

SPECIAL PLANNING COMMITTEE

29 November 2007

Planning Applications for Determination

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PLANNING COMMITTEE

29 November 2007

ITEM NO: 01

APPLICATION NO: 06/02394/FULES

LOCATION: Kingston Mills Kingston Road Bradford On Avon
Wiltshire



NOT TO SCALE

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SLA: 100022961

01 Application: 06/02394/FULES

Site Address: Kingston Mills Kingston Road Bradford On Avon Wiltshire

Parish: Bradford On Avon Ward: Bradford On Avon North
Grid Reference: 382748 160897
Application Type: Full Plan with Environmental Statement
Development: Comprehensive mixed use redevelopment comprising 170 dwellings, commercial floor space and associated works
Applicant Details: Taylor Woodrow Developments Limited
Riverside Court Bowling Hill Bristol Chipping Sodbury BS37 6JX
Agent Details: Nash Partnership
F A O Chris Beaver 23A Sydney Buildings Bath BA2 6BZ
Case Officer: Mrs Christine Caistor
Date Received: 11.08.2006 Expiry Date: 10.11.2006

REASON(S) FOR RECOMMENDATION:

The proposed development conforms to the Development Plan and the conditions attached to it overcome any objections on planning grounds.

RECOMMENDATION:

That the Development Control Manager be authorised to grant permission on receipt of a positive response from the Secretary of State in respect of the Listed Building Application, 06/02400/LBC and subject to the completion of S106 Agreement to secure the headings listed below and the following conditions:

- 1) Affordable housing provision: developer to provide 17 No. units at nil subsidy and 36 No. available for purchase with Housing Corporation grant.**
- 2) Public open space: developer to pay a commuted sum payment in lieu of the shortfall of Public Open Space £104,705:69**
- 3) Off site car parking: developer to pay a contribution towards increasing the capacity of the Council's Station Road car park to increase off site parking capacity.**
- 4) Traffic Regulation Order: developer to fund WCC's reasonable costs to progress the required Traffic Regulation Orders.**
- 5) Off Site Highway Works: developer to fund the cost of the off site highway works, which must be fully in place prior to the occupation of any part of the development. to include the pelican and advisory crossing points, re-siting of Knee Corner mini roundabout, footway build out, and new footway to Mill Lane**

6) Off Site Directional Signage: Financial contribution towards a scheme of signage for the town centre, including enhanced pedestrian signage and directional signage to long stay and short stay car parking to manage off-street car parking demand.

7) The requirement for a Travel Plan.

8) The requirement for a Construction Vehicle Management and Routeing Plan

9) Education: developer to provide a contribution of £90,000 towards primary school education, which must be paid on completion of the development.

10) A Car Park Management Plan which accords with the principles contained in the West Wiltshire District Council's practice guidelines

11) To set up a Management Company to be responsible for the maintenance of the communal and public areas within the site and ensure the requisite areas are available for public use in perpetuity.

12) Listed Building: bond to be paid to the District Council to ensure that the listed buildings are repaired.

Condition(s):

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

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

2 The development shall be carried out strictly in accordance with the approved plans.

REASON: In order to define the terms of this permission.

POLICY: West Wiltshire District Council - 1st Alteration 2004 - Policies C31A & H4A.

3 No development shall be commenced until a Phasing Scheme has been submitted to and approved in writing by the Local Planning Authority. The Phasing Scheme shall indicate the following:

- The development phases and their order
- The order and appropriate time scales of the site remediation and demolition works, the construction of the gabions and provision of play area.
- Works to safeguard and weatherproof the listed and curtilage listed buildings during the demolition phase
- Kingston House (Building P) to be externally repaired and scaffolding removed prior to the occupation of the 50th residential dwelling.
- Buildings P to be ready for occupation prior the occupation of the 100th residential dwelling.
- The play area shall be implemented and made available for use by the occupation of the 100th dwelling.
- The non-residential uses in Buildings Qwest, R, S, T, and V to be ready for occupation prior to the 135th residential occupation.
- The non-residential uses in A and Qeast to be ready for occupation prior to the 155th residential occupation.

The development of each phase shall proceed in accordance with the approved Phasing Scheme. The developer shall inform the Local Planning Authority as soon as it is practical of any proposed amendment to the Phasing Scheme for its written approval. The Phasing Scheme shall not be deemed amended until the Local Planning Authority has confirmed its approval of the variation in writing.

REASON In order to ensure the development is carried out in its entirety and in a reasonable manner.

POLICY West Wiltshire District Plan policy H4A

- 4 The development hereby permitted shall not be commenced until surface water drainage works have been carried out and completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U2.

- 5 The development hereby permitted shall not be occupied until the sewage disposal works proposed as part of the development scheme have been completed in accordance with the submitted and approved plans.

REASON: To ensure that the development can be adequately drained.

POLICY: Wiltshire and Swindon Structure Plan 2016 - Policy DP2.

- 6 Before the development is occupied, the access roads and car parking areas shall be surfaced in a bound material (not loose stone or gravel) to the satisfaction of the Local Planning Authority and shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 7 No work shall commence on site until details of the means of accesses for the site and works to the junction of Kingston Road and Silver Street have been submitted to and approved by the Local Planning Authority. The approved work shall be carried out in accordance with the approved details prior to the commencement of any demolition or building works on the site.

REASON: In the interests of highway safety.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy H4A

- 8 The parking and servicing areas indicated on the approved plans together with the means of access thereto shall be completed and made available for use before the premises are occupied and shall be maintained as such thereafter.

REASON: To ensure that an adequate area for parking and/or servicing is available in the interests of highway safety.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy T10.

- 9 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure the appearance of the development is satisfactory.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

- 10 Notwithstanding the submitted plans, prior to the commencement of any development on site, details of the north eastern boundary treatment between the Island and the garden to The Hall shall be submitted to and approved in writing by the Local planning Authority. The work shall be carried out in accordance with the approved plans.

REASON: In order to ensure that the boundary treatment is satisfactory and suitable for the grade II historic gardens and the setting of the grade I listed building.

POLICY: West Wiltshire District Plan Policy C22 & C28

- 11 An arboricultural impact appraisal and method statement should be prepared by an arboricultural consultant holding a nationally recognized arboricultural qualification providing comprehensive details of construction works in relation to trees, shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of demolition development. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following:

- A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2005 and a plan indicating the alignment of the protective fencing.
- A specification for scaffolding and ground protection within tree protection zones in accordance with BS5837.
- A schedule of tree works conforming to BS3998.
- Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires.
- Plans and particulars showing the siting of the service and piping infrastructure.
- A full specification for the construction of any arboricultural sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification.
- Details of the works requiring arboricultural supervision to be carried out by the developers arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the finding of the supervisory visits and
- Details of all other activities which have implications for trees on or adjacent to the site.

REASON: To ensure that existing trees of value are adequately protected.

POLICY West Wiltshire District Plan 1st Alteration policy C40

- 12 Before any development is commenced on site, including site works or storage of any description, all trees to be retained on site must be protected. The protective fencing should be at minimum, weld mesh panels (Heras or similar) erected on a scaffold framework driven in to the ground by a minimum of 600mm. Alternatively a three-bar post and rail fence should be erected with galvanised livestock mesh attached to it.

The protective fence should be erected at a minimum of 2 metres outside the canopy of each tree or hedgerow. If a group of trees are to be protected the fence should be erected a minimum of 5 metres outside the group canopy.

Within the areas so fenced off the existing ground level shall neither be raised or lowered and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon.

If trenches for services are required within the fenced off area, they shall be excavated and back-filled by hand avoiding any damage to the bark and any principal tree roots encountered shall be left unsevered. Where excavations do expose roots, should be surrounded with sharp/grit sand before replacing soil or other material in the vicinity. For further details relating to Tree in relation to construction the applicant should refer to BS 5837: 1991.

The fences shall not be removed without the consent of the local Planning Authority until the whole of the development is complete

REASON: To ensure that existing trees of value are adequately protected.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C40.

- 13 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. This shall include indications of all existing trees and hedgerows on the land, and details of any to be retained.

REASON: To provide a satisfactory landscaped setting for the development.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

- 14 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings in each phaser pursuant to Condition 3 and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

REASON: To provide a satisfactory landscaped setting for the development.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

- 15 Details, including samples where appropriate, of the materials for the surface of all roads, footways and pedestrian areas, cycleways and all other hard surfaced areas shall be submitted to and approved by the Local Planning Authority prior to the commencement of development, or prior to the commencement of any relevant phase of the development, whichever is appropriate. The development shall be carried out in accordance with approved details.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C31A.

- 16 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted 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 that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.

- 17 A sample wall panel, not less than 1 metre square, shall first be constructed on site and approved by the Local Planning Authority before construction proceeds. The panel shall then be left in position for comparison while the development is carried out. The development shall be carried out in accordance with the approved sample.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C31A.

- 18 No development shall commence, other than the demolition and remediation works, until a Schedule of Repairs and Alterations to all listed and curtilage listed buildings has been submitted to and approved in writing by the Local Planning Authority.

REASON: To safeguard the character and appearance of the conservation area and the setting of the listed buildings.

POLICY: West Wiltshire District Council - 1st Alteration 2004 - Policies C22 & C28.

- 19 No development shall commence until a Programme of Recording of all listed and curtilage listed buildings to be demolished in accordance with level 4 of the English Heritage Guidance has been submitted to and approved in writing by the Local Planning Authority.
- REASON: To safeguard the character and appearance of the conservation area and the setting of the listed buildings.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policies C22 & C28.
- 20 No development approved by this permission shall be commenced until a scheme for the provision and implementation of compensatory flood storage works, in accordance with the Flood Risk Assessment, 3rd Addendum, Rev A, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.
- REASON: To alleviate the increased risk of flooding
- POLICY: West Wiltshire District Council - 1st Alteration 2004 - Policies U2 & H4A.
- 21 No development approved by this permission shall be commenced until a scheme for the provision and implementation of flood protection for all existing buildings to be retained, and any access there to, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.
- REASON: To minimise flood risk to the development.
- POLICY: West Wiltshire District Council - 1st Alteration 2004 - Policies U2 & H4A.
- 22 No development approved by this permission shall be commenced until a scheme for the restoration/alteration/removal (and any associated future maintenance provision) of any water control structure, e.g. mill leat sluices, on site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.
- REASON: To prevent any increase in flood risk to the area and to safeguard the integrity of the local water environment.
- POLICY: West Wiltshire District Council - 1st Alteration 2004 - Policy H4A.
- 23 Development shall not commence until details of a safe exit route, not adversely affecting the flood regime, to land outside Flood Zone 3 (the 1 in 100 year flood plain) are submitted to and agreed in writing by the Local Planning Authority. This agreed route must be in place before any occupancy of the building(s) on site.
- REASON: To provide safe access and egress during flood events and reduce reliance on emergency services.
- POLICY: West Wiltshire District Council - 1st Alteration 2004 - Policy H4A.
- 24 Prior to occupation of the first building on site, flood warning notices shall be erected in numbers, positions and with wording that shall first have been agreed in writing by the Local Planning Authority. The notices shall displayed in accordance with the approved details and kept legible and clear of obstruction.
- REASON: To ensure that owners and occupiers of premises and users of the open space areas are aware that the land is at risk of flooding.
- POLICY: West Wiltshire District Council - 1st Alteration 2004 - Policy H4A.
- 25 Floor levels in any new buildings on site shall be set at least 300mm above the 1 in 100 year (with climate change) flood levels quoted in section 6 of the Flood Risk Assessment, 3rd Addendum, Rev A. Floor levels in any existing buildings to be retained shall be raised, where appropriate, to the same criteria as for new buildings. Where this is not possible,

raised flood defence measures shall be constructed to protect the relevant building to at least 300mm (hard defence e.g. wall, flood barrier, etc) or 500mm (soft defence e.g. earth embankment) above the 1 in 100 year (with climate change) flood levels.

REASON: To protect the development from flooding.

POLICY: West Wiltshire District Council - 1st Alteration 2004 - Policy H4A.

- 26 Details of existing and proposed land levels across the site, illustrated by means of spot heights, contours and sections across the site, and demonstrating the relationship between the proposed development and the surrounding land shall be submitted to and approved in writing by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details. There shall be no land raising unless approved under the terms of this condition.

REASON: In the interests of proper planning of the area.

POLICY: West Wiltshire District Council - 1st Alteration 2004 - Policy H4A.

- 27 No development shall commence until a full Method Statement for any contamination on the site is submitted to and approved in writing by the Local Planning Authority.

The Method Statement shall relate to all aspects of the remediation works and should include details of how the contamination hotspots identified on an "as encountered" basis shall be identified and assessed.

A Validation report shall be compiled and approved in writing by this Local Planning Authority, which shall, as a minimum, contain the following information:-

- Site details - Site location, site history, site investigation/resume of works, summary of identified contamination and summaries of main "Pollution linkages" of concern.
- Remediation Works - Methodology of works, to include design details (by whom, when) and identified targets to be achieved,
- Works undertaken:- full details of works on each area of site, volumes of materials removed, volumes of won fill, volume of import fill, data on quality of the fill materials, materials removed from site, details of carrier and receiving tip, chemical test regime during works and on completion as audit control.
- Monitoring Works - Details of monitoring works for emissions of dust and vapours from site boundaries.
- Final Site Conditions - Identify changes to proposed sequence of works, identify extent of contamination not identified by the investigation works and detail actions taken, details of contamination remaining at the site upon completion, photographic record of site works, statement detailing fitness of site for proposed end.

REASON: In the interests of public health & safety.

POLICY: West Wiltshire District Council - 1st Alteration 2004 - Policy C37.

- 28 No development, hereby permitted, shall take place until the applicants, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

REASON: To protect the archaeological heritage of the area.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C14 & C15.

- 29 Details of storage areas for wheeled refuse bins, designed so as to minimise their impact on the appearance of the street scene shall be submitted to and approved in writing by the Local Planning Authority. The approved storage area shall be provided prior to the development being first occupied and shall be maintained as such thereafter.

REASON: In the interests of the appearance of the street scene.

POLICY: West Wiltshire District Council - 1st Alteration 2004 - Policy C31A.

