

REPORT TO THE AREA PLANNING COMMITTEE

Date of Meeting	2 February 2022 North Area Planning Committee
Application Number	PL/2021/10696
Site Address	Land Adjacent to Sherston C of E Primary School, Sherston, Malmesbury, SN16 0NJ
Proposal	Outline planning application for Proposed erection of a GP Surgery (Class E(e)), car park and associated works (Outline application relating to access)
Applicant	Wiltshire Council
Town/Parish Council	Sherston CP
Electoral Division	Sherston Cllr Martin Smith
Grid Reference	186070, 384970
Type of Application	Outline
Case Officer	Martin Broderick

Reason for the application being considered by Committee

Under the scheme of delegation relevant to planning applications submitted by Wiltshire Council, these are not to be dealt with under delegated powers where an objection has been received raising material planning considerations.

1. Purpose of Report

The purpose of this report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application should be approved.

2. Report Summary

The key determining planning issues are considered to be:

- principle of the development;
- design issues;
- impact upon the immediate area including the Cotswolds Area of Outstanding Natural Beauty (AONB);
- impact on heritage;
- impact on biodiversity; and
- highway and access considerations.

2 representations of support and 1 of objection received.

Sherston Parish Council raised no objection and support the principle.

3. Site Description

The 'Red Line Boundary' is a 'roughly rectangular' shaped piece of level land, approximately 7,735.75 m² in area, and is situated outside but adjoining the settlement boundary of Sherston.

Sherston is a village set in the north-west of Wiltshire. The large parish includes the hamlets of Pinkney/Sherston Parva, to the north east, and Willesley and Knockdown on the northern boundary. The village is approximately 5.5 miles from both Malmesbury and Tetbury. The older part is on a spur land formed by the Sherston branch of the River Avon, with the earliest settlement on the flat top of this spur around the church.

The Application site is located on the western edge of the village and would be accessed from Sopworth Road (Figure 2). The site comprises an open agricultural field lying within the designated Cotswold AONB. The site has a strong relationship with the existing settlement.



Figure 1 Application Site

The boundaries of the Application Site are all well defined. Existing public sports facilities (tennis courts and a football field) are situated to the north, to the east lies existing housing development and the village primary school, to the south the site is bordered by Sopworth Lane. The southern boundary is formed by a natural hedge beyond which are open fields, and to the west by a single dwelling i.e. Hillberry Lodge and its large domestic curtilage and further agricultural land.

There is a Public Right of Way (PRoW) crossing the site from a stone stile at the southwest corner, running along the western boundary and exiting at the base of the water tower in the north-west corner (Figure 3). This footpath affords open views

across the whole of the site area and over expansive areas of the open countryside to the west and south. Views within the site are dominated by the rear elevations of existing housing and the primary school to the east. The effects on the users of this footpath will need careful consideration in the design of development.



Figure 2 Aerial View of site

The site is located in close proximity to a wide range of local facilities within the village core which can be accessed using sustainable modes of transport (walking or cycling).

The topography of the site is slightly sloping, and it is located within flood zone 1 indicating the lowest risk of flooding. The land generally slopes down from the north western edge of the site towards the south. Levels range from approximately 126-116.5m AOD.

The general nature of the locality is medium density residential, and the grounds and adjacent properties contain a variety of maturing trees and shrubs.

The site area is greenfield, adjoining the school (Sherston C of E Primary School) and within close proximity of an existing residential area, consisting of detached, semi-detached and terraced housing.

The locality is one of known archaeological interest and potential. The access and a part of the southern section of the site falls within the Sherston Conservation Area and there are numerous listed buildings to the south east. There is a Country Wildlife Site

lies to the south and records of protected species in the locality including grass snake, European Water vole, Bats & Kingfishers. As note the site is within the Cotswolds AONB.

4. Planning History of Application site

There are no historic planning applications/permissions relevant to the application site itself.

The application site and wider site is the subject of proposed development under application reference 20/08205/FUL. The proposal is for residential development and a GP surgery, together with vehicle and pedestrian access including a new footway to Sopworth Lane, associated parking, open space, landscaping, drainage infrastructure and land safeguarded for educational use. The application is undetermined.

The site is allocated for development in the Sherston Neighbourhood Development Plan (SNP) Policy 4 (Land off Sopworth Lane).

5. The Application

The application is submitted for outline planning approval for the proposed erection of a GP Surgery (Class E(e)), car park and associated works with all matters reserved except in relation to site access for which full permission is sought.

The submission is supported by Proposed Site Plan as revised (Figure 3). This identifies the following:

- The existing, permitted and proposed development in the vicinity of the Application Site;
- The vehicular access serving the Application Site;
- The existing trees and proposed hedgerow planting on all boundaries of the Application Site and area to be grassed;
- Proposed detention basin;
- Existing chain link fence;
- Existing/ new stone wall;
- Safe crossing;
- Tarmac to all footpaths, access roads and parking facilities;
- Primary and secondary access doors;
- Footpath and Public Right Of Way (PROW);
- Service area;
- Public, disabled, parent and staff Parking;
- Electric car charging points; and
- Bin and cycle storage.

The proposed development is for a new GP Surgery consisting of 600 m² over 2 levels and is supported by indicative details. The submitted Illustrative Layout and Means of Access Plan indicates that the new GP Surgery is relatively uniform in shape. This will

be similar in size to other buildings within the local area and will feature an amenity area.

The proposed net internal gross areas comprise the following:

