a Fish Nursery)

N/10/01479/WCM- S73 Application to Continue Development Without Compliance of Condition 2 of Planning Permission N.02.0506 to Allow a Revised Scheme of Restoration (Restore Small Field and Provide Pond for Recreational Use)

N/11/01319/WCM- Revised Restoration Scheme Consented Under Application Numbers N/02/0508 and N/02/0506 Through Additional Silt Disposal Process and Continued Inert Infilling to Form a Small Field, a Fish Nursery and a Nature Conservation Area at M C Cullimore (Gravels) Ltd PERMITTED

16/12494/FUL- Partial Change of Use of Land at Three Bridges to Form a Coach and Car Park Facility and Erection of Two Dwellings, Landscaping and Access Works WITHDRAWN

5. The Proposal

The proposal is to construct a parking facility for the majority of the fleet and staff vehicles of Ellison's Coaches that is currently located in the centre of the village. The existing site would be retained, as it not only provides a workshop/garage for the maintenance of the applicant's fleet of vehicles, but also for the residents of Ashton Keynes as it is the only garage facility located within the village. The proposal site will consist of approximately 1ha of permeable hard standing that would provide parking for up to 30 coaches 30 cars. This area is to be bounded on all sides by tall hedgerow and trees. Gated access into this area would be located towards the northeast corner.

The existing entrance off of the B4696 would form the main access into the site. This would provide access to the coach parking area via a tarmac surface, and from thereon to the remainder of Three Bridges Quarry via a gravel driveway leading around the northern and western perimeter of the site. From the entrance, a separate track would lead down the eastern side of the site, parallel to the B4696, providing access to a small pedestrian and cycle access which would be created opposite the junction of the B4696 and The Derry, in the position of a disused and overgrown field gate which marks a former access point in the southern portion of the site. The consented agricultural area in the southern half of the site would be replaced by semi-improved wildflower grassland. This would be bounded to the north by a hedge with hedgerow trees. The fish nursery to the south of the site will remain undisturbed.

6. Planning Policy

National Planning Policy Framework 2012 (NPPF)

Achieving sustainable development – Core Planning Principles (Paragraphs 7, 11, 14 & 17)

Chapter 1- Building a strong, competitive economy (Paragraphs 18, 19 & 21)

Chapter 3- Supporting a prosperous rural economy (Paragraph 28)

Chapter 4- Promoting Sustainable Transport (Paragraphs 30, 32, 36 & 41)

Chapter 7- Requiring Good Design (Paragraphs 56, 57, 58, 65 & 66)

Chapter 11- Conserving and enhancing the natural environment (Paragraphs 109, 111, 113, 117, 118, 120, 121, 123 & 125)

Chapter 12- Conserving and enhancing the historic environment (Paragraphs 126, 127, 128, 129, 131, 132 & 137)

Wiltshire Core Strategy (WCS) (Adopted January 2015)

Core Policy 1- Settlement Strategy

Core Policy 2- Delivery Strategy

Core Policy 3- Infrastructure Requirements

Core Policy 13- Malmesbury Community Area

Core Policy 34- Additional Employment Land

Core Policy 50- Biodiversity and Geodiversity

Core Policy 51- Landscape

Core Policy 54- Cotswold Water Park

Core Policy 55- Air Quality

Core Policy 57- Ensuring high quality design and place shaping

Core Policy 58- Ensuring the Conservation of the Historic Environment

Core Policy 61- Transport and New Development
Core Policy 62- Development impacts on the transport network
Core Policy 67- Flood Risk

North Wiltshire Local Plan 2011

NE14- Trees and the control of new development

Ashton Keynes Neighbourhood Plan 2017

HSP1- Site Allocations

HSP2- AB Carter Haulage

INP1- Flood risk mitigation in new developments

INP2- Road and Pedestrian Safety

AMP1- Village Centre Amenities

AMP4- Car Parking

ENP1- Protection of biodiversity and wildlife sites

ENP2- Environmental infrastructure and accessibility

ENP3- Enhancing the landscape character of the Parish and

retaining the character of the village including the tranquillity of its setting

HCP1- Local character

ECP2- Use of former Minerals Extraction and Manufacturing Sites

7. Summary of consultation responses

Ashton Keynes Parish Council – SUPPORT the application with the caveat that the traffic management of the coaches accessing the village would be restricted to those indicated in the application. To allay concerns of additional lighting in the area, the Parish Council would prefer dark sky lighting to be used at the site.

