

REPORT TO THE AREA PLANNING COMMITTEE

Date of Meeting	27 August 2014
Application Number	14/05686/OUT
Site Address	Land to the South of Potley Lane Corsham
Proposal	Outline planning application for the development of up to 64 no. residential dwellings together with associated access, parking, public open space and landscaping.
Applicant	De Vernon Trustees
Town/Parish Council	CORSHAM
Division	CORSHAM TOWN
Grid Ref	386622 169628
Type of application	Full Planning
Case Officer	Mark Staincliffe

Reason for the application being considered by Committee

The application has been called in by Cllr Whalley, in order to consider the scale of the development and its impact on the local highway network.

1. Purpose of Report

To delegate authority to grant planning permission to the Area Development Manager, subject to the signing of a Section 106 agreement; and subject to planning conditions.

2. Report Summary

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

- Principle of development
- Impact on the character and appearance of the area
- Highway safety
- Design and Layout
- S106 Contributions

3. Site Description

The application site is located at the southern edge of Corsham, Wiltshire. The town lies on the south western edge of the Cotswolds located just off the A4. The site is located approximately 1.3km (0.8 miles) south of Corsham High Street and the historic town centre. The site lies to the south of Potley Lane, on the south western edge of Corsham, and comprises part of a pastoral field. The Leafield Industrial Estate lies to the west of the site and pasture and arable fields bound the site to the south and east. The Potley housing

estate lies to the north, north of which lies the Great Western Railway linking the West Country to London.

4. Planning History

No relevant planning history

5. The Proposal

The application seeks permission for the erection of up to 64 dwellings including access, car parking and landscaping. The planning application has been submitted in outline form with all matters reserved except access.

The submitted indicative layout plan demonstrates the separation of the proposed residential units and existing industrial estate by way of a landscape buffer. The indicative plan also illustrates an alternative access for emergency use and a possible pedestrian crossing point.

The indicative layout shows a medium-density layout of housing consisting of a 2 and 2.5 storey dwellings, each with associated parking areas and outside amenity space, lending a generally suburban character. Toward the southern part of the site is a large area of public open space.

6. Planning Policy

The adopted policies relevant to the application remain those saved under the North Wiltshire District Plan (NWLP) 2011. As the site lies outside of the development framework boundary, the relevant policies are as follows:

North Wiltshire Local Plan 2011

- C1: Sustainability
- C2: Community Infrastructure
- C3: Development Control Core Policy
- C4: Business Development
- NE15: The Landscape Character of the Countryside
- NE17: Contaminated Land
- T3: Parking
- T4: Cycling, Walking & Public Transport
- H3: Residential Development in the Open Countryside
- H5: Affordable Housing in Urban Areas
- BD1: Employment Land
- CF1: Local Community and education facilities
- CF2: Leisure Facilities and Open Space 65
- CF3: Provision of Open Space

Wiltshire Pre Submission Core Strategy (WCS)

- Core Policy 1: Settlement strategy
- Core Policy 2: Delivery strategy
- Core Policy 11: Spatial Strategy: Corsham Community Area
- Core Policy 51: Landscape
- Core Policy 43: Providing affordable homes
- Core Policy 45: Meeting Wiltshire's housing needs
- Core Policy 51: Landscape
- Core Policy 57: Ensuring high quality design and place shaping
- Core Policy 62: Development impacts on the transport network
- Core Policy 67: Flood Risk

Appendix D

Appendix E
Appendix G

National Planning Policy Framework

Section 6- Delivering a wide choice of high quality homes

Section 7- Requiring good design

7. Consultations

Corsham Town Council

No objection

Ecology

No objection

Affordable Housing

This application triggers an affordable housing requirement.

Wessex Water

No objection subject to conditions

Drainage

The application states that the developer proposes to discharge into a nearby ditch/watercourse. An application for land drainage consent would be required

Environment Agency

No objection subject to conditions

Public Protection

Whilst the noise report concludes that there was no significant impact from the industrial estate, I do have concerns about the potential for these industrial units to create adverse impacts in the form of noise, dust, odour etc.

You may therefore wish to consider a buffer zone to ensure that residential receptors are not immediately adjacent to B2 uses.

Public Art

For a site of this size and nature, we would expect the applicant to contribute to art and design in to this site. This would be in line with North Wiltshire Local Plan Policy C2 and its reference to Art in the Community and Core Policies 3 and 57 of the emerging Wiltshire Core Strategy.

In the event of planning permission being awarded an indicative figure for a public art contribution of a site of this size would be £300 per dwelling. For 64 dwellings this would be £19,200 commuted to the Council's arts service to manage the art and design process and programme.

Rights of Way

The legal record of rights of way, the definitive map, shows footpath CORM56 is a straight line through the site. The developer has shown a kink in the footpath – this is not correct and there is a risk that the legal line of the footpath may be obstructed by either a building or planting. We would therefore object to the proposal until this issue is resolved. Once resolved there would be no objection subject to planning conditions.

Highways

In principle, no highway objection to the proposal. However, there are minor issues with regard to detail. It is considered that footway facilities across the site frontage are required in order to promote accessibility and walking and cycling. A 2m wide footway should be provided across both parcels of land that connect with the highway (main entrance and emergency access).

It is noted that the carriageway is being widened in order to provide a pedestrian refuge, this leaves the carriageway edge poorly aligned and abrupt. This could result in vehicles being poorly positioned on the carriageway, producing an inconvenient driving alignment, that could also lead to highway safety risks. I consider that it is essential that the alignment of the carriageway is smoothed out.

Landscape

No objection

8. Publicity

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

8 objections and a petition containing 38 signatures were received from local residents an objection was also received from CPRE.

Summary of key points raised:

- Impact on highway safety due to increased traffic
- Transport assessment flawed
- Loss of privacy to existing properties from new access
- Proposed pedestrian crossing is dangerous
- Impact of development of pedestrian safety
- No benefits to the town
- Adverse impact on ecology and wildlife
- Adverse impact on local services
- Loss of green space
- New houses not required in Corsham

9. Planning Considerations

Principle of development

Section 38(6) of the Planning and Compulsory Purchase Act states that "*determination must be made in accordance with the plan unless material considerations indicate otherwise*".

This is the starting point from a policy point of view. The North Wiltshire Local Plan forms the local component of the current development plan.

The site is located within the Corsham framework boundary, wherein residential development is acceptable in principle. However, the site is allocated within the North Wilts Local Plan for employment generating development (Policy DB1).

The Council's Core Strategy is at an advanced stage and has recommended, at Appendix D, that the land East of Leafield Industrial Estate be unallocated for employment use as there is no need for the allocation and therefore the allocation is not to be saved upon the adoption

of the Core Strategy. The Corsham Community Area Insert Map confirms that the site remains within the Corsham settlement boundary but with no designated use.

At paragraph 222 of the NPPF it states that 'Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Taking into consideration the above information and considering this against paragraph 216 of the NPPF it is considered that site for residential development is acceptable in principle.

Noise

The site is located adjacent to an established industrial estate consisting of B1, B2 and B8 uses. The application has been accompanied by a noise survey, this concludes that the proximity of industrial units to the residential properties shown on the indicative master plan is acceptable and will not result in poor living conditions for future occupants. The application is in outline form with all matters reserved except access, therefore the layout is not finalised. However, the indicative master plan demonstrates that an acceptable layout can be provided without resulting in harmful living conditions for future occupants of the properties.

Ecology

The site is comprised of a large field of improved grassland of limited ecological value. Several ponds are present in the vicinity of the site, however it has been confirmed that these do not support breeding great crested newt. The boundary features are used by commuting / foraging bats including lesser horseshoe, with the western boundary being of particular importance. This hedgerow will be retained and buffered from development by a 6-11m wide green corridor to be planted with native shrubs and trees; this green corridor is not shown on the illustrative masterplan although it is appreciated that the current application is outline and detailed drawings including a landscape scheme will be submitted with the reserved matters applications. The western boundary is also unlikely to be illuminated by street lighting as it is some distance from the internal access road. Several trees have potential to support roosting bats however it is understood that these have all been retained within the scheme. Landscaping and a SUDS feature will also help to enhance the ecological value of the southern boundary. The scheme will have limited ecological impacts and have no objection in relation to ecology.

Affordable Housing

Policy H5 states the Council will seek to negotiate an element of affordable housing to meet local needs on all housing developments of either 15 or more dwellings or 0.5 hectare or more in size, within the framework boundaries of Calne, Chippenham, Corsham, Cricklade, Malmesbury, Purton and Wootton Bassett. The Council will negotiate 30% of the dwellings to be affordable subject to local needs and site characteristics. There are currently 364 households seeking an affordable home in Corsham.

The mix of affordable housing should reflect the housing needs of Corsham, therefore the following percentages of 1,2,3,4 bed houses will be required:

- 1 bed house – 20%
- 2 bed house – 35%
- 3 bed house – 30%
- 4 bed house – 15%

With a mix of 80% rent and 20% new build homebuy, with no more than 2.5% rent on the unsold equity. The affordable units will be secured via as106 legal agreement and transferred to a registered provider at nil public subsidy. The applicant has agreed to the above terms.

Rights of Way

Concerns have been raised in relation to the location of the footpath and possible diversion of it. The application has been submitted in outline form, should permission be granted any reserved matters application would ensure that the footpath is diverted using the official procedure or the layout altered to accommodate the development and footpath in its original position.

Urban Design

The layout of the plots, siting of the dwellings/storey heights and public open space shown on the layout plan appears in principle to convey an appropriate design approach. There are some minor alterations to certain parts of the scheme required to achieve a high quality development. However, the application has been submitted in outline form with matters such as this to be decided at a later date. The indicative layout clearly demonstrates that the number of dwellings proposed can be adequately accommodated on the site without detriment to character and appearance of the area. The concepts behind the lay out are considered to accord with local and national planning policies.

The approach to open space is particularly pleasing, enhancing the environment of future occupants and serving as a buffer between the residential units, industrial units and open countryside to the South of the site.

Indicative parking provision has been arranged so as to sit away from prominent frontages, contributing to a more engaging street scene. It is likely that a variation in surfacing will also serve to 'soften' the appearance of the development.

Landscaping

The site occupies the south eastern slope of a small hidden rolling valley landform and is well contained in visual terms.

Potley Lane rises along a local rolling ridge line with the highest development site levels adjacent. A public footpath CORM 56 runs along the lowest edge of the sites eastern boundary, which links with CORM 57, just outside the identified site boundary further south east, providing a footpath link to Neston along the edge of existing agricultural fields. The illustrative Master Plan shows the line of the footpath as slightly altered (this will remain unaltered at reserved matters stage) and the route incorporated within a reasonably well overlooked (by active building and street frontage) landscape buffer strip with countryside at the eastern edge of the site which is an important design principle.

The principle of retaining existing important trees (largely Oaks) and hedgerows within areas of public open space/ landscape areas is illustrated on the Master Plan, this principle is welcomed and important to embrace for any development at this site. The large trees have been incorporated into public areas wherever possible, rather than within or adjacent to small back gardens or close to new building. The principles set out in the illustrative master plan are considered to be acceptable.

Effects on the character and appearance of the area

It is acknowledged that the proposed development would extend into open countryside. However, the site is within the settlement framework boundary and has been allocated for development (B1, B2 & B8 uses). Any development on this land would have an impact on the setting and appearance of this settlement. Taking into consideration the likely visual appearance of industrial units it is considered that housing would assimilate better in the landscape. The proposed development would not materially harm the character or amenity

of the countryside around this settlement and would not impinge on long or short distance views.

Highways

No objection has been raised to the principle of the development and no upgrade or improvements to the signals at Potley Bridge are required. However, the details of the improvements to Potley Lane and the access to the site are not adequate. The highway officer has requested the following alterations:

'Vehicle Access' parcel of land adjacent to highway

- Smoothed out carriageway alignment, (this could involve slightly relocating the vehicle access southwards)
- Two metre wide footway across whole parcel

'Emergency Access' parcel of land adjacent to highway

- Details of two metre footway across the emergency access
- Details of the emergency access

These additional plans and details have been agreed by the applicant and discussions are ongoing between the highway officer and the applicant. These amended plans will overcome the concerns raised by the highway officer and the plans presented at committee as late items. Subject to the receipt of these plans and a condition requiring these alterations prior to the first occupation of any dwelling on site the development is considered to be acceptable.

S106 contributions

At the present time, given the outline nature of the scheme, the following Heads of Terms have been agreed in respect of the proposal:

- 30% affordable housing
- On-site provision of 4224m² of adoptable open space, of which 384m² allocated as specific play provision, to be subject to a commuted fee to cover maintenance;
- Off-site financial contribution of £16,902 to satisfy the Sport and Recreation requirement of Planning Policy C2.
- £3,332 towards a new Cemetery in Corsham
- Off-site financial contribution towards primary school places and secondary school places (confirmation of this amount has not yet been received but the sum will be reported as a late item at the committee meeting)
- Sustainable transport contribution towards walking and cycling improvements. £1,500 per unit.
- £19,200 commuted to the Council's arts service to manage the art and design process and programme.

The above contributions have been agreed in principle, and comply with the relevant CIL regulations. Due to the restriction of the regulations, it has been decided not to pursue contributions in respect of public art and fire infrastructure. However it is anticipated that the objectives of the former can still be pursued through high-quality design at the reserved matters stage.

10. Conclusion

The proposed development is sustainable and, acceptable in principle, supporting the long-term objectives of the local area. With proper mitigation, the proposal will not result in significant harm to the natural or built environment or otherwise adversely affect highway safety or residential amenity. The proposal is therefore compliant in policy terms with the emerging Wiltshire Core Strategy and the National Planning Policy Framework.

RECOMMENDATION

To delegate authority to grant planning permission to the Area Development Manager, subject to the signing of a Section 106 agreement; and subject to following planning conditions:

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

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:
 - (a) The scale of the development;
 - (b) The layout of the development;
 - (c) The external appearance of the development;
 - (d) The landscaping of the site;

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

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

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

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

- 4 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the buildings or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 5 The development shall not be commenced until a foul water drainage strategy is submitted and approved in writing by the local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker

a drainage scheme shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phasing

the drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.

Reason: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property

- 6 No development approved by this permission shall be commenced until a detailed surface water management scheme, together with supporting calculations, has been submitted to, and approved in writing by the Local Planning Authority. The submitted details shall clarify the intended future ownership and maintenance for all drainage works serving the site. The approved scheme shall be implemented and maintained in accordance with the approved programme and details.

REASON To prevent any increased risk of surface water flooding.

- 7 Any swales or other surface water storage elements shall not be sited within Flood Zones 3 or 2 or any other area prone to flooding. There shall be no landscaping or other works within Flood Zones 3 or 2. There shall be no landscaping or other works on land below 85.0mAOD as shown on the Site Topography drawing (Figure 3) within the FRA.

REASON To prevent any increased risk of flooding. The precautionary figure of 85.0mAOD is given as the submitted FRA does not include any estimate of the present day or future (i.e. including climate change) 1 in 100 year flood level.

- 8 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as

approved.

Reasons To protect controlled waters from pollution.

- 9 No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

REASON To prevent pollution of the water environment

- 10 An Urban Design and Landscape Framework Plan for the development of the site hereby permitted shall be submitted to the local planning authority no later than the first submission for approval of any of the reserved matters and shall be approved in writing by the local planning authority. The Urban Design and Landscape Framework Plan shall include details of:

- a) The location, orientation and heights of buildings;
- b) The format of the public realm, including all routes and spaces and the location of children's play areas;
- c) The location of open spaces available to the public, including their function and means of maintenance access.
- d) Tree and hedgerow protection plan
- e) Landscaping details including planting plans, species and density of planting
- f) Hard and soft landscaping details
- g) Materials to be used in the construction of the dwellings
- h) Plan for the upgrade of footpath CORM56 and link to the internal road network at the southern end of the site

Development shall be carried out in accordance with the approved Urban Design and Landscape Framework Plan.

Reason: For the avoidance and in the interest of proper planning

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

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

INFORMATIVE TO APPLICANT:

Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses the site.

INFORMATIVE TO APPLICANT:

The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material

samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

