

NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION
4th December 2013

This is information that has been received since the committee report was written. This could include additional comments or representation, new information relating to the site, changes to plans etc.

The text in bold is additional/amended information to that circulated to Members on Tuesday 3rd December 2013.

Item 6(a) - 13/02453/FUL - Woodmans Cottage, Bowden Hill, Lacock, Chippenham, SN15 2PW

Area Development Manager

Reference is made to the proposals for an extension to the rear of Woodman's Cottage in 2012 and the comments of the Inspector in his decision to dismiss the appeal. The following extracts from the Inspectors decision (paragraphs 4 to 7) explain the views and issues that the Inspector considered to be relevant in relation to that particular proposal:

- “4. In views of the south-facing front elevation, the western extension is subservient to the main building, such that the original appearance and dimensions of the cottage remain readily apparent. Similarly, I saw at my site visit that in views of the rear of the property from the public footpaths to the north of the site, the character and proportions of the original estate cottage can still be discerned; the central stone gable is clearly visible above the conservatory roof, and can be easily distinguished from the later two-storey extensions to either side of it. The retention of aspects of the building's original appearance is an important and attractive feature of its current form, and makes a significant contribution to the character of the Bowden Hill Conservation Area.**
- 5. While the proposed development would not be visible in views from the south or east, it would fundamentally alter the scale, massing and character of the building as seen from the rear. The remaining visible element of the original stone rear elevation would be wholly obscured by the proposed scheme, such that the north and west elevations would be composed entirely of modern additions to the original dwelling. Rather than being clearly legible as a modestly-proportioned 18th Century cottage with two substantial two-storey extensions and a conservatory, the building would appear a bulky, ill-proportioned residential structure of piecemeal construction.**
- 6. I consider that the proposed development would have a harmful impact on the character and appearance of Woodmans Cottage, and would be detrimental to the character of the Bowden Hill Conservation Area. I consequently find that the proposal would fail to meet the objectives of Policies C3 and H8 of the North Wiltshire Local Plan 2011, which seek to ensure that new development is in keeping with the host building, and respects the local character and distinctiveness of the area, with regards to the design and scale of the proposal. It would also conflict with the aims of Policy HE1 of the Local Plan, which provides that in conservation areas, development will only be permitted where it would preserve or enhance the character or appearance of the area.**
- 7. The appellant drew my attention to the fact that permission has been granted for the extension of a number of other properties within the Bowden Hill Conservation Area. However, each development proposal must be**

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considered on the basis of its own site-specific merits; the extension of other properties nearby does not justify permitting what I consider would be a harmful form of development in this particular case.”

Item 6(c) - 13/04030/FUL–St Mary’s School, Curzon Street, Calne, SN11 0DF

Environmental Health Officer does not object but recommend the following conditions for completeness:

- 1) Any external plant shall be so sited and designed as to meet a rating level (BS4142:1997) of 35bB at any boundary adjacent to residential properties.
- 2) Any lighting scheme for the development shall be fully compliant with Zone E2 (Rural) criteria.

The Council’s Ecologist is satisfied that the proposal does not pose any significant threat to protected species or wider biodiversity.

Area Development Manager states that condition 7 reason should be amended to read “To protect the listed wall and amenity of the area in general”. An informative can be added to the effect that the Construction Method Statement should include details of levels and methods of excavation and details of pro forma for cessation of works during the time of a funeral in the adjacent graveyard.

Area Development Manager

Amended plans have been received, following internal consultation with Conservation which seeks to narrow the width and impact of the proposal when viewed from the south east. These further demonstrate the relationship of the 1998 approved scheme with current proposal following a more detailed survey. It should be noted that the current scheme is approx. 0.7m further from the listed cottage at roof level, but approx. 0.7m at ground level. However, it is between 0.4m and 1.4m further away from the listed wall to the north west.

Condition 3.

Will need to be updated to reflect these changes and should read:

Plans:

2300J, 2770D, 2100H, 2300F, 2771B, 2003B, 2044A, 2041A, 2040A, 2100K, 2043A, 2043A, 2001C, 2204B dated 20th August 2013;

2103A dated 30th October 2013

2300L, 2102G, 2101M, 2100L dated 3rd December 2013.

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Area Development Manager

The amended plan show that the upper sections of the sports hall are to be cladding of a colour to be agreed with the Local Planning Authority. The first 3.5 m are to be render.