Highways- NO OBJECTION subject to conditions relating to technical details of site access, visibility splays and a Travel Plan detailing how the two preferred routes indicated in the Transport Statement will be utilised for routes between the existing and proposed sites.

Ecology- NO OBJECTION subject to a condition requesting that the development will be carried out in strict accordance with the prescriptions given in Section 6 of the Ecological Appraisal by Malford Environmental Consulting dated 8th September 2017

Natural England- NO OBJECTION. Natural England do not consider the change of use will damage, destroy or be detrimental to the existing interest features of the Cotswold Water Park SSSI, Upper Waterhay Meadow SSSI, Elmlea Meadow SSSI or North Meadow SSSI/SAC. Pike Corner SSSI, which is the closest designated site is up stream of the site at Ashton Keynes and as such will not be impacted. Natural England also do not consider the change of use to be detrimental to the important overwintering and breeding birds assemblages present in the Cotswold Water Park which are being considered for inclusion in a re-notified Cotswold Water Park SSSI

Environment Agency- NO OBJECTION. The EA consider that this proposal will not increase flood risk but have specified conditions relating to a landscape management plan and a scheme of surface water drainage focusing on pollution prevention.

Drainage- NO OBJECTION subject to conditions as specified by EA

Arboriculturist – NO OBJECTION subject to condition requiring the development to be carried out in accordance with Arboricultural Method Statement

Minerals & Waste- NO OBJECTION. The extant minerals permission (N/11/01319/WCM) does not itself preclude proposals coming forward for any other development within the site now or in the future. If approved the proposed development would therefore supersede the requirements of the minerals permission for part of the site

Conservation- NO OBJECTION. The containment of the vehicular use to part of the site is welcomed and the ecological benefits previously negotiated by the LPA remain in that the restorative works will still be undertaken to 2/3s of the site. The historic character of the site is considered to be industrial associated with stone extraction, thus the historic setting of the Conservation Area would have been a series of quarries and pits along the opposite side of the road to the Conservation Area. The existing hedge provides a degree of screening thus the site is not readily visible from the public domain, the proposal includes landscaping works that will reinforce this boundary and as such prevent views through to the proposed parking area. The potential impact of the parking area on the setting of the Conservation Area is a best described as minimal as result. Considering the current garage and parking area in the village centre, it is clear there is significant benefit in relocating the coach parking from within the village in terms of the aesthetics of a less intensive daily operation and less vehicular movements to conflict with local traffic at peak times. The benefits associated with easing traffic flow and improving pedestrian and vehicular safety are more than sufficient in order to offset any perceived harm to the setting of the Conservation Area.

Public Protection- NO OBJECTION.

Landscape- OBJECTION. The introduction of new permanent urban land use/s on land to the west of Derry Fields Road is not characteristic and will weaken rural character. Derry Fields Road clearly denotes the edge of the existing settlement and denotes the rural boundary within the landscape. However, the proposed supplementary native tree and woody shrub planting will mean that the resulting adverse visual effects identified to arise from this development are likely to be successfully mitigated in the medium and longer term.

Archaeology- NO OBJECTION.

8. Publicity

The application was advertised by neighbour letter, site notices and press advert. These generated 13 letters of objection, 4 comments and 53 letters of support. A summary of the representations is set out below:

- Inappropriate site for business use outside of the settlement boundary
- Proposed coach and staff parking facilities will not fully alleviate congestion within the village
- Increased vehicle movements will impact on highway safety due to high speeds on the B4696
- Coach parking site should be located further out of the Ashton Keynes towards larger settlements such as Swindon or Royal Wootton Bassett.
- Proposal is contrary to various policies including WCS Core Policy 2 and Ashton Keynes Neighbourhood Plan
- Impact on residential amenity in terms of light and noise pollution
- Inappropriate development in designated County Wildlife Site
- Increased flood risk as site is within Flood Zone 2
- Proposal would set precedent for other business/industrial uses within former gravel extraction sites located within the Cotswold Water Park

- Impact on historic character, appearance and setting of Conservation Area and Listed Buildings
- Proposal site far larger than is required for parking facilities

9. Planning Considerations

Policy and principle of development

Under the provisions of Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015) and the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006) and the Ashton Keynes Neighbourhood Plan (AKNP) (made May 2017).

