

**REPORT TO THE DEVELOPMENT CONTROL  
COMMITTEE**

Report No.

<b>Date of Meeting</b>	<b>18<sup>th</sup> March 2009</b>
<b>Application Number</b>	<b>09/00134/FUL</b>
<b>Site Address</b>	<b>Phelps Parade, The Pippin, Calne, Wiltshire, SN11 0HA</b>
<b>Proposal</b>	<b>Creation of New Market Square Including Change of Use from Existing Burial Ground</b>
<b>Applicant</b>	<b>North Wiltshire District Council</b>
<b>Town/Parish Council</b>	<b>Calne</b>
<b>Grid Ref</b>	<b>399801 171172</b>
<b>Type of application</b>	<b>Full Application</b>

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

This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8<sup>th</sup> April 2002 because the Council is the applicant, the owner of part of the site and the lessee of the remainder of the site.

**Summary of Report**

This application is for the formation of a new hard-surfaced market square/public space adjacent to Phelps Parade shopping precinct.

The site lies within the heart of Calne's shopping area. It is within Calne conservation area, and includes the curtilage of the Grade II listed Zion Chapel. Therefore the key points to consider are as follows:

- Implications on DC Core Policies C1 and C3
- Design and scale of the development
- Impact on traffic and parking in the local area
- Impact on the Conservation Area
- Effect on listed buildings

**Officer Recommendation**

Planning Permission be GRANTED subject to conditions.

<b>Contact Officer</b>	Judy Enticknap		jenticknap@northwilts.gov.uk
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## Proposal and Site Description

This application forms the final phase of the Phelps Parade redevelopment scheme. The first two phases of this provided for the construction of new retail units and repair/enhancement of the existing fabric; phase 1 is currently underway, and Phase 2 is due to start shortly. This phase proposes to create a high quality public space, which will be used by market traders on market days and will provide 10 pitches. The space extends from the existing pedestrianised area of Phelps Parade across the burial ground of the Zion Chapel into the Phelps Parade service yard.

As part of this work the existing stone boundary wall to the burial ground and a range of poor quality modern garages will be demolished, and an area in front of the chapel will be enclosed by metal railings on a stone plinth, to define a smaller curtilage for the chapel. The relevant applications for conservation area consent and listed building consent for these works have been forwarded to the Secretary of State who is responsible for determining the applications.

The cleared space will be hard surfaced with brick/block pavers. Soft landscaping will include tree and shrub planting to help “green” the area.

Planning History		
Application number	Proposal	Decision
07/03227/CAC 07/03228/FUL	Demolition of Existing Shops/ Residential Above and Construction of New Retail Units with Flats Above, Access Areas, Support Areas, Parking and Storage	Approved
08/02324/FUL	Addition of Rooflights to Existing Concrete Canopies of Retail Units	Approved

## Consultations

**Calne Town Council** supports this application.

**Wiltshire County Council Highways** notes that the market will be serviced through the existing, adjacent service area and makes some design comments, including expressing some concern that moving the existing pedestrian crossing may cause congestion. Advises that the costs of moving the crossing should be met from the scheme’s budget.

**Wiltshire County Archaeologist** Notes that some archaeological investigations have taken place to identify burials; advises that stripping of the site should be as limited as possible, and recommends an archaeological condition.

## Representations

None received

## Planning Considerations

### Principle of development

The Calne Conservation Area Statement includes proposals for the enhancement of the Phelps Parade/Pippin area, and was adopted as supplementary planning Guidance to the North Wiltshire Local Plan 2011. The Statement also contains a townscape analysis which refers to the adopted 1998 Town Centre Development Framework and which was subsequently amended and adopted as the Calne Town Centre Brief in 2004. The principle of the enhancement works at Phelps Parade was approved by Executive committee at its meeting on 4<sup>th</sup> October 2007.

## Design and Scale of Development

The design of the scheme builds on the recent phases of development and its detailing has taken its reference from other details within the town. It will improve connections through the town. The market square will provide for potential future expanded market activities, but is appropriately enclosed by the adjacent one, two and three-storey buildings.

## Impact on amenity

The existing market area is further south off The Pippin, which is remote from the main retail area. It is considered that the new facility will increase market activity. The area will be publicly-accessible at all times and is considered to benefit local amenity. This scheme will contribute to the mix of retail facilities and the vitality of the area.

## Impact on Conservation Area/ANOB/Greenbelt

The scheme will contribute to an overall upgrading of this part of Calne, and generally benefit the conservation area.

## Impact on Listed Building and archaeology

The change of use and loss of the burial ground will cause some harm to the setting of the listed building. However this will be mitigated by the quality of the railings enclosing the smaller curtilage, the design of which has been developed to provide an appropriate setting which relates physically, and also in terms of the detailing, to the listed chapel. Moreover, a geophysical survey has been undertaken to identify surviving archaeology/burials. The position of the railings, and also the proposed engineering works associated with the hard surfacing, have been amended to take account of these findings.

## **Recommendation and Proposed Conditions/Informatives**

Planning Permission be GRANTED subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. Prior to commencement of development, details on the precise position of the pedestrian crossing shall be submitted to, and approved in writing by, the local planning authority. The development shall be implemented in accordance with the approved detail.

Reason: To ensure a suitable design.

3. No development shall take place until the applicant, agent or successor, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. This scheme shall include on site works and off site work such as the analysis, publishing and archiving of the results.

Reason: To ensure that appropriate archaeological measures are taken in relation to the proposed development.

4. No development shall commence until details/samples of materials to be used externally have been submitted to, and approved in writing by, the local planning authority. The development shall be built in the materials approved.

Reason: In the interests of visual amenity.

5. No development shall commence 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:

- (1) Precise details of proposed spears to railings, and section to the plinth.
- (2) Precise details of proposed bollards.

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

Items 1 and 2 shall be completed prior to the use or occupation of the development.

Reason: In the interests of amenity and satisfactory layout.

### **Informative**

1. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

#### Plan References

CAL/0.031/PO3/P1, P2B, P3; CAL/031/PO3/LBC5 ; all received on 23.1.2009

#### **Reason for Decision:**

The proposal will enhance the overall quality of this part of Calne town centre, and accords with policies C1, C3, HE1, HE4, T4, R1, CF2 in the North Wiltshire Local Plan 2011, and relevant supplementary planning guidance.

<b>Appendices:</b>	<b>NONE.</b>
<b>Background Documents Used in the Preparation of this Report:</b>	<ul style="list-style-type: none"><li>• <b>1.19, 1.30, 2.02, 2.07, 4.02, 5.01, 5.03, 6.03, 7.01</b></li><li>• <b>The Calne Conservation Area Statement (adopted as supplementary planning Guidance to the North Wiltshire Local Plan 2011); adopted 1998 Town Centre Development Framework; adopted 2004 Calne Town Centre Brief.</b></li></ul>