The Conservation officer states:

Whilst the extension will undoubtedly harm the setting of the listed building, the revised scheme is smaller than the extant consent. Furthermore, by altering the design to give a very definite visual break between the existing and proposed elements of the building, I believe that overall the scheme is an acceptable improvement on the original design.

Item 6(d) - N/13/02191/FUL - Spittleborough Farm, Swindon Road, Lydiard Tregoze, Royal Wootton Bassett, SN4 8ET

Agent

There is a request to withdraw Conditions 6 and 9 (highway imposed conditions) by the submission of a drawing showing cross sections through the access track both at the entrance to the site and further into the site. An email was sent to the highway authority to seek clarification of several points in order to overcome the need for these conditions.

Dwg No:SH-P-202 Rev 00 submitted on 28th November shows the position of the temporary interlinking fence that will be erected to surround the sensitive archaeological site identified by the County Archaeologist as being a possible prehistoric ring ditch in the northern part of the site. It is hoped that this will overcome the need to impose Condition 12.

A Tree Report has now been submitted. The agent hopes that this will now overcome the need for Condition 16 to be imposed.

It is suggested that as ecological monitoring information has already been included in the Landscape and Ecological Management Plan, that there is no requirement for Conditions 13 & 14 to be imposed.

Area Development Manager

Notwithstanding the information submitted by the agent regarding Conditions 6 and 9 as set out in the agenda, so that these can be withdrawn should permission be granted, no confirmation has been received by the highway authority that the information submitted by the agent has so far overcome the need to impose these conditions.

The submission of an additional drawing showing the location of the interlinked fencing to be erected around the possible site of a pre-historic ring ditch has been considered by the County Archaeologist. She is now satisfied with the fencing details as shown on the submitted drawing. Therefore Condition 12 can now be withdrawn from any approval.

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With regard to the Tree Report and Survey, it is considered that this does not provide enough information in the form of a Tree Protection Plan showing the exact position of the existing and proposed trees and their protective fencing as required by this condition. Therefore Condition 16 still needs to be imposed in this case.

Notwithstanding the comment that ecological monitoring has been included in earlier submitted documentation, there is a need to retain these two conditions by way of a Construction Ecological Management Plan and Ecological Monitoring and Management Plan as otherwise the necessary management and monitoring of this site cannot be suitably controlled or if necessary enforced over the 25 year period of this development.

New details to add to Condition 2:

Additional Dwg No: OR-101 Rev 00 Cross Section through Access roads
Dated 27th November 2013
Additional Dwg No: SH-P-202 Rev 00 Proposed temporary protection of archaeology
Dated 28th November 2013
Additional Tree Report
Dated 27th November 2013

Item 6(e) – N.13.01776.OUT - Langley Park, Chippenham, Wiltshire, SN15 1GE

A local resident has raised concerns relating to the proposed traffic light junction at the Little George Roundabout and the implications this will have to the surrounding Highway Network.

Highway Officer has expressed concerns with the revised s106 offer. They acknowledge that the current food store proposal is of a much reduced gross floor area compared with the 2007 applications. However, it is considered that a contribution of £490,360 towards Chippenham Transport Strategy (CTS) works should not be reduced.

“The strategy schemes include local improvements to facilities for walking and cycling; an additional lift at the proposed railway over bridge on footpath CHIP11, and improvements for pedestrians/cyclists on Old Road. These could reasonably be considered to meet the general objectives of the strategy as could the contribution for buses and part of the cost for improving the Little George Roundabout.

*However, A total of 115 dwellings are proposed on the site. The Chippenham Transport Strategy requires a contribution of £4264 per dwelling (index linked) to meet the transport objectives of the town. This equates to a total contribution of **£490,360**.*

In recognition of the viability concerns about the site, and the difficulties associated with delivery, I would reluctantly agree to the removal of my request for a contribution towards a new railway bridge at the eastern end of the railway station, but I would stress the need to make provision for a future crossing within the development.

But the overall contribution, if not secured in full (i.e. £490,360), could have serious implications in relation to the collection of contributions from other sites in Chippenham, and, in consequence, the ability to reduce the forecast adverse transport impacts in and around

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the town. I would strongly advise against agreeing to a non-compliant settlement, which would be regarded as a precedent by other developers.”

Area Development Manager:

A viability assessment was submitted to the Council, the conclusions are set out below:

The National Planning Policy Framework establishes that the planning system ought to proactively drive and support sustainable economic development. It also requires that local planning authorities should positively seek to meet the development needs of their area.