Acceptability of proposal site being located outside of the defined settlement boundary

The proposal site is outside of the settlement boundary for Ashton Keynes, as defined by the North Wiltshire Local Plan 2011 Proposals Map 9b and the Map AK-1 contained within the adopted Ashton Keynes Neighbourhood Plan (AKNP) 2017. Core Policy 2 states that development will not be permitted outside of the limits of development other than in circumstances as permitted by exception policies contained within in paragraph 4.25. Amongst these exception policies is Core Policy 34 relating to additional employment land. This Policy seeks to support business development relating to the retention or expansion of existing business within or adjacent to Large Villages providing developments are consistent in scale with their location, do not adversely affect nearby buildings and the surrounding area or detract from residential amenity. Further to this any such proposals will need to be supported by evidence that they are required to benefit local and economic social needs and that they are supported by adequate infrastructure.

Objectors have drawn attention to the fact that the location of the proposal site outside of the defined settlement boundary is contrary to both the WCS and the AKNP. As demonstrated within the application supporting documents, Ellison's coaches is a long established employer within the village of Ashton Keynes. The business not only provides a local service in terms of means of transport, but also provides the only garage facility within the village serving local residents.

Currently the fleet consists of 27 coaches, with only 19 coaches being able to be stored on the village centre site at any one time meaning the rest of the fleet has to be stored on privately owned sites within the village, including 7 coaches being parked at the former AB Carter Haulage site to the south of the village. However, the AB Carter Haulage site has been allocated within the AKNP for development of up to 11 dwellings (AKNP Policies HSP1 and HSP2) meaning it will soon be no longer available for coach parking. In addition to the fleet of coaches, employees of Ellison's also park their vehicles in the centre of the village, most notably within the Village Hall car park. The parking of both coach and employee vehicles results in significant congestion within the village, specifically at peak times during the local school drop off and collection times impacting on road and pedestrian safety. The level of congestion also impacts on the residential amenities of the village and the character and appearance of the village centre within the Conservation Area.

The proposal site will facilitate the expansion of the existing rural based business by allowing an increase in fleet size from 27 to 30 coaches as shown on the parking layout of the proposed site plan and referenced within the Supporting Statement. As will be discussed later in this report, it is considered that the proposed development is consistent in scale with the location, does not adversely affect nearby buildings and the surrounding area or

significantly detract from the residential amenities of the locality. As evidenced by the significant amount of local support for this application the relocation of the majority of the fleet and employee vehicles will benefit local economic and social needs by retaining and expanding an established local business and also by alleviating local traffic congestion within the village which will be beneficial to road and pedestrian safety and residential amenity. In addition, the proposal site also has direct access to the B4696 which is the main access route to the wider area and M4 meaning it is supported by adequate infrastructure. The relocation will also support the delivery of the AKNP housing allocation. The proposal is therefore considered to satisfy the requirements of Core Policy 34 being an exception policy that supports development at this location outside of the defined settlement boundary which also in accordance with the AKNP.

Objectors also consider the proposal to be contrary to Core Policy 54 relating to the Cotswold Water Park. Core Policy 54 is not considered directly relevant to this proposal as it relates to proposals for outdoor or water based sports, leisure and recreation based development within the defined area of the water park. However, Core Policy 54 does not expressly prohibit this type of proposed development in this location and is therefore not considered that there is conflict with this policy. Objectors have also raised concerns that by allowing this development, a precedent would be set for further business/industrial uses within the proposal site and also within other former gravel extraction sites within the Cotswold Water Park. Firstly, the use of the site as a coach park would be Sui Generis meaning it would not benefit from any further permitted change of use. Secondly, there is no such thing as “precedent” within the planning system per se as each application must be determined on its own merits as is a requirement of the planning acts/national legislation. Previous decisions are capable of being material considerations of some weight but are not in and of themselves determinative of future proposals in the locality or an application before the Local Planning Authority.

Therefore the siting of the proposal outside of the defined settlement boundary of Ashton Keynes is considered acceptable in relation to Core Policies 2 and 34 and also the AKNP.