- 30 Suitable ventilation and filtration equipment shall be installed to suppress and disperse any fumes and/or smell created from the cooking operations on the premises. Details of the equipment shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. All equipment shall be installed in accordance with the approved details and in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.

REASON: In order to safeguard the amenities of the area in which the development is located.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C38.

- 31 No development shall commence, other than the demolition and remediation works, until the developer has submitted to and agreed in writing by the Local Planning Authority a Parking Management Plan. The Parking Management Plan shall indicate how the dedicated parking areas within the site, and the new roads laid out to serve the site, will be controlled in such a way that ensures that they are used efficiently and without detriment to the local community and future occupiers of the development.

REASON: To ensure highway safety

POLICY: West Wiltshire District Council - 1st Alteration 2004 - Policy T10.

- 32 No development of the approved Class A3 and A4 uses shall commence until the developer has submitted to and received written approval from the Local Planning Authority for suitable ventilation and filtration equipment. The ventilation and filtration equipment shall be installed to suppress and disperse any fumes and/or smell created from the cooking operations on the premises. All equipment shall be installed in accordance with the approved details and in full working order to the satisfaction of the Local Authority prior to the commencement of use.

REASON: In order to safeguard the amenities of the area in which the development is located.

POLICY: West Wiltshire District Council - 1st Alteration 2004 - Policies C26 & C38.

- 33 Prior to the premises being brought into use, a scheme providing for the adequate storage of refuse shall be submitted to and approved by the Local Planning Authority. The scheme shall then be carried out in accordance with the approved details prior to the commencement of use, and shall be maintained at all times.

REASON: In the interests of public health and safety.

POLICY: West Wiltshire District Council - 1st Alteration 2004 - Policies C26 & C38.

- 34 No development shall commence on site until the additional ecological updated survey information has been submitted to and approved in writing by the Local Planning Authority. The updated Construction and Ecological Management Plan shall also be submitted to and approved in writing by the Local Plan Authority and shall give details of re-survey work and the method by which works will be carried out in a manner that does not harm protected species during the construction phases and following occupation.

REASON: To ensure appropriate protection of protected species.

- 35 Prior to the commencement of the relevant phases pursuant to condition no 3 a Scheme of Noise Mitigation and Vibration shall be submitted to and approved in writing by the Local Planning Authority. The Scheme of Noise Mitigation shall relate to the dwellings identified in the Environmental Statement and those in close proximity to the railway line.

REASON: To protect future residents from railway noise

POLICY West Wiltshire District Plan 1st Alteration policies C26 and C38

- 36 The premises identified in the approved plan no. 311/P/016 rev A shall be used for retail, offices, food and drink; and for no other purpose, including any other purpose in Class A1, A2/B1 and A3 respectively; of the Schedule to the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

REASON: Because the use hereby permitted is acceptable whereas other uses within the same use class may not be.

POLICY: West Wiltshire District Council - 1st Alteration 2004 - Policy H4A.

- 37 The ground floor of Building V, known as The Vaults, on the approved plans shall be retained for community uses within the meaning of class D1 of the Town and Country Planning (use Classes order) 1995, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to define the permission as the use of this part of the building is permitted for the benefit of community uses only.

POLICY: West Wiltshire District Council - 1st Alteration 2004 - Policy H4A.

- 38 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, as amended, no development falling within Schedule 2, Part 1; Class(es) A-E; of the Order shall be carried out in respect of the dwelling houses without the express planning permission of the Local Planning Authority.

REASON: The site has been designed for this sensitive historic location and the implementation of permitted development rights on this site would be unacceptable.

POLICY: West Wiltshire District Plan policy C38, C19

- 39 The residential element of the scheme shall be constructed to the EcoHomes Very Good standard, unless any variation is agreed in writing by the Local Planning Authority.

REASON: To minimise the carbon footprint of the development.

POLICY: West Wiltshire District Council - 1st Alteration 2004 - Policies C34A, H4A & C31A.

- 40 Prior to the commencement of any work on site details of the hydro generation plant in the Mill leat shall be submitted and approved in writing by the Local Planning Authority. the work shall be carried out in accordance with the approved details.

REASON In order to ensure the work and its impact of the on the immediate surrounding area is satisfactory

POLICY: West Wiltshire District Council - 1st Alteration 2004 - Policy C34A.

- 41 Notwithstanding the submitted plans, details of the installation of the gabions and all retaining walls shall be submitted to and approved in writing by the Local Planning Authority before any work starts on site. the work shall be carried out in accordance with the approved details.

REASON In order to ensure the development is satisfactory.

POLICY: West Wiltshire District Plan - 1st Alteration policy C31a

- 42 No materials shall be burnt on site.

REASON: In order to minimise nuisance.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C38.

- 43 The development hereby permitted shall not begin until a scheme of works for the control and dispersion of atmospheric emissions (including smell, fumes, smoke and other particulates) during the construction of the development hereby permitted 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 before the premises are first occupied and maintained in effective condition at all times thereafter.

REASON: In the interests of pollution prevention.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C38.

- 44 Details of lighting to the site (including measures to minimise sky glow, glare and light trespass) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The scheme shall only be carried out in accordance with the approved details.

REASON: In the interests of pollution prevention.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C35.

- 45 Notwithstanding the submitted plans, prior to the commencement of any work on site details of (i) the slab levels for all new buildings and (ii) final land levels throughout the site shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details.

REASON In order to ensure the development is satisfactory

POLICY West Wiltshire District Plan - 1st Alteration - policies C31A, C28 and H4a

- 46 Prior to the occupation of the 100th dwelling, details of the footings for the pedestrian footbridge in Bridge Yard shall be submitted to and approved in writing by the Local Planning Authority. Such footings shall be implemented in accordance with the approved details and an agreed timetable, unless otherwise agreed in writing by the Local Planning Authority.

REASON In order to ensure the footings are in place and ready to receive the footbridge in the future.

POLICY West Wiltshire District Plan - policy H4A

- 47 Prior to the commencement of any work on site, details of the the childrens play area shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details and the phasing plan pursuant to condition no. 3 of this permission.

REASON To ensure the play are is provided to a satisfactory standard.

POLICY West Wiltshire District Plan 1st Alteration policy H4a, R1 and R4

- 48 Use of the terrace for outside seating in connection wuth the restaurant in Building S shall not be used outside the hours of 9.00 - 23.00 on any day unless otherwise agreed in writing by the Local Planning Authority.

REASON In the interest of nearby residential amenity

POLICY West Wiltshire District Plan - 1st Alteration policy C38

- 49 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. This shall include indications of all existing trees and hedgerows on the land, and details of any to be retained.

REASON: To provide a satisfactory landscaped setting for the development.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

Note(s) to Applicant:

- 1 Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency (Land Drainage Consent) is required for any proposed works or structures in, under, over or within 8.0 metres of the top of the bank of the River Avon/Mill Leat, designated a 'main river'. Any surface water discharges to the watercourse should terminate in a properly constructed outfall for which the consent of the Environment Agency is required under the Water resources Act 1991.
- 2 Under the Water Resources Act 1991 and The Land Drainage Act 1991 both the Environment Agency and Local Authority have permissive powers to maintain watercourses. Their jurisdiction depends on the watercourse designation but responsibility for general maintenance of the watercourses and their banks rests with riparian owners. Applicants or developers should be aware of their responsibilities to ensure that operations do not interfere with riparian owners' common law rights to receive water undiminished in quantity or quality. If any watercourses crossing the site are interrupted or diverted then, notwithstanding the need for any statutory consents or licences, it is the applicant's responsibility to take appropriate steps to protect the rights of the riparian owners, for which they have a liability.
- 3 There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of the site are not adversely affected.
- 4 The Environment Agency advises that any developer of this site uses flood resilient construction practices and materials in the conversion of any existing buildings. Choice of 4 materials and simple design modifications can make the development more resistant to flooding in the first place, or limit the damage and reduce rehabilitation time in the event of future inundation. More information can be obtained by contacting the Environment Agency, viewing the ODPM guidance: Preparing for floods and by visiting www.ukresilience.info/flooding.htm.
- 5 The applicant should be reminded of the authorities powers to regulate the construction phase under the Control of Pollution Act 1974. Prior to consent for the construction methods should be sought prior to construction commencing. The applicant is advised to contact the Environmental Protection Section of West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire BA14 0RD Tel: 01225 770358.
- 6 The premises may require registration under the Food Safety Act 1990 and will need to comply with the standards continued in the relevant food hygiene regulations prior to becoming operational. The applicant is advised to contact the food section of West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire BA 14 0RD Tel: 01225 770388
- 7 Additional or increased flows of surface water should not be discharged onto Network Rail land or into Network Rail's culvert or drains. In the interest of the long term ability of the railway it is recommended that soakaways should not be constructed within 10 metres of Network Rails Boundary.
- 8 No work should be carried out on the development site that may endanger the safe operation of the railway or the stability of Network Rails structures and adjoining land. In particular, the demolition of buildings or other structures must be carried out in accordance with an agreed method statement. Care must be taken to ensure that no debris or other materials can fall onto Network Rail land.
- 9 The developers should be made aware that Network Rail needs to be consulted on any alterations to ground levels. No excavations should be carried out near railway embankments, retaining walls or bridges.

- 10 It is recommended that all buildings be situated at least 2 metres from the boundary, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rails infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishments guidelines.
- 11 The developers should ensure that their proposals do not cause surcharging of cutting slopes or retaining walls. Network Rail can accept no liability to maintain support to the adjoining land other than for its existing use.
- 12 In the interests of safety, all new trees to be planted near Network Rails land should be located at a distance of not less than their mature height from the boundary fence. Details of planting schemes should be submitted to this effect for prior approval.
- 13 Where new sewers are to be offered for adoption as public sewers, these should be designed in accordance with Wessex Water requirements, including Sewers for Adoption 6th Edition.
- 14 The design and siting of buildings should take into account the possible effects of noise and vibration and the generation of airborne dust resulting from the operation of the railway.
- 15 The applicant is advised that licences from Natural England may be required for works which affect protected species.

COMMITTEE REPORT

INTRODUCTION

This report is set out in accordance with the Council's normal committee report format for planning applications. The first part is the description of the application details followed by the consultation and publicity responses and then the Planning Officers comments which weigh up the planning merits of the case. The site is not only one of the most major developments proposed for the District but also the most significant for Bradford on Avon to be considered in many years. By definition therefore it is a long report, most of which is taken up with the reporting of the large and extensive number consultation responses. For ease of reference, the planning officer's comments on the planning merits of the case is contained in the last 10 pages of this report.

APPLICATION DETAILS

The application site is as defined by the red edged line on the location plan and measures an area 2.74 ha. as confirmed by the applicants. It proposes a mix of uses as listed below, which have been revised during the process of the application to that listed in the revised plans schedule.

Original Plans:

The original submission proposed a mixed use development consisting of:

1. Demolition of several buildings on the site
2. Erection of 162 dwellings 37 houses and 125 flats
3. 5917 sq m of commercial floor space consisting of:

Retail (shops)	751 sq m
A3/4 (food & drink)	724
Offices	2937
Hotel	1179
Community use	332
4. Parking for 194 spaces and 140 cycles

The application was also accompanied by:

Environmental Statement
Transport Assessment plus subsequent Addendum
Design Statement
Planning Statement
Hydraulic Analysis

Revised Plans:

Following a review of the consultation responses and a change in the ownership of the site, revised plans have been received proposing:

1. Demolition of several buildings on the site
2. Erection of 170 dwellings consisting of 37 no. 3/4/5 bed houses and 133 no. 1 & 2 bed flats.
3. 4,825 sq m of commercial floor space

Retail	751 sq m
A3/4	800
Offices	2942
Community use	332
4. Parking for 198 spaces and 140 cycles on site

The revisions were also accompanied by the additional information documents:

- Addendum to the Listed Building statement
- Updated Ecological surveys for bats, Lodden Weed, Otter and Water Voles and Ecological Management Plan. There is also a letter confirming that the revisions do not require an amendment to the Environmental statement.
- Second addendum to the Transport Assessment
- River Margin Landscape Design
- Arboricultural Survey
- Economic Benefits report
- Toddlers play area Design.

The most significant changes are:

- The deletion of the Hotel and replacement by 8 additional flats
- This has enabled a new pedestrian link to the Riverside walk and improved the viability threshold to allow for more affordable housing.
- Redesign of the vehicular arch under new Mills
- Building N located on the river frontage has been re-sited to the east to open up the vista and setting of Kingston House.
- The removal of the pedestrian crossing adjacent to the Lamb Building
- The inclusion of a fully specified toddlers play area
- The deletion of the secondary pedestrian access to the river margin
- Alterations to the design and layout of several buildings.
- Additional 4 parking spaces on site.

The applicants have also confirmed that informal consultation with stakeholders showed little support for the hotel and a broad consensus showed the loss of the hotel would not undermine the community's aspirations for the site as defined by the Princes Foundation. It however delivers 3 key benefits; a reduction in parking demand, an increase in viability to provide an element of affordable housing on a nil subsidy basis and a longer riverside walk.

They have also confirmed that the new owners of the site are not prepared to compromise the provision of non residential floor space any further and recognise that such a radical change to the scheme would be contrary to the agreed Statement of Common Ground to which the County, District and Town Councils were all party. They assert that they remain committed to the non-residential elements of the proposal which will extend the town centre and increase opportunities for the creation of local high value employment. They recognise the traditional role of the site as an employment generator and seek to ensure that the site's regeneration will help Bradford on Avon to become more economically self reliant.

With regard to transportation issues, the applicant draws attention to the Highway Authority's response which accepts that the proposed development traffic can be accommodated into the existing highway network, the key junctions can operate safely and the level of residential parking is acceptable. Traffic Regulation Orders will be provided at the developer's expense and parking capacity in the Station Car Park could be increased by 15-20 spaces by re-lining, also at the developers expense.

In terms of the historic environment, the developers have assessed the need for demolition against the test set out in the Government Guidance no. PPG15. The overriding challenge has been to address the technical constraints of flood risk, accessibility etc., while producing a viable scheme of sufficient quality to ensure the preservation/enhancement of the conservation area and listed building setting. The justification for demolitions has therefore centred around a combination of the general viability relating to the whole site rather than individual buildings and the delivery of substantial community benefits.

A Landscape Design has been submitted to demonstrate the critical views along the river margin area and they will mitigate the visual impact of the gabions and retaining walls and enhance the setting of Building F. Additional ecological surveys have been submitted as well as an Ecological Construction Management Plan.

Following the revised plans submission, they have confirmed the affordable housing offer comprises 17 units at nil subsidy; and a further 36 units available for purchase with Housing Corporation grant. If the grant application is successful this will deliver a 31% provision of on site affordable housing. They attached plans and schedules identifying the two categories of affordable housing. However, they asked to note that the nil subsidy element of the affordable housing offer may have to be revised if the County Council request a significant education contribution as the current affordable housing offer is predicated on a nil education contribution in accordance with the LEA's September 2006 consultation response.

The site and surrounding area

This is a 2.7 ha site located in the centre of Bradford on Avon and adjacent to the Town Bridge, a grade I ancient monument, at the western end. It lies in the bottom of the valley with the southern boundary defined along its length by the River Avon, whilst the eastern boundary terminates at the railway line. To the north, the site adjoins the grounds of The Hall, a grade I listed building with its grade II* listed historic gardens, which rises up the hill. The north west boundary is formed by Kingston Road.

The site was originally used a woollen mill and converted to rubber manufacture in 1848. The site had been used for that purpose until 1991 when Avon Rubber announced its closure. It has remained vacant since then with some unsuccessful attempts to redevelop. It appears today as a vacant derelict site with a collection of 2/3/4 storey buildings some of which show signs of disrepair.

Within the site there are 4 no. grade II listed buildings in their own right. In addition to these, there are several pre 1948 buildings which are also considered as listed by virtue of them being within the curtilage of the respective listed buildings. Several other buildings date from the 1950s, 60s and 70s and do not have the benefit of specific protection. The whole site is however located within the Bradford on Avon Conservation Area. The application is therefore accompanied by an application for listed building consent and one for conservation area consent.

CONSULTATION REPLIES:

[Owing to the length of the consultation submissions, they are all summarised in this report]

BRADFORD ON AVON TOWN COUNCIL:

Original Plans:

Recommendation:- Refuse subject to satisfactory resolution of the matters outlined, or acceptable answers thereto, would be willing to withdraw its objection. They welcomed the submission of these plans and acknowledged the work that has been undertaken by the Architects and Developers in listening to and attempting to accommodate the aspirations of the town.

They considered that the applications could form the basis for a successful development and have the potential to enhance the economic, social and cultural life of the town. They itemised a number of issues that they felt were unresolved, could be negotiated or where particular conditions could be imposed. These were:

1. The provision of low-cost housing without the reduction of any commercial floor space.
2. Works to ameliorate the traffic problems and enhance the immediately surrounding streets.
3. Better integration of Lamb Yard and surrounding.
4. Development of the potential for Hydropower or other energy production measures.
5. Choice of materials, in particular the removal of the proposal to use red brick for the riverside building 'N'
6. Provision of a satisfactory access into the Lamb Building from alongside the bridge
7. Improvements to the design of the "arch" through New Mill and the adjacent street scene
8. The architectural detail on the east and west sides of Kingston House
9. The possibility of acquiring the Avon car park
10. Clarification of the provision of refuse disposal facilities to ensure that bins do not intrude on key spaces.
11. Inclusion of a public toilets on the site.
12. Increased provision of play areas.

Additional comments on the Addendum to the Transport Assessment:

- Objects to the zebra crossing on Silver Street and prefer a traffic scheme which puts pedestrians above vehicles
- Route from Quire to Kingston should be shown as a primary route, not secondary route
- Pavements on Town Bridge are not adequate for people with push chairs or carrying baskets
- Any changes to pavement widths are welcome but must be undertaken to the highest standard with matching kerbs etc.
- Mill Lane is in danger of becoming a race track and traffic calming measures are recommended.

Revised Plans:

The Town Council is mindful the site has been derelict for over ten years and it says something for the vibrancy of the town and its population that it has not blighted the spirit of the town but patience has worn thin.

They note that the centre of Bradford on Avon at the points of entrance and exit to the site has a continuing problem of traffic congestion and issues of air quality. They cannot pretend that there is any reduction of these problems in this plan

Following on from the comments last year they note that:

1. Moving the plan for building N by 3 metres to the east allows for an enhanced view of the listed Kingston House and that other changes to Kingston house are an improvement
2. There will now be some social housing for rent
3. The loss of the hotel, while it will slightly reduce the pressure on parking spaces, has not been replaced by an equivalent square footage of non-residential space
4. Negotiation with the adjoining owner in Lamb Yard has taken place

5. The riverside walkway has been made more accessible with the new passage way
6. The design of the "arch" through New Mill has been improved
7. There has been clarification of the provision of refuse disposal sites
8. Although there is no public toilet as such there is provision of toilets in public buildings
9. That there is a designated play area.
10. That the quality of materials and street furniture has been given attention.
11. That there is a proposal for a future hydropower scheme.

They ask for conditions to be imposed on the Developer to secure:

1. That work should not be started until measures to ameliorate the impact of the site on the adjoining highway and on pedestrian safety are in place.
2. That the scheme should include works to enhance the street scene in the immediately vicinity, in particular details of surfaces, finishes and alignments in Silver Street from Kingston Road to the Town Bridge with attention given to the need to keep signs and similar traffic management measures to a minimum.
3. That the powers of Building Control be used to ensure that the buildings meet the latest standards in energy efficiency and that they include installations providing renewable energy e.g. solar panels.
4. That the scheme be carried out in its entirety to an agreed timetable starting with the front of the site
5. No further reduction in employment space
6. Specific material and details especially the use of stone from local quarries, appropriate roofing material etc
7. The use of high quality materials specified for all public areas with careful attention to the choice of street furniture
8. Adoption of all roads and footpaths where the public have access to ensure that none of the site is "gated"
9. The provision of footings for the proposed footbridge
10. That the Town Council be consulted on all significant revisions which should not be subject to automatic delegated powers
11. Measures to control traffic and the pattern of access and egress from the site during construction to avoid nuisance to local residents and business
12. A car sharing scheme should be set up.
13. That the issues raised in the highway authority's letter dated 17.10.07 should be dealt with. In particular, the use of advanced parking information system to deal with issues for car drivers in their search for spaces. For the local planning authority to play a significant executive role in control of on site parking including more spaces in Station car park. To ensure that money is available to improve pedestrian safety including the long awaited pedestrian crossing in Silver Street.
14. The development should not start until the developer has agreed a construction phase plan showing the timing and routing of construction traffic.

15. That while they welcome plans for more affordable housing, they do not believe the scheme can be approved finally by WWDC until these details have been shown to be acceptable.

The Town Council approves this application subject to the above matters being made conditions of the planning permission.

STATUTORY CONSULTATIONS

GOVERNMENT OFFICE FOR THE SOUTH WEST

Acknowledged receipt of details

SOUTH WEST REGIONAL ASSEMBLY

Original Plans:

The Regional Planning Board assesses consultations on proposals on how far they would impinge on the delivery of the Regional Spatial Strategy (RSS):

- The proposal makes use of previously developed land and this is in line with Development Policy H: Re-using Land
- The proposal seems to be of a scale and mix that will increase the self containment of Bradford on Avon improving the balance of jobs, housing and services in the area in line with policy SD4: Sustainable Communities of the Draft RSS.
- The proposal is also in line with policy TC1: City and Town Centres as it offers the provision of a mix of uses within the town centre including retail, offices and housing.
- They also draw attention to two further policies:
 - Policy H1: Affordable Housing requires provision to be made for at least 30% of all housing development annually across local authority areas and housing market areas to be affordable and this figure should be higher in areas of greatest need.
 - Policy H2: Housing Densities requires housing development to exceed 30 dwelling per hectare (dph) in all parts of the region with averages across housing market areas exceeding 40dph for the period.

Revised Plans:

The RPB assesses consultations on proposals on how far they would impinge on the delivery of the Regional Spatial Strategy (RSS) and therefore whether the document is in 'general conformity' with the RSS.

Further to our previous response to the initial application, the key alteration in strategic policy terms is the removal of the hotel, to be replaced by 8 additional dwellings. This will increase the scheme's ability to provide affordable housing on the site, which they welcome.

They again draw attention to policy H2: Housing Densities of the draft RSS.

They also refer to Development Policy G: Sustainable Construction of the draft RSS to ensure that the development achieves best practice in sustainable construction.

The RPB is of the view that the revised application is in conformity with the RSS.

SOUTH WEST REGIONAL DEVELOPMENT AGENCY

Original Plans:

Supports the proposals.

- The proposals will help to deliver a number of the key Strategic Objectives identified in the Regional Economic Strategy (RES) 2006-2015, two of these being to: promote successful and competitive businesses and strong and inclusive communities in the South West.

- These proposals will redevelop a disused site of historic significance in the centre of Bradford on Avon for a mix of uses. The redevelopment will include a choice and range of quality employment space for business relocation, expansion and new start ups. In addition the redevelopment will provide for quality housing opportunities.
- The response then goes on to explain the context within which the comments have been made and the strong planning policy framework including PPS3, PPG4, the Regional Spatial Strategy, the Wiltshire and Swindon Structure Plan, the West Wiltshire Local Plan and emerging Local Development Framework. However the application has been assessed on the ability of the proposals to help deliver the Regional Economic Strategy (RES)
- Strategic Objective SO1: Successful and Competitive Businesses - the proposals will provide for a choice and range of quality employment space that will provide premises for existing businesses to relocate or expand and opportunities for new businesses to start up. The bias for businesses with a low traffic generation should provide for job creation for the key sectors and in knowledge based businesses which will make a positive contribution to the supply of workspace in the town.
- Strategic Objective SO2: Strong and Inclusive Communities - Unfortunately, the cost of the development of the site will provide an obstacle to the delivery of many community facilities, and possibly to a significant contribution towards affordable housing.
- Since the closure of many traditional industries in Bradford on Avon, including the rubber factory that occupied this site, the town has developed a dormitory relationship with Bath and Bristol. Therefore, the redevelopment of this site for a mixed use scheme providing for residential and commercial opportunities is welcomed. The provision of a choice and range of quality workspace will help create the conditions for a more diverse economy, and attract businesses in the key sectors and related to the knowledge economy, that will provide realistic employment opportunities for Bradford on Avon, and reduce its reliance on Bath and Bristol.
- The opportunity to restructure of the economy would introduce additional opportunities to ensure that the skills and training needs of the local community are available in accordance with RES Delivery Activities 1C.2 and 1C.4.
- In addition they would expect good practice urban design and sustainability measures to be adopted in the development of the site that meets the requirements of Future Foundations and Delivery Activity 3B.2 of the RES.

Revised Plans:

They are satisfied that the revisions do not alter their previous position.

They reiterate their previous supportive comments about the proposals. In particular, the Agency welcomes the applicant's continued commitment to providing a quality mixed use scheme for the redevelopment of the Kingston Mills site, a critical element of which is the proposed employment space. In this regard, the Agency considers that the proposals could make a positive contribution to the supply of workspace in the town and contribute to the achievement of sustainable communities.

COMMISSION for ARCHITECTURE and the BUILT ENVIRONMENT (CABE)

Original Plans:

Although the proposal may be acceptable in respect of the architecture of individual buildings it is not successful overall. The plan fails on a number of levels:

- Front to back relationships between buildings is confused
- Public space lacks legibility
- There is a less coherent urban design strategy.
- Surprised to see the key transport route appears to be one way gyratory through the main part of the site. Car parking dominates the site providing a poor outlook for many residents.
- Regret the absence of a firm proposal for the pedestrian bridge, if the bridge is important the development should be supported with a more comprehensive proposition
- The water way should be turned into a greater asset which should be reflected in a strategy for public space along the riverside. Consider the waterway arrangements to be less than the sum of its parts.

Concludes that the overall diagram, which should make sense of the relationship between the building, space and views has been compromised by too narrow a focus on each individual building element and its parking to the detriment of what ought to be a handsome contribution to the town. Bradford on Avon deserves better.

Revised Plans:
No comments received

HIGHWAY AUTHORITY:

Original Plans:

Preliminary response - Concerns expressed a year ago remain apparent. Highlights the way the TIA fails to convincingly model the complex and close relationship of the site access with Knees Corner.

Interim response - set out a number of discrete areas that have been considered as part of their appraisal, together with comments and advice where possible. These have been superseded by the final response reported below.

Final response - They set out their position in respect of car parking demand, displaced parking, access strategy, site access, construction traffic and internal layout/future management. They concluded that if WWDC were minded to grant consent, they recommend the imposition of a number of conditions, and for the issue of the decision notice to be withheld until the prior completion of a legal agreement covering a number of heads. The revised comments have superseded the original comments.

Revised Plans:

1. CAR PARKING DEMAND

- Residential Parking - The dwelling to parking ratio falls slightly from 1:1.03 to 1:1.01, which is acceptable and assumed it will still be accommodated on site.

- Non residential Parking - Acknowledged that the site will not have the capacity to accommodate all the likely parking demand, but the exact degree of under-provision is hard to predict accurately. The omission of a hotel reduces the demand for off street parking spaces but the development would, in their view, result in an unmet demand for around 46 spaces off-site, whereas the agent's view is that the unmet demand would be 20.

The advent of de-criminalised parking is bound to make a further significant difference, and the extent of the impact is impossible to predict with any confidence, however it is bound to put a further material strain on an already limited resource.

- Mitigation - They leave it to WWDC to decide whether the predicted outcome of the proposal is acceptable in principle and how best to manage it. They note that relining the station car park could add 18 spaces which may still be insufficient to cater for all of the demand at peak times.

- Note the reluctance by the developer for the Local Planning Authority to manage the sites car parking and would like to reaffirm the advice that there is a need for a parking management plan where the LPA hold a significant executive role. This would address the risk of the new roads in the development being used as "free" car parking.