Unrealistic Section 106 requirements can be an obstacle to house building and economic development. The Government is keen to encourage development to come forward, to provide more homes to meet a growing population and to promote construction and economic growth.

Where an application is, in the opinion of the developer, unviable they are required to submit to the Council a viability assessment. The applicant recently submitted a viability statement to the Council. This has now been critiqued on behalf of the Council by DTZ. DTZ have provided written confirmation to the Council that the scheme is unviable when assessed against the Council's full requirements as set out in the Committee Report.

DTZ's viability appraisal, through the correction and of adjustment of calculation errors, could cover the reduction in residential GDV caused by the Council's requirement for 30% affordable housing on site. However, the scheme will not support all of the other requirements and a compromise must be reached.

DTZ's viability appraisal identified that there was further scope for negotiation but what exact level was not possible to identify. Negotiations have taken place between Council Officers and the applicant and it is recommended that members accept the heads of terms set out below.

Submission of Leisure Impact Assessment:

A leisure impact assessment has also been submitted to the Council. The findings are set out below:

The NPPF states that when assessing applications for leisure uses outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment. The threshold for the submission of such a statement is 2,500 sq m. The Council's Core Strategy requires the submission of a statement for all leisure uses located outside of the Town Centre. The Core Strategy is at an advanced stage and should therefore be afforded significant weight, therefore the applicant has submitted a leisure statement, and the statement concludes the following:

The Wiltshire Council Town Centre & Retail Study 2011 (WTCRS) confirms the central area accommodates the following leisure uses: a museum, heritage centre, library Olympiad Leisure Centre and The Reel/Astoria Cinema. The WTCRS concludes the leisure offer in Chippenham is limited and there is a slight under representation of bars and restaurants in the centre and there is significant leakage in cinema trade, Ten Pin Bowling and Bingo to Bath, Bristol and Swindon. The WTCRS concluded that there is opportunity to enhance the leisure offer to compete more effectively with centres to the north and west of Wiltshire. Indeed, the developer's public consultation exercise and responses to the Council's public consultation welcome the leisure element of the scheme.

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To demonstrate the acceptability of the scheme when assessed against local and national planning policies a sequential test and vitality and viability assessment have been undertaken. These are summarised below:

Sequential Test: The assessment of leisure uses mirrored the assessment undertaken in relation to the food retail store and a similar conclusion was reached. The report concludes that there are no sequentially preferable sites within or on the edge of the centre locations closer to the defined central area of Chippenham. The proposed site is the only centrally located opportunity to enhance the leisure function of the town centre.

Vitality & Viability: The impact assessment shows that currently with the exception of Reel/Astoria cinema there is no operator in Chippenham that the proposed development will compete with or impact upon. Furthermore, the WCTCRS has identified that Chippenham has a deficit in commercial leisure offer based on the size of the town and its catchment.

Whilst the assessment shows that Reel/Astoria Cinema is one of a very limited number of leisure outlets in Chippenham it recognises this is located in an out of town location and draws less than 2% of total leisure trade draw in Chippenham.

This impact analysis set out in WCTCRS demonstrates that the proposed expenditure diversion and related leisure impact will focus on existing established leisure destinations outside of the administrative boundary including Swindon, Bath and Bristol.

In conclusion, the proposed leisure development would not have an adverse impact on planned public or private investment into the existing centre, on the town centre vitality of viability or in centre leisure turnover. The delivery of leisure facilities at Langley Park will positively respond to this shortfall, redirecting leisure expenditure back into Chippenham and encouraging further linked trips, ultimately impacting positively on the overall economy of the town centre.

Recommendation for Planning Application 13/01776/OUT

That the application be DELEGATED to the Area Development Manager – Northern with a view to approval subject to the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990. Further delegated authority is sought for the Area Development Manager – Northern to alter, remove and add additional planning conditions prior to the issuing of the decision notice.

The heads of terms for the planning obligation under s.106 of the Town and Country Planning Act 1990 are as follows:

Affordable Housing:

30% on site affordable housing (70:30 social rented/shared equity provision)

Highways Contributions:

£1.4m offsite highway works including junction improvements to Little George Roundabout and a new junction at Pew Hill or works to be undertaken by the applicant/developer under Section 278 Agreement.

£100 000 financial contribution to Wiltshire Council to deliver a DDA compliant lift on the northern side of the existing public foot/cycle bridge across the railway. Financial provision offered for a 5 year period and refundable to the applicant/developer if the works are not completed during this period

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£100 000 financial contribution to improvements to Old Road to encourage foot and cycle connectivity into the town centre or works to be undertaken by the applicant/developer under a Section 278 Agreement.