The scale, design, layout and materials of the proposed parking facility and impact on visual amenity

Core Policy 57 seeks that, amongst other things, proposed development must relate positively to the landscape setting and existing pattern of development in terms of building layouts, built form, height, mass, scale, building line, plot size, elevation design material to effectively integrate into its setting. Development must also make efficient use of the land whilst taking into account the characteristics of the site and local context to deliver appropriate development which relates effectively to the immediate setting and the wider character of the area. Core Policy 51 states 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. AKNP Policy ENP3 maintains that development in the Parish should protect, conserve and where possible enhance landscape character. These policy requirements reflect and accord with the relevant paras of the NPPF including para 17.

The proposal site will feature approximately 1ha of permeable hardstanding surrounded by tall hedgerow and vegetation screening, with tar mac surfaced vehicle access and gravel access track running along the western, northern and eastern perimeters. The proposed and existing landscape features and planting will mitigate the visual impact of the parking area, as these features significantly reduce views across the site, meaning it will not appear as visually prominent within the wider landscape setting. When viewed in comparison to the adjacent highway and surrounding residential development, this proposed area of

hardstanding will not have any additional significantly adverse impact on the character of the locality.

The Council's Landscape Officer has raised an objection to the proposal stating that it will result in some adverse urbanising change in character from the currently approved rural scheme of restoration and that the introduction of new permanent urban land use/s on land to the west of Derry Fields Road is not characteristic and will weaken rural character. The Landscape Officer however does acknowledge that due to the relatively flat and low rolling nature of the landscape in this character area, the existing intervening landscape vegetation structure lining roads, watercourses and enclosing fields forms an effective filtering and screening function to many potential visual receptors. The Officer concedes that with the full implementation of landscape mitigation measures prescribed in the Landscape Statement, as illustrated on the 'Site Layout and Landscape Structure Plan - Drawing reference 1920/PA/2/D', in the form of new supplementary native tree and woody shrub planting, the resulting adverse visual effects identified to arise from this development are likely to be successfully mitigated in the medium and longer term. Core Policy 51 states that any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. It is therefore considered that the proposed landscaping of the site and additional planting scheme does adequately mitigate against the urbanising impact of the development when viewed within the wider landscape setting.

The proposal is therefore considered to be compliant with Core Policies 51, 57 and AKNP Policy ENP3.

Residential amenity

Core Policy 57 seeks to ensure that proposed development has regard to the compatibility of development with adjoining buildings and uses, alongside minimizing the impact on the amenities of existing occupants and ensuring that appropriate levels of amenity are achievable within the development. This includes consideration of privacy, overshadowing, vibration and pollution (e.g light intrusion, noise, smoke, fumes, effluent, waste or litter).

Objectors have raised concerns relating to noise and light pollution generated from coach and staff vehicle movements within the site. The nearest residential properties are located on the eastern side of the B4696 with the closest being Derryfields at approximately 35m to the north east of the vehicle access. Immediately opposite the site entrance is the long driveway leading to Derryfields Farm which sits approximately 100m due east to the proposal site entrance.

The application site access has historically served as an entrance for large vehicles entering and leaving the quarry and more recently for those involved with the restoration scheme. As such this represents the baseline existing circumstances at the site and a material consideration as to the impact of the development proposals. The site as existing is screened on all sides, but most notably along the eastern boundary which comprises a dense mixture of mature trees, shrubs and hedgerow. The proposed site plan indicates a significant level of additional soft planting along the entire perimeter of the proposed parking area, providing a significant level of screening to shield headlights from the surrounding area. Enhanced tree and hedge planting is also shown on the site plan running adjacent to the highway, but this area is outside of the proposal site and therefore any further planting cannot be conditioned accordingly. Irrespective of this, this boundary around the proposal site is already dense with existing mature vegetation. When this is seen in the context of the proposed planting scheme and level topography of the proposal site and surrounding area, it is not considered that light spillage from headlights of vehicles maneuvering within the site will significantly impact on the nearest dwellings (which are a significant distance away from the proposal site Derryville at 35m being the closest), over and above the existing baseline situation. Further to this, it is to be noted that no external lighting is proposed within the

application and a condition will be imposed requiring any additional lighting details to be submitted and agreed in writing by the Council.