- There will be a strong likelihood of drivers searching the area for a parking space consequently increasing the traffic volumes in the town centre. The introduction of a car park guidance system in the town, using variable message signing (VMS) to inform drivers where spaces exist (or not) seems to be the most appropriate way of dealing with such a problem, and a significant contribution from the developer towards its design and installation seems to me to be a perfectly legitimate requirement.

- A review of pedestrian signage would need to be incorporated in such an exercise.

2. CAR PARKING/ACCESS STRATEGY

- The access strategy for the site proposes the prohibition of parking along Mill Lane and its conversion to one-way operation (downhill) and should ask the developer for the costs to be met.

- In order to facilitate safe vehicular and pedestrian access at the Mill Lane/Silver Street junction there will need to be a degree of accommodation works.

- Both the costs of the order and the works will need to be the subject of a legal agreement.

3. SITE ACCESS - The revised plans give rise to a reduction in trips generated by the site in both the am and pm peaks as compared to the previous submission. Consequently the predicted impact on the highway network is likely to be less severe than the previous mix of uses.

4. CONSTRUCTION TRAFFIC - Given the obvious sensitivity of the local environment, I am suggesting a condition that requires the future approval of a plan that defines the routing, timing etc of construction traffic.

5. INTERNAL LAYOUT/FUTURE MANAGEMENT - No objection to the layout of the site per se, the future status of the roads and parking areas will need to be the subject of a separate discussion about the extent of future adoption and/or potential residents parking zone treatment which is being resisted by the developer.

CONCLUSION - If minded to grant consent, recommend the imposition of a number of conditions, and for the issue of the decision notice to be withheld until the prior completion of a legal agreement covering a number of heads.

Conditions

- Development shall not commence until the Local Planning Authority have been supplied with sufficient evidence to demonstrate that any existing user rights which permit access out of Lambs Yard onto Silver Street have been surrendered.

- Development shall not commence until the developer has submitted a construction phase plan showing the timing and routing of construction traffic, and received the formal written approval of the Local Planning Authority.

- Development shall not commence until the developer has submitted a parking management plan, indicating how the dedicated parking areas within the site, and the new roads laid out to serve the site, will be controlled in such a way that ensures that they are used efficiently and without detriment to the local community and future occupiers of the development. (Note to applicant: This condition will be complemented by an obligation in the legal agreement which secures an executive role for the Local Planning Authority in the future management of the proposed on-site parking)

Heads of Terms

- Requirement for the off-site highway works to be secured and fully in place prior to occupation of any part of the residential, commercial or retail uses. These works are generally illustrated on drawings numbered:

- Kingston Road/Silver Street Junction GH 05
- Knees Roundabout and Lambs Yard access GA 07
- Mill Lane removal of parking and provision of footpath (as shown and

described in the TA)

together with any associated accommodation works, particularly those that will be required at the top of Mill Lane (kerb realignment and new crossing).

- Financial contribution towards a scheme of signage for the town centre, including enhanced pedestrian signage, upgrading the pedestrian crossing on St Margaret's Street to a puffin crossing and the introduction of Variable Message Signing to manage off-street car parking demand

- Undertaking to meet the costs of any Traffic Regulation Orders required as a result of the proposed development

- Requirement for the Local Planning Authority to have an executive role in the management of the car parking proposed as part of the development. This will include, inter alia, pricing strategy, issue of permits and means of control/enforcement.

- Requirement to agree a Travel Plan for the development, setting out agreed targets, monitoring regime and intervention(s) in the event that targets are not achieved.

ENVIRONMENT AGENCY

Original Plans:

No objection subject to suggested conditions and informatives to include details for slab levels, floor levels being above the 1 in 100 year flood levels flood storage details, surface water drainage, flood protection measures, 5 metre clearance along side watercourse and boundaries, restoration and maintenance of water control structures.

Revised Plans:

No comments received

ENGLISH HERITAGE:

Original Plans(Summary)

- The proposals involve the demolition of a number of unlisted buildings and significant interventions to the fabric of others. There will also be significant intervention to and some loss of fabric from those listed buildings on the site while the setting of all will be affected. The scheme overall will represent a major development which will transform the character of the site, with a resultant shift in its profile and that of this part of the town.

- The application represents the product of many months of endeavour and consultation to help create a redevelopment proposal which best responds to the qualities and character of the site and its context, relevant policy, and the aspirations of the town's community. They share and subscribe to the view that all efforts should be made to make the current proposals as optimum and acceptable as they can be, considering the complex nature of the agenda, the limitations and constraints both physically and economically.

- In terms of how much or how well it satisfies community aspirations and all planning or other policy there are inevitably going to have to be areas of compromise.

- Overall, no fundamental objection to the scheme and consider that it has the potential to offer a generally acceptable solution from an historic environment point of view.

- There are discrete aspects of its make up which generate the need for specific comment:

- The Scheme overall - The historic and industrial character of the site is the product of functional imperative and its evolution has influenced the nature and scale of building development and their disposition across the site. The site offers great scope for now responding to a set of different functional and policy imperatives while still remaining respectful of its historical origins. While some existing fabric will be removed much that is of significance will remain in meaningful form. This will sit alongside new buildings whose non-industrial uses suggest different built forms with the creation of new and contemporary relationships between buildings and spaces old and new.

- The overall architectural approach is erring on the conservative, though with an undercurrent of contemporary styling. It is unclear how the local vernacular has influenced and is represented in the various idioms on offer e.g. full unapologetic examples of reproduction or modern, stylistic interpretations.

- Individual new buildings - No comments on the layout of development as proposed to the west of and including Building G. This should offer a tightly knit character in response to the urban townscape at this end of the site. To the east there is more of an open and landscape context and the scheme offers a clear response to the setting of The Hall and views from it as a strongly influential factor.

- Building F, there may be some argument in favour of the creation of a focal point or physical punctuation at this location in purely urban design terms, there is little obvious historical rationale to support it. Such a dominant and contextually questionable statement threatens to compete with The Hall, compromise the integrity of the scheme and its site as a whole, and the character and appearance of this part of the town generally.

- Demolitions of unlisted buildings - Building 71 (tyre casting workshop) has a slim justification for demolition and Building 61 (rubber factory workshop) is proposed for demolition on the basis that it is necessary to "open up" the site, a rationale difficult to subscribe to without greater substantiation.

- Interventions to Listed Buildings - Most if not all of the Grade II listed buildings on the site will experience some degree of physical intervention as a consequence of the proposals. Happy to leave these matters to the discretion of your authority unless it concludes that substantial demolitions are involved that require referral of the relevant applications to the Secretary of State.

- Building 70 (Lamb building conclusion is that extensive remedial treatment to the lower levels of the concrete frame structure would appear to be required, with complete removal of the ground floor proposed as a more economic solution than only partial removal and repair (see engineer's report attached). This matter can be resolved through ongoing negotiation if your authority hasn't already agreed a position on the matter with the applicants.

- Archaeology - We have been assured that the proposals do not physically impinge upon the Town Bridge and that Scheduled Monument Consent is therefore not required. We are happy for your authority to address other archaeological considerations in conjunction with the County Archaeologist.

- Other considerations -

- Gabions are a utilitarian solution not normally appropriate for sensitive and high profile urban contexts where a more "mannered" or aesthetically pleasing approach would be expected. The larger stone facing blocks, perhaps pointed in mortar, may be possible to help disguise the wire baskets would certainly represent a significant improvement in aesthetic terms and one which may have the potential to overcome the in-principle concerns which would otherwise exist.

- It would appear that the repair and conversion of existing buildings on site will not take place until some 24 months after work on site has commenced. It is important to ensure that the condition of existing historic fabric can accommodate such a delay. We would therefore encourage the agreement of a phased and prioritised programme of work which responds to this consideration.

- Recommendation - On the basis that the issues we have identified are addressed, we are happy to leave a decision on the merits of this application to the discretion of your authority.

Revised Plans:

Summary conclusions are that the only major outstanding issue is the tower. Appreciate that there may remain a whole raft of issues which WWDC Conservation Officer is concerned about but suspect the great majority do not require input or comment from English Heritage.

The impact of the changes to the scheme is largely the net and collective effect of a series of incidental amendments none of which raises issues which we feel the need to comment on individually. The single most dramatic change is the exclusion of the hotel, upon which we have no views other than to observe that this appears to have resulted in some beneficial outcomes as far as circulation and treatment to nearby or adjoining fabric is concerned.

There is little additional information which helps to illuminate the overall rationale for the scheme; further information has been provided in support of the schedule of demolitions which attempts to make the case for the loss of buildings 61 and 71 in particular through reference to how this is necessary to achieve specific design objectives within an overall scheme context. The virtue of such justification is of course difficult to gauge when the rationale for the overall design is itself not as clearly articulated as one might wish.

Building F, arguably the most provocative proposal within the scheme, remains and does not appear to have been amended or be the recipient of a more compelling justification. The use of gabions also remains, but we gather that ongoing negotiation on this proposed treatment to the river banks may yet result in it being a more benign and less alien concept than originally envisaged.

Recommendation - Response concentrates on those issues which have attracted their particular interest. The single greatest concern they have relates to Building F, but in this respect they acknowledge that any consideration of the issues and impacts which it generates needs to take place in the context of the benefits which it is felt the scheme as a whole would bring to the site and the town as a whole. They are happy to leave this to the discretion of the Council.

GARDEN HISTORY SOCIETY

Original Plans:

On the basis of the information received they do not wish to comment but these should not signify their approval or disapproval of the proposals.

Revised Plans:

No comments received

THE GEORGIAN GROUP

Original Plans:

No comments received

Revised Plans:

There is much to commend the current scheme but would urge LPA to be completely satisfied that proposal would protect and enhance not just the immediate site but also the wider historic environment of Bradford on Avon.

- This is an opportunity to reinstate the views of Kingston House to enhance its setting, but area is used for parking with just a subservient area for public space. This is unacceptable and position of Building N should also be reconsidered.

- Scheme is too intensive for the site particularly to the north west.

- Four storey, Building F is wholly unacceptable in this context and question the justification for such an assertive structure that would detract from the character and setting of the site and the neighbouring Grade 1 listed Hall

" Remind the Authority they have a duty to protect and enhance listed buildings and their settings and urge a review of the negative impact the proposed development would have on the historic site and surrounding townscape

SAVE

Original Plans:

Object to the proposal

- Bradford on Avon is one of the most beautiful towns in the UK which is derived from the happy coincident of the amphitheatre-like lie of the land, the quality of the local stone, the roofing materials and vernacular scale of the buildings.

- The temptation is to overdevelop valuable town centre sites. A short term solution must not be at the cost of that which makes the town special and it worth waiting for the right solution.

- The scheme is an improvement on previous efforts but still not good enough.

- The determining factor in the scheme is the quantity of accommodation to be provided resulting in a density that is too high requiring oversized buildings

- The impact of the oversized buildings on the grade I listed hall is not acceptable. It is vital that its setting is preserved intact.

- Number of units should be decreased, allowing more space around Kingston House, allow the larger blocks at the eastern end to be broken up and reduce the problem of car parking.

- The historic and architectural importance and interest of the site should not be compromised because of secondary economic considerations.

- The architectural treatment of the buildings at the town end is a great improvement over previous attempts, but could be altered to meet the remaining concerns.

- If the current application is passed by the authority they have little doubt it will end up at a public inquiry and therefore urge the Council to reject the application.

Revised Plans- No comments received

TWENTIETH CENTURY SOCIETY

Original Plans:

The Society's remit extends to buildings constructed after 1914 and will not therefore comment on the entire proposal but only on the Lamb building or T building which dates from 1917. The proposals for the Lamb building are acceptable and do not wish to object. Hope that the proposed new uses can lead to a viable future for the building and the site.

Revised Plans:

No comments received

ENGLISH NATURE:

Original Plans:

No objection provided the measures and monitoring outlined can be secured by appropriate legal agreement. There are some further points of detail required

- Bats - endorses the consultants recommendations and quotes a previous letter in which they express how encouraging it is to see a commitment to the creation of a new, additional bat roost within the development. They note that building 2 is now proposed as an office which could potentially result in a disturbance to the bats. Details are required as to how disturbance will be prevented.
- Otters - Endorse the recommendations for retention of otter resting places, vegetation, passes, lighting and post construction monitoring. Re-survey before construction needs to be conditioned.
- Reptiles - Condition for survey should require details of the working method to be submitted and approved. Along with a suitable receptor site
- Water Voles - Endorses the precautionary re-survey prior to development as a condition
- Birds - Request a condition that works be timed to avoid the bird nesting season
- Loddon pondweed - endorses the protection of Loddon pondweed including discouraging boats and waterfowl and sluice retention. A method statement for the protection during construction should be conditioned.

Revised Plans:

No comments received

WILTSHIRE WILDLIFE TRUST

Original Plans:

No comments received

Revised Plans:

No objections

Pleased that the site has been subject to numerous ecological assessments which have been regularly updated as the application progresses.

- Bats - Recommend that an updated survey of the bat roost potential for trees be carried out and be secured by condition. They await the results of the Appropriate Assessment in order to ensure they are satisfied that the bats will be sufficiently accounted within the development.
- Breeding birds - Clearance of trees and areas of scrub should avoid the bird breeding season or an ecologist keep a watching brief during the works to ensure no harm to the species. This can be secured by condition
- Biodiversity -An Ecological Management Plan, Construction Environmental Management Plans and Landscape Strategy and Planting Plan will be in place for the development which together will lead to substantial benefits to biodiversity in the area. No distance from the watercourses has been specified for the chemical storage area which should be at least 8 metres. The applicant should adhere to the Environment Agency's pollution prevention Guidelines. Himalayan balsam has been found on the banks of the Avon running past the site, control and eradication of this alien species should be included in the habitat enhancement works.

- Increased sustainability - The Trust would like to see measures adopted to reduce the amount of resource consumption both during construction and occupation such as appliance and equipment and energy efficient light bulbs, green roofs on new buildings which can include bird and bat boxes. A sustainable method of drainage should be used.

