

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Report No.

Date of Meeting	22nd July 2009		
Application Number	09/00593/FUL		
Site Address	Land adjacent The Golf Academy, Yatton Keynell, Chippenham SN14 7BY		
Proposal	Change of use of land to 18 hole par 3 Golf Course and Associated Works		
Applicant	Mike Bessell		
Town/Parish Council	Yatton Keynell/Chippenham Without		
Electoral Division	Yatton Keynell	Unitary Member	Howard Greenman
Grid Ref	387705 175616		
Type of application	Full		
Case Officer	Tracy Smith	01249 706642	tracy.smith@wiltshire.gov.uk

Reason for the application being considered by Committee

This application has been submitted to the committee for decision at the request of Councillor Jane Scott to assess the impact of the proposal on the local area.

The application was deferred at Committee on 1 July 2009

1. Purpose of Report

To consider the application and invite the applicant to enter an Agreement in respect of the following matters:

1. Vehicle movements and routing
2. Wheel washing
3. Financial bond for Highway maintenance
4. Financial bond for land restoration in the event of non-implementation
5. Landscape management plan

Following completion of which the Area Development Manager be authorised to GRANT Planning Permission.

2. Main Issues

The main issues in respect of the proposed change of use of agricultural land to an 18 hole par 3 Golf Course (with associated works including the importation of 148,000 cubic metres of inert material and landscaping) are considered to be:

- Waste management
- Need
- Impact on the character and appearance of the area
- Highways impact
- Drainage

- Ecological Impact
- Loss of agriculture

3. Site Description

The application site lies south east of the existing Golf Academy and comprises some 12.5 hectares of agricultural grazing land, predominantly classed as Grades 3b and 4.

The site occupies an elevated position from the road. The site slopes downwards away from the golf academy by approximately 3 metres.

Vegetation exists along the northern and eastern boundary of the site.

The site is bound by the B4039 to the south and Fowlswick Lane to the east. These are the only points from which the site is visible due to the height of existing hedgerows and the relatively flat nature of the land in the vicinity.

4. Relevant Planning History		
Application Number	Proposal	Decision
08/00418FUL	Change of Use of Land to 18 Hole Par 3 Golf Course and Associated Works	Withdrawn

5. Proposal

The proposal is to construct an 18 hole, par 3 golf course with holes between 87-181 yards in length. The scheme would involve changing the levels of the site to create a varied playing surface with contours to highlight the greens and landscaping features to include ponds. The proposal involves the raising of levels at various points across the site, the most significant of changes is some 4 metres. The greatest changes in levels are typically in the centre of the site.

The golf course has been specifically design to keep players away from the adjacent roads with no green within 50 metres of them. Holes within a 50 metre exclusion zone are played in an opposite direction of the road.

Landscaping is proposed on the boundaries to partially screen the site.

No buildings are proposed.

In order to create the scheme some 148,000 cubic metres of inert material will be imported to the site. The applicants anticipate that the course could be constructed within two years and this would require 68 lorry movements a day on the network. The site is proposed to be accessed via the B4039 via the A420 and not through Yatton Keynell. This is proposed to be secured via a Construction Contract.

The applicant confirms that ground levels are being raised rather than cutting and infilling since "Cutting into existing ground levels would be likely to result in a number of difficulties in terms of both land drainage and the year-round condition of the course. The proposed course topography has been designed both to provide variety of slopes and interest for players, but also to promote improved land drainage, via the proposed balancing ponds. The local soil is brash, but with a high clay content and therefore positive drainage is necessary to avoid seasonally wet areas and deterioration of the turf.

The immediate surroundings are relatively flat and the site is constrained by the adjacent levels; with any reduction in the course levels it would be technically difficult to achieve adequate falls on drains to the ponds and satisfactory arrangements for outfalls to the existing ditches. It is understood that Fowlswick Lane is occasionally subject to flooding and therefore any land within the site at lower levels would inevitably become waterlogged. At the very least it would be necessary to substantially enlarge the proposed ponds and also to avoid play on any such areas of low, poorly drained ground - both of which would of course involve significantly reducing the playing area.

The standard maintenance of golf courses include regular hollow tinning and slit tinning which would not be best conducted if it were purely an excavation process due to land quality."

6. Consultations

Yatton Keynell Parish Council – object. A full copy of their objection can be viewed on the file and is summarised as follows:

- Proposal is a waste disposal operation and saving of tipping costs than with providing with a golf course;
- Impact on highways and highway safety due to disposal of 100,000 tonnes of waste and stray golf balls;
- Pollution from fumes and dust;
- Uncertainty regarding timescale of one or three years due to availability of waste, three years is too long;
- Loss of agricultural land;
- Potential abandonment of project once tipping aspect completed; and
- Strict controls if to be permitted including no floodlighting, no planting on corner of B4039 and Fowlswick Lane to ensure visibility, site management in sections to prevent dust including covering of rubble by topsoil immediately.
- The FUL suffix is incorrect as it should be a change of use and it can never revert to agricultural land.

Chippenham Without Parish Council – object on the following grounds:

- out of character with the area/loss of agricultural land
- tipping of waste from other sites on an industrial scale and highly disruptive due to construction timescale;
- height of contour out of keeping with local landscape and it exists and would detract from the visual and amenity merits of the area;
- golf activity close to the highway would be a danger to traffic;
- area is prone to flooding and development would exacerbate the problem;
- highways impact due to increase in visitor numbers; and
- area zoned for agricultural low impact use, traffic would change the nature of the area and adversely effect the enjoyment of the area by local residents who currently face severe restrictions on local planning applications for their dwellings.

Kington St Michael Parish Council – object on the following grounds:

- highways impact on rural lanes used as rat runs from M4 both during and after construction;
- drainage and flooding issues not adequately addressed
- loss of agricultural land
- concerns regarding the potential non-implementation of the proposal and use as an unofficial waste disposal site; and
- light pollution

Highways Engineer – no objections subject to conditions limiting the daily number of lorries to 25 per day each way (approximately 3 years), provision of an adequate waiting area within the site to avoid lorries waiting on the B4039, provision and use of a wheel washing facility on the site; agreed routing of HGVs to and from the site. These are to be secured via a legal agreement which will also include the provision of a bond for any damage to the highway and restoration of the site in the event of the abandonment of the use when part complete.

Minerals and Waste Team Leader – detailed comments are contained on the file and are summarised as follows:

- In light of Government advice concerning large-scale landscaping developments using waste, the quantity of waste being used entails the application to be considered as a waste management operation and is thus required to be considered against Policies 2 and 6 of the Wiltshire and Swindon Minerals and Waste Local Plan (WLP). Such proposals will only be permitted where there is demonstrated need to cater for Wiltshire and Swindon's waste or other waste nearby; or the development is needed for operational or restoration purposes and the need for development outweighs any material planning objections.
- A recent (2009) appeal decision in Wiltshire involving a similar amount of waste to be tipped for the purpose of creating a water based leisure facility is a material consideration. In that case, the Inspector highlighted the that WLP does not reflect Government guidance in PPS10 "Planning for Sustainable Waste Management" and Defra's Waste Strategy for England 2007 and took the view that whilst the supply of landfill sites should be limited, it places little emphasis on moving waste up the "waste hierarchy" away from disposal in landfill to more productive uses. The Inspector concluded that re-using waste material for the purpose proposed would reduce the volume of construction waste requiring disposal into landfill in accordance with PPS10. Accordingly, the benefits of the scheme and the ability to mitigate impacts of the construction phase via conditions, outweighed the relevant policies of the WLP.
- Conditions are suggested and a financial bond required for restoration works if necessary.

Environmental Health Officer – no objections.

Drainage Engineer – no objections.

District Ecologist – confirms the site to be of low ecological interest at the time of survey in December 2007. Some of the recommendations by the consultant ecologist have been included in the Landscape Plan, such as the inclusion of native tree planting areas and the creation of new ponds. There are two protected species issues that need to be addressed and secured via planning conditions.

Further comments have been received in respect of any hedgehogs on the site:

"Hedgehogs are not a 'protected' species as such: they are not listed under schedule 5 of the Wildlife & Countryside Act (1981, as amended) nor are they protected by any European legislation. So they are not afforded the same level of protection as, for example, water voles; and specific surveys for this species are not requested.

However, hedgehogs were added to the UK BAP list in 2008 and are a Wiltshire BAP species. In assessing the ecological value of an application site, BAP species should also be considered.

I consider that the proposals are likely to provide habitat for this species; hedgehogs are commonly found foraging on golf courses and the boundary habitats and scrub patches provide nest sites opportunities."

The Council's Sports Development Officer comments as follows:

"I would support any opportunity to provide more local facilities to play golf, particularly if there is a stated intention to work closely with local schools and provide free after school use. This would support the government's 5 hour offer for all 5 - 19 year olds which intends to provide 2 hours curriculum provision and the opportunity to access a further 3 hours per week through after school clubs, community clubs and leisure facilities.

Although there are other local courses at Castle Combe, Bowood and Chippenham these are all member clubs with relatively high rates for visitors - the proposed course would provide a low cost solution for those looking to get into the game, young and older people and families - all of whom are target groups for sports development initiatives."

Landscape Officer – has actively been involved in pre-application discussions and raises no objection.

Archaeological Officer – no objections subject to conditions.

Environment Agency – no objection subject to conditions.

7. Publicity

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

116 letters of objection (including a petition with 45 signatures) have been received on the following grounds:

- No need for the golf course
- Landfill tax avoidance
- Highways impact and sustainability
- Highways nuisance and residential amenity impact
- Impact on the character and appearance of the area, AONB and Conservation Area
- Loss of agricultural land
- Ecological impact
- Contaminated material being used
- Drainage/flooding

1 further letter of objection has been received by a previous objector on the same grounds as outlined above.

75 letters of support have been received on the following grounds:

- Need for the facility aimed at beginners or those wanting a short course
- Enhance the existing facility
- Additional of recreational facilities in the area
- Increase in jobs and trade

2 further letters of support have been received.

CPRE

- question the business and financial viability aspects of the proposal, object to the loss of agricultural land which could be used for intensive food production or horticulture with polytunnels and which would create greater employment opportunities.
- The monitoring of the construction of the site in terms of materials and their source, levels, shrinkage and capping is questioned.