The accompanying Supporting Planning Statement describes a significant part of the business as being school/college transport which is understood to take place before 07:00am. However, there are no hours of operation specified for the proposal site and indeed the statement specifically states that there is 24hr operation taking place on the existing site within the village. Concerns relating to potential noise disturbance were raised by the Council's Public Protection Officer who requested that a Noise Impact Assessment be submitted as part of the application. The Assessment has been undertaken and submitted to officers. The report details existing typical background noise levels, the prediction of the traffic noise levels after the development is completed and also the prediction of vehicles idling during start up and shut off periods. The Assessment demonstrates that additional noise increase to surrounding properties as a result of coach movements will be minimal at 0.2db, but that idling coaches during night time hours will result in an increase of 15db at the most sensitive residential property, which the Assessment identifies may give rise to complaints. The Assessment advises that a policy be adopted that no coaches are permitted to idle on site between the hours of 23:00 – 07:00. It is to be noted that Ellison's normal procedure for departure only involves the starting of the engines and driving off, which has been accounted for within the assessment.

Whilst not objecting to the scheme proposals as a result of these findings, the Public Protection Officer has advised that the no idling policy be conditioned accordingly. In order to address this matter effectively and in accordance with the 6 tests on the use of conditions set out in the National Planning Practice Guidance, it is considered reasonable and necessary to condition the submission of a site management plan to demonstrate how any on site noise intrusion will be kept to an absolute minimum. A key component of this management plan will be that there are no idling engines on site between the hours of 11:00pm and 06:00am, with the plan also detailing other areas of good practice in terms of consideration of local residents and amenities. The agent has been made aware of this requirement and has agreed to the use of the condition and these heads of terms and provisions for inclusion in the Site Management Plan in an email dated 6th March 2018.

Taking the above light and noise considerations into account when considered in addition to those activities associated with the gravel extraction operation of the site and currently generated by vehicles travelling along the B4696, it is not considered that the proposed development will result in any significant additional adverse impact on the existing level of residential amenity currently afforded to the surrounding properties in terms of light pollution and noise disturbance meaning the proposal is in accordance with Core Policy 57(vii) such that permission ought to be refused on this basis.

Impact on Highways

Core Policy 61 requires that proposal sites are capable of being served by safe access to the highway network and that new development should be located and designed to reduce the need to travel particularly by private car. Core Policy 62 stipulates that developments should provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages. AKNP Policy INP2 Road and Pedestrian Safety states that development proposals that lead to an increase in road and pedestrian safety risk will not be supported.

The Supporting Planning Statement and Transport Assessment both confirm that the majority of the fleet will be stored at the proposal site but that the High Road depot within the village will be retained for maintenance, cleaning and refuelling purposes which will occur approximately once every 2 weeks per vehicle. The AKNP clearly identifies that there are congestion issues within the village, specifically at peak times around school drop off and

pick up times and this is also evident to officers through site visits to the Ashton Keynes village in handling multiple applications in this locality. Relocating the fleet and staff vehicles outside of the centre of the village will assist in alleviating this issue also improving road safety which is a key component of the AKNP.

Objectors have stated that the section of the B4696 where the proposal site is to be located is not suitable for larger vehicles due to the high speeds of passing traffic, the lack of pavements and also poor visibility at the site entrance. The Council's Highways Engineer has assessed the proposal documents and Transport Assessment and has raised no objection to the proposal but has sought via condition full technical details and visibility splays of the access. In addition, to ensure minimal disruption on the local road network during vehicle movements between both sites for maintenance, cleaning and refuelling purposes, a condition will be imposed relating to the submission and approval of a travel plan which demonstrates how movements along the preferred routes of Cox's Hill and Main Bridge will be implemented and monitored.

Therefore the proposal is considered not to have a significant detrimental impact on highway safety in accordance with Core Policies 61 and 62 and AKNP Policy INP2.

Impact on ecology

Core Policy 50 requires development proposals to demonstrate how they protect features of nature conservation, with an expectation that such features shall be retained, buffered and managed favourably in order to maintain their ecological value, connectivity and functionality in the long term. All development proposals shall incorporate appropriate measures to avoid and reduce disturbance of sensitive wildlife species and habitats throughout the lifetime of the development.

AKNP Policy ENP1 states that development should minimise impacts on biodiversity and provide net gains in biodiversity where possible.