Delivery of a new vehicle access through the application site to boundary of the northern station car park to reduce traffic movements along Old Road. The details and final alignment of this route will be the subject of future of a Reserved Matters Application.

Secure a possible future landing point on the northern side of the railway within the application site for a new foot/cycle link across the railway line. This desired route is subject to external funding being identified and secured to deliver any foot/cycle bridge. The exact location of the landing point will be the subject of a future Reserved Matters Application.

Public Transport

£200 000 financial contribution to subsidise new public transport route through the development site for a 3-4 year period

Provision of bus stops along proposed internal link road.

Public Open Space

£250 000 financial contribution to off-site public open space improvements (£50 000 allocated to Built Leisure Facilities (Halls, Bowls, Artificial Turf etc) and £200 000 allocated to offsite open space and play facilities

Education

£310 000 financial contribution to education to be split between secondary and primary education

Recommendation for Planning Application 13/01856/CAC

That the application to grant Conservation Area Consent be DELEGATED to the Area Development Manager – Northern with a view to approval subject to the completion of a planning obligation under s.106 of the Town and Country Planning Act 1990 for planning.

Councillor Caswill

“This note supplements the points summarised on my Call In form. I write in my capacity as the Wiltshire Councillor for the area in which both Langley Park and the Bath Road development site are located. However, I preface my comments by saying that I've not yet had an officer response to the issues I have raised with them, nor have I seen the assessment of likely impact on the town centre which I understand the Council has carried out but not yet made public.

It is obvious that appropriate and successful redevelopment of the Langley Park area would be of great benefit to the town. I recognise and support the need for that redevelopment. I also support the concept of mixed use for the site and welcome the proposed mix of housing, employment and leisure. I do however have several concerns about the proposals as they stand. Some of these could hopefully be addressed by imposition of conditions on any planning approval but others appear to require more substantial revision. On that basis this is, with regret, an objection to the application as currently presented.

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I have read the objections that you have received from Chippenham Vision and Signet Planning/ING/Peveril and support the points they have made more eloquently than I can on the following specific issues:

- the detrimental in effect of the impact of the additional traffic on the Little George roundabout and the roads off it. At the time of writing this, the Council has not yet produced its own analysis of the likely impact of the additional traffic but common sense and the known limitations of traffic signals at roundabouts suggest that the impact will be considerable, and problematic for the flow of traffic through the town as a whole. It suggests that much more work needs to be done on managing the traffic flows, though they would of course be less problematic if there were no supermarket on the site
- the likelihood that the combination of a supermarket and the proposed road layout will draw consumer attention away from the town centre into Langley Park
- the lack of pedestrian connectivity to the real centre of the town. Minimally I'm would like to see the proposed footbridge over the role they made a condition of planning approval
- the negative impact which a supermarket on the Langley Park site will have on the town centre and on the proposed redevelopment of the Bath Road site. In particular I share the Chippenham Vision concern that this application will in effect create an alternative town centre . In that context it is worrying that there has been a further delay in bringing forward proposals for the Bath Road site, and in the signing of any contract between the Council and ING/Peveril.

In addition to these concerns, I ask that every effort be made to secure a revision of the scheme to retain the previous Westinghouse office building (the 'White House') which, if retained and refurbished has the potential for a very positive visual impact. The loss of this building, and the associated increase in the slab-like buildings beside the railway line are much to be regretted as a lost opportunity for improvement of the visual aspect of an important (role-play) entrance to the town.

I also note that the application makes no specific commitments in relation to the leisure offer. It is clear from the public consultations that there is a strong local demand for a cinema and I believe that any planning approval should specify that this be delivered. Secondly, I suggest that the proposed hotel location will not be attractive to potential providers, given its distance from station and request that that location be reconsidered.

I have read and support the concerns expressed by local residents about the possibility of three-storey houses being located close to their two-storey properties. I recognise that this will primarily be an issue for a Full application for

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housing development but I hope the need for this can be signalled at this stage.

I hope that some of these issues could be resolved in discussion with the applicants, and that the possibility of a revised application can be actively pursued. More fundamentally, the Chippenham Vision view that this application is premature in relation to the development of the core strategy and the emerging master plan for the town deserves serious consideration. This underlines the case for requiring or negotiating a revised application.”