- Objection is raised to the sourcing of materials outside of North Wiltshire.
- No HGV traffic should go through the village of Yatton Keynell, the use of minor roads should be controlled through conditions and signage.
- Highways impact as golf course and increase in parking spaces.
- Out of keeping with the character and appearance
- Objections to floodlighting

Wiltshire County Golf Union - Supports the proposal given that it will encourage young people to play the sport.

Golf Development Officer - The Golf Foundation (South West England) - supports the application.

British Hedgehog Preservation Society – hedgehogs seen on the site and are a protected species and should be considered as part of this application in terms of their requirements. If they have not been accommodated in the scheme, the destruction of this natural habitat should not be allowed.

Hare Preservation Trust – object to the destruction of a prime habitat for brown hares.

Springfields School - The Headteacher supports the application and confirm they have been using the driving range for school visits for 8 years. The facility will provide a natural progression for pupils and other schools alike. It will provide entry level sport at an affordable level, whereas most golfing venues in the area seem to be very elitist and expensive. "I most certainly speak on behalf of many schools and youth groups when saying that the area will greatly benefit from the new course".

8. Planning Considerations

Waste Issues

The proposal involves bringing approximately 148,000 cubic metres of inert material to the site. The delivery of this material to the site based on limitations in terms of proposed HGV movements will take place at restricted times over a period of about three years.

The current Waste Local Plan has been superseded by Planning Policy Statement 10 "Planning for Sustainable Waste Management" where the current thrust and direction of Government guidance seeks to address waste as a resource with disposal at landfill as a last resort.

Based on the above and a recent appeal decision at Ashton Keynes highlighted by the Councils Minerals and Waste Team Leader, referred to above, the re-use of materials for the construction of the proposed golf course is considered to accord with Government guidance.

A full copy of the appeal decision is available on the public file for viewing and is a key material consideration in the determination of this application since it reflects the latest Government thinking on waste management and its implications for saved policies in the Waste Local Plan.

To surmise the appeal related to the importation of inert materials (160,000 cubic metres) to create two islands and two holding fishing ponds with associated development. the materials would be brought to the site over a four year period with some 50 lorries per day.

The site was a few hundred metres from the edge of the settlement of Ashton Keynes with some properties closer to and adjoining the site.

The proposal was considered to be a waste management proposal and in simple terms was contrary to Policy 2 of the Waste Local Plan. At paragraphs 22-24 the Inspector confirmed that the Waste Local Plan has been superseded by PPS10 (2007) which seeks to move management of waste up the "waste hierarchy". "In this hierarchy, prevention is at the top, followed by re-use, recycling and energy recovery. Disposal to landfill is the lowered and least favoured option."

The Inspector considered that "the subsoil that would otherwise be a waste material potentially needing to occupy space in a landfill site is put to beneficial use. This is clearly preferable in terms of the waste hierarchy set down in PPS10 and elsewhere."

Enforceable control mechanisms can be put in place to ensure only suitable materials are used in the interests of the area.

Need

The need for a development is not a planning consideration. However, in respect of proposals involving waste disposal/management, it is under Policies 2 and 4 of the adopted Wiltshire and Swindon Waste Local Plan 2011.

Current, Government guidance contained in PPS10 largely supersedes this approach and as the re-use of waste as an alternative to landfill is encouraged, the requirement to demonstrate the need for the proposal is removed.

However, officers are keen to ensure that necessary measures are in place to ensure that if for any reason the proposal were no longer required and was not implemented, the land could be restored to its previous condition (pasture land) at the cost of the applicant.

Impact of the character and appearance of the area

The application site lies within the open countryside and it's outside of any formal land use designations such as Green Belt, Area of Outstanding Natural Beauty and Conservation Area.

The site appears level but there is a variation in levels of four metres across the whole site.

The site lies within the Limestone Lowland as defined in the Wiltshire Landscape Character Assessment December 2005. Key characteristics of the area include gently undulating lowland farmland providing a peaceful and rural landscape with subtle variations in character relating to the varied geology, topography and watercourses.

Specifically within this area the site lies within the Malmesbury-Corsham Limestone Lowlands and area described as predominantly rolling mixed pastoral and arable farmland in large fields bound by hedgerows and hedgerow trees.

There are subtle localised variations throughout the area within an overall graduation from higher ground.

Policy CF2 permits the improvement of leisure facilities in the countryside.

Golf courses are not an unusual feature in the countryside and it is noted that there are several larger golf courses at Castle Combe and Kingsdown which occupy more sensitive locations with Green Belt, AONB and Conservation Area designations. Kingsdown is particularly visible as it lies both side of the road.

It is acknowledged that the character and appearance of this site will change. However, in the context of the adjacent driving range and its self containment within the wider landscape and limited views except from adjacent roads, the scheme is not considered to be sufficiently detrimental to the character and appearance of the countryside at this location and thus accords with Policies CF2 and NE15 of the Local Plan.

It is acknowledged that the site has the potential to impact upon the landscape if not implemented. Accordingly, it is proposed to secure a financial bond from the application to ensure that if the scheme is not implemented, the land can be restored to its original condition. A landscape management plan is also required to ensure the site is developed ensuring that any drying out of the scheme does not impact upon the finished scheme together with the use of approved topsoils.

Highways impact and sustainability

The volume of material required to be imported to create the golf course is significant. Notwithstanding the applicants contention that the adjacent roads have sufficient capacity to accommodate a high level of HGV traffic is not a reason to allow the HGV movements proposed. The Highways Engineer, having regard to the character of the local road network and highway amenity issues considers that vehicle movements are to be restricted to daily limits of 25 per day (each way) and routes controlled for the delivery of materials together with on site areas for the HGV and wheel washing. All these requirements are to be secured and controlled via a legal agreement. The agreement would also include a bond for restoration of the site in the event of non-implementation and any damage to the highway network.

The Highways Engineer has raised no objection on sustainability grounds. It is accepted that the site by reason of its location and type of use facilitates the use of the car more so than any other means of travel. However, given the nature of the sport, there is also the potential for car sharing. It is accepted that public transport to Yatton Keynell and the site is limited, but that there is some potential, but again due to the characteristics of the sport and equipment involved, this is unlikely.

It would be wholly unreasonable to refuse the application on sustainability grounds.

Highways nuisance and residential amenity

In terms of the effect on residents, the appeal above also considered this issue. Dwellings were located closer to the site at Ashton Keynes than with this application. It was agreed that lorries entering or leaving the site would take a specified route and thus the majority of Ashton Keynes residents would not be affected by the development.

This is considered to be the case with this application.

Conditions and a legal agreement will controlling the routing of vehicles to and from the site so that residential dwellings at Tiddlywink adjacent the site are not affected. The conditions set out below were endorsed by the Inspector in relation to the appeal discussed above.

There are no other dwellings along the main road to Yatton Keynell which would be passed by the vehicles delivering the materials.

It is accepted that nearby residents would be able to hear plant and machinery during construction and that during the construction phase the environment would undoubtedly change.

However, the affects of this can be mitigated via planning conditions regarding maximum noise levels, hours and days of construction and operation together with the provision of a comprehensive construction and environmental management plan.

These controls were considered by the Inspector in respect of the Ashton Keynes appeal to be significant.

Due to the nature of the end use as a golf course and the distance from dwellings, any noise generated would be de minimis compared with other ambient background noise levels.

Drainage/Flooding

Both the Environment Agency and the Councils' Drainage Engineer raise no objections to the proposal. The scheme has been designed to include the provision of ponds and will ensure that the receiving watercourses are not altered so the discharge to the watercourses is the same as present. It is considered that there will be an improvement to flood risk.

Ecological Impact

An Ecological Assessment concluded that the field had limited ecological value and that enhancement measures should be included as part of the proposal which included planting native tree and shrub species, creation of tall areas of grassland, providing habitats for invertebrates, small mammals and birds and the creation of ponds and wetland habitats.

The Councils' Ecologist raises no objections to the proposal subject to conditions.

Loss of Agriculture

Policy C12 of the Wiltshire Structure Plan seeks to protect the best and most versatile land from development. Best and most versatile agricultural land falls within Class 1-3a. The site comprises less than 6% category 3a, the remainder is mostly 3b (79%) and 4 (16.2%).

The proposal therefore would not involve any significant loss of best and most versatile agricultural land and accords with Policy C12 of the Structure Plan.

9. Conclusion

The proposed development seeks to provide an 18 hole, par 3 Golf Course. The proposal will involve the importation of 148,000 cubic metres of inert material.

The re-use of this material for development rather than being sent to landfill is considered in accordance with Government guidance to be a benefit to waste management.

The highways impact of this aspect of the proposal can be controlled via a legal agreement in respect of routing and number of movements.

Whilst the appearance of the site will significantly alter, this is not considered to be detrimental to the character and appearance of the countryside at this location. Golf courses are not uncommon features in the countryside and landscape including those the subject of policy designations such as Green Belt and AONB. The application site has no such constraints.

In addition, the proposal would not detrimentally impact upon ecology or flooding.

10. Recommendation

The applicant be invited to enter an Agreement in respect of the following matters:

1. Vehicle movements and routing
2. Wheel washing
3. Financial bond for Highway maintenance

4. Financial bond for land restoration in the event of non-implementation
5. Landscape management plan

Following completion of which the Area Development Manager be authorised to GRANT Planning Permission subject to the following conditions:

1. The development hereby permitted shall be begun not later than 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. Written notification of the date of commencement shall be sent to the Local Planning Authority within seven days of such commencement

Reason: To enable the Council to control the development and monitor the site to ensure compliance with the planning permission.
3. No development shall take place until contour plans showing the finished levels of all parts of the site where ground levels are to be altered 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: To ensure precise details of the works are agreed before development commences.
4. No development shall take place until a construction and environmental management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:
 - (i) details of the type of machinery to be employed, methods of working, provision for determining the depth, direction and phasing of tipping; defining the boundary of the tipping area and the gradients of the tipping area;
 - (ii) a scheme and programme of measures for the suppression of dust including:
Measures for the suppression of dust caused by moving and storage of soil and overburden and other materials within the site;
Measures for suppression of dust caused by traffic on haul roads, including speed limits; and
Provision for monitoring and review of the scheme;
 - (iii) details of the arrangements to be made to prevent lorries and other vehicles leaving the site depositing mud and other materials on the public highway;
 - (iv) details of the arrangements to be made for the reception of lorries at the site, including measures to prevent lorries obstructing the public highway;
 - (v) details of all proposed temporary welfare and other buildings, compounds for the storage of materials and plant, and areas to be used for the parking of vehicles;
 - (vi) details of any external lighting to be used on the site, including security lighting and mobile working lights;
 - (vii) details of measures to be taken to minimise the risk of uncontrolled release of polluting liquids (e.g. fuel and lubricants) associated with plant operating on the site, including details of the arrangements to be made for fuelling, inspection and maintenance of vehicles, plant and machinery, and details of emergency response equipment to be kept on site for use in the event of any accidental spillage of polluting materials;
 - (viii) details of speed limits, signage and other measures proposed to facilitate the safe passage of vehicles and plant about the site; and

- (ix) details of measures to control surface water run-off from the site, including details of measures to capture silt and clay within any run-off prior to discharge into (name of ditch/watercourse) or elsewhere.