Ground Floor	300 m ²
First Floor	300 m ²
Total	600 m²

On-Site Parking Provision

17 No. spaces	Public Spaces
2 No. spaces	Disabled
1 No. spaces	Parent
6 No. spaces	Staff

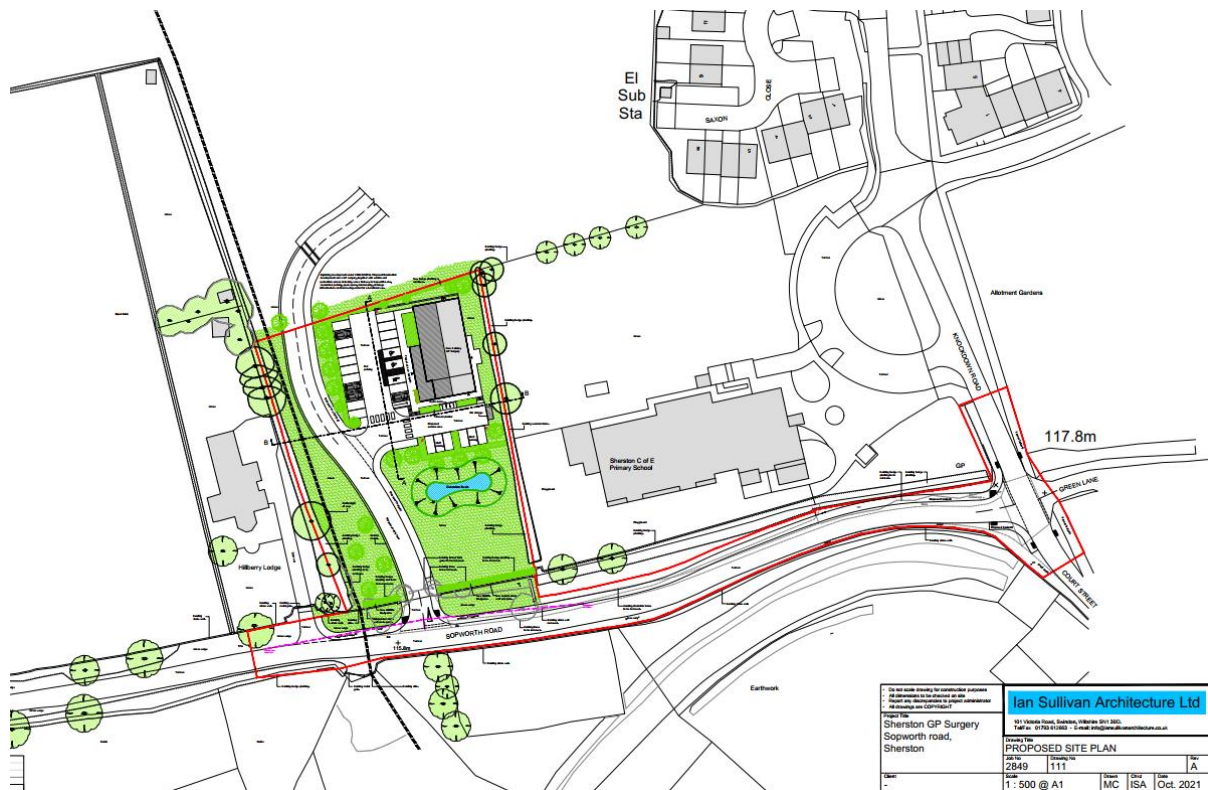


Figure 3 Proposed Layout 2849/112 Rev A

The submitted site layout indicates that the development proposal includes new proposed hedgerow planting on all boundaries (Figure 3).

The proposed new GP Surgery will be 2 storeys in height (Figure 4). Hedges, stonewalls and timber fences are a feature in the district forming boundaries between the road and properties.



Figure 4 Proposed Elevations 2849/116

6. Planning Policy

Wiltshire Core Strategy (Adopted 2015)

CP1 – Settlement Strategy

CP3 – Infrastructure Requirements

CP13 – Spatial Strategy for the Malmesbury Community Area

CP50 – Biodiversity and Geodiversity

CP51 - Landscape

CP52 – Green Infrastructure

CP57 – Ensuring High Quality Design and Place Shaping

CP58 – Ensuring the Conservation of the Historic Environment

CP60 – Sustainable Transport

CP61 – Transport and New Development

CP62 - Development Impacts on the Transport Network

CP64 – Demand Management

CP67 – Flood Risk

North Wiltshire District Plan (2011) – Saved policies.

NE14: Trees Site Features and Control of new development.

NE18: Noise and Pollution

Wiltshire Housing Site Allocation Plan (WHSAP) (Adopted 25 February 2020)

The Plan allocates sites for housing development to support the WCS and provides for updated settlement boundaries.

Sherston Neighbourhood Plan 2006-2026 (Made - May 2019).

Policy 4: Land off Sopworth Lane (Site 1)

National Planning Policy Framework 2021 (NPPF)

Paras 2, 3, 7, 8, 11, 12, 14, 38, 47, 92, 93, 96, 97, 110, 111, 112, 120, 130, 166, 167, 174, 176, 177, 180, 185, 197, 199, 200, 202, 203, 204

Other

- Planning Practice Guidance (PPG)
- Countryside & Rights of Way Act 2000 (CRoW Act 2000):
Section 85, Duty of Regard *“In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.”*
“The duty is relevant in considering development proposals that are situated outside National Park or Area of Outstanding Natural Beauty boundaries, but which might have an impact on the setting of, and implementation of, the statutory purposes of these protected areas.”
(Planning Practice Guidance – Natural Environment: Landscape Paragraph: 004 Reference ID: 8-004-20140306 Revision date: 06 03 2014)
- Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan 2018-2023. www.cotswoldsaonb.org.uk/management-plan
- Cotswolds AONB Landscape Character Assessment
www.cotswoldsaonb.org.uk/lca
- Cotswolds AONB Landscape Strategy and Guidelines
www.cotswoldsaonb.org.uk/lsg
- Cotswolds AONB Local Distinctiveness and Landscape Change
www.cotswoldsaonb.org.uk/ldlc
- Cotswolds Conservation Board Position Statements
www.cotswoldsaonb.org.uk/ps1
www.cotswoldsaonb.org.uk/ps2
- Wiltshire Local Transport Plan LTP3 - Car Parking Strategy
- Sections 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

7. Consultations

The application was advertised by:

- press notice,

- site notice,
- publication to the Council's website,
- neighbour notifications, and
- notification of interested local organisations and parties.

Sherston Parish Council (summarised): No objection. Support is given to the principle of what is being proposed for this site on the basis that the adopted Sherston Neighbourhood Plan (SNP) notes that:

“the existing GP surgery in the village is no longer considered to be fit for purpose over the long term” and that “there is clear evidence that, without a new purpose-designed building, there is a very real possibility that the existing surgery may be closed within a relatively short timescale.”

The Neighbourhood Plan Steering Group spent almost two years trying to identify a suitable site for the erection of a possible replacement new build facility. The conclusion eventually reached was that the only viable and deliverable option was to propose the allocation of this site for the erection of a new surgery as part of a broader mixed use development. This proposal seeks to ensure that a GP surgery can be and will be delivered on this site. Our full support is therefore given to this proposal in principle.

Wiltshire Council Highways: No objection subject to conditions.

Wiltshire Council Archaeology: No objection subject to conditions.

Wiltshire Council Drainage: No objection.

Wiltshire Urban Design: No objection.

Wiltshire Council Ecology: Holding objection seeking additional information to confirm location of replacement hedgerow and trees; all other matters no objection subject to conditions.

Wiltshire Council Landscape Officer: No objection in principle subject to conditions. Holding Objection seeking additional detail in respect of lighting and impact of highways works to secure visibility splays.

Wiltshire Council Environmental Protection: No objection subject to conditions.

Wiltshire Conservation Officer: No objection.

Wiltshire Public Rights of Way Team (PROW): No objection raised

Wiltshire Arboriculturist (Tees Officer): No objection raised

Wiltshire Waste & Recycling Team: No objection raised

Wessex Water: No objection

Cotswold Conservation Board (AONB): No objection, refers LPA to a arrange of advice documents. (*Referenced above under planning policy section*)

8. Representations

1 letter of support from a local resident.

2 letters of objection have been received which make the following comments (summarised):

- The proposal is contrary to the Neighbourhood Development Plan;
- The proposed foul drainage strategy is inadequate;
- The applicant will require third party land to deliver the proposed access to the site; and
- This application needs to consider the Neighbourhood Development Plan (SNP) especially Policy 4 in its entirety.

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015), the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006); the Wiltshire Housing Sites Allocation Plan (WHSAP) (Feb 2020); and the Sherston Neighbourhood Plan (SNP) ('made' May 2019).

This application is for outline purposes only for the proposed erection of a GP Surgery (Class E(e)), car park and associated works.

9.1 Principle of the Development

In terms of relevant planning designations, the WCS policies map identifies Sherston as a 'Large Village' within its settlement hierarchy. A 'Large Village' is defined as settlements with a limited range of employment, services and facilities that have the potential for a limited level of development to support and retain the vitality of these communities. The WSHAP has reviewed the settlement boundary for Sherston and the site lies outside of but abutting the revised boundary and so is within the open countryside for planning policy purposes.

The site is located contiguous to the large village of Sherston. The site area is greenfield, adjoining a school (Sherston C of E Primary School) and within close proximity of an existing residential area, consisting of detached, semi-detached and terraced housing.

The site forms part of a larger parcel of land which currently has a submitted as yet undetermined planning application (Adjoining development under Application Ref:

20/08205/FUL proposing residential development and a GP surgery, together with vehicle and pedestrian access including a new footway to Sopworth Lane, associated parking, open space, landscaping, drainage infrastructure and land safeguarded for educational use).

Core Policy 1 of the Wiltshire Core Strategy notes that, at the settlements identified as large villages, a limited level of development will be supported in order to help retain the vitality of these communities.

The NPPF states that, at its heart, is the presumption in favour of sustainable development (Paragraph 10).

Paragraph 11 emphasises that proposed development that accords with an up-to-date Local Plan should be approved without delay, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. The NPPF itself is a material consideration.

Section 8 of the NPPF (Promoting healthy and safe communities) Paragraph 93 emphasises the importance to provide the social, recreational and cultural facilities and services the community needs. Planning policies and decisions should take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community.

Sherston Neighbourhood Plan (SNP) 2006 to 2026

Paragraph 8.4.9 of the neighbourhood plan states that the existing GP surgery in the village is no longer considered to be fit for purpose over the long term. There is clear evidence that, without a new fit for purpose designed building, there is a very real possibility that the existing surgery may be closed within a relatively short timescale. A request was made by the GP practice therefore to try and identify a site for the erection of a new purpose-built facility somewhere in or around the village and to consider possible ways of funding such a proposal. This idea received a significant amount of local support. This matter was therefore given high priority by the Steering Group.

Paragraph 8.4.10 confirms that The Steering Group spent almost two years exploring all of the possible ways of achieving this objective. The conclusion reached was that the only viable and deliverable option was to propose the allocation of a site off Sopworth Lane (Site 1) for the erection of a new surgery as part of a broader mixed use development, which would help overcome the anticipated infrastructure costs of opening up the site. This proposal therefore forms part of a proposed mixed use allocation (Policy 4).

The principle of the development is established by Policy 4 of the SNP which states that approximately 3.3 hectares of land situated off Sopworth Lane (Site 1), is allocated for mixed use development as identified on Map 8 the SNP, to include the following:

- Sufficient land for the erection of a new enhanced GP surgery with associated parking and space for related mobile services.

- Sufficient land to allow for the future expansion of the existing Sherston C of E Primary School and staff parking together with a site suitable for the erection of a new pre-school facility with associated parking.
- Up to 45 dwellings to serve diverse residential needs of which 40% should comprise affordable housing.
- Strategic landscaping and open space to retain and reinforce existing hedgerows, and to establish new areas of substantial planting and landscaping so as to mitigate the impact of the proposed development on both the existing PROW and the wider AONB.
- Development of the site should conserve and/or enhance heritage assets in a manner appropriate to their significance.

The SNP is silent on the exact location of these allocations within the 3.3 ha site.

Reference is also made to strategic landscaping and open space to retain and reinforce existing hedgerows, and to establish new areas of substantial planting and landscaping so as to mitigate the impact of the proposed development on both the existing PROW and the wider AONB. Development of the site should conserve and/or enhance heritage assets in a manner appropriate to their significance.

It is noted that the policy confirms that any development will be subject to the following requirements:

- 1. Development must not increase the risk of flooding elsewhere;*
- 2. The provision of footpath and cycle links to both the proposed new surgery site and the western edge of the existing primary school as well as to the existing Parish playing fields to the north;*
- 3. A design and layout that protects and preserves the character of the settlement and conserves the landscape and scenic beauty of the AONB;*
- 4. A detailed Ecological and Mitigation Strategy that ensures that any future development of this site retains existing features and habitats of ecological value, minimises the impact on protected species and maximises the potential of retained habitats to enhance biodiversity; and*
- 5. An archaeological assessment.*

Development proposals should be supported by a masterplan taking account of the “Development Brief” and the “Design Brief” information set out in the supporting text to the plan which identified a range of requirements and material considerations.

2 letters of objection have been received which make the following comments (summarised):

- **The proposal is contrary to the Neighbourhood Development Plan (SNP):**
 - It is argued that the applicant’s analysis and consideration of the SNP and in particular Policy 4 is extremely limited. It is argued that the application’s

consideration of the requirements of Policy 4 is limited to confirming that the allocation seeks to secure the provision of a new GP surgery by allocating 'sufficient land' for that use. In objection they continue that the applicant does not acknowledge the Policy includes the following in the specific mix of uses that the site is allocated for:

“Sufficient land to allow for the future expansion of the existing Sherston C of E Primary School and staff parking together with a site suitable for the erection of a new pre-school facility with associated parking.”

Paragraph 1.10 of the applicants Planning Heritage and Design and Access Statement (Report No. 2849 Rev A published 06/01/22) does acknowledge the education allocation.

Wiltshire Council's education department consider that this land is not currently required for the expansion of the school. In their consultation response to 20/08205/FUL dated 16/10/20 they state:

“Existing provision in the area has been reviewed and is considered sufficient to meet the additional need for EY places and Sherston CE Primary can currently accommodate the pupil product of this development without the need for expansion. However, we welcome the inclusion in this planning application, of land to enable future expansion of this school, if and when required.”

- **The proposed foul drainage strategy is inadequate:**
 - Wiltshire Council Drainage have reviewed (email dated 12/01/22) the submitted supplementary technical note (Acl619-21027) alongside previous comments, and the drainage strategy submitted as part of 20/08205/FUL.
 - It is agreed that discharge rates for the site may be limited to 2l/s due to the limitations on this site in reducing discharge rates further; it is noted that this rate was previously accounted for and agreed as part of the wider development masterplan (submitted under 20/08205/FUL) and therefore this will not increase local flood risk. It is agreed that the proposed detention basin, and permeable paving within parking spaces will provide the required water quality & quantity controls, with the basin providing additional (even if limited) amenity and biodiversity function. We agree that the SuDS proposals on this application are proportional to the proposed development.
 - Overall, the latest submission means that the LLFA's residual concerns have now been appropriately addressed.

- **The applicant will require third party land to deliver the proposed access to the site;**
 - Ownership Certificate B duly completed and Notice under Article 14 served on the relevant landowners on 15/11/21; and
- **This application needs to consider the Neighbourhood Plan (SNP) especially Policy 4 in its entirety – see above.**

Policy 3 of the SNP (High Speed Broadband) states that new development will be required to demonstrate, contributes to and compatibility with high quality communications. The SNP advises that high speed broadband is available in the village. Paragraph 8.4.7 confirms that:

‘The proposed new GP surgery on Site 1 (Sopworth Lane) will be heavily reliant on such technology. The inclusion of this policy in the plan it is hoped will ensure that the necessary provision is made for this important local facility from the outset.’

On this basis it is considered that the development proposed is acceptable in principle.

9.2 Design issues and impact upon the wider area including the Cotswolds AONB

Wiltshire Council Core Policy 57 (Ensuring High Quality Design and Place Shaping) confirms that a high standard of design is required in all new development which draws on local context in order to maintain or create a strong sense of place. Proposals should enhance local distinctiveness, retain existing landscape/natural features and be sympathetic to their surroundings, taking account of the needs of future occupants and using high standards of building materials.

WCS Core Policy 51 is also clear that where harm is identified to result from a new development proposal, the resulting harmful effects need to be mitigated as far as possible through sensitive design and landscaping measures. While a Landscape and Visual Impact Assessment (LVIA) has not been submitted in support of this application, a Landscape and Visual Appraisal (LVA) was submitted as part of submissions for 20/08205/FUL and that this has been subsequently revised and updated following previous landscape officer feedback for that separate application that also included the allocated GP surgery element. In this regard Officers would not request that a further LVA / LVIA assessment is additionally required in support of this application. The LVIA submitted and revised/resubmitted as part of application 20/08205/FUL considered development of maximum 2 storeys and the proposals subject of this application do not breach those considered development height parameters.

The made SNP forms part of the Development Plan alongside Wiltshire Core Strategy and the policies contained therein are material planning considerations alongside the NPPF.

Paragraph 126 of the NPPF stresses that good design is a key aspect of sustainable development. The NPPF also stresses that planning permission should be refused for poor design (Paragraph 134). Paragraph 130 seeks to achieve well designed places.

The design and layout of any new GP Surgery should be sympathetic to the location, both in terms of appearance and overall quality and should retain and reflect the character of the surrounding area.

The site benefits from established access to the southern boundary. The proposal is for the utilisation of the existing vehicular access with improvements to serve the new GP Surgery.

The positioning, form and layout of the proposed development takes into account site constraints and circumstances alongside the provisions of the concurrent application for the wider site and mixed use development. The layout is informed by the need to ensure suitable separation distances to surrounding residential properties and school which are respected. The separation distances required to protect privacy are achieved in the current design. The applicant is clear that the design is indicative and subject to change. Whilst in outline it is considered that the illustrative proposals indicate that the GP Surgery can be suitably and appropriately located on site without constraining wider site development objectives as defined by the neighbourhood plan. The indicative and illustrative details provide a sound basis for informing future reserved matters application(s) and it is considered that a high quality of design that also meets functional requirements can be achieved. The indicated mix of the currently presented palette of natural building materials will be important informing subsequent detailed reserved matters submissions. It is, however, considered the illustrated mix and use of materials and detailing in the design would help to visually break up potentially expansive bland elevational treatments and the scale and massing of the building itself.

The Council's Urban Design Officer has been consulted and raises no objections to the scheme proposals welcoming the illustrative details and proposed use of materials and boundary treatments. Reference is made to concerns in respect of the wider site development but these are not identified as a basis of objection with respect to this Outline application.

The site lies in the Cotswolds AONB (Nationally Protected Landscape). As such Wiltshire Council, have a duty of regard under Section 85 of the Countryside and Rights of Way Act 2000 (CRoW Act 2000) when exercising or performing any function in relation to or so as to affect the statutory purpose of this National Landscape Designation within any planning recommendations and decisions they make. In this regard new development proposals within the Cotswolds AONB will need to demonstrate that the AONB's natural beauty, its special landscape, visual and biodiversity qualities (i.e. its essence of place/what makes it locally and nationally valued) are conserved and enhanced. In practical terms this means that for necessary and essential new development within the AONB, it is appropriate in terms of its location, nature, scale, character and design quality.

This outline application does not include any likely necessary external lighting proposals, and neither did it consider or assess the urbanising change that will occur to Sopworth Lane itself, resulting from the introduction of the proposed new access footpath running east from the site entrance into the village along the southern edge of the existing school site.

A condition with respect to lighting has been imposed that would mitigate, as far as possible, these potentially additionally identified harmful urbanising changes. This is considered particularly important at this location given the valued dark skies and rural character of Sopworth Lane approaching the village from the west within this nationally designated AONB landscape fronting the Conservation Area.

Within Wiltshire Council's landscape officer comments for 20/08205/FUL it is highlighted that:

"The Doctors Surgery site still lacks any meaningful integrating landscaping. The site's building slab is cut to the north and filled to the south with the building slab elevated above the school site. The low embankment running along the southern edge of the site could be additionally landscaped which would soften the buildings southern elevation and its car park viewed from Sopworth Lane and the site entrance road."

The Landscape Officers specific comments on this separate application identify that:

....the proposals subject of this subsequent separate planning application better demonstrate that an appropriate and acceptable landscaping scheme could be incorporated within the illustrative layout for this part of the wider site which is welcomed. The proposed line of trees along the western edge of the GP surgery car park, which will be followed through to the Reserved Matters detailed landscape submissions, contribute valuable street trees as part of the proposed development and will in combination with lower level planting help filter otherwise exposed car parking areas and the western and southern building elevations.

The proposed southern boundary treatment fronting Sopworth Lane, is indicated to comprise natural drystone walling incorporating the existing stone stile at the south western corner of the wider site area. The use of local natural stone with an appropriate local coping finish would help to reinforce the characteristic local village vernacular and characteristic approach to settlement along this rural lane. This is welcomed and considered to be an important element to carry through to Reserved Matters in terms of supporting inherent local vernacular and local landscape character within the Cotswolds AONB.

The potential retention or relocation of the existing green metal mesh school fencing directly abutting the back edge of this new footway would form an inappropriate and uncharacteristic roadside boundary treatment as rural road frontage leading into the village and fronting the Conservation Area, so the stated removal of this green mesh fencing is welcomed as part of the linking footpath proposals on the submitted illustrative plans in landscape and visual terms.

There will be a degree of landscape and visual harm resulting from the landscape and visual change effects connected with this planned urban development into this green field site opposite the Conservation Area and within the Cotswolds AONB. It is important in the interests of 'conserving and enhancing' the statutory purpose and function of the national AONB designation that new development comprises high quality sensitive design and appropriate inherent design measures and landscaping

as mitigation to minimise these harmful landscape and visual change effects and to conserve and enhance the special qualities of the AONB and rural landscape character of this area.

On this basis the Landscape officer goes onto identify that:

In this regard Planning Conditions will be used to secure Reserved Matters for the hard and soft Landscaping of the site.

Further conditioned requirements pertaining to design and appearance, materials of the natural stone boundary walls and their coping details will be secured by means of a specific condition.

Details of Lighting connected with the operation of the building and car park will be secured by means of a specific condition.

The Council's Arboricultural Officer (trees) has not raised objections to the scheme proposals. Similarly with respect to the wider site application no objection was raised subject to a condition specific to those submissions, site circumstances and constraints and details.

The application is in outline however with landscaping reserved and as noted above it is considered that the potential impacts of lighting in respect of this development in landscape character terms can be controlled by use of condition. Similarly, it is also considered that the potential urbanising impacts of works to secure necessary visibility spays and highways enhancements are capable of adequate mitigation and that can be controlled through use of conditions given the available land area within the site and highway network.

Given the above it is considered that subject to the use of conditions the proposals do not result in significant harm to valued landscapes or the character, appearance and visual amenity of the locality. As such it is not considered that conflict with the relevant policies of the plan and provision of the framework or statute arises such that consent ought to be refused on this basis.

9.3 Heritage

Given the site constraints in respect of heritage assets, including a small are of the site falling within the Sherston Conservation Area; various Listed Buildings situated to the south and south east of the site and the locality being one of known archaeological potential; and as the proposal involve new build development and works to exiting site features there is potential for harm to arise. The application is also supported by a heritage statement. As such the following policies, guidance and legislation are of relevance (this is not intended as a definitive recital of all guidance): -

- Wiltshire Core Strategy policies 57 and 58;
- Sherston Neighbourhood Plan Policy 4 and related design brief
- National Planning Policy Framework (NPPF); and

- Planning (Listed Building & Conservation Areas) Act 1990 where “*special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*” [S.66 (1)]

Policy CP58 states that designated historic assets and their settings will be conserved, and where appropriate enhanced. These heritage assets include listed buildings and their settings, and the special character or appearance of conservation areas and their settings. The policy requires development to protect, conserve and where possible enhance the historic environment, avoiding “*unacceptable impact on historic environment particularly where this could be avoided or mitigated*”.

The NPPF (para. 189 of Part 16) Conserving and enhancing the historic environment states that:

“Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations”.

Furthermore “*when considering the impact of proposed buildings on the significance of a designated heritage asset, great weight should be given to the asset’s conservation*”.

NPPF para 194 stipulates that, in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

The Revised NPPF (para 197) states that in determining applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraphs 199-202 (Considering potential impacts) indicates to consider the level of harm to assets and the weighing of that harm in the determination of applications. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent. 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, including securing its optimum viable use.

The interest of the area as a whole is diverse and mixed with 20th century developments forming compatible elements within the historic village by virtue of design and material. The diversity of the area forms part of its character and appearance.

There are no listed buildings in close proximity to the proposal site and with direct intervisibility. The application site is located some distance from the grade II listed buildings and views between the grade II listed buildings and the application site would not be possible. As such harm to the setting of the nearest listed buildings is not considered to arise.

Although the application site is largely outside the Sherston Conservation Area, the site access and small section of the southern part of the application site falls within the designated area. As such, WCS Core Policies 57 & 58 are relevant. The policies confirm that development should protect, conserve and where possible enhance the historic environment and that designated heritage assets and their settings should be conserved, and where appropriate enhanced, in a manner appropriate to their significance.

This part of the Conservation Area is however at the outer limits of the designation and is considered to form part of the setting to the core historic area of the village with its heritage significance and value arising from and informed by this position. Given these circumstances and the extent and nature of the development proposals, with the limited works to an existing access forming the key direct elements within the conservation area, it is considered that the proposals will not harm the area's character appearance and heritage values and significance, impact is considered to be neutral.

Nor is it considered that the proposals disturb, harm or impact upon the historic layout, form and features, including street pattern of Sherston Conservation Area. The plot area enables the proposed erection of a GP surgery, car park and associated works without disturbing that pattern. The proposals will not cause detrimental impacts to local features that provide the area its distinctive identity character and appearance. Particularly given the intervening built form of the school adjacent the proposed site of the surgery.

The proposal will not lead to any detrimental impacts upon the architectural and historic interest of the village's buildings and other structures. The proposals are freestanding, beyond the setting of any listed buildings and would not disturb any historic features. The siting, massing, scale and form of the new building has been carefully considered in the context of the characteristics of the buildings continued within the Design and Access Statement. An extensive analysis has been undertaken of these characteristics as part of this submission prior to the formulation of the design. The design whilst in outline is of a traditional nature that responds positively to the site circumstances and does not result in harm.

The Council's Senior Conservation Officer has been consulted and raises no objection and does not identify a need for additional information at this stage. Details that are required for approval, with respect to the design and character of the building and landscaping and planting for example, are addressed by standard reserved matters

conditions. Matters such as lighting and highways works are addressed by other standard conditions.

With respect to undesignated Heritage Assets including archaeological potential the Council's Archaeologist has been consulted and identifies that investigations to date, including those in respect of 20/08205/FUL, have identified some archaeological interest in part of the site. Officers advise that no objection is raised in respect of the GP Surgery and related development and works proposed under this application, subject to a similar conditional approach proposed in respect of the wider site application, that being that a requirement for further investigation via a strip, map and recording be secured via use of condition.

On this basis it is considered that no conflict with the policies of the plan or the provisions of the framework and relevant legislation arises in respect of designated or undesignated heritage assets.

9.4 Ecology & Biodiversity

The locality is one of known Ecological interest with a County Wildlife Site and records of protected species of fauna in the vicinity; and there are existing features on and adjacent the site such as mature trees and hedgerows that provide potential ecological habitat. It should however be noted that the majority of the site itself is in agricultural use. The development proposed does have the potential to impact ecological interests and the application proposals have been informed by Ecological Assessment and a Biodiversity Net Gain report. As such WCS Core policy CP50 is of particular relevance, as is CP57 (i & ii).

WCS CP50 states that:

“Development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. There is 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. Where it has been demonstrated that such features cannot be retained, removal or damage shall only be acceptable in circumstances where the anticipated ecological impacts have been mitigated as far as possible and appropriate compensatory measures can be secured to ensure no net loss of the local biodiversity resource, and secure the integrity of local ecological networks and provision of ecosystem services.

All development proposals shall incorporate appropriate measures to avoid and reduce disturbance of sensitive wildlife species and habitats throughout the lifetime of the development.....”

The NPPF aims to minimise impacts on biodiversity and deliver net gains in biodiversity contributing to the Government's commitment to halt the overall decline in biodiversity, including the establishment of coherent ecological networks more resilient to current and future pressures.

The following is taken from the Sherston Neighbourhood Plan 2006 – 2026:

“Objective 7:

The Plan will encourage the sympathetic management of the countryside surrounding the village so as to retain and/or enhance it’s high quality, improve biodiversity and provide other longer term benefits to the local community by:

- Considering the creation of a community wood and/or orchard;*
- Identifying and safeguarding any sites identified in the locality that are considered to be of significant ecological or landscape quality;*
- Protecting, maintaining and enhancing the historic environment.*

Development will be subject to the production of a detailed Ecological and Mitigation Strategy that ensures that any future development of this site retains existing features and habitats of ecological value, minimises the impact on protected species and maximises the potential of retained habitats to enhance biodiversity.

The hedgerows situated in the southern half of the site are species rich and contain a number of trees. These will be where possible be retained. Some minor hedgerow removal will need to occur to facilitate the development. As compensation for the loss of any sections of hedgerow, new hedgerow planting will need to be incorporated into the development scheme.

The site is dominated by an arable habitat which is a common and widespread habitat type which is unlikely to support a diverse range of species in isolation. The hedgerow habitats were assessed to be the most ecologically important habitats on the site as they have the potential to support hedgehog, brown hare, polecat, bats and nesting birds. The development proposals show the retention of these habitats with the removal of features tied to enhancement of the existing access at the south of the site being replaced with a new hedgerow and stone wall. The proposals include areas of soft landscaping, water holding attenuation basin including grasslands and tree planting areas which are likely to improve the biodiversity value of the site from existing habitats.

The Environment Act 2021 includes provision for biodiversity net gain to be applied to every planning permission. Schedule 14 of the Act sets out amendments to the Town and Country Planning Act 1990 for the inclusion of biodiversity net gain as follows:

“Biodiversity gain objective

(1) The biodiversity gain objective is met in relation to development for which planning permission is granted if the biodiversity value attributable to the development exceeds the pre-development biodiversity value of the onsite habitat by at least the relevant percentage.

(2) The biodiversity value attributable to the development is the total of—
(a) the post-development biodiversity value of the onsite habitat,
(b) the biodiversity value, in relation to the development, of any registered offsite biodiversity gain allocated to the development, and

*(c) the biodiversity value of any biodiversity credits purchased for the development.
(3) The relevant percentage is 10%.”*

The Environmental Act received Royal Assent in November 2021, meaning that by November 2023 the expectation for all planning permissions to include a biodiversity net gain of at least 10% will become a legal requirement.

Core Policy 50 of the WCS requires a biodiversity net gain (BNG) metric calculation but does not specify the quantum.

Submissions made identify that the existing baseline habitats are other neutral grassland, temporary grass and clover leys cropland, and existing urban land uses which total 0.56 ha and generate 1.50 biodiversity units and linear hedgerow habitats total 0.2 km and generate 1.2 biodiversity units. Grassland, hedgerows and urban habitats will be created on site. The proposed post-development habitats generate 3.01 biodiversity units and hedgerow habitats generate 1.63 biodiversity units from new hedgerow creation. Based on DEFRA biodiversity net gain metric 3.0 calculations, the proposed habitats on the site would result in a net gain of in biodiversity of 100.49% for habitats and net gain of 35.43% for hedgerows.

The Council's Ecologists have been consulted, including following additional submissions. The Ecologist identifies that all matters of concern are addressed subject to use of condition, excepting in respect of detail as to the location of replacement hedgerow and tree planting for that which is to be removed, including for the highways improvement works. This is however a matter that is capable of resolution given the site area involved and taking into account the wider development proposals. It is not considered that there is no scope for on site replacement planting and mitigation of impacts. It is not considered that the lack of full detail in this respect renders the proposals unacceptable and harmful such that consent ought to be refused on this basis. It should also be noted that the illustrative plans do indicate the location and extent of some on site replacement planting also. The application is submitted in Outline with all matters, except access, reserved, including site landscaping. Conditions are proposed regarding environmental construction plan safeguarding.

On this basis it is not considered that conflict with the policies of the plan, provisions of the framework or statute arises such that consent ought to be refused on this basis.

9.5 Access and highways

Whilst the application is in outline full permission is sought for the proposed works to the site access and is supported by a Transport Statement and initial highways works proposals. The development whilst limited in scale will generate a requirement for persons to access the site and this could involve significant use of private motor vehicle. The site is served by an existing vehicular access but this is for agricultural use and improvements are required. The site is also served by rights of way and existing roads in the locality but in the latter respect the immediate highway network has constraints. Reflecting the allocation of the site in the neighbourhood plan it is physically in close proximity and well related to a substantial proportion of the residential area of the village and lies adjacent the primary school.

Several WCS policies are relevant to such highways and parking matters including CP60, CP61, CP62 & CP64.

The Council's Highways Officer has been consulted in respect of this application and the application for mixed uses relating to this site and the adjoining wider site area. Following the receipt of additional information and initial detail as to proposed works Officers raise no objection subject to use of a suite of conditions. The conditions principally seek to secure full details of the necessary enhancements to and regulation of the immediate highway network. Other measures to mitigate impacts and secure sustainable transport objectives are also proposed to be addressed by use of condition.

In this respect the footway scheme provides 5.5m wide carriageway and 2m footway (Access arrangements and Proposed off-Site Highway works, SK01 A - Nov 2011). The footway in Knockdown Road from the junction of Sopworth Lane will need to be extended to the uncontrolled crossing related to the Sherston Primary School, as per the 20/08205/FUL drawings. The footway and carriageway works (scheme) will be subject to a full S278 agreement and a full technical submission under the Highways act 1980 will be required. As part of the footway scheme, the speed limit is to be extended and a Traffic Regulation Order (TRO) is required. The cost of the TRO is £6,000 and this is conditioned. The developer will cover this cost.