The proposal includes a significant amount of additional planting, including a substantial area of wild flower grassland to the south of the proposed parking area. The application is accompanied by an Ecological Appraisal completed by Malford Environmental Consulting who have carried out extensive ecological surveys of the site at various stages of the mineral extraction programme and to inform discussions on the currently permitted restoration plan (N/11/01319/WCM). The Council's Ecologist has visited the site several times in the last few years in relation to the minerals permissions and has confirmed that sufficient information has been collated from several years of survey, including a recent update, to accurately identify all sensitive ecological receptors that could be affected by the proposed change of use.

Malford Environmental Consulting have made recommendations within their report for measures to ensure that sensitive ecological receptors are protected during construction and during the post-construction operation of the site. These include but are not limited to the following:

Trees and shrubs at the boundaries of the site are to be retained and these will be protected during construction by a suitable stand-off to ensure that root systems are not damaged, which could weaken trees and shrubs and eventually cause their death. Protection of retained trees and shrubs will ensure that they remain functional for the wildlife species they support. In addition, a minimum 5m buffer strip between the coach park and adjacent hedge and tree lines, will ensure that foraging availability for bats is not compromised.

A 10m wide buffer to the watercourse at the western edge of the site, together with strict adherence to the Environment Agency Pollution Prevention Guidelines, will ensure that the

watercourse and riparian habitat remains habitable and functional for the range of wildlife it supports, including water voles and otters.

No additional lighting will be erected on the site, so there will be no potential additional impacts on local wildlife species. Furthermore, the landscaping plan for the coach park area includes planting a tall hedge around its immediate edges, which will reduce light spill from headlights, onto surrounding habitats.

The Council's Ecologist has commented that impacts on Statutory and non-Statutory Designated Sites have been dealt with through the minerals permissions for the site and the agreed restoration plan. The Habitats Regulation Assessment of the Wiltshire Minerals Core Strategy found that the extraction of minerals and restoration of the site would not result in adverse impacts to features of North Meadow and Clattinger Farm Special Area for Conservation (SAC), the only Natura 2000 site within 10km of the application site. This is due to the distance between the extraction site and either Clattinger Farm SSSI (2.3km to the west) or North Meadow SSSI (4.75km to the north-north-east), which are the two component SSSIs of the SAC. There is no hydraulic or hydrological connectivity since the mineral site is downstream from Clattinger Farm SSSI on any local watercourse and the groundwater in that area flows from north west to south east. There is therefore no mechanism for impact on any Natura 2000 site and the application site can be screened out of Habitats Regulation Assessment.

The Council's Ecologist has confirmed that offsite impacts on other designated sites are unlikely. Pike Corner SSSI and Swillbrook Farm Meadows LWS are both highly dependent on groundwater flows and water quality remaining unchanged, however they are both upstream of the application site, so cannot be affected by surface water run-off or other hydrological impacts. Although Swillbrook Field CWS and the River Thames CWS are both downstream of the site, with potential to be adversely affected by surface water or pollution events, precautionary measures relating to (amongst other things) surface water-run off, waste storage and 10m buffer from the coach/car park hard-standing area have been recommended within Section 6 of the Ecology Appraisal and agreed by the Council's Ecologist. These measures will be conditioned in accordance with the advice received from the Environment Agency in respect of the treatment of surface water run-off and ground water pollution prevention.

Natural England have been formally consulted and do not consider the change of use will damage, destroy or be detrimental to the existing interest features of the Cotswold Water Park SSSI, Upper Waterhay Meadow SSSI, Elmlea Meadow SSSI or North Meadow SSSI/SAC. Pike Corner SSSI, which is the closest designated site is up stream of the site at Ashton Keynes and as such will not be impacted. Natural England also do not consider the change of use to be detrimental to the important overwintering and breeding birds assemblages present in the Cotswold Water Park which are being considered for inclusion in a re-notified Cotswold Water Park SSSI

The Council's Ecologist is satisfied that the proposal would not result in any degradation of ecological quality of the site but would result in a net gain for biodiversity over that which would be expected from the currently permitted restoration plan;- specifically as a result of the proposed wildflower grassland and planting of native mixed hedgerow. Furthermore, if carried out in strict accordance with the recommendations made by the ecological consultants, the works will not result in any adverse impacts to sensitive habitats or species within the site or within the wider local area. The proposed development is therefore considered to comply with Core Policy 50 and AKNP Policy ENP1

Impact on drainage

Core Policy 67 states that all new development will include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground water (sustainable urban drainage) unless site or environmental conditions make these measures unsuitable. AKNP Policy INP1 requires that development should not increase flood risk. The development of sustainable Drainage Systems to address flood risk is supported.