Development shall be carried out in accordance with the approved plan.

Reason: To safeguard the amenities of local residents and the wider environment during the construction phase.

5. No waste shall be deposited at the site until a detailed scheme for the reception of waste materials has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a quality control system for incoming waste which establishes criteria by which materials will be identified as uncontaminated and suitable for disposal at the site. The scheme shall identify under which circumstances a pre-acceptance analysis of materials would be necessary, the making available of analysis results to the local planning authority on request, and the management of wastes brought to the site which are unsuitable for disposal at the site. Once approved, the scheme shall be implemented and shall continue to be operated for the duration of the works.

Reason: To safeguard the amenities of local residents and the wider environment during the construction phase.

6. No materials other than inert waste and topsoil shall be imported into and deposited on the site.

Reason: To control the type of waste imported.

7. There shall be no screening or processing of inert waste material on the site at any time.

Reason: To safeguard the amenities of local residents and the wider environment during the construction phase.

8. The deposit of waste and all earthworks required to form the approved development shall be completed no later than 3 years after the date of commencement confirmed by Condition 2. Within a period of a further 12 months (i) all plant and machinery shall be removed from the site (except which the local planning authority agrees in writing is required for future maintenance of the site); [and (ii) the temporary access road shall be closed and the restored in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority.]

Reason: To safeguard the amenities of local residents and the wider environment during the construction phase.

9. From the date of commencement confirmed by Condition 2, records of the monthly imports of inert materials shall be made and supplied to the Local Planning Authority of the last day of every month.

Reason: To enable the Council to control the development and monitor the site to ensure compliance with the planning permission.

10. No operations relating the formation of the course, including HGVs entering and leaving the site, shall take place except between the following times:

07.30 – 18.00 Mondays to Fridays

No operations related to the formation of the course shall take place on Sundays, Bank or Public Holidays.

Reason: To safeguard the amenities of local residents and the wider environment during the construction phase.

11. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with, and use, effective silencers. No reversing beepers or other means of warning of reversing vehicles shall be fixed to, or used on, any mobile site plant other than white noise alarms or beepers where noise levels adjust automatically to surrounding noise levels.

Reason: To safeguard the amenities of local residents and the wider environment during the construction phase.

12. During the permitted working hours the freefield equivalent continuous noise level (LAeq, 1 hour) for the period due to normal waste importing and depositing operations shall not exceed 55dB as recorded at the boundary of any inhabited property.

Reason: To safeguard the amenities of local residents and the wider environment during the construction phase.

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

ST4/001/03C, 04C, C280/P/01A, 02, KEL/001/GA/1, 179-002, C08293/C001B date stamped 2 April 2009

Appendices:	None
Background Documents Used in the Preparation of this Report:	1.03; 1.20 ;2.01; 2.02; 2.25; 3.03; 4.02; 4.04; 4.06; 5.04; 6.02; 7.02; (Wiltshire and Swindon Waste Local Plan 2011).



REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Report No.

Date of Meeting	22 July 2009		
Application Number	09/00362/FUL		
Site Address	Hill House Nursing Home, Little Somerford, Chippenham, SN15 5BH		
Proposal	Extensions and Alterations to Provide 45 Bed Nursing Home and 12 Extra Care Units		
Applicant	Country Care Homes		
Town/Parish Council	Little Somerford		
Electoral Division	Brinkworth	Unitary Member	Councillor Toby Sturgis
Grid Ref	396526 184996		
Type of application	FUL		
Case Officer	Emma Pickard	01249 706637	emma.pickard@wiltshire.gov.uk

Reason for the application being considered by Committee

This application has been submitted to the committee at the request of councillors Toby Sturgis and Viv Vines so that members can consider the local employment, the need for extra care in the community and the scale of development in a countryside location.

1. Purpose of Report

To consider the above application and to recommend that planning permission be REFUSED.

2. Main Issues

The main issues in considering this appeal the main issues are:

- Principle of development
- Scale of development
- Design
- Highways issues
- Impact on trees
- Impact on neighbours
- Sustainability
- Local need
- Implications on policy C3 and NE15

3. Site Description

Hill House lies on the B4042 outside of the village of Little Somerford and in the open countryside. It is bounded to the east by a single dwelling (Woodstock) and to the west by West Cottage and Coach House Farm.

As the name suggests, Hill House lies at the brow of a hill with views of the property from Little Somerford. The main building is 19th Century which has been extended to the east. It is set within

large grounds and many of the trees on site are subject to a tree preservation order. It is an existing residential home with 18 bedrooms and ancillary accommodation.

4. Relevant Planning History		
Application Number	Proposal	Decision
08/00037/ful	Temporary retention of mobile home for staff accommodation	Permission
06/02255/ful	Erection of Garage/Store	Permission
05/01232/ful	Erection of five bay garage and store	Allowed at Appeal
05/02822/TPO	Weight reduction on branch of oak tree overhanging mobile home	Permission
04/03533/ful	Garaging and residential annexe above	Refused
02/00096/ful	Erection of 11 sheltered housing units (Class C3), summerhouse, tractor shed and gardeners store for use in connection with existing residential home	Refused
00/01805/ful	Erection of 9 sheltered housing units (Class C3), summerhouse, tractor shed and gardeners store for use in connection with existing residential home (Class C2)	Withdrawn
00/01706/ful	Erection of residential home (Class C2)	Permission

5. Proposal

The application proposes a phased development including part demolition, extension and alteration of the existing residential home to provide a 45 bed nursing home and 12 extra care units.

6. Consultations

Little Somerford Parish Council objected unanimously on the grounds that;

- The scale of development is contrary to Policy C3(i) of the NWLP in that it is too large for the village setting and location and size of the site.
- The development would nearly quadruple the number of clients and employees with a consequential impact on vehicle movements which have caused a highway safety concern.
- Impact on the rural feel and setting of Little Somerford.
- The proposal is contrary to open countryside business development Policy C4.
- Not in keeping with its surroundings and would increase the need to travel.
- Development would have an adverse impact on the amenity of neighbouring properties.
- Staff may travel some distance to the site to work.
- The village has a sewage capacity problem which may be worsened.
- Concerned that 8 staff spaces are completely inadequate.
- There is no provision for overflow parking which may cause parking and problems at the top of The Hill.
- The delivery area is very tight and it will be difficult for one vehicle to manoeuvre on site let alone two.
- Potentially the number and size of vehicles could increase substantially as could the instances of more than one vehicle being on site, causing a traffic hazard.

- Use of the eastern access is proposed which has been, in the past, considered to be dangerous.
- The new design is not in keeping with the Georgian style building and will not retain its historical nature. Windows do not match the style or proportion. The use of metal for the roof will give the new buildings a commercial office or university campus appearance.
- The development would be a 'cluster' as stated within the LS Village Design Statement and does not adhere to the recommendation which suggests that such a development should be subsidiary in scale to the main building etc.
- The site will be visible from the conservation area.
- The proposed pavement will change the rural nature of the top of The Hill and impact on existing residents of Woodstock. The VDS seeks to avoid urbanising The Hill.

Highways object on sustainability grounds.

Wiltshire Council's Landscape Planning Officer objects to the location of the buildings adjacent to the Dawn Redwood trees and makes recommendations regarding root protection areas. Further information is required in respect of adjacent trees as their roots will be well into the Hill House site.

County Ecologist

Comments will be reported as additional information.

Assets Design and Regeneration comment that:

- They are surprised there is no mention of the Little Somerford Village Design Statement (VDS) which makes specific reference to the Hill House site.
- Scale and density has not been designed to reflect concerns and constraints in the VDS.
- Important views are not addressed and they are concerned that the visual impact will be greater than illustrated.
- Although roof height is lower, the overall scale and extent of development does subsume the existing building making it feel ancillary.
- Has continued use of the existing building and lesser extensions been considered?
- The scheme lacks legibility in that the form has been constrained by the TPO's trees whilst maximising the built form tight around the root protection areas.
- The elevations have a mix of symmetrical and asymmetrical elements giving a disjointed design when compared to Hill House.
- The windows and metal roof give a office/urban feel.
- Unit 1 has living accommodation adjacent to car parking areas.
- Lack of motorcycle/cycle parking detail
- Subject of sustainability is not addressed in sufficient detail.

Environmental Health has no adverse comments.

7. Publicity

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

6 letters of letters of objection were received and 6 letters of support.

Summary of key relevant points raised:

Objection

- Development will have a massive impact on my house from a visual and privacy point of view;
- Concern at the increased access onto the road at a dangerous bend/junction;
- The western access is much safer;
- Land to the rear of the property should be developed;

- Development is a huge increase and the would be out of character to become a very large nursing home;
- What will happen if the business fails?
- Proposed materials are out of keeping and design fails to respect the quality of the host building;
- Fear a 24 hour noise impact on house and garden;
- No support from policy H3;
- The existing permission bears no relation to this proposal and cannot be used as justification for it;
- Development fails to satisfy criterion i), ii), iii) and iv) of policy C3;
- Balance between grounds and buildings will be destroyed;
- Density will swamp the original house;
- Scale of building will endanger the long term retention of the trees on this prominent site;
- Increased perception of overlooking;
- Vehicle movements will be increased in the evening and at night;
- The location of such institutions should be well related to public transports routes and centres of population;
- Will result in a significant increase in vehicular activity;
- Manoeuvring service vehicles will be a hazard;
- Insufficient space for visitor and staff parking;
- Buildings will be imposing;
- Daylight will be reduced to the rear of house;
- Bin storage will be a source of noise and smell;
- Concern about disposal of waste water and sewage.

Support

- It is important for people who have lived in the country to have the choice to remain there in their old age;
- Trees and green fields can be very important for some peoples mental and physical wellbeing;
- Residence would become a vital part of the community;
- Plans are tastefully done, and it will be a much improved Hill House;
- The development will enable high quality care to be offered;
- Residents would have a home for life;
- Extra care units will fill a gap in the care of frail elderly people;
- A village surgery will not be offered; there is a facility nearby in a new primary care centre.

8. Planning Considerations

Principle of Development, Sustainability and Local Need

There are no specific policies relating to residential institutions outside of framework boundaries in the Local Plan. National guidance on the issue of care for the elderly point to a growing need for varying types of housing for the ageing population. RTP1 Good Practice Note 8 states that major change are required over the next ten to twenty years. The premise of 'extra care' accommodation is 'purpose built accommodation in which varying amounts of care an support can be offered and where some services are shared'. It facilitates independent living with low level support and care needs catered for.

The proposed development offers a scheme where wide range of facilities and services both for the residents of the care home and extra care units can be can be provided. It is accepted that the provision of the extra care units can be controlled by a section 106 agreement so that the care offered is maintained and that the units do not become market housing.

It has been established that the residential care can be extended within the context of the existing use on site. A distinction should be made between the extant permission (00/01706) which would

increase the number of bedrooms within the home by 15 (in addition to 18 in the main building), and the existing proposal that would provide a total of 45 bedrooms and 12 extra care units (one bedroom each)

With regard to sustainability issues, officer's objections relate to the scale of the increase in the number of residents, staff (which will rise from 15 to 65, visitors and service vehicles, and the consequential rise in activity. Officers consider that at this scale it is very unlikely that either residents or staff would come from the local area and that a large proportion of journeys will be made from a large distance away and by private car. It is considered that the level of intensification is materially significant in that sustainability objectives would not be met by the development.

Whilst there is undoubtedly a national need for such development, which is stated within the applicants supporting statement, there is little information as to the local need and how the development will fill this need. It is considered that no overriding need for this development has been demonstrated which outweighs other considerations.

In March 2009 Wilts County published a draft document entitled, 'A New Lease of Life; Wiltshire's Older People's Strategy.' This document recognises the needs of an ageing population and details the approach to be taken to achieve particular goals. It identifies the need for good accommodation and the different ways of achieving this and encourages partnership working in order to provide a wide range of living arrangements. Whilst the emphasis of this document is supported, it is considered that there should be a balance between the need for development and any harm identified. In this instance, it is considered that the harm caused by the proposal should not outweigh the fundamental objections to this proposed development.

Scale of Development and Impact on Landscape

At present, the residential home is registered for 19 residents. There are 18 rooms within the main building and an extant permission (00/01706/ful) for a 2 and a half storey extension to the care home which has staff accommodation on the upper floor and accommodation for an additional 15 residents and ancillary rooms including a recreation/dining area and kitchen.

Phase 1 of the development will be to provide rooms for existing residents to move into while development will then take place on the existing buildings. The more modern eastern wing of the existing building is proposed to be demolished. Overall, the new development, taken as a whole, will provide 45 bedrooms in the new build element, 8 extra care flats within the remaining existing building and 4 extra care flats in a new development on the west of the site. In addition, there are extensive additional facilities including living area, dining area, dining room, library, games room, treatment room, cafe and beauty salon.

Hill House is in a relatively open position. The Little Somerford Village Design Statement (VDS) makes reference to Hill House and that 'provision of additional facilities for the elderly within the curtilage of Hill House planned for the future will have to be carefully designed to avoid undesirable impact on the environment'.

The existing building can be seen from points within the village and is a dominant feature at the top of The Hill, although there are existing trees both on the site and in the surrounding landscape that would help to soften the appearance of the development. Important views in the local area are identified within the VDS which includes that from Mill Lane towards Hill House, and

In terms of the overall appearance of the development it is considered that the scale of the proposal, even when compared with the extant permissions on this site, are excessive both dwarfing the character of the existing building and urbanising the site. It is additionally considered that this would in turn be harmful to the rural environmental and would be overly intrusive in the local landscape. It is considered that the development does not meet the criteria as set out in Policies NE15 or C3 of the Local Plan.

Design

Comments from Council's Assets Design and Regeneration (ADR) officer relate to the opinion that the building has a disjointed appearance. Reference is made to the mixture of symmetrical and asymmetrical elements and the lack of respect for the character of the existing building.

The 'T' form aluminium windows and metal false mansard roofs are industrial in character and are considered to be out of context with the rural nature of the site.

The applicants state that their design concept included a central core. In addition, all buildings are lower than Hill House and elements of the building step down and are also broken up by glazed links or green walls. Officers consider that the design is in part successful by giving the building some interest whilst breaking the vast size of the structure. On the whole, however, it is considered that proposal is rather urban in appearance (unavoidable in part because of the size of the buildings proposed) and that the development although lower in height, dwarfs the original structures which in turn be harmful to the rural character of the area and contrary to both Policies C3 and NE15.

Highways

Initial comments related to concerns over the available visibility at the main (western) access. Wiltshire Council highways officer states that the figures of 2.4m x 29m in the supporting information are a generous estimation as he produced 2m x 20m before the neighbour's fence impinged on visibility. Although this fence is only 1m in height and does not obstruct visibility, there is no guarantee that a hedge will not be planted immediately behind it at some future date.

Further details in the form of a transport statement were required and following receipt of this information it was considered that previous permissions, if implemented, could have resulted in greater use of the western access than the current proposal which would make a highway objection on that ground undefendable.

However, the site is situated in open countryside and the available bus services provide neither suitable journey to work opportunities nor good links for visitors. In view of this, he recommends refusal.

TPO trees

Many of the trees on site are subject of a Tree Preservation Order including Oak trees to the east, two Dawn Redwoods located within the formal garden area, and Oak trees, Horse Chestnuts, False Acacia and Ash trees to the south west/west of the site.

The Council's Landscape Planning Officer states that the Dawn Redwoods are relatively new to Britain, the oldest known tree being about 61 years old. Concern is expressed that they could conceivably grow to well over 25m tall, and that the development should be further away than the 6m proposed.

In addition, it is recommended that the ground area should not be changed within the root protection areas i.e. around the dining and library areas.

Impact on Residential Amenity

Concerns have been raised about the impact on existing residential amenity. The impact on West Cottage, Coach House Farm and Woodstock will be due to the increase in activity and the addition of built development, which will be appreciated from all properties to a greater or lesser extent. There is, however, no direct overlooking of these dwellings. It is considered that the size, scale and intensification of development on the site would be harmful to the residential amenity currently enjoyed by the occupiers of these dwellings.

Ecological Issues

With regard to the ecological surveys, both evidence of a long-eared bat species and a pipistrelle bat was observed emerging from the east wing of the building. Although there was no evidence of reptiles, the survey identified potential habitat suitable to support reptile species.

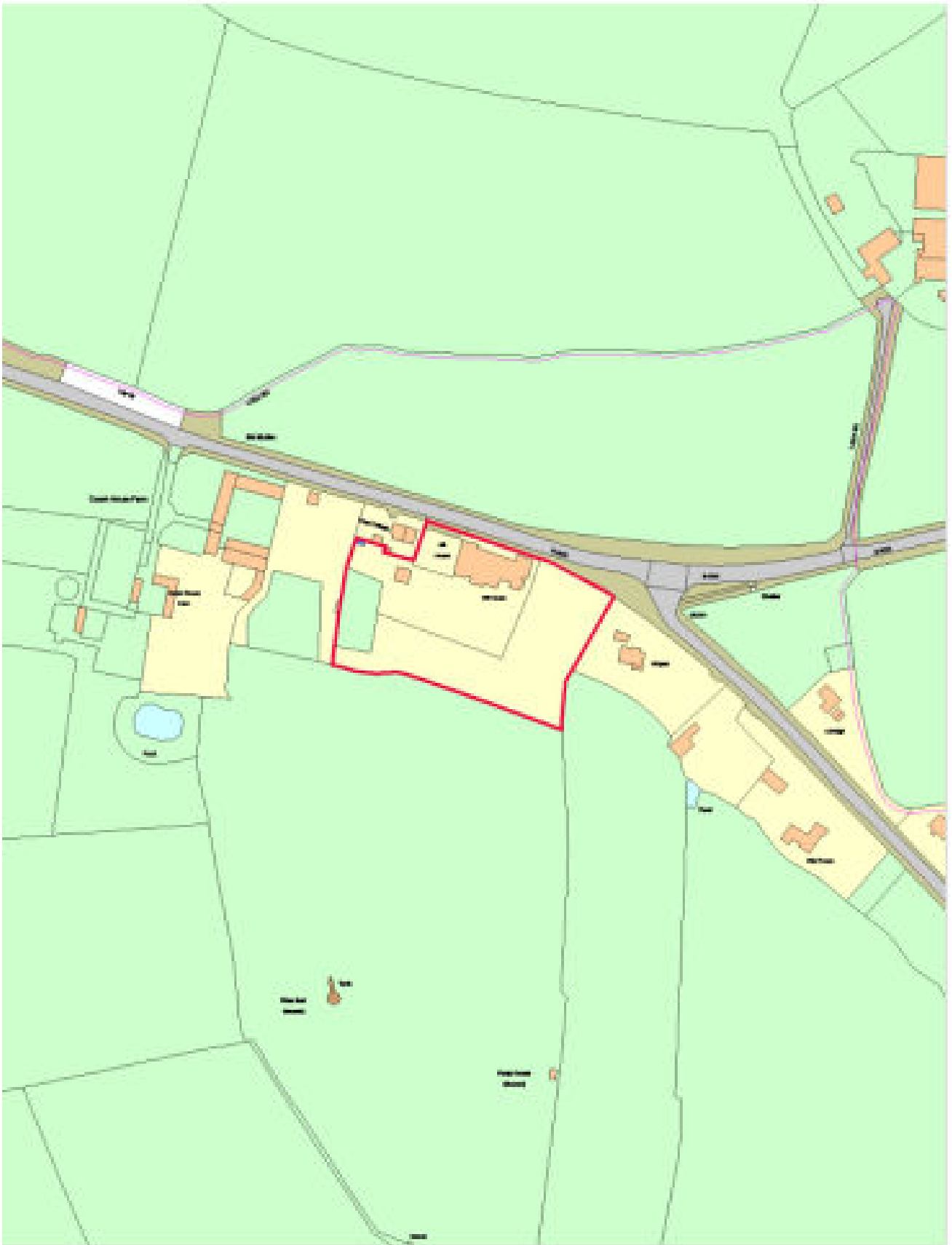
The report states that there should be no impact on the long-eared bat roost but a natural England license will be required for works to the building because of the existence of the pipistrelle, with bat boxes erected during construction and more permanent bat habitat built into the new building.

9. Recommendation:

Planning Permission is REFUSED for the following reasons:

1. The proposal would result in a scale and form of development that would be incongruous and out of scale within the context of the existing residential home, and would be a dominant feature in the landscape that would be harmful to the local landscape character of the area, contrary to policies NE15 and C3.
2. The proposal, which would be materially different to the extant permission on the site, would result in a substantial development that would be remote from services and not well served by public transport, which is contrary to the key aims of planning policy guidance note 13 which seeks to reduce growth in the length and number of motorised journeys, and sustainability objectives within planning policy guidance note 7.
3. The proposed root protection zone is considered to be inadequate around the Dawn Redwoods and the development would consequently be harmful to the health of these trees which are covered by a tree preservation order.
4. The size, scale and intensification of use proposed, would be harmful to the residential amenity of occupiers of adjacent dwellings contrary to policy C3 of the local plan 2011.

Appendices:	None
Background Documents Used in the Preparation of this Report:	1.20, 2.02, 3.06, 4.02, 4.03, 4.04, 4.07, 5.01, 6.02, 6.03, 7.01 Little Somerford Village Design Statement



REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Report No.

Date of Meeting	22 nd July 2009		
Application Number	N.09.00511.S73A		
Site Address	Chelworth Park Industrial Estate, Braydon lane, Chelworth, SN6 6HE		
Proposal	Change of use from agricultural use to B8 (storage) (retrospective)		
Applicant	Mr B Austin		
Town/Parish Council	Cricklade		
Electoral Division	<u>Cricklade and Latton</u>	Unitary Member	Peter Colmer
Grid Ref	408153 192549		
Type of application	Change of Use		
Case Officer	S T Smith	01249 706633	simon.smith@wiltshire.gov.uk

Reason for the application being considered by Committee

Cllr Dixon wishes the application to be considered to assess the proposal in respect of the size and scale of the land subject to the change of use and its potential impact upon the adjacent nature conservation site.

The application was called in to Committee in May 2009.

1. Purpose of Report

To consider the above application and to recommend that planning permission be GRANTED subject to conditions.

2. Main Issues

- Principle and background
- Visual Impact
- Impact upon County Wildlife Site
- Drainage and potential for pollution
- Impact upon highway network

3. Site Description

The land subject to this application is topographically flat and is largely defined by a hard core surface, upon which sit a mixture of large modern storage and workshop buildings, open air storage and parked vehicles. The several buildings on it are variously authorised and unauthorised. The entire 2.2Ha site is situated behind the established Chelworth Park Industrial Estate, through which vehicular access to the site is gained.

4. Relevant planning history		
Application Number	Proposal	Decision
09/00774/CLE	Existence and use of building for B8 purposes for more than 10 years	Granted 12/06/09
N80/1433/F	Use of land and buildings and erection of new buildings as circus winter quarters It should be noted that this permission related to part of the site which is the subject of this current application.	Permission 22/12/80

5. Proposal

The proposal is for the retrospective change of use of the land from an agricultural use to that for the parking, storage and maintenance of vehicles for two circuses when not operating in winter (hereafter known as the “winter quarters”). The parking, storage and maintenance of vehicles for a circus, when not in use, is considered to fall into the B8 (storage and distribution) use class.

It should be noted that part of the site already benefits from permission via the 1980 decision referred to above.

6. Consultations

Highways – No objections subject to conditions

Environmental Health Officer – No objections

District Ecologist – “The above application has been flagged up by the WSBRC since part of the application site is Chelworth Park County Wildlife Site (listed as neutral grassland). However, our aerial photographs (dated 2005 - 2006) show that the land is concrete hardstanding and obviously has been for some time, so I have no further comments on the application.”

Environment Agency – Comments awaited

Drainage Engineer – Comments awaited

Cricklade Town Council

“This is a retrospective application for a change of use for the parking, storage and maintenance of circus vehicles. The number of vehicle units is currently stated to be circa 260. It is understood from the applicants that the site has been developed now for over 10 years and he states that there are sworn affidavits to this effect. Aerial photographs dated 1999 supports this assertion. There are at least two other applications needed to regularise other parts of the site.

The site is untidy, giving the appearance more of a scrap yard at times, albeit that it cannot be seen from the road. Existing hedges have been retained and there is a bund on the north-east side of the site.

An important point to note here is that the land is bounded on two sides by nature conservation sites of local importance, and although not relevant to this particular application one of these sites is already being used for storage.

The land is outside the current designated employment land allocated at Chelworth.

Cricklade Town Council **OBJECTS** to this application for the following reasons:

- 1) The development is contrary to Policy BD5 in that it is extensive in size and scale and unsympathetic to its surroundings. No consideration has been given to the impact on the road network in the vicinity of the development, and the wider impact of HGVs travelling through Cricklade. The development fails to meet any of the criteria envisaged by i), ii), or iii) set out in BD5 of the Local Plan.
- 2) The proposed development is likely to have an adverse impact on the adjoining nature conservation sites of local importance and is therefore contrary to Policy NE7 of the Local Plan.
- 3) Impact on drainage and surface water needs to be considered also potential for pollution of water courses from vehicle storage.

In addition to the above, we consider that the Enforcement Officer should be aware of the fact there are buildings on the site that do not have planning approval and that some of the adjoining land has been developed without approval. In neither case have these developments existed for 10 years.”

7. Publicity

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

One (1) letter of objection received

Summary of key relevant points raised:

- Proposal will bring further heavy traffic through a highly unsustainable route
- Proposal should be sited with closer access to the dual carriageway thus avoiding HGVs being routed through town

8. Planning Considerations

Principle and background

Historically regarded as the circus winter quarters, the land adjoining the application site to the south and east, has over a number of years evolved into the now firmly established Chelworth Park Industrial Estate. The Industrial Estate is characterised by large commercial workshop and storage buildings of typical appearance. As a result, and seemingly over a number of years, the winter quarters have been displaced to the land now the subject of this application.

Planning permission N80.1433.F originally defined the winter quarters site which included an element of the current site but was largely outside of the current position of the winter quarters, but largely contiguous with. It would seem that there has, historically, been concern for the potential pressure to develop the approved circus storage use for more formalised employment development to displace the winter quarters onto surrounding agricultural land. This appears to have transpired.

Nevertheless, and irrespective of the largely unlawful development on the application site and surrounding land under the control of the applicant, the proposal should be correctly assessed against Policy BD5 of the adopted North Wiltshire Local Plan 2011. This policy does, inter alia, allow for business uses in the countryside, where it:

Involves the limited expansion or replacement of an existing premises, where the development would be more acceptable and sustainable than might otherwise be achieved through conversion.

Although perhaps worded so as to provide certainty upon applications that involve existing buildings, Policy BD5 is supported at the national level by PPG4 (industrial and Commercial development and Small Firms), which generally advises on the need to carefully weigh the necessity to sustain the rural economy against the need to protect the countryside, in its widest sense.

The application site is well related and would be an extension to the established industrial estate, and it is therefore considered to be reasonable to consider the proposal and to determine whether the change of use would harm the countryside to an unacceptable degree.

Visual Impact

Topographically flat and without a high degree of public access, the local landscape surrounding this part of the industrial estate cannot be said to be highly visible. Large commercial buildings screen most views of the site from Braydon Lane with no public rights of access to the west of the site – though views of the storage of “portakabins” on adjoining land not the subject of this application are almost certainly possible from several residential properties to the north and west.

Visually, and in acknowledging that the most visually intrusive storage activities being carried out on adjoining sites are not the subject of this application, it is considered that the land has much in common with the established industrial estate. As such the visual impact of the proposal is not thought to justify a reason for refusal.

Critically, it should also be acknowledged that one of the two storage buildings on the application site benefits from a Certificate of Lawful Use or Development under s191. A decision under this section neither requires or allows for an assessment of the impact of the building. It is merely an exercise in establishing whether the building has been in existence for more than 10 years. The building will continue to exist, regardless of any decision on this application.

An appropriately worded planning condition that would require a detailed scheme to be prepared, submitted and approved that would define specific areas of storage on the land, would do much to organise external storage and prevent future spread.

Impact upon County Wildlife Site

The application site is positioned in close proximity to two sections of the Chelworth Park County Wildlife Site (CWS) – with the northern extent of the site actually spreading into the CWS. Local objections have been received in this regard.

In considering the effect of the proposal in this regard, the District Ecologist comments the CWS is listed as being neutral grassland, but that because the site has been surfaced with a hardstanding for some time, she has no further comments to make. Whilst the laying of the hardstanding appears to have been an unlawful action in the past, there now appears to be no reason to diverge from the expert view on this matter.

Drainage and potential for pollution

It is understood that local concerns have been raised regarding the possible pollution of water courses from vehicle and equipment storage.

Although not defined as an area liable to flood, it is considered reasonable to request the comments of the Council's Drainage Engineer and the Environment Agency. These have yet to be received, but will be reported to Committee when received.

Impact upon highway network

The long standing concerns of the CTC in respect of the traffic from the wider Chelworth Industrial Estate being routed through Cricklade town centre and the local road network are understood. However, this clearly is an existing situation since the circus winter quarters has long been based at Chelworth, albeit not on the site the subject of this application. To this extent it is considered to be problematic to sustain an objection on highway safety grounds, since firstly the proposal is not in itself likely to generate significant numbers of movements, and secondly because any additional traffic are more likely to be associated with other activities that have displaced the circus winter quarters use (much of which benefits from planning permission anyway), not the winter quarters themselves.

The Highway Engineer has indicated that they are not aware of any complaints regarding the movement of circus vehicles and equipment, and subject to the imposition of planning conditions, they have no objections to the proposal. There is considered to be no reason to diverge from this view.

9. Conclusion

The proposed development is considered to be well related to the long established Chelworth Industrial Estate. Any resultant impact associated with the proposed extension to the industrial estate would be acceptable in this particular instance. The impacts associated with the storage of "portakabin" type structures on adjoining land outside of the application site, cannot form part of the considerations, and should be the subject of a separate planning application or enforcement action.

10. Recommendation

Subject to no new and substantive comments being received from the Environment Agency or Council Engineer that would justify a different recommendation, then:

Planning Permission be GRANTED for the following reason:

The proposed development is considered to be an acceptable extension to an established industrial estate and as such complies with the provisions of Policies C3 and BD5 of the adopted North Wiltshire Local Plan 2009 and supporting guidance contained within PPG4.

Subject to the following conditions:

1. Unless otherwise agreed in the form of a separate planning permission in that regard, there shall be no external illumination of any source on the site.

Reason: In the interests of amenity and visual appearance of the site.

2. Within one month of the date of this permission, details of any proposed area or means of enclosure for the storage of refuse and recycling on the site shall have been submitted to and approved in writing by the Local Planning Authority. Such details approved shall be implemented in full within 3 months of the date of agreement to those details.

Reason: In the interests of amenity and visual appearance of the site.

3. Within one month of the date of this permission a plan showing the precise location of any areas of open storage and specifying a maximum height of open storage within such area(s) shall have been submitted to and approved in writing by the Local Planning Authority. No materials, goods, plants, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored on the site outside the approved storage area, or above the height agreed as part of this condition.

Reason: In the interests of the appearance of the site and the amenities of the area.

POLICY- C3

4. Within one month of the date of this permission a scheme for the treatment of all boundaries to the site shall have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in complete accordance with the scheme within 3 months of the date of the approval of that scheme unless otherwise agreed with the Local Planning Authority in accordance with another timetable.

Reason: In the interests of visual amenity and to ensure the boundaries of the site are clearly defined into the future.

5. At no time shall there be any residential uses of occupation upon any part of the site subject to this planning permission.

Reason: For the avoidance of doubt and to ensure an inappropriate use is not introduced into the countryside in the future.

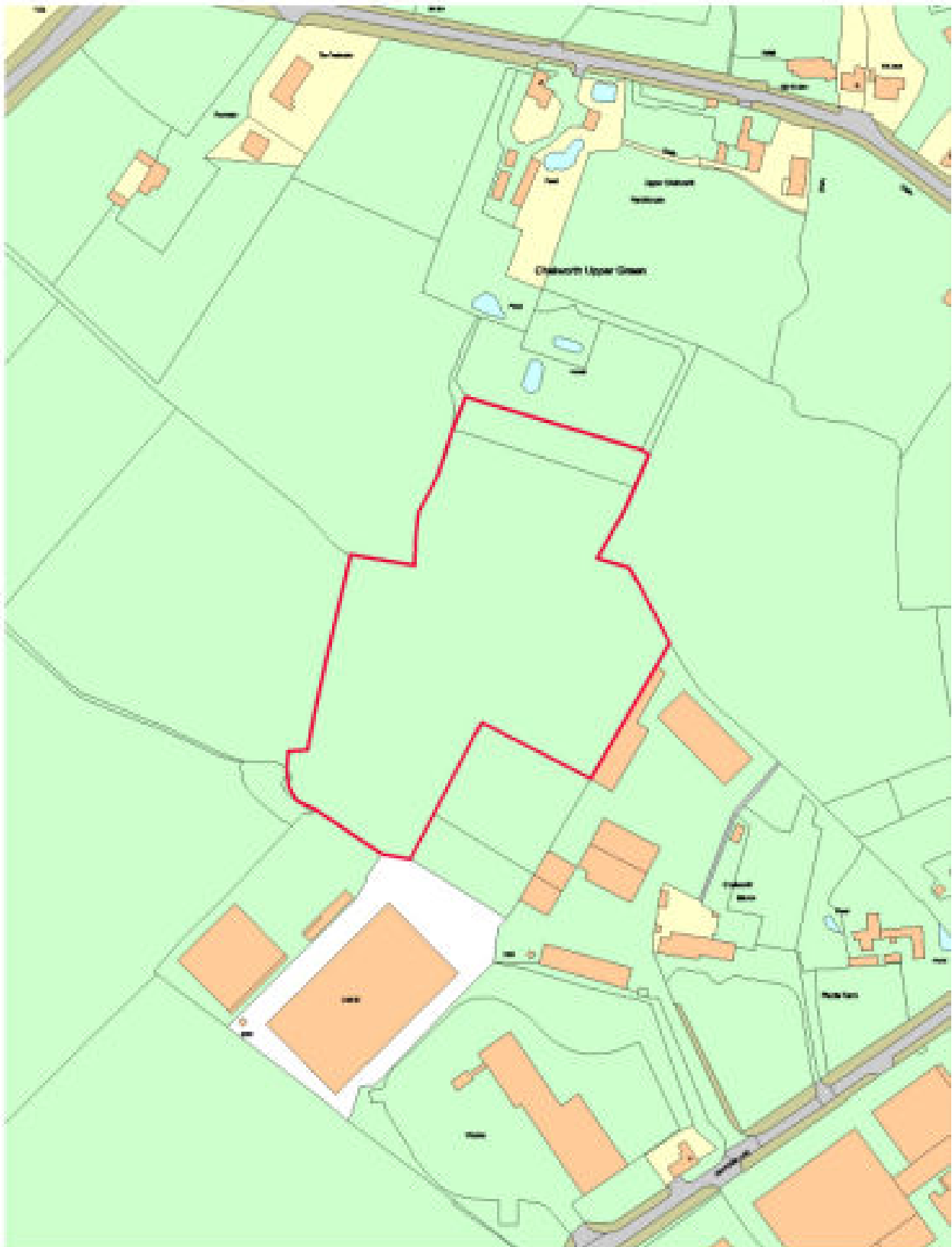
6. The site shall be used for parking, storage and maintenance of vehicles in association with circuses and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

Reason: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

POLICY C3 NE15 BD5

Additional conditions relating to drainage if required after receipt of comments of Environment Agency and Drainage Engineer.

Appendices:	None
Background Documents Used in the Preparation of this Report:	2.01 2.02 3.03 4.02 2.25 6.03



REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Report No.

Date of Meeting	22 nd July 2009		
Application Number	N/09/00779/FUL		
Site Address	New Sixth Form Centre, Hardenhuish School, Hardenhuish Lane, Chippenham, SN14 6RJ		
Proposal	Formation of Car Park and Access for Emergency Vehicles and Maintenance to New Sixth Form Centre		
Applicant	The School Governors Hardenhuish School Hardenhuish Lane Chippenham Wiltshire SN14 6RJ		
Town/Parish Council	Chippenham		
Electoral Division	Chippenham Hardenhuish	Unitary Member	Councillor Paul Darby
Grid Ref	390941 174658		
Type of application	FUL		
Case Officer	Celine Le Boedec-Hughes	01249 706668	celine.leboedec-hughes@wiltshire.gov.uk

Reason for the application being considered by Committee

This application has been submitted to the Committee for decision at the request of Councillor Darby to assess the application against Policy T1, T2, T3 and T4 of the North Wiltshire Local Plan (2011) and against the maximum parking standards.

1. Purpose of Report

To consider the above application and to recommend that planning permission be GRANTED subject to conditions.

2. Main Issues

This application is for the formation of a car park and access for emergency vehicles and maintenance to the new sixth form centre which was granted consent in 2008 and is currently under construction.

The key points to consider are as follows:

- Implications on DC Core Policy C3
- Impact of the development on Policy T2, T3 and T4 of the North Wiltshire Local Plan (2011)
- Affect of residential amenity and privacy due to noise, nuisance and loss of views
- Affect on the Listed Building
- Highway impact, pedestrian safety and sustainability principles

3. Site Description

The development site is located within the curtilage of Hardenhuish School in Chippenham. The development site the subject of this proposal lies in the north-east corner of the school grounds. The school grounds are boarded by Hardenhuish Lane to the west, residential properties to the north and east, and playing fields and Sheldon School to the south.

The proposed car parking area is to be located to the west of the new sixth form centre which is currently under construction. The car parking area borders residential properties to the north.

4. Relevant Planning History

Application Number	Proposal	Decision
08/01044/FUL	Demolition of Existing Single Storey 'A' Centre and Erection of New Two-Storey Sixth Form Centre	Permitted

5. Proposal

This application is for the formation of a car park and access for emergency vehicles and maintenance of and to the new sixth form centre.

The plans show that a new car parking area is proposed to the west of the new sixth form centre to provide 10 car parking spaces, one disabled car parking space, an area for the parking of bicycles and another area for motorcycles.

The area is to be created by retaining and extending the existing concrete apron (built for construction of the Sixth Form) around the building and by moving the grass bank to the west.

6. Consultations

Chippenham Town Council recommends that the application be refused for the following reasons:

- Contradicts Policies T1, T2, T3 and T4 of the Adopted North Wiltshire Local Plan 2011.
- Will set a defined precedent for future developments in Wiltshire by suggesting that the adopted maximum parking standards (as set out in the referenced Appendix 3 of the Adopted North Wiltshire Local Plan 2011) are not actually being enforced.
- Contrary to Hardenhuish School's Travel Plan.

Highways Officers when originally consulted recommended that the application be refused as the proposed car parking would result in an overprovision on the site and would result in increased motorised journeys contrary to the guidance contained in PPG13.

Following a discussion with the agent for the application, it was subsequently highlighted that the intention was to use the parking to cater for the increased staff numbers resulting from the sixth form development. The Highway Officers noted that one of the issues with parking at this end of the site is the conflict between vehicles and pedestrians at the Long Ridings entrance. However, it was considered that staff vehicles are likely to arrive before and depart after the main periods of pedestrian activity. On that basis, Highway Officers have now withdrawn their original highway objection, particularly as the access and adjacent hard surfaced area are required for emergency vehicle access, and have requested that a condition limiting the use of the parking area to staff parking only be attached to any permission granted.

Environmental Health – comments awaited.

7. Publicity

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

Eleven letters of objection have been received.

Summary of key relevant points raised:

- Impact on residents of Church View as car park will directly look down onto these properties, will affect views and will lead to loss of privacy.
- Adverse impact on the Listed Building.
- Noise impact.
- Car park will no doubt be used outside school hours.
- Proposal should include hedge or visual screen.
- Why is there a need for access for emergency vehicles when there wasn't before?
- Contrary to Policy C3, T1, T2, T3 and T4 of the Local Plan and the School's Travel Plan.
- Proposal will make existing sub-standard access more dangerous and encourage use of the private car.
- It is unclear which access is to be used to access the new parking area.
- Is there a need for more car parking?
- Impact on children safety.
- Another application for car parking to the rear of Portal Close is apparently still being considered.
- Portal Close development is still not shown on the submitted plans.
- Proposal is not "green" and goes against the School's Action Plan.

8. Planning Considerations

Principle of the development

The proposal seeks planning permission for the formation of a car park and access for emergency vehicles and maintenance to the new sixth form centre at Hardenhuish School in Chippenham.

The plans show that the new car parking area is to provide 10 car parking spaces, one disabled car parking space, an area for the parking of bicycles (5 no.) and another area for motorcycles (also 5 no.). Access to the new car parking area will predominantly be via the Long Ridings vehicular access but access can also be gained via the Hardenhuish Lane access.

The proposed access for emergency vehicles and maintenance is required as the new boiler house is to be sited at the far end of the new Sixth Form Centre and is to house two gas boilers, mains electrical boards, mains water installation, mains gas supply, boards for P. V. solar electrical conversion to usable electricity and manifolds for under floor heating. All these facilities will require access for maintenance and in case of any emergency.

The proposed car parking area is to be sited away from the Listed Building and is therefore not considered to affect its character or appearance or its setting.

Impact of the development on Policy C3:

A number of local residents object to the proposal on noise, loss of views and loss of privacy. The car parking spaces are to be more than 25m away from the rear elevations of the properties in Church View and with a landscaping scheme which would provide a screen at the top of the grass bank, the proposed development is not considered to have an adverse impact on the residential amenities of those residents living in Church View.

With regards to those residents living in Portal Close, it is considered that notwithstanding the additional movement associated with the provision of parking for up to 11 vehicles and 5 motorbikes using either accesses, the proposed car parking spaces will have no significant impact on the residential amenities of those properties.

The agent for the application has also confirmed that the proposed car parking spaces are to be used by staff only. This is an issue that can be conditioned and would further help in protecting the residential amenities of those living close to the site.

Impact of the development on Policy T2, T3 and T4:

Local residents are concerned that the proposal will have an adverse impact on child safety and that it goes against the school's objectives of promoting a green environment and healthy lifestyles. These particular issues have been taken into consideration by Highway Officers who raise no objections to the proposal subject to the car parking spaces being reserved for staff only.

The existing accesses and visibility are considered to be acceptable and in accordance with highways standards.

Concern has been raised as to whether this current proposal is to be in addition to the previously submitted application for a car parking area to the rear of Portal Close. The proposed parking area to the rear of Portal Close was withdrawn and each application therefore has to be determined on its own planning merits. However, Highway Officers have made it clear that no further parking will be permitted on site without a full justification of need based on an updated Travel Plan.

On the grounds that the proposed car parking area is to be reserved for staff parking only, the proposal is considered to be in accordance with Policy T2, T3 and T4 of the North Wiltshire Local Plan in that the proposal does not encourage students to travel to school in their own private car.

9. Conclusion

The proposal will not be harmful to the character and appearance of the area, will have no significant adverse impact on the amenities of neighbouring residents and is in accordance with current highway guidelines. On this basis, the proposal is in accordance with Policies C3, T2, T3 and T4 of the North Wiltshire Local Plan (2011).

10. Recommendation

Planning Permission be GRANTED for the following reason:

The proposal will not be harmful to the character and appearance of the area, will have no significant adverse impact on the amenities of neighbouring residents and is in accordance with current highway guidelines. On this basis, the proposal is in accordance with Policies C3, T2, T3 and T4 of the North Wiltshire Local Plan (2011).

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 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 proposed car parking spaces shall be used for staff parking only and for the purposes of access for emergency vehicles and maintenance and for no other purpose whatsoever. The staff parking spaces shall be formally identified as such and details of this shall be

submitted to and approved in writing by the Local Planning Authority and maintained thereafter.

REASON: In the interests of highway safety and to ensure that no students park in this location.

POLICY: C3, T2, T3 and T4 of the North Wiltshire Local Plan (2011).

3. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:
 - (a) Details of all proposed species, planting sizes and planting densities
 - (b) Details of means of enclosure;
 - (c) Details of car park layout;
 - (d) Details of hard surfacing materials;
 - (e) Details of minor artefacts and structures (e.g. furniture, signs, lighting etc);

REASON: To ensure a satisfactory landscaped setting for the development and to protect the residential amenities of nearby residents.

POLICY: C3 of the North Wiltshire Local Plan (2011).

4. All soft landscaping comprised in the approved details of landscaping (under Condition 3) shall be carried out in the first planting and seeding season following the first occupation of the Sixth Form Centre. 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 that the approved landscaping scheme is implemented and to ensure a satisfactory landscaped setting for the development and to protect the residential amenities of nearby residents.

POLICY: C3 of the North Wiltshire Local Plan (2011).

Informatives:

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.

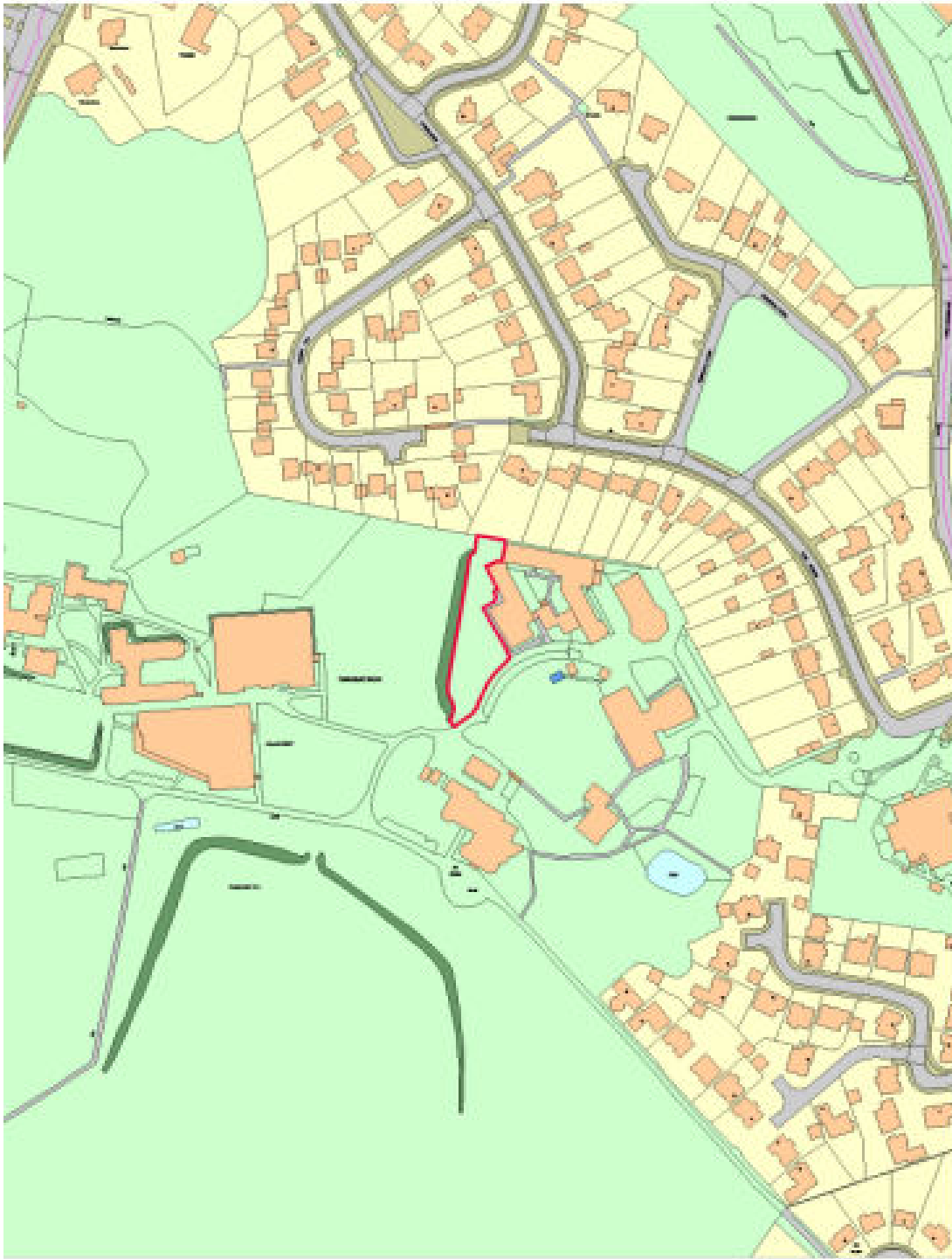
- Site location plan and Drawing No. A1/06/21/(SF)01/B and A1/06/21/(SF)08/E date stamped 5th May 2009.

2. The following policies of the Development Plan are relevant to this decision:-

North Wiltshire Local Plan 2011: C3, T2, T3 and T4

3. The Applicant is advised that no further parking will be permitted on site without a full justification of need based on a current Travel Plan.

Appendices:	None
Background Documents Used in the Preparation of this Report:	<ul style="list-style-type: none"> • 1.20 • 2.02 • 4.02 • 4.03 • 4.04 • 4.07 • 5.01



REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Report No.

Date of Meeting	22 nd July 2009		
Application Number	N/09/00787/COU		
Site Address	30C High Street, Cricklade, SN6 6AB		
Proposal	Change of Use of Ground Floor from A1 (shop) to A5 Hot Food Take-Away (Pizza)		
Applicant	Mrs J. Vincent 30C High Street Cricklade Wiltshire SN6 6AB		
Town/Parish Council	Cricklade		
Electoral Division	Cricklade and Latton	Unitary Member	Peter Colmer
Grid Ref	410018 193583		
Type of application	Change of Use		
Case Officer	Celine Le Boedec-Hughes	01249 706668	celine.leboedec-hughes@wiltshire.gov.uk

Reason for the application being considered by Committee

This application has been submitted to the committee for decision at the request of Councillor Peter Colmer to consider the impact on the character of the area, highways, residential amenity and the lack of disabled access.

1. Purpose of Report

To consider the above application and to recommend that planning permission be DELEGATED APPROVE pending the end of the consultation period (30th June 2009).

2. Main Issues

This application is for the change of use of the existing ground floor from A1 (shop) to A5 (hot food take-away). The applicant has confirmed that the take-away business is to be limited to the selling of pizzas only.

The site lies within the Cricklade Conservation Area and within the boundaries of the town centre's secondary frontage area. The site is located in a town centre location and is therefore boarded by residential properties to the sides, front and rear.

The key points to consider are as follows:

- Implications on Local Plan Core Policy C3.
- Implications on Local Plan Policy R2 (Town Centre Secondary Frontage Areas).
- Implications on Policy HE1 which considers developments in the Conservation Area.
- Affect on residential amenity due to noise, smells, and general nuisance.

- Highway impact.

3. Site Description

The development site is located at the southern end of the High Street in Cricklade, close to the junction with Bath Road. The site is within a town centre location and falls within the Conservation Area and secondary frontage area of Cricklade, as defined in the North Wiltshire Local Plan (2011).

4. Relevant Planning History

Application Number	Proposal	Decision
00/00277/COU	Change of use of ground floor from retail to office	Permitted
01/02819/COU	Change of use from offices to veterinary surgery	Permitted

5. Proposal

This application is for the change of use of the existing ground floor from A1 (shop) to A5 (hot food take-away). The applicant has confirmed that the take-away business is to be limited to the selling of pizzas only.

Some additional information has also been submitted with regards to the proposed extraction system to be used and has been considered by Environmental Health Officers.

Originally, the applicant was proposing to alter the shopfront window. These plans have now been withdrawn and the shopfront window is to be retained as existing.

Internally, the premises have a toilet and cupboard at the back of the shop. These facilities are to be retained and a store area is to be created. To the front of the shop, an oven, sink area and counter are proposed.

6. Consultations

Town Council: Objects to the proposal as there is insufficient information submitted with the application relating to:

- Extraction of fumes
- Lack of provision and available space for waste storage
- Lack of basic information as to opening/closing times
- Fire precautions for neighbouring properties
- Issues relating to change of frontage and access for neighbours
- Highway considerations due to lack of parking and proximity to junction

The Town Council also notes that as a general take-away, once permission has been granted, any type of take-away could be permitted which would be detrimental to, and a loss of amenity to neighbouring properties. The proposal would be contrary to Policy R5 of the North Wiltshire Local Plan.

Highway Officers: note that the proposal is situated within a High Street location with adequate public parking close by. As such, the Highway Officers recommend that no objection be raised.

Environmental Health Officers: When originally consulted, the Environmental Health Officers raised an objection on the grounds that there was a complete lack of information regarding any extraction system for Officers to be satisfied that there would be no odour or noise implications. Subsequent to these comments, further information relating to the proposed extraction system was submitted.

When re-consulted, Environmental Health Officers noted that the extraction system proposed did not include any extraction to air, therefore not causing any odour or noise emissions externally. However, Environmental Health Officers emphasise that these comments are based only on the information submitted, i.e. the 'in-house' cooking of pizzas.

With regards to food safety, Environmental Health Officers note that due to the absence of any relevant detail on layout, equipment etc, they have no adverse observations to make from a food safety perspective. However, adequate and appropriate provision for mains drainage connection with installation of a grease trap, where necessary, should be ensured (dependent on proposed catering activity).

7. Publicity

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

Seven letters of objection have been received.

Summary of key relevant points raised:

- Impact on quality of life of local residents due to loss of privacy, smells, noise, extra traffic, and general nuisance.
- This part of the High Street has no 'out of hours' business activity.
- Proposal will devalue surrounding properties and will make them harder to sell.
- People will congregate around the property, this will lead to anti-social behaviour and vandalism.
- Problems with littering.
- There are enough take-away places in Cricklade.

8. Planning Considerations

The proposed pizza take-away establishment will be located in a town centre location and therefore the location is acceptable in principle to accommodate such a use provided there are no overriding amenity and highway considerations and that the proposed use does not affect the viability and vitality of the town centre.

Impact of the Change of Use on Policy R2 (Town Centre Secondary Frontage Areas)

The proposed application needs to be considered against Policy R2 of the North Wiltshire Local Plan (2011) as the premises are located within Cricklade's secondary frontage area. This policy allows proposals for shops, financial and professional services, food premises, leisure facilities and night clubs in such areas subject to a number of criteria.

The first criteria relates to whether the proposal would, individually or cumulatively, undermine the vitality and viability of the town centre. This particular issue has been considered and the view taken is that the town of Cricklade does not appear to be unduly dominated by take-away establishments, particularly at this end of the retail frontage. It is therefore considered that the proposal complies with criteria (i) of Policy R2 of the North Wiltshire Local Plan.

With regards to criteria (ii) of the policy, the proposal needs to be consistent with the scale and function of the town centre. The plans show that the proposed use is to be contained within an existing shop which, over the years, has been used as an estate agency, a photography shop and has had consent for a change of use to office and a veterinary surgery. No external alterations and only minimal alterations to the internal layout of the premises are proposed. This town centre location is considered to be an ideal siting for the proposed use of the premises as a pizza take-away establishment.

Criteria (iii) of Policy R2 does not apply to this particular proposal as the proposed change of use will not affect the existing access arrangements to the upper floor.

Overall, it is considered that the proposed change of use of the existing shop to a pizza take-away outlet will be in accordance with all three criteria of Policy R2 of the North Wiltshire Local Plan (2011).

Impact of the Change of Use on Residential Amenity

The majority of the objections raised by local residents relates to the impact of the proposal on the residential amenities of those living close to the site. These particular concerns have been considered but on the grounds that the site is located in a town centre location and within the town's secondary frontage area where such uses are encouraged, it is considered that this proposal would be difficult to resist.

With regards to smells, despite receiving extraction system specifications, it is proposed that more detailed information be submitted prior to the pizza business operating to ensure that the proposed change of use does not affect the amenities of adjoining residents. The number of pizza ovens within the premises is also proposed to be controlled by condition. The application has also been revised to restrict the change of use of the premises to the cooking of pizzas only as this type of operation utilises baking methods predominantly and produces significantly less odour than other forms of 'fried' take-away foods.

Accordingly, Environmental Health Officers are satisfied that based on the information submitted with regards to extraction systems and on the grounds that the premises be limited to the sale of pizzas only, they consider the application to be acceptable in terms of protecting the amenities of nearby residents.

With regards to noise, it is proposed that should planning permission be granted, that a condition be attached relating to the submission of details for noise insulation to ensure that those living to the side and above the proposed take-away establishment are not affected by noise. The details will need to include details of noise emissions generated via the proposed extraction system.

A condition specifying that no sound-amplifying equipment, loudspeaker, public address system shall be installed/operated or music played within the premises is also proposed. In order to address the concern relating to noise disturbance from people congregating outside the premises, it is proposed to impose a condition specifying that no customers be on the site outside the hours of 11:00 and 23:00 on any day.

In respect of to waste, the owner of the premises has confirmed that there is space to the rear of the premises to store any receptacle required to contain waste generated by the proposed take-away establishment.

Overall, and subject to conditions, it is considered that the proposed change of use of the existing premises to a take-away pizza establishment will have no significant adverse impact on the residential amenities of local residents. As such, the proposal is in accordance with Policy C3 (iii) of the North Wiltshire Local Plan (2011).

Impact of the Change of Use on the Conservation Area

The development site forms part of a row of terraced properties located in the Conservation Area. The proposal seeks to change the use of the existing photographic shop to a hot food take-away establishment but does not entail any alterations to the external appearance of the existing property.

Based on the above, the proposed development is not considered to be detrimental to the character and appearance of the Conservation Area. As such, the proposal is in accordance with Policy HE1 of the North Wiltshire Local Plan (2011).

Impact of the Change of Use on Highway

The premises are located in a town centre location with public car parking close by. The application has been considered by Highway Officers who raise no objections to the proposal.

Based on the above, the proposal is considered to be in accordance with Policy C3 (vii) of the North Wiltshire Local Plan (2011).

9. Conclusion

It is considered that the proposed change of use of the existing shop to a hot food take-away pizza establishment will not harm the economic vitality and viability of the town, the amenities of neighbouring properties, and will preserve the character and appearance of the Conservation Area. As such, the proposal is in accordance with Policies C3 (iii), R2 and HE1 of the North Wiltshire Local Plan (2011).

10. Recommendation

DELEGATE TO PERMIT (pending the end of the consultation period - 30th June 2009) for the following reason:

The proposal accords with Policies C3 (iii), R2 and HE1 of the North Wiltshire Local Plan (2011) in that the proposed change of use of the existing shop to a hot food take-away pizza establishment will not harm the economic vitality and viability of the town, the amenities of neighbouring properties, and will preserve the character and appearance of the Conservation Area.

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. The site shall be used for pizza take-away only and for no other purpose (including any other purpose in Class A5 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

POLICY: C3 of the North Wiltshire Local Plan (2011).

3. There shall be no customers/members of the public on the site outside the hours of 11:00 and 23:00 on any day.

REASON: To ensure the creation of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

POLICY: C3 of the North Wiltshire Local Plan (2011).

4. Notwithstanding the details provided, development shall not commence on site until details showing ventilation and extraction equipment within the site (including details of its position, appearance and details of measures to prevent noise emissions) have been submitted to and approved in writing by the Local Planning Authority. The ventilation/extraction equipment shall be installed prior to the premises first being occupied

as a pizza take-away business and shall thereafter be maintained in accordance with the approved details.

REASON: To ensure the creation of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

POLICY: C3 of the North Wiltshire Local Plan (2011).

5. No development shall commence on site until a scheme of works for noise attenuation including measures to prevent transmission of noise to surrounding residential properties has been submitted to and approved in writing by the Local Planning Authority. Any works which form part of the approved scheme shall be completed prior to the premises first being occupied as a pizza take-away business and shall be maintained in accordance with the approved details at all times thereafter.

REASON: To ensure the creation of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

POLICY: C3 of the North Wiltshire Local Plan (2011).

6. No sound-amplifying equipment, loudspeaker, public address system shall be installed/operated or music played within the premises hereby approved or its curtilage.

REASON: To ensure the creation of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

POLICY: C3 of the North Wiltshire Local Plan (2011).

7. All cooking on the premises shall be restricted to the use of one pizza oven only.

REASON: To ensure the creation of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

POLICY: C3 of the North Wiltshire Local Plan (2011).

Informatives:

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.

Site location plan date stamped 6th May 2009 and drawing No. 09/648/01/Rev.A date stamped 17th June 2009.

2. The following policies of the Development Plan are relevant to this decision:

North Wiltshire Local Plan (2011): C3, R2 and HE1

3. The applicant is encouraged to contact the Environmental Health Food Safety team to discuss the proposals in more detail.
4. This permission does not permit the display of any advertisements which require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations,

2007 or under any Regulation revoking and re-enacting or amending those Regulations, including any such advertisements shown on the submitted plans.

Appendices:	None
Background Documents Used in the Preparation of this Report:	<ul style="list-style-type: none">• 1.20• 2.02• 3.03• 4.02• 4.03• 4.04• 4.07

