

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

<b>Date of Meeting</b>	24 <sup>th</sup> March 2022
<b>Application Number</b>	PL/2021/09496
<b>Site Address</b>	Land at Dauntseys School West Lavington
<b>Proposal</b>	Development of a coach, mini-bus and taxi drop-off / pick up area and associated infrastructure.
<b>Applicant</b>	Dauntseys School
<b>Town/Parish Council</b>	WEST LAVINGTON
<b>Electoral Division</b>	The Lavington's (Cllr Muns)
<b>Grid Ref</b>	400101 153763
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Ruaridh O'Donoghue

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

The application has been called in by Councillor Muns to consider the environmental and highways impacts of the development.

**Purpose of Report**

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

**1. Report Summary**

The main issues to be considered are:

- Whether the use is acceptable in principle;
- Whether the scheme would have an acceptable impact on protected species and priority habitats (CP 50)
- Whether the scheme would have an acceptable landscape impact (CP 51);
- Whether the scheme constitutes high quality design (CP 57);
- Whether the scheme would have an acceptable impact upon heritage assets (CP 58)
- Whether the proposal would have a negative effect upon highway safety including if there is sufficient parking for the proposed development (CP 61 and 64);
- Whether the scheme would lead to increased flood risks elsewhere (CP 67)

**2. Site Description**

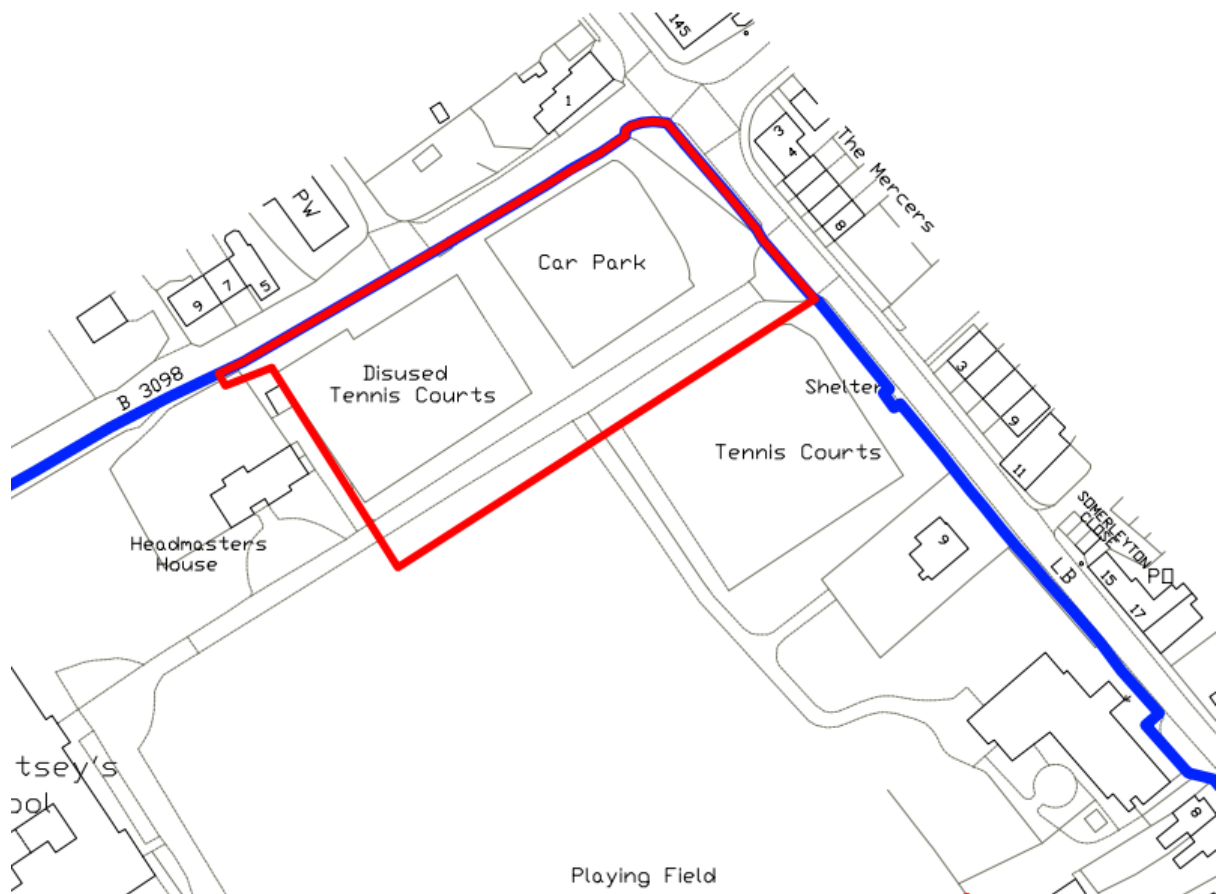
The application concerns a parcel of land at Dauntseys School that is located to the west of the main driveway. The site is currently made up of a staff car park and a netball/tennis court with associated hedging around the perimeter.

The School is located within the limits of development (LoD) of West Lavington which is recognised as a Large Village within the WCS.

The site is located within the West Lavington and Littleton Panel Conservation Area. The main school building is listed at grade II and opposite the site lie No.'s 7 and 9 Cheverell Road that are also grade II listed.

Running through the middle of the site in a broadly roughly north south direction is WLAV12, a public right of way (PRoW).

Below is a location map with photographs that show the context of the site.