The proposal site is within Flood Zone 2. The Flood Risk Assessment (FRA) submitted as part of the application demonstrates that the residual flood risks are manageable over the lifetime of the development and the development proposals are deemed to be 'safe' and sustainable in flood risk terms. The proposed development will involve a change in a small area of land surface to a permeable hard core finish for the coach parking and a gravel access track. Sub drainage from the parking area (required to prevent water logging) and surface runoff from other areas will be directed towards the fish nursery in the south of the site. A filter drain will be located along the south of the coach park providing filtration and therefore mitigating any issues of water quality of surface water associated with the parking of vehicles.

The Environment Agency have raised no objection to the findings of the FRA and have confirmed that the proposal will not increase flood risk subject to various details relating to surface water drainage being secured via condition. This is on the basis that the proposed development is classed as Less Vulnerable and falls within Flood Zone 2. The FRA shows the proposed parking to be above the flood level and resilient to flooding in a flood event and also features a permeable surface. The Council's Drainage Engineer agrees with this consultation response provided by the EA and has advised no further conditions are necessary.

The development therefore accords with the requirements of Core Policy 67 and AKNP Policy INP1.

Impact on the historic character and appearance of the Ashton Keynes Conservation Area

Core Policy 58 states that development should protect, conserve and enhance where possible the historic environment, including the special character and appearance of Conservation Areas. In addition, Core Policy 57 requires proposals to be sympathetic to and conserve historic buildings and landscapes. AKNP Policy HCP1 details that styles, proportions, materials and finishes used for new build and conversions of both residential and commercial properties must be in harmony with their surroundings, in particular when these are in close proximity to Listed Buildings and Scheduled Monuments.

The proposal site is not within the Ashton Keynes Conservation Area and there is no indivisibility with respect to the setting of any of the nearest Listed Buildings which are a significant distance from the proposal site, with the nearest being 215m to the north east. The Conservation Officer has commented that the existing hedge already provides a degree of screening meaning that the site is not readily visible from the public domain or the setting of the Conservation Area. Further to this, the Conservation Officer considers that the proposed landscaping works will reinforce this boundary and as such, prevent views through to the proposed parking area. Therefore it is not considered that the proposed development will have any significantly harmful impact on the setting of the Conservation Area and is in accordance with Core Policies 57, 58 and AKNP Policy HCP1.

Other issues

Objectors have queried the appraisal of alternative sites for the proposed development and have disputed the reasons as to why the Brickworks Site in Purton was disregarded by the applicant. These other locations are not the subject of this application and it is a requirement

of the planning system that the proposal submitted to the Council for consideration is assessed on its own individual merits and site specific circumstances.

10. Conclusion (The Planning Balance)

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 as do paragraphs 2, 11 and 196 of the NPPF

The proposal site is outside of, but immediately adjacent to, the defined settlement boundary of the large village of Ashton Keynes and is not allocated for any form of development. This is a location where development is not ordinarily permitted other than in the policy circumstances listed in paragraph 4.25 of the WCS, with Core Policy 34 Additional Employment Land being applicable in this instance as the proposal facilitates the expansion of an existing rural based business based within the large village.

The submission identifies that the relocation of the majority of the fleet of coaches and staff vehicles to the settlement outskirts will assist in alleviating congestion and road safety concerns within the centre of the village, specifically at peak times during school drop off/pick up times. Removing vehicles stored at the AB Carter Haulage site will deliver the implementation of an AKNP allocated housing site. By keeping the depot within the village for the fuelling and maintenance of the fleet, this also retains the garage facilities serving the local residents of Ashton Keynes. In addition, the development would provide opportunities for an established rural business to expand and provide for future employment opportunities. The location of the proposal site will allow good access to the wider transport network via the B4696 without the need to travel into the village, except on an infrequent basis for vehicle maintenance and refuelling.