NETWORK RAIL

Original Plans:

- The railway bridge at the eastern end of the site is not a public right of way and there is no agreement for either its use or works to be carried out on it. No objection in principle subject to the protection of networks rail adjoining land as below:

- Drainage - increase or additional flows of surface water should not be discharge on network's land or culverts
- Safety - no work should be carried out that may endanger the safe operation of the railway and demolition should be carried out in accordance with an agree method statement.
- Ground levels - No excavation should be carried out near rail embankments, retaining walls or bridges and any alterations to ground levels should be agreed beforehand.
- Support - Proposals should not cause surcharging of cutting slopes or retaining walls
- Layout - All buildings should at least 2 metres from the boundary to allow for future maintenance work
- Environmental issues - The design and siting of buildings should take account of possible noise and vibration and airborne dust from the railway.
- Landscaping - All trees to be planted should be located a distance not lees than their mature height from the boundary fence.

Revised Plans:

No objection in principle subject to specified requirements for the safe operation of the rail network and repeats the list above.

WESSEX WATER

Original Plans:

- Water supply - Network modelling of the existing system is needed to determine to point of adequacy for a new connection and whether any off site reinforcements are required.
- Foul sewerage - There is adequate capacity in the public sewerage system for the development. A new sewer beneath the river Avon is likely to be needed which should be approve by both Wessex and EA
- No details of new drainage shown and should be conditioned
- Surface water drainage - run off should be attenuated with SuDS system and discharge to the Avon with the approval of the District Council and EA

Revised Plans:

No further comments to add to those sent previously.

WILTSHIRE NHS

Original Plans:

The information will be circulated to the management team to inform a response. [No further comments have been received.]

Revised Plans:

No comments received

WILTSHIRE and SWINDON BIOLOGICAL RECORDS

Original Plans:

Bats recorded on site. Records and surveys should include impact assessment and mitigation measures

Revised Plans:
No comments received

WILTSHIRE COUNTY COUNCIL STRATEGIC PLANNING

Original Plans:

The site is located within an urban mixed use, brownfield allocation in the District Plan. The application as proposed conforms to the relevant local plan policy as well as employment, housing and shopping policies contained within the Wiltshire and District Structure Plan, adopted 2006. From a strategic planning perspective WCC supports the development in principle whilst recognising the need for more detailed aspects of the application to be subject to the DC Managers control process.

Revised Plans:
No comments received

WILTSHIRE COUNTY COUNCIL EDUCATION

Original Plans:

Will not be seeking a developer contribution. There is no case at secondary level but the proposal has the potential to fill up the remaining local primary schools making them unable to accommodate any additional need from further development to come forward in the town

Revised Plans:

First response - completed the re-assessment of this revised planning application's impact on the need for school places in the locality. The designated area schools serving the proposed development are Christ Church CE Primary and St Laurence CE Secondary. Under the current methodology, they re-assessed the demand and concluded that at secondary level, the pupils can be accommodated within capacity. However, at primary level there is not space to accommodate the additional 38 pupils likely to need places, within current permanent capacity. They therefore amended their requirement for a developer contribution of 38 primary places at the current cost multiplier of £10777 per place = £409,526.

Second response - following further negotiation

Recognise that affordability is now an issue and are prepared to recognise this in a revised contribution. However there have been significant changes in that the number of units have changed and the number of pupils in the local schools has changed. There is now a slightly higher pupil product from the development and fewer spare places. Given these changes we are able to reduce the contribution to £90,000, recognising the affordability of the project.

WILTSHIRE COUNTY COUNCIL ARCHAEOLOGICAL SERVICES

Original Plans:

- Several assessments have now taken place in response to a number of separate planning applications and although no medieval or earlier features were identified, post medieval and later occupation along with evidence of previous mill buildings was revealed. Furthermore a medieval wheel pit and associated structures were identified during a detailed historic building survey. Mitigation should ensure an appropriate level of recording is undertaken during the development works and suggest a condition to secure the implementation of a programme of archaeological works before development takes place.

Revised Plans:
Previous comments still apply

WILTSHIRE COUNTY COUNCIL DISTRICT ECOLOGIST

Original Plans:

- The mitigation is generally considered carefully and the use of the Construction Environmental Management Plan to control the potential impacts during construction phase is welcomed. Due to the complex nature of the development and critical timing of various activities in relation to ecology recommend CEMP be subject of a condition requiring works shall start on site until the details have been agreed
- No specific comments on the Bristol Avon CWS. Water voles, badgers and birds and concur with the conclusions of the ES
- The ES has undervalued the Lodden Weed and does not justify the assumptions on which the assessment of potential loss is calculated. The Kingston Mills population is arguably of national significance for Lodden pondweed and its, loss would be of high significance. More detailed examination of the potential impact is needed
- Otters - The mitigation for the otters reduces the risk for casualties on the railway line by using otter passes to direct them through an existing culvert under the railway and then directly to the mill feeder stream.

Revised Plans:

No comments received

INTERNAL WWDC CONSULTATIONS

PLANNING POLICY

Original Plans:

- The site is in the centre of Bradford on Avon, within its Conservation Area, and adjacent to The Hall and its Historic Gardens; it is also within the commercial area. The site, a former rubber works,
- It is allocated for mixed use development under Policy H4A of the adopted District Plan to include about 130 dwellings and any of small scale retail, further education, financial services, offices, and leisure/arts.
- Government guidance in PPS6, echoed in the District Plan, encourages the development of vibrant and viable town centres best facilitated by a mix of uses and the Kingston Mills development brief supports this.
- Numerous constraints relating to the site make it extremely sensitive to any form of redevelopment; a valued historic environment, the small scale town centre, several listed buildings, a very prominent location visible from surrounding terraces in several directions; the town's air quality management area and contamination following previous uses. Therefore scale, form, appearance, building heights and roofscapes, traffic management and parking provision and contamination all need to be considered.
- The site is liable to flooding (much of the site is within the 1:100 floodline) and so a flood risk assessment and appropriate mitigation measures are required.
- Conclusion - the following matters require further information or should be the subject of negotiation:
 - Flood alleviation measures, surface water treatment, contamination remediation, noise levels, highway improvements and protection for the valued habitats and species must be to the satisfaction of the appropriate professionals.
 - The outstanding requirements for affordable housing and public open space must be further addressed in the light of the financial appraisal.
 - Given the evidence which seems to be emerging about the retail market in Bradford on Avon, it may be that there is scope in the scheme to change the commercial proportion;
 - The detailed design of some elements of the proposal need further consideration.
 - The amendment of the design statement / drawings to show that both are consistent with each other

Revised Plans:

Key Issues:

Land Uses - Given the need to make the most efficient use of urban land, modern density targets and the increasing importance of providing for local housing needs, the number of dwellings is supported in policy terms. The mix of uses proposed is also broadly in accordance with policy. There has never been a policy requirement for a hotel, which has now been deleted from the scheme.

Housing:

- Policy requires a mix of dwelling types and sizes to meet identified needs. The proposal achieves this, with 37 no. 1-5 bed houses and 133 no. 1 and 2 bed flats. The emphasis, rightly, is on smaller units reflecting local needs.

- Policy seeks up to 30% affordable housing on-site, with the Council's preferred approach being the provision of mainly social rented accommodation at nil public subsidy. I understand that the proposal is for 53 affordable units on site (31% provision), of these 17 provided at nil public subsidy. Given that the original planning application included no affordable housing and the proposals have been subject to extensive viability testing, I consider this to be acceptable in planning policy terms.

Other Uses

Formal and informal open space,

- policy requires the provision of 0.97 ha open space, including formal pitch provision and equipped play space for children. It is, however, accepted that in urban design terms and the location of the site in the town centre, on-site sports provision is not appropriate and therefore the improvement of existing facilities off-site through a commuted sum is the most appropriate course regarding formal sports provision.

- In terms of on-site children's play, the revised application includes a small "toddlers play area". but does not appear to meet older children needs. Please refer to the Leisure Manager for more detailed comments.

- General amenity space - the various squares and yards will provide for public space, although car parking may limit their active use.

- Bringing back Lambs Yard into use as a major public space for the town is particularly welcome.

- An additional policy requirement is for a riverside walk. It is noted that the revised application improves upon the actual length of public access to the riverside and this is welcomed.

Retail, office and community space

- Located to the west of the site, closest to the commercial heart of the town is welcomed.

- The convenience foodstore and unit shops in the town centre will help to meet local needs, bring qualitative improvements to the retail offer and may clawback some trade lost elsewhere.

- The proposed bar and restaurant will help to add vitality to the town centre and to aid the night time economy.

- The additional office floorspace provision will be a significant addition to the town's supply.

There may be a requirement for an education contribution towards off-site education improvements.

There is no mention of any contribution towards public art as required by District Plan policy I2.

Note the lack of attention given to issues such as impact upon climate change, sustainable construction measures and renewable energy provision, but the draft Regional Spatial Strategy policy requirements in these areas have yet to be approved and so it would be difficult to insist upon these measures at this stage.

Transportation

- It is appreciated that there is no complete solution to issues such as local traffic generation, access arrangements and air quality issues.
- On-site parking provision has, rightly, been constrained by urban design considerations and from a broad policy perspective, the less than maximum car parking provision on-site reflects the fact that the site is within the town centre and there are alternative transport options available.
- The deletion of a hotel from the scheme has helped to reduce the demand equation.

It is noted that the applicants have presented flood alleviation measures.

Protected species and nature conservation -

- The drawings show locations for new bat roosts and the restoration and cordoning off of existing roosts;
- also shown is an otter pass on the tributary.
- It is important that a construction management plan is approved before planning permission is given.

Policy Recommendation - Acceptable in policy terms

CONSERVATION OFFICER:

Original Plans:

Demolition; Due to the amount of demolition proposed over the whole site this application will need to be submitted to the Secretary of State.

Demolition of Curtilage Listed Buildings; - comments are made on individual listed building proposed for demolition

- request made for more viability evidence to justify their demolition in respect of No. 41- Power House and No.42 - Engine House, No.61- Rubber Factory workshops, No. 71- Tyre casting workshop (northern light structure), Gate Piers and wall to entrance off Silver Street.
- No objection to the demolition of the following buildings subject to suitable recording for No. 58 - Building on west side of Kingston House (incorrectly annotated as no 68).and Building Between Kingston House and Gate House - (No 54)

Demolition of Non listed Buildings- CAC - There is no objection to their demolition subject to a comprehensive record of all the buildings and structures to be demolished.

Assessment on Non- Listed Buildings

- Carpenters Workshop (Building A) - known to have bats inhabiting the roof, concerned about the introduction of a lift in this building, clarification on the basement is required and more of the existing elevation fenestration should be retained, and some minor amendments needed to correct discrepancies in the plans.
- The Lab Building- Building U - There are no concerns with this part of the scheme.

Assessment of Scheme's Impact on each Listed Building

- Kingston House - The fabric will need to be properly surveyed and recorded before any conversion works take place. The redevelopment of this building should be of the highest standard to reinstate missing features and ensure that traditional quality materials are put back. No problems with the way the structure is proposed to be split up but am concerned with specific details and how they should be handled, a reduction in the width of Building N allowing better views into the site and of the house itself, opening up the riverside in a more convincing manner, the height and scale of the buildings that face into the courtyard and the courtyard put forward as public space but includes parking.
- Grist Mill- Building K (Buildings 43 and 44) - It is good that this group of buildings retained and proposed for conversion, consider that because of their industrial appearance that they are robust enough to take the alteration whilst still maintaining much of their current character. Some further refinements are requested in terms of retaining the window pattern on these buildings;

- Lamb Building - The most significant factor of this building is the early use of a reinforced concrete structure that demonstrates an emerging building technique and therefore credits it with national significance. Satisfied that the solution put forward by the applicants to remove the entire GF is unavoidable. Removal of Building, ideally the structure should show more subservience to the Lamb Building. This building was designed originally to take another storey and the principle of an extension to the roof is therefore acceptable. The proposal for a circular contemporary structure is a clever solution that will in my view add more interest and soften the harsh squareness of the existing building.

- New Mills Building - Nos. 72 and 74 - This building was recently listed Grade II and has been recognised as being of importance for its townscape contribution. The form lends themselves to conversion for the purposes that are proposed subject to the balanced proportions of the elevations and the alteration to the height of the opening, details of the missing windows on the south east elevation, details of the staircase and impact of decked car park.

- The Vaults. - Its strong defiant industrial character lends itself both internally and externally to conversion.

Assessment of the Scheme upon setting to adjacent listed buildings/Scheduled Monuments. It should be stressed that the settings of The Hall, Manvers House and the Town Bridge, in particular, need to be assessed against the scheme too.

- The Hall - The main issue is not the principle of whether some development can be allowed in close proximity to The Hall but what the scale of such development may take and how this may impede upon views. Take the view that the setting of the Hall will not be compromised by this scheme and will benefit from a more open nature of a corridor vista provided by the location of buildings E and J. The design of Building F is intended to be a landmark building but its massing and height together have a detrimental impact on the setting of the Hall, directly competing for dominance over the historic building.

- The Bridge. As a scheduled monument this takes precedence over the listing and the view of English Heritage on this matter prevail.

- Manvers House. The immediate setting to this building will not be altered greatly by the scheme.

- Other Listed Buildings fronting onto Kingston Road and Silver Street. No issues relating to existing listed buildings and their settings that will be directly affected by this scheme.

Assessment of the Scheme upon the character and appearance of the conservation area. Change of use of site and impact of the new uses on the character and appearance of the Conservation Area. There are a lot of implications of this scheme in terms of how it will impact upon the conservation area. In visual terms the retention of many of the existing buildings especially nearer the town centre end of the site will mean there is little change. The alterations that are proposed have been individually assessed under each of the buildings that are affected. Other proposals such as the introduction of formal town squares/spaces will help to give buildings better settings and also enhance the conservation area. However, some concerns expressed on the impact of new uses on the viability of the town, parking provision, river context and gabions.

Revised Plans:

Following receipt of the revised scheme there are three areas of the proposal that are still outstanding and require further consideration by the applicants:

1. The design and scale and gabion upstand of Building F.
2. The proposed high stone/timber panelled fence on the north side of the development site adjacent to the mill leat/water-course.
3. The final design details for the Kingston Square new build elements.

It is considered that subject to the successful outcome of the above, the overall scheme has now been reasonably well refined to address the original issues that were raised during the previous consultation and on balance will not harm the character and appearance of the conservation area or the setting of the scheduled monument and listed buildings both within the site and adjacent to it.

Kingston Square

Building Q East

Small revisions have been made to this side of the Square that will help to enliven the elevations in particular bringing out the retail units on the Ground Floor. The relocation of the front door to the residential unit has also helped to align the architecture more closely to the classical style of Kingston House. Further clarification on the form of fenestration detail proposed for the upper floors of this group is needed.

Building M

There appears to be no changes to this side of the Square. The opposing sides appear to still be at odds with each other and do not reflect the form of consistent uniformity in elevational treatment that is synonymous with the town's traditional architectural character. This side has a blander feel and could be improved to the benefit of the listed building's setting by some further architectural embellishment of devices that will bring it up to a similar quality to Building Q east.

Building F

This building has been a contentious part of the scheme from the pre-application stage all the way through our negotiations for the redevelopment. Most of the professional views on this building are negative. The applicants have made no attempt to change it.

The concern lies primarily with its overall height and elevated position raised up on gabions and projecting slightly forward across the riverbank. This will have the impact of producing a structure of some magnitude and dominance that is considered will be harmful to the setting of the Hall itself an iconic historic building of major national importance. The small openings for the windows reinforce the sense of meanness in the proportions of the building that lacks any discernable or robust features that have the same quality as the units that it stands adjacent too. The extra height is also exaggerated by the plant building on top that appears to replicate a chapel. It is considered that this feature not only looks alien to the tower but also extends its dominance and overbearing appearance in the skyline.

Some revisions have been discussed to this structure but I have not as yet seen the outcome of these discussions.

Building N

This building has now been moved eastwards and relocated allowing better views of Kingston Mills and a better quality public space for the bridge area/riverwalk.

Access and open space within the site

The new walkway/access passage to the river between the Lamb buildings and the new café Building S has now been amended to take into account the concerns raised. This should be seen as an extremely beneficial addition to the overall accessibility of this site and the revisions have assisted in producing a more cohesive permeability to this site.

Pedestrian flow within site - The river walkway is one of the main contributions to the public domain of this development which, if appropriately managed and designed, should provide an important enhancement to the conservation area and the net-work of footpaths in the town. This will be further improved by the introduction of a separate pedestrian bridge within the site at Bridge Yard. Although not to be implemented by this development, the provision of a reasonably large and robust courtyard area by the re-location of Building N will also contribute towards greater visual interaction of the historic Kingston House in views across the river. This is considered to be a positive improvement.

Public Spaces/Squares- The provision for these areas appears to have been improved. It should not be underestimated how much the opening up of the river walkway should be seen as a massive improvement to the public realm in the town.

Boundary and river bank treatments.

There are a number of issues that still raise concerns in terms of the impact of the scheme in these areas on the character and appearance of the conservation area and upon the setting of listed buildings.

- River Walls - These are important features within the conservation area and serve to provide the curtilage boundary to the site which are listed structures. Further clarification is needed on whether the current base foundations will be retained and new stone walls built on top of them.

- Gabions - A technical report offers little mitigation towards the softening of them as harsh edges to the river bank. Vegetation may grow down or up the walls but it is unlikely that it will directly colonise the gabions themselves. Especially concerned in the context of Building F where the additional bulk of this building on top of the projection into the river will have a potentially harmful impact on the views within the conservation area.

- Boundary - 3114/P/219 - The details shown of a high stone wall with timber palisade fencing on top are unacceptable in terms of their harmful visual impact on the setting to the listed hall's setting, the Historic Park and Garden and the character and appearance of the conservation area. This would be exacerbated by a further timber panelling similar to the wall and panelled fencing immediately to the south of the Hall around the existing perimeter of the listed building and its estate. The harm caused to the visual setting of the historic Park/Garden and the Conservation Area will be quite unacceptable. If a wall is required in this part of the site it should be constructed entirely of stone in order to comply with all the other traditional walls in the town and especially in conjunction to the Hall itself. If a high wall and or fence are erected in this area then the visual relationship between the mill race and the site will be irrevocably eroded. It is considered that this would be a detrimental step preventing public views of this part of the site's history and dislocating the site from its historic context.

Transport/Highway Implications;

There are a number of issues raised as a result of the Highways response to the scheme that have in turn got potential implications on the wider historic area of the town and its conservation area that need to be considered.

- The improvements to the Kingston Road/Silver Street junction could be of potential harm if not handled sensitively given the proximity of a number of listed buildings and their uses that are generally retail with important areas of commercial activity immediately outside them.

- The one way system in Mill Lane and Kinston Road should help to alleviate potential traffic congestion on these undersized roads. This should be considered to be an enhancement to the conservation area, especially with the introduction of a footpath in Mill Lane.

- Whilst it is recognised that there may be a need for additional parking and pedestrian signage within the town centre as a result of this application it should not take the form of signage that the County Highways recommend. These "variable message signs" Normally associated with large towns/cities are not appropriate to the character of a small traditional market town. Bradford on Avon may need some clarity with its highway/pedestrian signage but this should be undertaken sensitively and to the minimum necessary in order to convey the correct information.

URBAN DESIGN

Original Plans:

On the whole, this scheme has responded very positively to the considerable site constraints associated with the Kingston Mills site. The concept and many of the design principles are sound and the applicant has made an effort to produce a high quality scheme. However, my recommendation would be for negotiation with the applicant on some of the design details and there is a requirement for additional information.

- Design Concept - The overall design approach would appear to be influenced by the retention of several of the listed industrial buildings and the existing industrial feel of the site. There has been no assessment to demonstrate the efficient use of passive solar gain in line with Policy C34a requirements.

- Building Arrangement - The arrangement of the site would appear to have been controlled by the retention of existing buildings and the creation of courtyards to the north west. This has led to a reasonable layout and should afford a good outlook for most of the properties.

- Building Scale - A number of the buildings to be retained are of some considerable scale and height, however there are three areas which must be considered carefully in terms of scale:

- LAMB YARD; Public Space - It is of concern that the privately owned section is to be used for parking both during the day and in the evenings, consequently, this will not conform with plans for this to be part of a public space. It is agreed that this is the best location for ground floor retail and the land in the applicant's ownership is treated accordingly, this could be a good quality public space. Raise several detailed design queries.

- RIVERSIDE AREA; Public Space
 - The flood barrier (coarse rubble stone within gabion baskets) is visually inappropriate and harmful to the character of the riverside.
 - The positioning of Building N detracts from views of Kingston House.
 - The area adjoining buildings R, S and T could become a dead end.
 - On the landscape plan the riverside area adjacent to buildings R, S and T are divided into two terraces, this runs through the centre of one of the openings in building T and is not generally considered appropriate.
 - There is insufficient information provided in terms of retention and new planting along the riverside.
- Architecture - details comments were submitted for each area of the site and individual buildings. Most notable of which was Building F which was described as overwhelming the riverside, the elevations are generally rather bland, it is not as architecturally strong as this landmark feature requires and that the design is reconsidered.
- Landscape - The landscaping needs to be much better defined.

Revised Plans:

Included with Conservation Officer's revised comments

HOUSING:

Original Plans:

The developer has indicated, and provided prima facie evidence, that the site cannot accommodate the affordable housing required under policy without impacting on the viability of the overall scheme. An Open Book process has been undertaken with information being externally tested by an independent Quantity Surveyor and local Estate Agent.

This confirmed the developer's contention and accordingly means that no affordable housing will be provided on a nil subsidy basis as required by policy. However, this is the last large development site within Bradford on Avon and it is important that it makes as large a contribution towards the needs of the local community as possible. The following areas have been explored: -

- an independent survey of local commercial values indicates that the proposal represents an over-provision in certain areas and some commercial buildings can be used for housing whilst still retaining enough capacity for the future and the provision of local employment opportunities. Taylor Woodrow have agreed that all the housing so provided will be made available as affordable on a nil subsidy basis, or a commuted sum provided in lieu.
- Particular blocks of housing have been identified which would be suitable for affordable housing, regardless of their ultimate funding.
- The developer has offered to provide some units, as a result of changing the use of some buildings from commercial use, but the remainder will have to be grant funded.
- The grant will need to be obtained from the Housing Corporation
- The developer has agreed to give an option to purchase up to 30% of the finished dwellings (less those already agreed to be provided on a nil subsidy basis), to the Council or its nominated RSL.
- The developer has agreed to offer them in the first instance to buyers who have a local connection with the town.
- Need to establish the likely phasing of the development, so that a series of grant bids can be worked up by the Housing Society in time for the bid round.

Revised Plans:

Comments on the housing stock and demand, house prices, sustainability checks for the area and affordable housing currently offered by the developer.

- Recognise that the site has a number of expensive issues in relation to its development which limit its ability to make a policy contribution towards the provision of affordable housing.
- Satisfied that 17 dwellings is the maximum that the site can afford. If viability improves, the developer should then make additional cash contributions and so require the high level of grant contributions currently required.
- Without this there is no opportunity for further affordable housing in Bradford on Avon.

ENVIRONMENTAL HEALTH:

Original Plans:

Do not wish to object to the principle of this redevelopment

Land Contamination -Residential properties with gardens are considered to be the most sensitive use with respect to ground contamination. The site's previous uses pose some potential for contamination due to a wide range of contaminants. Notes some areas not fully explored but concludes that the general approach to the remedial works is acceptable to this department.

Noise and Vibration -The methodology of this report is accepted and the assumptions are considered reasonable. All the dwellings proposed within the site are predicted to meet the acceptability criteria in PPG 24 (planning and noise) for both airborne noise and vibration. The potential impacts are not excessive and the mitigation measures are quite acceptable.

On a matter of detail, the proposed play area is physically located very close to proposed dwellings should be relocated.

Potential Impacts (existing dwellings) - No significant increase in noise levels are predicted at any existing dwelling.

Potential Impacts (construction) If the principle of this redevelopment is established, it would be appropriate for the developer to discuss with the authority the detail of the construction methods and mitigation proposals

Air Quality -The methodology of this report is accepted. It builds on data collected by this authority, reports produced by environmental health together with the traffic assessments produced in support of this application. The report concentrates on predicting possible exceedences of nitrogen dioxide and fine particles (PM10) By coincidence, the model used to predict future levels is also used by our own consultants.

For air quality reasons the production and implementation of a travel plan is supported.

The area of Bradford on Avon most affected by poor air quality is Masons Lane. For this reason, the design of travel routes to avoid directing additional traffic into Masons Lane is supported. The current proposals show two means of access to the site and one egress via Kingston Road. The proposal to encourage two way exit into Silver Street and to direct north and east bound traffic to turn right, away from Knees roundabout and Masons Lane, is supported.

The report identifies that there will be short term effects, particularly caused by nuisance dust and fine particles, during the construction phase and identifies mitigation measures to reduce, as far as practical, the effects of the construction phases. These proposals are welcomed and should be the subject of discussion with the authority, both prior to and during the construction phase.

Food Premises -There are insufficient details to comment in detail on the restaurant and hotel proposals, however, conditions should be imposed to address potential loss of amenity from cooking odours and to secure appropriate refuse storage. In addition, I would ask for standard informatives to be added regarding food hygiene and the registration of food premises.

Recommendations: In the event of planning permission being granted, suggest conditioned in respect of Land Contamination remediation, Noise and Vibration, Air Quality, a travel plan, ventilation and filtration equipment on food premises, adequate storage of refuse and Informatives in respect of Control of Pollution Act, 1974. and Food Safety Act 1990.

Revised Plans:

See previous consultation for comments on food, licensing, safety, recommendation, conditions and informatives.

Protection -

- Toddlers play space located adjacent to residential properties which may suffer some loss of amenity due to noise when the play ground is utilised.
- Play space may become focus for teenagers gathering late at night and potentially expose the residents to noise.

- Apartments replacing the hotel may lead to loss of amenity due to noise from patrons utilising the open air terrace of the restaurant. To prevent loss of amenity, the hours of use of the terrace may be restricted as part of the licence. Developer may wish to consider omitting the restaurant terrace or upgrade acoustic insulation measures to the apartments.
- Welcome the removal of the hotel from the scheme as this will reduce the number of car journeys to and from the site.

LANDSCAPE OFFICER

Original Plans:

This site is located within the heart of Bradford on Avon and offers mixed amenity value to the area and street scene.

- The south eastern end of the site has many trees that are in various states of health. Before further comments can be given on arboricultural issues, an Arboricultural Impact Appraisal and Method Statement is required.
- The proposed retention of over mature trees along the riverbank is a mistake, recommend these trees are illustrated as being removed and replaced with similar semi-mature trees at this early stage.
- PUBLIC OPEN SPACE - The identified areas of Public Open Space (POS) within both elements of this development site are totally unacceptable and inadequate.
- As there are no other areas of formal POS on the northern side of the river other than the walkway, the POS provision should be reviewed.

In its current form, this application should be refused on the grounds that the application does not conform to Policy C32 and Policy C40

Revised Plans:

Confirms the proposal is acceptable in arboricultural and landscape terms and should be approved. Subject to conditions regarding the submission of a method statement, supervision, replanting of specific trees and a financial contribution towards off site public open space of £104,705.69

None of the area within the site except for the equipped play area is to be adopted and should the responsibility of a management company.

Acceptance of the play area equipment, fencing and surfacing should be sorted from WWDC but a number of issues need to be addressed first, i.e. fencing service gates pedestrian access and the individual pieces of equipment.

LEISURE AND RECREATION MANAGER

Original Plans:

Children's Play Provision - confirm, the options (in priority order) are:

- That sufficient play provision for all children and young people up to the age of 16 is provided on the Kingston Mills site, and all provision meets the standards stipulated within existing planning guidance and the principles of the Council's play strategy
- Provision for under 5's is provided on site, and a commuted sum in respect of provision for children from 5 - 16 years is provided to the Council which will be spent on existing Council owned sites in Bradford-on-Avon.

Open Space Provision - The site does not provide space for sufficient public open space therefore would like to see a commuted sum in respect of the deficit to be spent on public recreation provision within the town.

Facility Adoption - Expect the developer to retain responsibility for all open space and play provision within the development.

Revised Plans:

Comment on this application remains as per previous note:

- Agree with the provision of the play area on site (the location stated is fine) for children 5 years and under, along with an appropriate commuted sum to be spent on play provision for older children in the Bradford area

- There is insufficient open space provision on site therefore I expect to see a commuted sum in respect of this to be spent on existing open space provision in Bradford
- Comments on the previous plan appear to have been considered in the revised plan; these included sufficient footpaths linking up the amenities on site and public access to the paths does not go through the facilities to the west of the site
- Suggest the developers retains responsibility for Public Open Space on site, due to the constraints of the site it is a little disjointed and potentially timely to maintain.

ECONOMIC DEVELOPMENT:

Original Plans:

Welcome and support the application and support its mixed uses which could see a multiplier effect for other employment in the District

Revised Plans:

WWDC Sustainable Communities (Economic Development) and the independent West Wilts Economic Partnership endorse our previous support for this development, especially the mixed use proposals, which could see a multiplier effect for other employment within the district.

NON-STATUTORY CONSULTATIONS

MEMBER OF PARLIAMENT

Original Plans:

Pleased to note that proposals feature a number of improvements to earlier plans. Appreciate it will be difficult to secure a blue print that will please all tastes on such a difficult site and therefore confine comments to what he believes are the most important outstanding issues.

- Development of this scale in such a central location is completely unacceptable without a quota of affordable housing. Cannot support the application without a significant number of low cost dwellings provided to reflect the undoubted need in Bradford on Avon.

- Surprised to find a small scale hotel is planned without any dedicated parking.

Difficult to see how such an enterprise would succeed although it would cause short term pressures on existing hotels in the town.

- Kingston House is a structure of some merit and warrants a decent setting. The plans degrade the vista towards Kingston House which is regrettable. It's a pity that Kingston House could not have been made a more central feature in the development although appreciate the constraints.

- Kingston Mills and its environs are characterised by difficult access. Without building a new road it is difficult to see how this can be greatly improved and the Preservation Trusts critique admits the limits on what is reasonable for the developer to achieve.

Revised Plans:

No comments received

THE PRINCES FOUNDATION

Original Plans:

- Would be unwilling to support any proposal which had zero affordable housing. As part of a town wide strategy, it needs to be part of a collective strategy. There needs to be some straight affordable housing and wonder if part of the business/employment space could be used as live work start up units with affordable accommodation. This could be on the first floor of the building to the west of Kingston Court or pepper potted around Kingston Court itself.

- In addition to the poor public realm under the archway towards Kingston Court you feel the divide between business and residential cutting through Kingston Court which does not feel right. Kingston Square could be a wonderful square that needs robust and typological buildings on each side with a management structure that allows flexibility for change over time. They suggest either warehouse or terraced house typologies more consistent to east and west so the square can develop a life and integrity as a whole and not two halves. Finds the building to the east to be the worst in this regard as its footprint does not appear flexible enough in terms of vertical circulation and ground floor entrances.

- BREEAM assessment has not been carried out although the site would score well in terms of location and aspiration of uses. Robust buildings that can be steadily upgraded over time to higher environmental performance is more important at this stage than technological fixes which will become outdated.

- The more the scheme moves towards residential the less likely you will create a place that continues to buzz as it becomes more expensive to move about people will travel to Bath or Bristol.

- Encouraged by the parking solutions at a town wide level and feel that is what the site needs. Cannot get the amount of parking you need on site but people will put up with minor inconvenience if the urban environment is a good one.

- In general the eastern part of the town never really developed and the proposal could provide a necessary balance to create a better symmetry. North of the bridge will get congested with impact on the air quality in the valley. An alternative pedestrian bridge could be a welcome addition to create more options for looping around the town centre but this would have to be sensitively designed. Slight worry is that it needs to be designed properly in order to know what footings and landing to put in.

Revised Plans:

No comments received

COUNCILLOR R BROWN

Original Plans:

- People must feel let down and cheated by the architect's low expectations for the site.

- From a visitor's perspective people coming to Bradford on Avon, parking their cars in either St Margaret's car park or Station car park on the south side, crossing the river safely via the new footbridge, being able to enjoy an idyllic riverside walk the length of the site and relax in a beautiful public square over a coffee, with the fragrance of herbs wafting round and about. Their children could enjoy the benefits of an adventure playground and later all could enjoy browsing around unique craft shops and boutiques at their leisure. Unfortunately there is no such circumferential riverside walk, square or adventure playground, nor is there the much promised herb garden anywhere on site.

- the standard of architecture is very mediocre. took exception to the tower block and at the other end of the site the buildings remind me of factory like tenements which are so near to the railway line that it wouldn't be long before subsidence was evidenced.

- concerned that there was no attempt to remediate the high levels of toxic soil contamination on the site which lies in the flood plain, it is Government policy not to permit house building in such areas.

- the District Council is desperate to provide social housing for local families but Taylor Woodrow are providing none.

- most of the buildings are still viable and where they cannot be re-used the materials should be recycled.

- it is cynical and irresponsible to pretend that there is no problem with traffic pollution or congestion in Bradford on Avon or that the increases generated by 162 new dwellings on the site will be imperceptible and that some people are so fearful of the outcome that they may well consider moving away.

- We only want whatever is best for the town, the sheer density of the site and the overriding awareness is that once this site is developed Bradford on Avon will never be the same again.

Revised Plans:

No comments received

BRADFORD ON AVON PRESERVATION TRUST LTD

Original Plans:

Appreciate the efforts made by the developers to meet the agreed aspirations for the site. The proposal is a distinctive improvement on the previous application. It provides the basis for a successful redevelopment but there remain several important aspects in which neither the aspirations nor the Local Plan policies are met. The Council is urged to negotiate with the developer to secure revisions to the development to remedy these deficiencies.

They refer to the constraints of the site situated at the heart of the town, bounded by the River Avon, proximity of listed buildings and the narrow congested streets; the government policy which encourages development of brown field sites and higher densities and the need for good standard of design to preserve and enhance the character and appearance of the conservation area and setting of the listed buildings.

Compliance with policy

1. Extend to town centre and create an open and vibrant area embracing Kingston House, range of employment, mixed small sale retail, leisure, arts tourist and community facilities -

- The proposal does not extend satisfactorily to embrace Kingston House. The court in front of Kingston house is mainly car park with a token public space. Public open spaces are dominated by the car.

- Range of employment is pleasing and retail units are welcome, sited in New Mil.

- There's no provision for waste storage at the retail unit and rubbish will be left outside and next to the hotel.

- The allocation of space in the vaults for community use is welcomed, as is the leisure use on the upper floors and the Lamb Building. More indoor sports facilities are needed in the town and the use of the third vault for pedestrian access is a lost opportunity. They suggest it becomes part of the community facility to provide space for exhibitions with pedestrian access through.

2. Appropriate mix of house types -

- There is a good mix of housing,

- Disappointed that an application in the town centre, accessible to public transport and local services does not provide for affordable housing.

- The town needs young professional workers and a shared equity scheme.

3. Sustainable forms of traffic with safe access for pedestrians and vehicles - Access arrangements are difficult with commercial traffic and some residential traffic accessing through Lamb Yard, residential traffic enters via Mill lane and all traffic exits via Kingston Road.

- All traffic from the south must interrupt the southbound traffic near to Knees Corner and severance of pedestrian movement across Town Bridge. Entrance to Mill Lane from Silver Street is difficult except for very small vehicles.

- Left turn from Kingston Road into Silver Street is difficult and almost impossible for a right turn.

- An alternative eastern access road needs to be addressed urgently by the relevant authorities, including planning gain contributions by the developer.

- Parking - conclusion of ES exposes the inadequacy of the strategy, it is based on 2001 surveys, there is insufficient parking for commercial users and non for the hotel and assertion that there is spare capacity in the existing car parks is pure fantasy.

- Suggest underground parking or reduced density and urge District Council to acquire with the help of a financial contribution the Avon Rubber car park at Mill Lane and build a multi storey car park.

4. Sustainable design - Nothing in the statement supports this aim

5. Public Open space and riverside walk -

- Very poor quality public space,

- children's play area is small,

- proposal is not secure by design with some areas posing significant safety risks, buildings fly over pedestrian routes, access to buildings and covered parking areas. Such spaces attract anti social behaviour.

- Regret that the developer has not secured agreement with adjoining owners of Lamb's Yard to create one single space.

6. Minimise impact on traffic congestion and air pollution -

- the junction at Knees Corner is already over saturated this requires urgent attention.

- Satisfied with the conclusions that the development will result in only marginal increases in NO2 and will not result in any new exceedences of air quality standards.

7. Will design create a place of enduring quality -

Welcome the principle of a building like the Grist Court,

- the better patterns of roofs and the better pattern of development at the eastern end of the site.

- Design scale and massing of the Grist Court is not characteristic nor will it complement the conservation area.

- Northwest elevation of does not complement the setting of Kingston House.

Grist Court should be reduced in height.

- It bears no relationship to the larger industrial mill buildings of the town. Living units are too small and some have no sunlight.

- Painted balconies are out of keeping, use of brick for Building N is not a characteristic material for the conservation area which is highly visible from Town Bridge.

- Question the use of wood, what type of wood and possibility of householder customising it in the future to the detriment of the conservation area.

- Details of materials required, including exact location of quarries for the split faced limestone and surface materials and should not be left to a condition

8. Preserve and enhance the character and appearance of the conservation area

- comments on design and materials made above.

- Mixture of roof materials need to be re-considered.

- Extensive use of gabion baskets is inappropriate

9. Setting of the listed buildings -

- the setting of the Town Bridge is of the utmost importance as many of the riverside buildings would be visible from the bridge.

- Lower arches of the Lamb Building have disappeared and question the use of bricks as above.

- The neglected listed buildings will benefit greatly from the proposals but concerned about the setting of Kingston House.

10. Phasing - There is no commitment to phasing which needs to be agreed. There is a risk that the developers will do the easy bits and leave the historic town centre until last.

11. Appendices are attached which detail some of the comments above

Additional comment

- Has the new SPG been considered which recommends terraces of houses rather than lots of small 1 and 2 bed flats which are proving un-saleable in many towns.

Revised Plans:

Express disappointment that the revisions contain little or nothing to address the shortcomings identified in previous comments., which are :-

- Too many small flats will not meet the demand for 3 bed flats

- Smaller versions of some buildings such as Grist Court would address continuing concern about excessive density and shortage of parking

- No information on affordable housing

- Kingston Court is more a car park than a public space

- No waste storage for the convenience store

- Traffic access will intensify congestion in town centre unless alternative access to the east is provided

- Inadequate parking provision on site - urge WWDC to acquire Mill Lane car park to erect 2/3 storey car park.

- No support for sustainable energy, water or other resources.

- No agreement with adjacent land owner to develop Lamb's Yard as a single space

- Details of materials have not been provided

- Traffic may contribute to increased pollution in Silver Street above the 2010 air quality target. Masons Lane is already 75% above this target.

The Traffic and Air Quality Committee of Bradford on Avon Preservation Trust comments on the Addendum to the Transport Assessment

Original Plans:

It is our view that we find WSP's answers to WCC's questions unsatisfactory and incomplete, and we find therein no reassurance in respect of the concerns expressed in the comments submitted to you by the Preservation Trust in September 2006.

It is unfortunate that an important area of the addendum, viz. that relating to the micro-simulation modelling of street junctions, has still not been submitted. For the most part the addendum seems simply to reiterate the same statements made in the original, particularly in respect of pedestrian safety, pedestrian access, and car-parking, and repeats many of the same untenable statements that we had already questioned in our original response to the main application.

Apart from the 'concession' that Mill Lane simply cannot be used as an access point for construction traffic, there is nothing in this addendum that alleviates the concerns expressed in our earlier response. But most worrying is the bland pre-supposition that a footbridge joining the new development to the Library car park already exists, and is, in essence, an established pedestrian route that can be used in the WSP arguments about pedestrian safety etc., despite the fact that Taywood have steadfastly refused to consider themselves in any way obliged to fund any part of this connection other than the modest footings on the Kingston Mill side of the river. Their frequent reference to this bridge in support of their proposals a disgrace.

Revised Plans:

Off street parking

- Strongly contest the claim that there is spare capacity in the car parks
- Suggest that the Council acquire the Avon car park in Mill lane to construct a 2/3 storey car park.
- Others will attempt to develop the Avon car park and that will only exacerbate the town's parking problem

Access

- Access and egress will be extremely difficult
- Main residential access from Mill Lane and total egress along Kingston Road to Silver Street would result in unacceptable disruption to the town
- Needs an eastern access
- Suggest that The Hall Estate is offered a planning permission to build houses on land to the east in exchange for the leasing or sale of a strip of land to provide an eastern access.

Broadly support the proposal now under consideration but believe the parallel problems of access and off site parking need to be satisfactorily resolved without bring the town to its knees with traffic congestion, danger to pedestrians, worsening air pollution and parking mayhem.

Traffic and Air Quality Committee of Bradford on Avon Preservation Trust -

Submitted detailed comments on a response from the applicants consultants on trends in NO2 levels in Bradford on Avon. Their conclusions state

- their analysis of the Air Quality section of the original Environmental Statement, expressed satisfaction that WSP's results and our own were largely in agreement,
- They consulted a selection of named experts who all recognise that the problem identified in our report is not specifically local, suggests that we may be seeing the effects of increased NO2 in vehicles exhausts, presumably dominated by modern diesel cars and vans and that the cause of the apparent increase in atmospheric NO2 lies elsewhere.
- But, essentially, there is currently no satisfactory means of modelling future changes except by following the guidelines.