As part of the S278 package further details with regard to drainage, street lighting scheme and re-surfacing in Sopworth Lane will be required. The surface wearing course of Sopworth Lane will need to be re-surfaced for whole widths adjacent to the new footways. With regard to drainage only traditional gullies and connections system will be acceptable.

Additionally, a Swept path analysis of site entrance and GP surgery, has been provided and it is considered satisfactory. Car parking and cycle parking provision is considered reasonable and is conditioned.

The Council's Rights of Way Officers have raised no objections to the scheme proposals and submissions. Similarly, with respect to the wider site mixed use proposals no objections are raised following receipt of revisions and additional information submissions.

The Council's Waste & Recycling Team has raised no objections to the scheme proposals. Officers identify that this type of use is generally serviced by commercial arrangements but that Council provisions in conjunction with its principal contractor for waste disposal can be provided. Details as to storage and collection will be required but will be secured through reserved matters submissions. With respect to the wider site mixed use application no objections were raised but S106 contributions were sought for waste collection facilities. This was however specifically related to the residential elements of that scheme and which do not form a part of this proposal.

It is considered that the proposals including highways enhancement provisions are consistent with the wider scheme proposals and neighbourhood plan requirements and do not prevent achievement of those development objectives.

On this basis it is not considered that conflict with the relevant policies of the plan or provision of the framework arises such that consent ought to be refused on this basis.

9.5 Other matters

CIL obligations will be met in full. With respect to Drainage the Council's Engineers and Wessex Water raise no objection following consideration of initial and additional submissions. The Council's Public Protection Officers raise no objections in respect of land contamination, air quality and or other potential harm and disturbance to residential amenity or environmental interests subject to use of conditions.

10. Conclusion – The Planning Balance

The principle of the development is established by Policy 4 of the SNP which states that approximately 3.3 hectares of land situated off Sopworth Lane (Site 1), is allocated for mixed use development as identified on Map 8 of the SNP, to include the following:

- Sufficient land for the erection of a new enhanced GP surgery with associated parking and space for related mobile services.
- Sufficient land to allow for the future expansion of the existing Sherston C of E Primary School and staff parking together with a site suitable for the erection of a new pre-school facility with associated parking.
- Up to 45 dwellings to serve diverse residential needs of which 40% should comprise affordable housing.
- Strategic landscaping and open space to retain and reinforce existing hedgerows, and to establish new areas of substantial planting and landscaping so as to mitigate the impact of the proposed development on both the existing PROW and the wider AONB.
- Development of the site should conserve and/or enhance heritage assets in a manner appropriate to their significance.

The SNP is silent on the exact location of these allocations within the 3.3 ha site.

The Council's Education Department consider that this land is not currently required for the expansion of the school. In their consultation response to 20/08205/FUL dated 16/10/20 they state:

“Existing provision in the area has been reviewed and is considered sufficient to meet the additional need for EY places and Sherston CE Primary can currently accommodate the pupil product of this development without the need for expansion. However, we welcome the inclusion in this planning application, of land to enable future expansion of this school, if and when required.”

The proposals secure and meet the identified requirement for the GP surgery and do not prejudice the delivery of the other identified requirements and development objectives.

The benefits of the proposed development are:

- A new fit for purpose designed building, without which there is a very real possibility that the existing surgery may be closed within a relatively short timescale.
- Biodiversity - The development proposals for the site would result in a net gain of biodiversity. The metric calculations show a net gain in area-based habitats of 1.51 biodiversity units, or 100.49%. The proposals would result in a net gain for hedgerows linear habitats of 0.43 units, or 35.43%.

The delivery of the GP surgery in particular can be afforded substantial weight given the site is allocated in the Policy 4 of the SNP and the threat to the long term retention of existing provision in the village. Biodiversity net gain is a clear benefit of moderate weight given that it is a policy objective albeit with quantum not yet fully specified nationally or locally.

The potential harm resulting from the proposals arise from effects on:

- Landscape including the valued landscape of the AONB through urbanisation and potentially lighting.
- Removal of existing trees and hedgerows that provide potential Ecological habitat.

The level of harm is considered to be limited given the limited scale of development and scope for mitigation, which is proposed to be controlled and delivered through use of conditions. Whilst the Landscape Officer & Ecologist seek additional information in respect of lighting, highways proposals and the location of replacement trees and hedgerow at this stage the application is in Outline and site landscaping is a reserved matter. It is considered that the information can reasonably be secured through use of condition consistent with the approach of other consultees on these matters such as Highways. It is not considered that the potential impacts in these respects are of such significance as to have the potential to render the application wholly unacceptable and require refusal. There are substantial benefits of development as set out above and these are also considered to clearly and demonstrably outweigh the identified landscape & ecological impacts and potential impacts. When considered alongside use of conditions and scope for mitigation of impacts these are readily capable of satisfactory resolution.

With respect to other site specific considerations Wiltshire Council's Highways Officer has no objection subject to conditions. Drainage and Flooding - Wiltshire Council's Drainage Team in their response have confirmed that the development will not detrimentally impact on flood risk, and therefore have no objection. Wessex Water similarly raise no objections. The Council's Archaeologists raise no objection subject to condition and the Council's Senior Conservation Officers raises no objection. Trees, PROW and Waste/Recycling officers raise no objection.

Overall Balance

On balance, it is not considered that the adverse impacts identified significantly and demonstrably outweigh the benefits that the development would provide. Therefore, in accord with the provision of paragraphs 11 and 12 of the NPPF permission is recommended.

RECOMMENDATION:

Approve subject to the following conditions:

Conditions

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 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 following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:
 - (a) The scale of the development;
 - (b) The layout of the development;
 - (c) The external appearance of the development;
 - (d) The landscaping (non-strategic) of the site.

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4. The development hereby permitted and reserved matters details shall be in accordance with the parameters illustrated in the following approved plans and documents:

Planning, Heritage, Design & Access Statement 2849 PHDA REV A Received 06.01.2022

Drainage Strategy & Supporting Information 21-027-003 REV A & Acl619-21027-TN Received 23.12.2021

Ecological Assessment Received 22.12.2021

Biodiversity Net Gain Report Received 13.12.2021

Transport Statement Received 15.11.2021

Location Plan 2849 001,
Existing Site Plans 2849 100, 2849 101, 2849 102,
Revised Proposed Site Plan 2840 111 REV A & 2849 112 REV A
Proposed Street Scenes 2849 115
Proposed Elevations 2849 115 & 2849 116

All Received 06.12.2021

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

5. No part of the development hereby approved shall be first occupied until the car and cycle parking provision has been suitably provided and laid out in accordance with the approved details (Proposed Site Plan, 2849-111 and 112 – Received 06.12.2021). Car parking spaces shall be properly consolidated and surfaced and shall be maintained and remain available for this use at all times thereafter. The car and cycle parking spaces shall not be used other than for the parking of vehicles or cycles or for the purpose of access.

REASON: To ensure that adequate provision is made for parking of cars and cycles within the site in the interests of highway safety.

6. No development shall commence on site until full technical details of the new site junction with Sopworth Lane have been submitted to and approved in writing by the Local Planning Authority. The new junction and visibility splays shall be provided in accordance with the approved details (Proposed Site Plan, 2849-111 and 112 - both Received 06.12.2021 and Access Arrangements and Proposed off site highway works, SK01 A Nov 2021) prior to first occupation (or timetable agreed with Local Planning Authority) and maintained thereafter. No part of the development shall be first occupied, until the visibility splays shown on the plans (2.4m x 43m) have been provided with no obstruction to visibility at or above a height of 0.6m above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

7. No part of the development hereby permitted shall be commenced until full technical details of the footway works and carriageway widening scheme for Sopworth Lane as detailed on Access Arrangements and Proposed off site highway works, SK01 A - Nov 2021 and Proposed Site Plan, 2849-111 and 112 both Received 06.12.2021 have been submitted to and approved by the Council. Unless otherwise agreed the development shall not be first occupied until the Sopworth Lane footway scheme have been completed in accordance with the details shown on the approved plans. This shall include streetlighting, drainage and full surfacing of wearing course, the surface wearing course of Sopworth Lane will need to be re-surfaced for whole widths adjacent to the new footways. The footway/ kerbing from the junction of Sopworth Lane/ Knockdown shall be extended from the junction north to connect with the uncontrolled crossing outside Sherston Primary school. No part of the development shall be first brought into use until the highway improvements have been completed in

accordance with the approved details (unless otherwise agreed by the Local Planning Authority).

REASON: To help encourage walking to and from the site and in the interests of highway safety

8. Prior to the development hereby permitted first being brought into use a Traffic Regulation Order (TRO) to amend the speed limit on Sopworth Lane shall have been prepared, consulted upon, and advertised, with a report recommending whether to proceed with the Order prepared for consideration by the Cabinet Member for Highways (Proposed TRO SK02 Rev A (Nov 21)). If the Cabinet Member for Highways approves the Order the amendments shall be implemented.

REASON: In the interests of highway safety

9. The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before it is occupied, has been provided with a properly consolidated and surfaced footpath and carriageway to at least base course level between the medical centre and existing highway.

REASON: To ensure that the development is served by an adequate means of access

10. No part of the development shall be brought into use until full details of the visibility splays for the access to the approved GP Surgery access/egress have been submitted to the Local Planning Authority, approved and have been provided in accordance with those approved details. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety

11. No development shall commence on site (including any works of demolition), until a Construction Method Statement, together with a site plan, which shall include the following:

- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works
- measures for the protection of the natural environment
- hours of deliveries
- pre-condition photo survey

- vehicle Routing Plan
- traffic Management Plan (including signage drawing(s))
- number (daily / weekly) and size of delivery vehicles to ensure appropriately size vehicles are being used for the highway network.
- number of staff vehicle movements.

has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period.

The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

12. No external lighting, including security 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 have been submitted to and approved in writing by the Local Planning Authority. The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2011, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2011), and Guidance note GN08-18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals. In addition, lux plots will demonstrate that light levels within 3m of the site boundary will be no more than 0.2 lux. The approved lighting shall be installed and 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, to minimise unnecessary light spillage above and outside the development site and to ensure lighting does not impact wildlife habitat.

13. Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including supervision by an Ecological Clerk of Works who will keep a written log of dates of site visits, advice provided, impacts observed, and mitigation/remediation achieved and provide this to the Local Planning Authority on request. Methods statements will cover the following:
 - a) removal of hedgerows
 - b) location of protective fencing

c) minimising risks to protected species

d) erection of bat and bird boxes on the surgery building (including details of number, type and location)

Development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant.

14. 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;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- retained historic landscape features and proposed restoration, where relevant.

The Landscaping scheme will accord with the Proposed Site Plan (2849-112-Rev A) the Landscaping Scheme will demonstrate that the development will achieve an overall net gain for biodiversity through the submission of a completed Natural England Biodiversity Metric (version 3.0 or subsequent version) spreadsheet (unlocked) based on the post construction landscape scheme, and a current survey of pre-construction habitats based on the UK Habitat Classification.

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.

15. 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.

16. No development shall commence within the application area until:
 - a) A written programme of archaeological investigation to include a strip, map and ample excavation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
 - b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to enable the recording of any matters of archaeological interest.

17. No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: Core policy 57, Ensuring high quality design and place shaping such that appropriate levels of amenity are achievable.

18. In the event that contamination is encountered at any time when carrying out the approved development, the Local Planning Authority must be advised of the steps that will be taken by an appropriate contractor; to deal with contamination and provide a written remedial statement to be followed by a written verification report that confirms what works that have been undertaken to render the development suitable for use.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

INFORMATIVES TO APPLICANT:

20. S278/ S38 - The developer/applicant will be required to enter into a S278 to cover the footway scheme /S38 Agreement for site with the Highway Authority before commencement of works hereby approved.

TRO - You are advised that a Traffic Regulation Order (TRO) is required for condition 8. You must submit a plan to a scale of an indicative scheme for a TRO, along with timescales for commencement and completion of the development. Please be aware that the statutory TRO process is not straightforward; involving the public advertisement of the proposal(s) and the resolution of any objections. You should expect a minimum of six months to elapse between the Highway Authority's TRO Team confirming that it has all the information necessary to enable it to proceed and the TRO being advertised. You will not be permitted to implement the TRO measures until the TRO has been sealed, and we cannot always guarantee the outcome of the process. We cannot begin the TRO process until the appropriate fee has been received. To arrange for a TRO to be processed contact the Highway Authority's Transport Development Management Team at highwaysdevelopment@wiltshire.gov.uk N.B. The cost of implementing any lining, signing or resurfacing required by the TRO is separate to the TRO fees, which solely cover the administration required to prepare, consult, amend and seal the TRO.

Advance Payment Code - Please note that the road layout of the site will be subject to the Advanced Payment Code, relating to the Highways Act 1980. A bond will be required by the Highway Authority to cover highway works and will only be released subject to a suitable management company/other being secured for the site by the Developer.

22. 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.
23. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
24. The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England

prior to commencing works. Please see Natural England's website for further information on protected species.

25. 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.
27. 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.
28. 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.

29. The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

Background Documents Used in the Preparation of this Report

Application Submissions PL/2021/10696 & 20/08205/FUL

Wiltshire Core Strategy

Sherston Neighbourhood Plan

NPPF 2021