The impact on the current level of amenity awarded to the properties nearest to the proposal site in terms of light and noise pollution is not considered to be of a level significant enough for the proposal to be considered unacceptable, especially when seen in comparison to the impact to these properties as a result of the existing volume of traffic movements to and from the site and along this section of the B4696.

The Council's Landscape Officer has objected to the proposal due to the adverse urbanising change in character from the currently approved rural scheme of restoration commenting that the introduction of new permanent urban land use/s on land to the west of Derry Fields Road is not characteristic and will weaken rural character. However, it is considered that this adverse impact will be adequately mitigated against as a result of the proposed supplementary native tree and woody shrub planting mean that the resulting adverse visual effects identified to arise from this development are likely to be successfully mitigated in the medium and longer term.

No further objections to the development have been raised by any other statutory consultees meaning that the impact on local ecology, drainage, highway safety and the setting of the Conservation Area is considered to be of an acceptable level, subject to certain technical details and adequate mitigation measures being secured by condition. The proposal is not considered to jeopardise the consented wider restoration of the former gravel extraction site and is confirmed to result in net gain for biodiversity, over that which would be expected from the currently permitted restoration plan.

On balance, therefore, it is considered that the proposal is acceptable in planning terms and in accordance with the Core Strategy, Ashton Keynes Neighbourhood Plan and the NPPF.

11. Recommendation

Planning Permission is APPROVED subject to the following conditions:

- 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 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 1920/PA/4 Site Location Plan and Drawing No 1920/PA/2 Rev Site Layout and Landscape Scheme D both received 26.09.17

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

- 3 No development shall commence on site until a scheme of hard and 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, means of temporary support and protection from livestock and vermin;

" finished levels;

" means of enclosure including gates;

" all hard and soft surfacing materials;

" minor artifacts and structures (e.g. refuse and other storage units, signs, bollards, street lighting etc);

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

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.

- 4 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.

- 5 No development shall take place until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the local planning authority, in consultation with the Environment Agency. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements:

- " detailed extent and type of new planting (NB. planting to be of native species)
- " details of maintenance regimes
- " details of any new habitat created on site
- " details of treatment of site boundaries and/or buffers around water bodies (including measures to ensure the riverbank is not allowed to scrub up to the extent that they become unsuitable for waders).
- " details of management responsibilities

REASON

This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.

- 6 The development shall be carried out as specified in the approved Arboricultural Impact Assessment incorporating Tree Survey, Tree Protection Plan and Arboricultural Method Statement (AMS) prepared by S J Stephens Associates dated 24th August 2017, and shall be supervised by an arboricultural consultant.

REASON: To prevent trees on site from being damaged during construction works.

- 7 The development will be carried out in strict accordance with the prescriptions given in Section 6 of the Ecological Appraisal by Malford Environmental Consulting dated 8th September 2017.

REASON: To ensure protection of ecologically sensitive habitats and species within or adjacent to the site.

- 8 No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON

The use of the site as a coach park has the potential to release hydrocarbons to ground. Ground water is likely to be close to the surface.

- 9 No development approved by the permission shall be commenced until a scheme of surface water drainage, focusing on pollution prevention, is submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as agreed, in the timescales agreed.

REASON: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution caused by mobilised contaminants in line with paragraph 109 of the National Planning Policy Framework.

- 10 No part of the development hereby permitted shall be first brought into use until the turning area and parking spaces have been completed in accordance with 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.

- 11 No part of the development hereby permitted shall be first brought into use until full technical detail of the access have been submitted to and approved in writing by the Local Planning Authority. The details shall be broadly in accordance with 'Junction visibility requirement Sheet 1 of 5' ST17110-01 details. The radius of the access shall be increased for the coaches. No part of the development shall be first brought into use until the access has been completed in accordance with the approved details. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

- 12 No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4m back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 160m metres in both directions from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1m above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

- 13 No development shall commence on site until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

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

- 14 No development shall commence until a Site Management Plan detailing measures to minimize noise disturbance has been submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall be implemented and operated in accordance with the approved details thereafter.

REASON: In the interest of residential amenity

- 15 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

- 16 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.

- 17 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.

- 18 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.

19 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.

20 INFORMATIVE TO APPLICANT:

Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

- the use of plant and machinery
- wheel washing and vehicle wash-down
- oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes.