

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	19th September 2012		
Application Number	11/03934/REM		
Site Address	Land at Station Road, Calne, SN11 0JS		
Proposal	Residential Development 101 dwellings (Reserved Matters).		
Applicant	Hills Property Ltd.		
Town/Parish Council	Calne/Calne Without		
Electoral Division	Calne Central	Unitary Member	Howard Marshall
Grid Ref	399436 170646		
Type of application	Reserved Matters		
Case Officer	Charmian Burkey	01249 706667	Charmian.burkey@wiltshire.gov.uk

Reason for the application being considered by Committee

The application was called to Committee by Councillor Marshall to assess the impact on the surrounding area, relationship to adjoining properties, design and impact on highways.

1. Purpose of report

To consider the above application and to recommend that the application be DELEGATED to the Area Development Manager for planning permission be GRANTED subject to satisfactory outstanding consultation responses from internal consultees (listed below) and subject to conditions.

2. Report summary

The application seeks approval of reserved matters following the grant of outline planning permission in 2007 (05/02822OUT refers). Only the details of the application can be considered as the principle of development for around 100 dwellings with access off Station Road has been clearly established.

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

- Principle of development
- Impact upon highway safety
- Impact upon visual amenity and landscape character
- Design
- Impact upon neighbour amenity
- S106 contributions

The application has generated objections from Calne Without Parish Council and 12 letters of objection from the public.

3. Site Description

The site is now cleared from its former use as an industrial site. It still has large areas of concrete relating to its former use, with areas of cleared debris in several piles. The site has been vacant for

a number of years. The site is an allocated housing site in the North Wiltshire Local Plan 2011 for 100 houses and forms part of the Council's 5 year land supply.

It is largely level, lying several metres below much of the modern housing to the south with the land to the north sloping down to the River Marden and the cycle path/pedestrian routes along its banks. The main town of Calne lies approx 400m to the east. The site and the Wenhill Heights housing is accessed off Station Road. The land to the west is open farmland with the cycle route passing through it.

4. Relevant Planning History		
Application Number	Proposal	Decision
05/02822/OUT	Residential development	Permission
11/03784/SCR	Screening Opinion	
11/03805/OUT	Residential Development	Not determined

5. Proposal

The proposal is for 101 houses with associated parking and works. Because of the former use of the site there is an element of contamination which is to be dealt with by way of capping subject to approval by Environmental Health. The layout of the proposal has been the subject to considerable discussion with officers resulting in revisions and a final proposal which is accessed off a main route to the south of the development with shared surfaces and significant turns to keep the traffic slow. Houses along the northern frontage face directly over the open land with a pedestrian walk/promenade to give an attractive outlook to residents and to those using the public paths.

Parking is largely kept tucked behind in courtyards.

The site narrows to the west and there is an area of public open space at the western end with access onto the cycleway which links Calne and Chippenham.

The scheme includes the element of social housing as required in the S106 agreement that accompanied the outline application, 05/02822/OUT.

6. Planning Policy

North Wiltshire Local Plan: Policies C3 and H2
National Planning Policy Framework (2012)

7. Consultations

On Original plans

Calne Town Council - object on the basis of the access road running along the boundary of the existing residential development, rather than the northern boundary as originally shown on the outline. The original children's play area has been forfeited.

Calne Without Parish Council - did not comment on the original plans.

Highways Officer - did not comment formally on original plans, but attended meetings concerning the development.

Principle Ecological Officer - does not object given that the site has already been cleared and the landscaping scheme appears to respect the retained peripheral vegetation.

Urban Design Officer - supports the principle of the development but has been involved in meetings to ensure the scale and bulk of the dwellings relate to the Calne vernacular, the materials are appropriate, the use and positioning of the pedestrian route to the north.

Environmental Health Officer – no objection subject to conditions to deal with the contamination of the site.

Waste and Recycling Officer - comment giving required standards for bin sizes and collection points, which has been passed to the agent.

Principal Housing Officer - has been involved in discussions about the positioning of the social units as the mix and tenure was previously agreed through the S106 agreement.

Environment Agency - object on the basis that they are in the process of objecting to the renewal of the outline application (11/03805/OUT).

Wessex Water - provided comments.

On Amended plans

Calne Town Council - re-iterate their previous comments.

Calne Without Parish Council - are concerned about the growing number of speculative planning applications, the impact of additional traffic to serve over 100 dwellings and lack of infrastructure. They request that all decisions are deferred until Calne and all the associated Parish Councils have had time to prepare Neighbourhood Infrastructure Plans. -

Highway Officer comment as follows:

- All hedgerow adjacent to private access must be maintained at below 600mm.
- Concerns about the turning head for refuse vehicles.

Landscape Architect - comments that he supports the improved links to the countryside and it is important to secure the link to the cycleway to the west. He considers that an equipped play area would not be appropriate on the periphery of the site as it is prone to vandalism and anti-social behaviour, whilst the use of the land for informal open space is less likely to attract the same behaviour. Future management and maintenance arrangements for all open space and landscaping need to be clearly understood and secured by the LPA.

Wessex Water - comment and advise.

Environment Agency - remove their objection.

Comments from Urban Design, Drainage Engineers and Housing are awaited

8. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

12 objections were received in respect of the original plans for the following reasons:

1. Concerns about cars and traffic generated.

2. The substation may block access to maintain fences.
3. 2 and 3 storey houses will overlook the rear of property and not in keeping. The plans show removal of trees and this will increase pollution from cars and remove screening.
4. Need for the houses when so many in Wiltshire are vacant.
5. Potential for subsidence.
6. Removal of children's play area.
7. Dispersal of affordable units isn't achieved.
8. Removal of protected species habitat.
9. Increasing the urban effect.
10. Lack of infrastructure.
11. Permitted rights should be removed.

In respect of the revisions:

2 further letters of objection have been received objecting on the grounds of lack of play area, peripheral areas will encourage anti-social behaviour, lack of infrastructure and adverse effect on wildlife.

CPRE comments on the original plans are summarised as follows:

- There is only one road to access the site and not as implied by the aerial photograph.
- The design of the dwellings with horizontal boarding is unsuitable in such a prominent location. Stone should be used which blends well, where as brick is highly visible and render requires maintenance.
- 2.5 storey dwellings are inappropriate. There are no such dwellings in Wenhill Heights.
- The houses will have a considerable impact on the users of the public area to the north and not enough consideration is being given to planting along the boundary.
- There is a considerable drop from the site to the Sustrans route 403. Sufficient monies should be allocated for improvements to the Wenhill Heights /Silver Street route so that John Bentley School and the Leisure Centre can be accessed without using the A4.
- They hope that there will be no kerbs to reduce speeds and encourage wider use of the road space.
- There should be one or 2 refuse collection points.
- There should be sufficient monies allocated for upgrading the footpath to dual use.

In respect of the revised plans the CPRE still object to the 2.5/3 storey dwellings and comment that the affordable units are only in two blocks. They are concerned about cycle parking and the presence of some kerbs which suggest the dominance of the car. Nothing has changed in the path running westwards towards the Sustrans route and little indication is given as to how walking and cycling will be promoted. Still express concerns about how the difference in levels will be overcome where the 2 paths meet.

9. Planning Considerations

- Principle of development

The principle of the development was established by the granting of outline planning permission 05/02822/OUT. Whilst the specific numbers were not specified in that application the site area of 2.54 hectares implies a development of about 100 dwellings based on a density of approximately 40 dpha. The site is also allocated in the North Wiltshire Local Plan 2011 for 100 houses (Policy H2) and forms part of the Council's 5 year land supply in the Annual Monitoring Statement. Its delivery in defence of greenfield sites at appeal, a consistent case for the Council.

The application site is slightly smaller than that granted outline permission due to land ownership problems, but this does not affect the layout. The outline application was accompanied by a S106 agreement, which will be covered later in this report.

- Impact upon highway safety

The outline permission renders this scale of development acceptable in terms of its impact on the highway network. Whilst the outline application included an illustrative masterplan, the application was made with all matters reserved. The indicative siting of the road along the southern boundary was therefore only illustrative. In terms of the road layout and amounts and positioning of parking the Council's highway engineers do not object in principle and their concerns about the turning heads at the western end of the site have been addressed in the latest set of plans. The volume of traffic using Station Road and associated junctions have been assessed and considered to be acceptable. A financial contribution for footpath/cycle routes was secured via the S106 agreement associated with the outline application.

- Impact upon visual amenity, residential amenity and landscape character

The principle of this edge of town residential development was established by the outline approval. The site was formerly used for industrial purposes, but all the buildings associated with that use have been removed and the site lies vacant. The site will be accessed off Station Road, which also serves the Wenhill heights residential development.

The site layout has been designed in consultation with the Council's landscape officer and urban designer and now gives a layout which reflects built up area edge and gives views over the Marden River Valley, whilst choosing designs which reflect and complement this position. The houses which edge the River Valley are of more traditional proportions and materials, with a pedestrian 'promenade' and then post and rail fencing as the boundary. This will retain the openness of the outlook both into and out of the site.

The southern boundary includes 2.5 storey dwellings, but with the houses within Wenhill Heights being set higher in this location, this will not read out of context. Whilst the comments about the previously shown road running along this boundary, this was only indicative and the proposed layout makes better use of the site, allowing roads to have bends (to slow traffic) and the creation of 'squares' to give a sense of place, rather than a linear development.

The developer is to construct a new 1.8m high fence along the southern boundary and there will be an area of 'no man's land' between the fence and the existing garden fences of the houses in Wenhill Heights.

It is considered that the effect on the residential amenities of the residents of Wenhill Heights is acceptable and the development will remove something of an eyesore on the edge of Calne with public views from several vantage points.

The Council's landscape officer has no objections to the proposal and considers that it will give enhanced access to the countryside and that the landscaping proposed is satisfactory.

- Design

The design of the dwellings is mainly fairly traditional two storey with features such as chimneys and gables to give form to terrace blocks. The houses facing out of the Marden River Valley have been kept to more traditional depths.

The elements of 2.5/3 storey housing are kept to the southern side of the development where the backdrop of the houses in Wenhill Heights give them context.

The materials pallet has a combination of reconstructed stone, brick and render with slates, red tiles, brown tiles and grey tiles for the roofs. These are considered to be acceptable in this location, but can be controlled by way of a planning condition.

- S106 contributions

The level of contribution for highways, public open space, play area contribution and education together with the amounts and types of affordable housing were set out within the legal agreement which accompanied outline planning permission 05/02822/OUT. These figures cannot be revisited at this reserved matters stage. The comments of Housing are awaited on the layout of the affordable units, but following discussions, these have been dispersed into 2 clusters and this is anticipated to be acceptable.

- Other matters

Because of the previous use of the site there are elements which may be contaminated. The application is accompanied by a contamination and remediation strategy which has been viewed by the Environment Agency and accepted. Environmental Health do not object subject to conditions to deal with the contamination.

The development does fall within Schedule 2 of the 2011 EIA Regulations and meets the threshold necessary to consider the need for an EIA as the site exceeds 0.5ha. When considered against the criteria contained in Schedule 3 and Annex A of Circular 2/99, it is not considered that an EIA is necessary for this development.

10. Recommendation

Planning permission be DELEGATED to the Area Development Manager for planning permission be GRANTED subject to satisfactory outstanding consultation responses from internal consultees (listed below) for the following reason:

The proposal follows the granting of outline permission 05/02822/OUT for residential development of the site. The proposal is considered to provide a good quality development where the design and layout respects the location and the amenities of nearby residents. The proposal is considered to comply with policies C3, H2, H5 and CF3 of the North Wiltshire Local Plan 2011 and section 7 and paragraph 159 of the National Planning Policy Framework 2012.

And Subject to the following conditions:

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

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

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

POLICY-C3

3. Prior to the commencement of the development hereby permitted details of the junction of the cycleway to Sustrans Route 403 shall be submitted to and approved in writing by the local planning authority. The approved details shall be carried out prior to the occupation of 50% of the houses hereby approved.

Reason: In the interests of promoting sustainable transport.

4. No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment has been carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