**View of site looking west from Dauntseys School drive** © Google



**View from Cheverell Road looking East towards the site** © Google



**View from Cheverell Road at entrance to WLAV12** © Google



**View of site looking north from Dauntseys School drive** © Google



**View from High Street looking south towards the application site** © Google

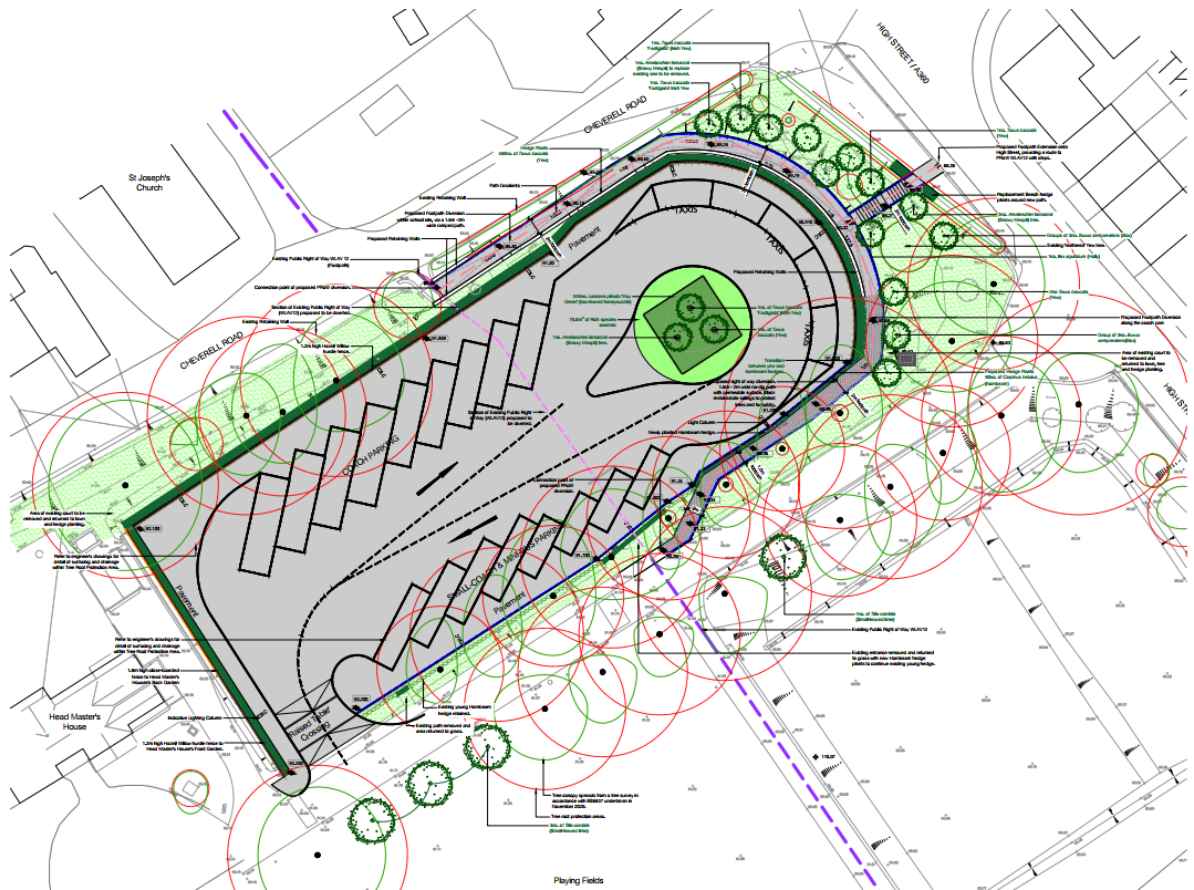


**View from High Street looking west towards application site** © Google

### **3. The Proposal**

The application proposes the development of a coach, mini-bus and taxi drop-off/pick up area and associated infrastructure. As part of the application, it is proposed to divert WLAV12 around the red line boundary of the site. However, beyond this small diversion around the red line boundary, it is no longer proposed to divert any other section of WLAV12 that passes through the school. For information purposes, whilst this diversion does not need planning consent (it is dealt with under separate legislation), it was included as part of the original application but has since been removed (save for the small section referred to above).

Below is the proposed plan of the scheme.



#### 4. Planning Policy and Guidance

##### Wiltshire Core Strategy 2015 (WCS):

- CP 12 – Devises Community Area Strategy
- CP 50 - Ecology
- CP 51 – Landscape
- CP 57 – Ensuring High Quality Design and Place Shaping
- CP 58 – Ensuring the Conservation of the Historic Environment
- CP 61 – Transport and New Development
- CP 67 – Development and Flood Risk

##### West Lavington Neighbourhood Plan

##### Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

##### National Planning Policy Framework 2019 (NPPF)

##### West Lavington Conservation Area Statement (Supplementary Planning Document)

#### 5. Relevant Planning History

There is no relevant planning history pertaining to this proposal.

#### 6. Summary of consultation responses

##### West Lavington Parish Council

From lengthy and detailed discussions within the Parish Councillors' forum and with many members of the community, as illustrated by the exceptional number of comments on the planning website, the Parish Councillors have decided, by a clear majority, to object to the proposal on three aspects.

#### 1. Infrastructure.

It is accepted that there is need to improve the vehicle/pedestrian interaction within the site. However, the restriction on the B3098 has not been identified as the cause. Therefore, in seeking a solution, no consideration has been given to the potential significance of this infrastructure element. The resulting scheme has been prepared without any statistical modelling in a situation where any proposal will affect the accident status of features at all connections between the A360, the B3098, the school entrances and exits and all pedestrian movement routes. And in the latter case this includes the students from all three local schools. Wiltshire Core Strategy Policy 3 encourages the requirement for the delivery of infrastructure to support development. In a reversal of this requirement this development has not investigated the potential of the infrastructure which could deliver a supportive solution.

#### 2. Conservation.

Our Neighbourhood Plan shows the lime avenue on the front cover and is a very important green feature for the villages from all directions. The frontage of our conservation area is the street elevations, looking to the east and west, over the length of the A360. A study of the location of almost all our Heritage Assets listed in the Neighbourhood Plan illustrates that fact. If a planning proposal was being considered anywhere along either of those elevations, nothing less than the full weight of conservation planning law would be applied as would the NPPF, the Wiltshire Core Strategy, the West Lavington Neighbourhood plan (Policies BE1, BE2 and even BE3 as this concerns on/off street parking) and our own Village Design Statement. A coach park is not an acceptable introduction in the centre of our street scene and particularly because the site for this proposal is elevated above adjacent properties on east west and north elevations.

In Planning terms, it was felt that this proposal for the coaches is a request for a Coach Station on the site of a number of tennis courts. That is a material change of use and requires an application under the Town and Country Planning (use Classes) Order 2005 amendment.

#### 3. Environmental

Most of the environmental concerns stem from the change of use. The proposal would subject adjacent residences (all at a lower level) to noise, air and light pollution. All reductive of current amenity and in the case of air pollution, potentially damaging. A proposal to control timing of arrival and departure of vehicles (apart from being outside the remit of Planning Legislation controls), did not convince Councillors and did not appear to take into account visiting schools sports transport and Summer School activities.

There is particular concern for the lack of provision for the health of the listed avenue of lime trees under vehicle weight. They have the protection of the Town and Country Planning Act 1990 and are key components of our Green Infrastructure. It was not accepted that there is any way this load on the root structure can be satisfactorily ameliorated to prevent killing the trees. There was also doubt over the capacity of the proposed permeable surface to allow rainwater but prevent ingress of oil or diesel spills.

In summary of this consultation report the Councillors consider that although this application may meet the requirements of the school, it does so at the expense of the immediate infrastructure and the community and they have asked their District Councillor to consider calling the application in.

Councillors were also disappointed to see a new plan submitted to the Wiltshire Council website on the final day of the consultation process. This does not provide time for councillors to have time to review to see what the changes are or indeed advise members of the community that there is potentially a revised plan submitted.

### Wiltshire Council Highways

#### ROW

Though more detailed comments from my PROW comments will have been sought I am happy that the proposed design shows an adequate diversion route which will keep vehicles and pedestrians apart. In its essence the route keeps a north/south connection and is maintained. My PROW colleagues will advise on how the applicant is best going about the legalities of formal diversion.

#### Cheverell Road Access

A point was raised to me about the suitability of the Cheverell Road access being used for both ingress and egress of coaches. I note that in 2008 the application granting the access secured a condition to ensure that the access was to only be used for egress by coaches. I am unable to place my hands on the historical decision/engineer's note. From my observations I would not foresee a safety issue with this access being used for access and egress of coaches, though I would have to caveat that with a better understanding of the previous decision making.

#### Lighting

The car parking area will be above road level so the lighting is not likely to impact on passing vehicles, though I am mindful of the adjacent dwellings and lanterns should be applied to direct the lighting away from the exterior of the site.

#### TWO movement at the A360 Access

I am aware that many concerns have been raised in regard to a two-way movement of coaches at the A360 and a possible impact on the road and the pedestrian crossing. The information provided suggests that at peak time (drop off and pickups a total of 9 coaches are in operation) I do not consider this to be a significant number to accommodate on the road network and in turn at the junction. The access on the A360 currently takes at least 50% of the movements (ingress) and there will be at times when coaches are already having to wait on the A360 while other vehicles take access. There is space on the A360 to allow vehicles to pass a stationary vehicle (if they are safe to do so). The markings on the road e.g., Stop line, pedestrian crossing and keep clear markings will restrict/encourage waiting vehicles from waiting too long.

I appreciate the concerns raised in regard to a possible impact on the users of the crossing but the effect of a vehicle turning into the site is a current arrangement. I acknowledge that there is a concern that having two-way movements will increase the likelihood of vehicles waiting on the A360. I am minded that the numbers being considered are just 9 coaches, therefore the time taken for the vehicles to leave the site will not be excessive and as such a period of waiting on the A360 ( if any ) will not be excessive.

It should be noted that the NPPF states that an application can only be refused on highway grounds if the proposal will result in a significant detrimental effect on the users of the highway. Given the current situation (50% of the movements – ingress – are already taking place) and that the numbers of coaches are low I am satisfied that the impact is unlikely to be considered as significant and severe and may not be considered as such by the planning Inspectorate if the application goes to appeal.



Some improvement could be made by providing a passing area within the access road site, so vehicles are deterred from having to reverse out of the site or into the site. This does not have to be immediately at the site entrance but will provide a bit of flexibility within the site. I note concerns raised that there could be an increase in vehicles waiting on the A360 at peak times. However, the true peak for a road such as the A360 is associated with work traffic with school traffic usually falling outside of this time.

The applicant has outlined a mode of operation for the site which will encourage to a robust extent access to and from the site by coaches. They note as part of the operation licence of the coaches there will be a requirement for them to remain on site to allow all coaches to be boarded (dismounted) to encourage vehicles to access and leave at the same time. I am happy that this can be conditioned and monitored. I advise a conditioned worded in a similar vein to the below:

The proposed parking area will not come into operation until the Council is provided with written evidence of the contract between the school and operator outlining the timing of operation of coaches to ensure that vehicles enter and leave at the same time, minimising conflicting vehicle movements. The details of which shall be monitored and managed by the school via their travel plan and monitored by the Council's School Travel Plan co-ordinator.

Reason: In the interests of the amenity of the highway users.

Therefore, in summary. I am minded that based on the information provided there is no reason to raise a highway refusal on the proposal. I am happy to offer no highway objection subject to the following conditions:

No operation on the site shall come into use until the displaced parking is replaced within the site as per the submitted details.

No operation on the site shall commence until the PROW has been diverted and constructed as per details approved by the Council's PROW Team.

Reason: In the interests of the amenity of the highway users.

#### Wiltshire Council Public Rights of Way (First Comments)

Objects to the diversion as it was not meet the requirements for a diversion order. In summary, they recommended that the best course of action for the applicant, would be to divert WLAV12 onto a path around the coach park with a surface similar to that proposed for the other paths.

#### Wiltshire Council Public Rights of Way (Revised Comments)

I am happy to withdraw my objection based on the revised plan submitted (2008, 2100, G). The proposed footpath diversion is acceptable to the specification shown in this drawing. A diversion order must be applied for, made and the new route constructed and certified prior to any works taking place which will affect the original route of the footpath. The additional section of path to be dedicated between the site and the High Street can be included on the diversion application as far as the site boundary. The final section of this path circled in red below is situated on highway verge so this section will not need to be dedicated but will need to be constructed under a Short Form S278 agreement as advised by Highways (Hannah Jones).

Informative:

The granting of planning permission does not entitle a developer to obstruct the legal line of a public right of way. It cannot be assumed that because planning permission has been

granted that an order for the diversion or extinguishment of the right of way will invariably be made or confirmed. The right of way must be kept open at all times until an order has been confirmed and the alternative path has been certified by Wiltshire Council.

Wiltshire Council Conservation

Object **any reasons given?**

Wiltshire Council Ecologist (First response)

The Biodiversity Net Gain Assessment (aLyne ecology 2021) shows a biodiversity net gain on site however the unlocked Biodiversity Metric spreadsheet has not been submitted, nor referenced to suitable site drawings, therefore it is not possible to assess where the net gain will be accommodated.

The Biodiversity Net Gain Assessment (aLyne ecology 2021) recommended the implementation of three bird boxes and two bat boxes. The proposed location of these needs to be included on the site plan.

CP50 states '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 Preliminary Ecological Appraisal report (aLyne ecology 2021) 'Lighting that is required for security or safety reasons, should use a lamp of no greater than 2000 lumens (150 Watts) and should comprise sensor activated lamps.' However, the lightning plan (Kingfisher lighting 2021) shows lamps are 8990 lumens. Please adjust to ensure that the lighting strategy aligns with the ecologists' recommendations.

Wiltshire Council Ecologist (Second response)

In order to address this without further delay, I suggest that an Ecological Parameters Plan is submitted for approval. This should be a scaled site drawing based on a map of existing built and undeveloped areas within the red line boundary and in the wider blue line area. Areas where biodiversity net gain will not be achieved (i.e. areas of hard standing, sports pitches etc., should be hatched in one colour and all areas where it will be possible to deliver biodiversity net gain in another colour. I note that the area within the blue line, outside of the red line is quite large and should provide sufficient sized areas for enough habitat creation to demonstrate no net loss of biodiversity within the site, as required by NPPF and CP50, as well as a reasonable amount of net gain for biodiversity. The requirement for submission of the Biodiversity Metric, prior to commencement of works, will then be subject of a condition, as below.

They confirmed that lighting can be controlled via condition as well as the drawing showing the location of the bat and bird boxes.

Wiltshire Council Ecologist (Final response)

They are happy with the submitted Ecological Parameters Plan and the Site Plan indicating the provision of bat and bird boxes for the above application. They have no objections subject to two conditions - one for lighting and one for BNG detail as in my response dated 9/3/22.

**7. Publicity**

The application was advertised by way of a site notice and neighbour notification letters. As a result of this exercise around 80 letters of objections have been received. The principal comments put forward are highlighted below:

- It is much more than just the nine coaches stated by Highways Officer.
- Timings of drop off and pick up are within peak travel times.

- Noise air and light pollution from this coach park.
- Location will impact upon the listed cottages off Cheverell Road.
- Impact upon views and visual amenity
- Elimination of a well-used public right of way
- Impacts upon highway safety
- The increase in traffic will affect the ability to access properties safely
- Already traffic problems on the A360, Lavington Lane and Cheverell Road
- This parking area is to be constructed within a conservation area close to listed buildings and private residences and will in no way enhance this area, nor the approach to the main school building nor the views of the village next to the crossroads.
- It is time that the restriction on allowing coaches to enter at the rear of the school should be re-examined. Is it now time for coaches to be allowed to enter and depart at the rear of the school where there is plenty of space and security lighting already in place? It would seem that delivery vehicles are to be permitted to enter and exit the school site from the Cheverell Road so why not coaches and minibuses?
- Diversion route of the PRow is still unacceptable and is a much more undesirable route which affects the historic lime trees and the setting of heritage assets
- The coach park will be visually intrusive on the setting of the school and headmasters house and driveway and disrupt the symmetry. It will damage the setting of the grade II listed main school building. Whilst the present car park etc. does not add anything, it is fairly well screened. All this will be ripped up for large expanse of tarmac.
- It should be located to the rear where heritage impacts would not be an issue
- The B3098 is signed for HGV traffic so why can't it be used for entry and exit into the school.
- No data on the impacts on peak flows on the A360
- Use of the B3098 would be safer than entry and exit onto the A360 with its staggered junction and zebra crossing.
- Harmful impact to historic lime trees on school drive – damage to roots etc through development
- Will significantly affect the quality of village life
- Will coaches even be able to turn in the turning circle provided
- Tree planting will impact light to our property and reduce the safety of the PRow.
- Diversion of the footpath is totally unacceptable and will offer a far more dangerous route to users than the current one as the footpath on the A360 is very narrow.
- This right of access along the PRow predates the school.
- There is no separate pavement along the school driveway which will not be used by all coach traffic. How is this safer for school pupils?
- Plans should be to the rear of the school with the school providing a strip of land at the junction of Cheverell Road with the A360 to allow Wiltshire Council to make improvement works.
- Current staff parking to the front is unauthorised as permission was never granted for it. Use of parking to the rear seems sufficient so it is not necessary. Its removal would be an enhancement.
- The coach park will be used more often than claimed and during school holidays too when the school runs activities
- The safeguarding advantages to the school are far outweighed by the negative safety impacts on the general public of the proposed plans.
- The new proposal for the coach movements within the school greatly increases the chance of an accident than is currently the case

- The privacy of our home will be directly impacted as two windows, one bedroom and one reception room, in our property are overlooked by the proposed site and will allow hundreds of people to have direct views into our home which is approximately 14 metres from where the coaches will park.
- The proposed development would be a 'blot on the landscape' which would impact the countryside that as villagers we enjoy.
- The existing situation is not unsafe for pupils of the school.
- Loss of views to Strawberry Hill from the PRow with the hedging planting will affect the users enjoyment.
- Why does lighting need to be so high compared with existing driveway lighting at the school.
- Consultation was insufficient and not enough time given.
- This is another example of the privileged few riding roughshod over the rights of the many and should not be permitted.
- Impact of lighting on local ecology
- Agree with the principal of achieving a biodiversity gain but it is the extent of planting, which will enclose the open playing fields with effectively a solid green wall for a significant part of the year, that is unacceptable.
- New PRow route is not safer, moves away from features of interest, lowers the quality and diversity of views, is longer and its physical features would be worse than the current route.
- If rerouting the PRow is for the safety of the pupils, why are they allowed out of the school?
- The public footpath passes the rear of my property and is used very frequently by local dog walkers and joggers etc. and to interfere with the route of this path & to force people to use a busy public highway, with no footpath in places, is unfair considering this pathway right has been in force longer than Dauntseys School.
- Diversion route not safe for wheelchair users as pavement is too narrow
- The question of safeguarding, while at the forefront of any school, in this case is a bit of a red herring inasmuch as there are numerous, unrestricted points of ingress to Dauntseys school which pose the same potential risk to students however, to my knowledge, there have been no incidents regarding this section of the PRow.
- Do not ruin our beautiful countryside to make a private school even more private without a care for the village it's situated.
- If this footpath is closed it will mean the footpath at St Joseph's Catholic Church will have no connecting footpath
- A further look at the drainage calculations suggests that an inappropriate safety factor has been used. Using the standard factor of two and not reviewing its use may potentially mean the system floods more easily and has less tolerance built in. CERIA 753 should be consulted when designing infiltration systems etc
- It appears that the soakaway tests were not conducted as per the BRE365 guidance where the trial pit should be filled three times and the test recorded on the third fill. This is to ensure the ground is appropriately saturated as you may find after several rain fall events
- Tests were also carried out in one location which whilst limits the understanding of the appropriateness of soakaways it noted the site is small in size
- There is no catchment area plan to demonstrate the catchment size, nor a flood flow drainage to demonstrate the exceedance event.
- Maintenance doesn't appear to site hydraulic cleaning which may be required for deep cleaning of permeable paving and removal of hydrocarbons that may leak from busses particularly old ones!

- Changes in site levels will make the buses more visible where once vegetation stood.
- Dauntseys could paint the surface of the coach park mauve and yellow!
- Previous planning issues arising from the school seem to have shown that local opinion is sometimes neither sought or respected.
- The closure of the footpath that gives the village a safe walking route is unacceptable and will cut parts of the village off from each other.

## 8. Planning Considerations

### Principle of Development

There are no 'in principle' policies that deal with this type of development. The use is associated with/ancillary to the wider use of the site as a school. It is therefore not a change of use of the land and consent is merely required for the operational development i.e., the laying out of a hardstanding, pavements, fencing and lamp columns.

The parking of the coaches in this location is something the school could do without the need to obtain any form of planning consent i.e., if they did not carry out any operational development. However, to be clear, because they have chosen to lay a hardstanding, create pavements and erect fencing and lighting, planning permission is required.

### Design / Visual Impact

The scheme has been designed to enhance the traffic flow through the school with the principal aim of improving pupil and staff safety by removing the need for coaches to travel through the school.

Broken down into the basic components the scheme proposes a hardstanding for coaches/minibuses, pavements for pedestrian flow, some lighting columns and fencing/railings. Subject to appropriate controls, these components are considered acceptable in design terms and in any event, do not have opportunities in design terms for a significant degree of variance. These appropriate controls are discussed in further sections of the report.

The site in its present form is largely made up of hardstanding (car park and disused tennis courts) with a small strip of green space running between the two along the line of WLAV12. The proposed site will have a broadly similar level of hardstanding so in respect of this, there is little objection in visual terms.

The current areas of hardstanding are bounded by hedging and 3.1-5m high sports fencing. The proposed boundary treatment around the coach park will be predominately native hedging with 1.2m high hazel hurdles behind (the benefit of these being that they will diminish over time as the hedging matures so will not be a permanent solid barrier which is a preference in both design and visual terms). However, a small section (approx. 20m) that adjoins the headmasters back garden will compromise 1.8m high close boarded fencing in front of the hedging to maintain privacy levels, and to help reduce noise and emissions from vehicles. It is noted that there is already 1.8m close boarding fencing around the Headmasters House so it is not introducing an alien component into the landscape and, given its location, not a particularly visible one either (its sits perpendicular to the Cheverell Road). In summary, in relation to the above aspects, these changes result in a broadly similar character to what is seen currently and would not therefore constitute adverse visual harm.

The PRoW that currently runs through the site is to be diverted around the front of the coach park (closest to the High Street). It will be bound by estate railing on the side facing

Cheverell Road and the High Street. Whilst at a higher elevation, it will sit behind the existing roadside hedging and planting. There will also be some additional planting in respect of the side fronting the High Street. Additionally, there will be some steps down from the diverted PRow onto the High Street. Although these changes of course differ from the present visual appearance of the site frontage in this location, they are not drastic changes that are deemed to cause any adverse visual harm – it is noted that at this location, there is quite heavy influence from built form that does have an urbanising effect (houses and road infrastructure/furniture). It is also considered that this diversion will not have an adverse impact on the user's enjoyment of this PRow as it is a relatively small diversion from the current route that is not already without its urban influences (a school car park and tennis courts with built form visible).

The site will have some lamp columns (9 columns approx. 6m high) installed around the edges of the site which is of course introducing a new feature – although not an entirely alien feature as they are present along the High Street. Such lighting will only need to be in use in winter when it is dark, at school drop off and collection times. As a result of the above points, their physical presence and the impact from lighting will not have an adverse impact on the visual amenities of the area or indeed to dark skies (noting the location within a large village and the lighting plans shows 1-0.5 lux levels outside of the site).

The front of Dauntseys sits at the heart of West Lavington/Littleton Panel with urban character and influence from the High Street's buildings and road furniture. Whilst the back of the site relates more to the countryside, it is the front part of the site where the development is proposed. Bearing in mind these urban influences and the existing character of the site, it is difficult to see how this form of development can be considered drastically different to the present and certainly not a change that could be construed as having an adverse impact on landscape character or visual amenity. An appropriate response has been provided in landscaping terms to ensure the impacts of the development are softened so far as practically possible in accordance with the aims of Core Policy 51 of the WCS.

Whilst acknowledging the site currently does not have minibuses or coaches parked on it, their presence would not be considered to cause adverse harm to the character and appearance of the landscape. The presence of parked cars/vehicles of this scale is not of itself sufficient reasoning to withhold planning consent on visual grounds. Notably when you consider there is already a vehicular presence on the site through the existing staff car park, and the fact that the use of this part of the site in its current form, for the parking of larger vehicles, would not require planning consent.

In respect of Core Policies 51 (landscape) and 57 (design), your officers contend that the scheme is in broad accordance with these policies (noting that amenity will be covered in the next chapter of this report).

#### Neighbour Amenity

There are two main issues here. The effects of the light pollution upon neighbouring properties along the Cheverell Road, and the impact of the comings and goings of coaches etc. at collection and drop off times.

In respect of lighting, the hazel hurdles around the site will provide sufficient instant screening prior to the establishment of the Yew hedging to ensure the light from coach headlights does not shine into the properties across the way on Cheverell Road. Furthermore, this can be managed more generally through a wider travel plan to be submitted to the LPA via a planning condition. Within such a plan, the LPA would expect to see an agreement with coach operators and the school to ensure headlights are only used during the operation of the vehicles and not left on.

The lamp columns will introduce more lighting into an area that is presently not brightly lit. However, the 9 columns have been designed to minimise light spill out of the area. To this end, a lighting plan has been submitted which shows approximately 1 lux at Cheverell Road and approx. 0.5 lux at neighbouring properties. This level of light spill is low enough to ensure no adverse impacts upon adjoining properties. However, it is noted the luminance level of the lighting conflicts with the advice in the ecology statement and as such needs revising. A condition requiring detailing of lighting is to be imposed to address this. However, from an amenity point of view there are no concerns with the lighting set out which is brighter than ecologists would like.

With regards to the comings and goings of coaches, it should in the first instance be noted that all coaches presently enter Dautseys via the main drive and exit via the Cheverell Road. Whilst the drop off and collection point is to the rear of the school away from residential properties, it is fair to say that the coach traffic serving the school already features in this area and will be part of the background noise levels. Furthermore, the staff car park currently on the site will also be contributing to this current background noise (as well as light pollution in the form of car headlights). The additionality of coaches manoeuvring into parking spaces to drop off and collect pupils on this part of the site will of course add some further noise. However, when you take account of the existing position it would be difficult to suggest this would cause adverse harm. Engine noise can be mitigated in a similar way to headlights through the wider travel plan mentioned previously. It would be expected to see an agreement with coach operators and the school to ensure engines are promptly switched off and not left idling.

Turning to other amenity issues (overbearing impacts, loss of light and privacy), it is not considered that the introduction of a coach park would have an adverse impact on the reasonable living conditions of nearby properties with regards to these points given the limited level of development proposed. In addition to this point, the site is already used for staff parking and the school would be entitled to use the area for other activities ancillary to use of the wider site as a school. Even as a parking area where engineering works such as the hardstanding and lighting columns not proposed.

Your officers are satisfied that in so far as amenity standards are expressed in point vii of Core Policy 57, this application would be in accordance.

#### Impact to Trees

The design of the coach park has been developed around the existing trees to ensure that they are safe guarded. The submitted Arboricultural Method Statement (AMS) sets out the practises surrounding how construction will take place to protect the existing mature trees on the site.

In summary, two trees, one hedge and a small section of a further hedge are proposed for removal to facilitate the proposals. Mitigation for the tree removals is proposed through a comprehensive landscape planting scheme prepared by NVB Landscape. With regards the RPA of the mature lime trees it is proposed to construct the coach park using a 200mm deep Cellular Confinement Ground Protection System to prevent damage to underlying roots using no dig construction techniques to protect from machinery damage. Permeable paving is to be used to improve water and gaseous exchange to tree roots and engineered solutions have been devised where such porous material is not practically possible due to the weight of the coaches. This is all in accordance with BRE standards.

Subject to development being carried out in accordance with the AMS and the landscaping scheme by NVB, there will no harm to retained trees on site. Such matters can be secured via conditions. In doing so, the contribution the existing trees on site make

to the character and appearance of the area, notably the CA, can be maintained to the ensure amenity levels and tree stocks are preserved.

#### Impact on Heritage Assets

In respect of No.'s 7-9 Cheverell Road, the B3098 provides a clear divide between the curtilage of the dwellings and the school. The soft boundary treatments and Hazel hurdles proposed along this side of the site will help to maintain the bucolic nature of the lane and ensure that the setting of these properties is not compromised to a harmful extent. The presence of coaches through a small part of the day would not be sufficient in itself to raise an objection on heritage grounds regarding the impact they may have on the setting of these cottages. This is a temporary effect and one which the school could effectively do on the existing hard standing without the need to obtain planning permission. Furthermore, the site fronts a road where these coaches already pass.

The site lies approx. 85m from the main school building which is grade II listed. In light of the landscape considerations above, it is considered that the character change to this part of the site will not be so significant such that, coupled with the separation distance involved, the development will not have an adverse impact on the setting of this listed building. The presence of coaches will obviously be a new feature within the view but they are not considered to be so intrusive or have an impact that would render the proposal as having "substantial harm" to the setting of the heritage asset. Furthermore, the layout of the site has been designed to ensure these coaches park on the RHS of the site when facing the main school building to minimise the impact they will have on the views up towards the school. In addition, coaches do travel up the drive and pass the main school building presently and, there is nothing to stop them from parking on the existing areas of hard standing.

With regards the Conservation Area (CA), a similar conclusion is drawn to the above. The changes to this part of the site are not so pronounced such that the character and appearance of the CA would be materially harmed. There are a number of modern urban influences in this part of the CA that have an effect on its character – notably the road infrastructure around the High Street junction with Cheverell Road and Lavington Lane and the more modern buildings constructed in this part of the village. Whilst this too will be a modern development, it is considered that with the proposed landscaping and boundary treatments, its influence can be reduced to a broadly neutral level – bearing in mind that, of the permanent development on this site, it will principally be the lamp columns that are visible from public vantage points (the hard surfacing should be screened for the most part by the hedging and due to the variance in site levels to the High Street). As previously discussed, the nature of parked coaches will not amount to any significant harm to the CA and can be parked on the site without the need for planning permission in any event.

Overall, it is considered that the scheme is in accordance with the Core Policy 58 of the WCS as there will be a broadly neutral impact upon affected heritage assets i.e., no harm.

#### Highways Safety

The critical point here is that the Local Highways Authority (LHA) have not objected to the application subject to conditions. Such conditions are considered reasonable and necessary and have been recommended to be imposed on any permissions given.

In more detail, the NPPF is clear in that applications can only be refused on highway grounds where the proposal will result in significant detrimental effects on users of the highway (paragraph 111). Within this context, one must consider the present situation which is as follows:



- all of the coaches to Dauntseys arrive via the main driveway
- whilst they have the option of exiting onto the B3098 or back through the school and onto the A360, it seems they exit onto the B3098 (in effect a 1-way system).
- 50% of coach movements associated with this application are already occurring into the school's main entrance and thus already having an effect on the adjoining A360.

The proposal will see coaches exiting onto the A360 from the main drive as well which naturally results in additional movements which will be displaced from the Cheverell Road. That said, given the low numbers of coaches involved, the LHA do not consider this increase to be significant when compared with the existing situation, such that an objection could be sustained under NPPF para 111. Furthermore, the operational plan outlined by the school (to be conditioned) will ensure all coaches arrive and leave at the same time in order to minimise disruption and ensure little to no conflict arises between entering and exiting coaches.

The LHA have also considered the A360 as being wide enough at this point to enable vehicles to pass coaches waiting to turn into the school (provided it is safe to do so). As such this will help ease the flow of traffic if a situation does arise whereby a coach is waiting on the A360 (presumably this is the same as what must happen now). It is also considered that any coach waiting to turn into the school is unlikely to be waiting for long and therefore any delay to other people's journey times would not be consequential (probably around the 2-minute mark as suggested when discussing the matter with the LHA).

Concerns have been raised over the impact to users of the existing crossing near to the entrance of the school caused by coaches. Coach drivers should be aware of the Highway Code which does not allow them to obstruct the crossing nor wait for significant periods of time within the zig zag road markings which are matters that sit outside of planning legislation but, nonetheless allay concerns here. Furthermore, the LHA do not consider there to be a significant increase in movements as a result of this application.

Also, concern has been raised over those who walk to the school via the main drive which at the entrance, presently does not have a separate footway. The PRow diversion includes steps up from the High Street around the coach park linking up to the existing footway towards the back of the main school drive. This provides a suitable alternative and safer walking route for pupils that minimises conflict with vehicles. Accordingly, any increase in traffic should not cause an issue here with this route in place. It would be expected of the school that they encourage pupils to use this route into the school when walking if problems are considered to arise. This should lead to a small benefit in safety terms.

Concerns have been raised over the volume of coaches etc that enter and exit Dauntseys beyond the coaches dropping off and collecting pupils during the school week e.g., for sport fixtures. However, this is an existing situation and cannot be subject to controls under this planning application as they are entitled to do this presently without any restrictions from the LPA.

It should be noted in any event that this application is not seeking to increase vehicular movements to and from the school. The same numbers of coaches will enter and exit the school under the proposed scheme as there are now. There cannot therefore be arguments raised on increased pollution levels in the area as these coach movements already occur within the Dauntseys school campus.

In summary, it is not considered that there are sufficient grounds to raise objection to this application under highways safety grounds – principally, in light of consultation response received from the LHA and the thresholds placed under NPPF para 111.

#### Public Rights of Way

In light of the amended plans, the PRoW Team are content with withdrawing their objection. The proposed footpath diversion is acceptable to the specification shown in this drawing. The PRoW Team have set out that a diversion order must be applied for, made and the new route constructed and certified prior to any works taking place which will affect the original route of the footpath. This is something the school must do in liaison with the PRoW Team at the Council to avoid any risks of enforcement action.

All previous comments relating to the wider footpath diversion are noted but, as the scheme has been amended, are no longer relevant to the scheme before the Committee. It should also be noted that hedge planting does not require planning permission and therefore can still be carried out should Dauntseys wish to do so on the parts of the WLAV12 that cross their site.

#### Ecological Impact

The latest consultation response from the Ecologist confirmed that lighting details can be requested via condition. Your officers recommend a suitable condition to this effect in the interests of conserving biodiversity. A lower level than currently set out will not conflict with the neighbour amenity points raised above.

The Biodiversity Net Gain Assessment (aLyne ecology 2021) recommended the implementation of three bird boxes and two bat boxes. The proposed location of these needs to be agreed with the LPA. The drawing showing these features has been submitted to the LPA and your officers are happy to accept this in line with the Ecologists recommendations. There is no longer a need for this to be conditioned.

The Council's Ecologist has been unable to assess where the net gain will be accommodated on the site as the unlocked Biodiversity Metric spreadsheet has not been submitted, nor referenced to suitable site drawings. However, there is sufficient space within the site to enable biodiversity net gain to be accommodated. The ecologist has recommended the submission of an ecological parameters plan safeguarding areas for biodiversity net gain (BNG) to be accommodated. This has been submitted and is acceptable. The requirement for the submission of a Biodiversity Metric, prior to commencement of works, can be the subject of a condition to ensure net gain is achieved.

In light of the above, and through the use of the suggested conditioned, it is contended that there is no longer any objection on ecological grounds. The scheme is thus in accordance with Core Policy 50 of the WCS and paragraph 180 fo the NPPF.

#### Drainage/Flooding

The current site compromises approx. 2600m<sup>2</sup> of impermeable hardstanding. Drainage investigations on site have concluded that run off from this hardstanding is not currently collected and presumably flows overland and then to ground via infiltration. BRE365 testing has been done on site to show that infiltration is possible on the site.

The proposed scheme sees a very similar level of impermeable hardstanding (due to the weight of the coaches porous surfacing is not possible). However, this hard standing will have drainage channels/gullies built into it which clearly differs from the existing arrangement. The drainage channels will discharge surface water to a permeable subbase located beneath the tarmac surfacing which has been designed to accommodate

storage requirements to meet NPPF guidance (1 in 100 events storm event plus climate change).

Subject to the development being carried out in accordance with the approved details, there will be no increased flood risks outside of the development site. The requirements of NPPF policy and Core Policy 67 of the WCS are thus satisfied.

## **9. Conclusion (The Planning Balance)**

There are no 'in principle' policies that indicate this form of development should be considered unacceptable.

The scheme will not have an adverse impact upon the character and appearance of the area and is thus considered to be in broad accordance with Core Policies 51 and 57 of the WCS.

The proposal will have a broadly neutral impact upon heritage assets and thus in the absence of identified harm, is considered to comply with Core Policy 58 of the WCS. It is noted that the greatest impact is from the presence of coaches on the site but, this is a temporary impact during the periods of school drop off and collection and therefore not a substantive ground in which to attach harm to.

Whilst considerable objection has been raised in respect of the highways impacts of the development from locals, the LHA is satisfied that the scheme will not have a severe impact on users of the adjoining highway (A360). In light of NPPF para 111 they have not raised objection to the scheme.

Subject to appropriate conditions, there are no technical objections raised with the application against ecology, trees or drainage.

In light of the above, after significant amendment since submission, the scheme is considered to accord with the development plan policy and is thus acceptable. Accordingly, planning permission is recommended.

## **RECOMMENDATION**

Approve with conditions

Conditions: (10)

- 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 and documents:
  - Dwg Ref: 2008-2822 C Design & Access Statement
  - Dwg Ref: 2001 C Location Plan
  - Dwg Ref: 2100 H Proposed Site Plan
  - Dwg Ref: 2 200 A Site Section A - Existing and Proposed

- Dwg Ref: 2 201 A Site Section B - Existing and Proposed
- Dwg Ref: 2 202 A Site Section C - Existing and Proposed
- Dwg Ref: 2 203 A Site Section D - Existing and Proposed
- Dwg Ref: 7310/02 Rev E Engineering Layout
- Dwg Ref: Figure 1 001 Ecological Parameters Plan

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

- 3 Prior to the commencement of development, an updated Biodiversity Net Gain (BNG) calculation will be carried out, based on the final layout of the site. Submission of the unlocked Biodiversity Metric spreadsheet used to calculate BNG is required (Biodiversity

Metric 3.0), accompanied by site maps referencing the current measured habitats within the site and those proposed for BNG.

REASON:

In the interests of conserving biodiversity in accordance with paragraph 180 of the National Planning Policy Framework.

- 4 No external lighting shall be installed on-site until plans showing:

1. the type of light appliance;
2. the height and position of fitting;
3. illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals in their publication "The Reduction of Obtrusive Light" Guidance Note 01/21 (reference GN01/21); and,
4. a lux plot demonstrating that a level of 0.5Lux (unless an alternative lux level is agreed with the local planning authority in writing) can be achieved at the edges of features with potential function for wildlife,

have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and maintained in accordance with the approved details, shall not be varied in design and no additional external lighting shall be installed without prior written consent of the LPA.

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

- 5 The development hereby approved shall be carried out in accordance with the surface water drainage strategy Issue 1 by Cole Easdon Consultants Limited and dated September 2021.

REASON: To ensure that the development can be adequately drained in accordance with paragraph 167 of the National Planning Policy Framework.

- 6 All soft landscaping comprised in the approved details of landscaping (Dwg No. 2100 G) shall be carried out in the first planting and seeding season following 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.

- 7 The development hereby approved shall be carried out in full accordance with the Arboricultural Method Statement by Assured Trees Arboricultural Consultancy and dated 7th September 2021.

REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during or post construction works taking place and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

- 8 Prior to the first use of the development hereby approved the Council shall be provided with written evidence of the contract between the school and operator outlining the timing of operation of coaches to ensure that vehicles enter and leave at the same time, minimising conflicting vehicle movements. This should include agreement to ensure that engines are switched off promptly and headlights only used during the operation of the vehicles and not left on. The details of which shall be monitored and managed by the school via their travel plan and monitored by the Council's School Travel Plan co-ordinator.

REASON: In the interests of the amenity of the highway users.

- 9 Prior to first use of the development hereby approved the displaced parking shall be replaced within the site as per the submitted details.

REASON: In the interests of the amenity of the highway users.

Informatives: (1)

The granting of planning permission does not entitle a developer to obstruct the legal line of a public right of way. It cannot be assumed that because planning permission has been granted that an order for the diversion or extinguishment of the right of way will invariably be made or confirmed. The right of way must be kept open at all times

until an order has been confirmed and the alternative path has been certified by Wiltshire Council.