BRADFORD ON AVON & DISTRICT CHAMBER OF COMMERCE

Original Plans:

- The amount of commercial space is acceptable and in line with original proposal.
- Retail units should be split into 6, not 3, giving a more diverse mix, more in keeping with the existing character of the town i.e. independent retailers, banking is not a suitable retail use. Concerns expressed over the viability of a convenience store and 27 room hotel and it is felt that the town cannot sustain duplication of facilities. This prime site would be more suited to a health club/gym or other additional facilities.
- Loss of parking on Mill Lane will penalise existing business and residents in the town.
- Concerned about car parking in the town car parks which are fully used by day and evenings. Hotel and offices will create visitors requiring additional parking.
- Suggest public toilets provided on site to accommodate extra footfall and much needed facility north of the Town Bridge.
- Concern expressed about the impact on existing businesses during construction and suggest developer monitors vehicle access during construction to keep disruption to a minimum and bulk deliveries utilise the railway at the rear of the site.
- Suggest that the owners of Avon sell their car parks in Mill lane and offices in Kingston Road to ease the impact on parking and the offices incorporated into the scheme for mixed residential/office use.
- Health and safety - The zebra crossing is a welcome addition to Silver Street and should be provide prior to the start of construction. There should be some adjustment to the road/pavement at the junction of Kingston Road for cars turning left to have a clear view of pedestrians using the crossing.
- Rats and vermin - The site has been empty for some years and being situated next to the river, the problem of rats could have a major impact on the town and the tourist trade

Revised Plans:

No comments received to date

BRADFORD ON AVON COMMUNITY AREA TRANSPORT GROUP

Original Plans:

- Questions the area of the site and the stated density and the variation between the different documents associated with this application and the planning history of the site.
- Objects to the proposal in its current form
 - Welcomes the arrival of imaginative proposals for the redevelopment of this derelict eyesore but there is scope and urgent need for improvements.
 - It exploits brown field presumptions out of all proportion.
 - It exaggerates the potential for less car use in the town
 - It does not sufficiently adhere to other policies for sustainable development in terms of on-site density, parking provision, off-site impact, and pedestrian and cyclist permeability.
 - Its wider effects could be detrimental to the environment, character, and economy of the town centre.
- Considerations
 - Serious questions remain about layout, undue density, insufficient permeability and under-provision of parking.
 - the scheme maximises off-site repercussions, with exceptionally high residential density of 89 dwellings/hectare, predicting up to 1,500 more daily traffic in 2008* between the Town Bridge and Mill Lane, the main site entrance is already "over saturated" and far-fetched discounting of WCC's parking standards adding to existing parking and congestion problems.
- The Planning, Design and Environmental Statements and Transport Assessment are unconvincing.
- Pedestrian and cycling access and permeability are too limited without a footbridge.
- Proposed mitigation is hypothetical, postponed, and risks a net adverse impact on the town centre environment and Conservation areas.
- Recommend the Applicant should include a footbridge, or at least a major contribution towards one and the Planning Authority should reconsider the capacity of the infrastructure and constraints of the site; adopt a coherent approach to urban renewal, a proactive approach to land assembly and the acquisition of the underused car parks in Mill Lane.

- Planning policy
 - The government's 4 criteria for sustainable development are scarcely satisfied:-
 - Sustainable Transport Strategy: goals largely missed
 - WWDC Local Plan policies unfulfilled for site access, loss of employment floor space, retail developments should have adequate provision for car parking, access and traffic management.
 - 'Traffic Congestion' as by far the top concern of residents in respect of traffic volume/congestion, need for a relief road, intimidation to pedestrians and cyclists, traffic noise and pollution, traffic impact of new developments, traffic holdups and parking difficulties.
 - Confusion over site area and residential density - compares the number of houses, areas and densities suggested by the various planning documents.

Comments on the Addendum to the Transport Assessment (accompanied by a 5 page 'Analysis, Commentary and Questions arising document)

- Does not allay the concerns previously detailed and reflected in those raised by WCC highways officers
- WSP's responses in the Addendum provide no reassurance on the issues.
- The off-site consequences of the scheme, as set out in section 5 of our Objection, still defy:-

- government criteria for sustainable development
- the "shared priorities" of WCC's Local Transport Plan
- the goals of the West Wiltshire Sustainable Transport Strategy
- the four cited policies of WWDC's Local Plan
- the aspirations of the Community Plan.
- The Addendum, like the Transport Assessment, deals with only peak hour flows, thereby
 - It relies on far-fetched theoretical estimates and best-case scenarios.
 - Proposed mitigation is hypothetical, deferred, unspecific, and left to others:-
 - a Transport Plan to reduce site traffic, and Traffic Management by WCC for the wider area
 - a footbridge provided by the Town Council, essential for pedestrian safety and accessibility
 - better enforcement of parking by WWDC after decriminalisation.
 - Seeks clarification and answers on a number of details and questions how the exceptionally high development density (89 dph) be justifiable when wider effects on congestion, air quality, pedestrian mobility, and parking are so obviously adverse?

Comments on WCC Highways response is noted as "not a conclusive response", but an invitation for further discussion.

- Micro-modelling indicates that the additional traffic generated by the development will increase delays by 29 seconds but because elements of the highway network are already "at capacity" during peak hours, the total effect on the community would be "peak hour spread" of 2-4 minutes.
- The site's main entrance and only exit are at the heart of the Air Quality Management Area where it is maintained that it has been designed to complement the Air Quality Action Plan". However, it does not deny the inevitable worsening of pollution at the most critical section of the AQMA, Masons Lane; The AQA Plan is not in fact served.
- Parking restrictions and one-way working in Mill Lane and Kingston Road, Mr.Creedy would be subject to the separate statutory process of Traffic Regulation Orders, which requires widespread consultation and takes on average 9-12 months from design to implementation.
- Agree that the development as proposed would result in a demand for off street parking that exceeds supply". The calculations would indeed cause overspill into residential areas, and drivers circling in search of spaces, adding to congestion and pollution.
- Pedestrian mobility and safety remain very contentious.
- Support the suggestion on controlling construction traffic.
- Analysis underlines the importance of robust measures to minimise or mitigate the consequences of this development on pedestrians and traffic congestion in the centre of the town.

Revised Plans:

No comments received to date

CLIMATE FRIENDLY BRADFORD ON AVON

Original Plans:

Good to see that the planning statement confirms a commitment to best practice in sustainable development. Particularly with reference to reducing the site's reliance on the private car and its recognition to ensure that it does not increase traffic and make air pollution worse. There are two key groups of non car owners; those who do not drive for reason of age or disability who are increasing with the town's ageing population. Over reliance on this group would undermine the commitment to a vibrant and economically thriving town centre. The second group is those committed to low carbon lifestyle who will apply the same principles to wherever they live. It is not clear that the development meets these standards. The economic development report for the town stresses the importance of sustainable development with potential benefits for eco tourism and environmental technology. A flagship development in the centre of the town would make a major contribution in promoting Bradford as a sustainable destination for people to live, work and visit. Recommend development aims to reach the BREAM Ecohome excellent standard and at least 10% energy produced on site.

Revised Plans:

No comments received to date

BRADFORD ON AVON AND DISTRICT COMMUNITY DEVELOPMENT TRUST

Original Plans:

Welcome the submission of the plans as a major step towards making a positive contribution to the economic life of Bradford on Avon. They comment on the economic and environmental issue and leave issues of building aesthetics to other organisation better suited to make that response.

- Economic - These aims have largely been met and pleased to see economic activity penetrates both sides of the open space in front of Kingston House. Welcome the range of retail, commercial and other economic opportunities. Successful marketing, including promotion of live work units, would be highly desirable and contribute to reducing the need for travelling

- Environmental

- Built environment - Note scheme designed to create streets, spaces and views and pleased to see the variety of authentically interesting surface finishes and high quality street furniture. Consider it essential to have conditions to secure this level of quality. This would be enhanced by the allocation of money for public art and crafts within the development and a more substantial contribution to the construction of the footbridge.

- Energy efficiency - Welcome the suggestion for a hydro power unit but disappointed that this part of the scheme has not been taken forward. Buildings should include more energy self-generation such as solar thermal and photo voltaic use of roof areas.

- Waste management - Question whether this has been thought through

properly

- Traffic and transport - Considerable concern about the traffic impact on the town and believe the developer should fund some quick win to ameliorate traffic congestion in Bradford e.g. signage.

Conclusion - Urge the Council to impose conditions to ensure the standards set in the application are not diluted and request further consideration of energy generation. Note sum of social or shared equity housing is not resolved and should be pursued as a matter of urgency. Non residential uses are the minimum acceptable for the site and strongly oppose any transfer of economic space to further residential space.

The town must continue a creative dialogue with the developer during construction which could take up to 4 years. Urge the District and County Councils to remain a part of the core group of stakeholders to continue the process of formal review during construction

Revised Plans:

No comments received to date

BRADFORD DESERVES BETTER

Original Plans:

Improvement to the previous schemes but there are still some areas of concern

1. Extend the town centre and create an open and vibrant area embracing Kingston House, range of employment, mixed small sale retail, leisure, arts tourist and community facilities -
 - New square in front of Kingston House is far from ideal, being no more than two parking bays
 - Welcome 30% commercial space
 - Retail provided and convenience store welcome
 - Small amount of community space in the Vaults is derisory compared to the size of the whole scheme
 - Corridor connecting Lamb's Yard and Kingston Road should be gated to prevent social problems; this space could be used for community or public displays.
2. Appropriate mix of house types
 - Complete absence of affordable housing precludes the possibility that it should pass with revision.
3. Sustainable design
 - No mention in the application of car clubs, contributions towards a new footbridge or bus service suggests that; policy has not been taken seriously.
 - The increase in traffic means it is essential to provide pedestrian crossing outside convenience store.
 - Traffic problems generated by the development suggests the scheme should have reduced density
 - Loss of parking on Mill Lane is loss of civic amenity and an alternative should be provided.
4. Suitable design, energy efficiency
 - Absence of any serious attempt to address this policy.
 - No grey water schemes, solar panels or hydro electric power
 - Acknowledge proposal will need building regulations but compared to other schemes it is an old fashioned scheme that provides only the bare minimum rather than a more forward thinking scheme.
5. Public Open space and riverside walk -
 - Regretted that riverside walk only covers half the site.
 - Playground is tiny
 - Complete lack of public seating
 - Town end is completely car dominated with absence of good landscaping.
6. Minimise impact on traffic congestion and air pollution -
 - Traffic congestion does not appear to have been addressed at all.
 - The density should be reduced, scheme seeks to have the maximum number of units it can contain.
7. Will design create a place of enduring quality -
 - Enduring quality is not evident particularly in relation to Grist Court which does not respect the local vernacular, its scale massing and height are in appropriate and could become a housing problem in a few years.
8. Preserve and enhance the character and appearance of the conservation area
 - Represents an erosion of the character of the conservation area and does not respect the fine grain of the older areas of the town
 - Proposed materials are not complete and there is ambiguities in some areas
 - Use of banded brick work and the tower has no parallel in local vernacular
 - Regret the use of caged rock as walling and foundations. They will house rat colonies being so close to the river. Stonewalling should be considered.

9. Setting of the listed buildings -

- Setting of The Hall is respected but not Kingston House.
- Buildings are crammed in to create small square used as car park rather than the character of a town square the public can enjoy.

Revised Plans:

Little progress has been made during the past year, revisions do not address the previous comments and they restate their earlier comments. The previous comments have been resubmitted with an additional comment under no 1 which reads the provision of low cost housing must not result in a reduction of the amount of commercial floor space on the site.

PUBLICITY RESPONSES

The application was advertised in the press, site notices displayed on the site and adjacent neighbours notified.

Original Plans:

24 letters of letter of objection commenting on all or some of the following:

- General comments about how improved proposals are from previous schemes
- Welcome the mix of commercial use
- Fall short of what people of Bradford on Avon have been expecting.
- Lost opportunity to expand the town into one which has progressed and modernise with taking away from its charm
- Over development of the site is inappropriate for a small market town and results in cramped development
- Policy states about 130 dwellings but 160 proposed
- Insufficient evidence to show how problems of the traffic and pollution are to be resolved.
- Inadequate parking, resulting vehicles being displaced onto surrounding streets.
- Lack of parking will affect prosperity of the town and tourism
- Hotel cannot operate without parking spaces
- Need to reduce density to allow for more parking spaces
- Development of this size cannot be commensurate with the overall picture of the town centre
- No affordable housing in town which has a larger need than most
- Materials - red brick and wooden cladding are not vernacular
- Slate is not usually used in the roofs of the town, a mix if reproduction Cotswold stone and red tiles would give a more harmonious effect.
- Inappropriate bulk and massing of the buildings
- Commercial element is hardly what is needed to boost the town's trade.
- More thought should be given of the shop/office element and residential
- Hotel a good idea but concerned about retail plans.
- Town's identity is its mix of small independent shops, large retail premises will attract high street chains creating a dull homogenous shopping area, leaving the town soulless and empty
- Although roofscape is in sympathy with the conservation area, architectural design is not of the highest quality but a collection of pseudo vernacular styles
- Access entrances are sub standard involving difficult manoeuvring and conflict with pedestrians
- Congestion would be exacerbated by the number of dwellings
- Traffic to and from the site should be via a bridge across the railway at the eastern end to avoid congestion at the western end around the Town Bridge.
- No attempt to minimise or generate energy
- Restricted access to riverside walk
- Car parking prevents use as public space
- Courts could have been amalgamated into green areas in order to enhance the river frontage
- Lack of unified treatment of lambs yard
- Parking detracts from setting of Kingston House
- On site parking is restricted to three bed houses and not for the smaller houses
- Residential occupiers will have cars
- Development of Kingston Mills should not be linked to traffic problems of Bradford, development will increase the number of vehicles trying to join the already intolerable through traffic
- When was the commitment to large attractive public area or piazza abandoned
- Houses are cramped with little amenity and sunless outlook
- Gabions will look unattractive on river bank

- Unsupervised public areas underneath buildings
- Some fundamental concerns which cannot be conditioned and will future negotiation from a weakened position.
- No account taken of the setting of the grade 1 listed bridge
- Grist Court is too big, should be reduced in size and back to back accommodation is alien to Bradford on Avon
- Servicing the commercial end of the site is inadequate
- Waste disposal needs careful consideration
- Tower building is too harsh and does not reflect the character and design of surrounding buildings.
- Needs community space included in the design
- Restoration in the west needs to be tied to provision of new housing development to the east.
- Square in front of Kingston House is reduced for public use by insertion of car parking
- Public walkways along river frontage has been curtailed
- Pedestrian bridge has been omitted
- Suggestion for a polycarbonate screen to be erected to ameliorate noise nuisance from traffic on the bridge [assume this refers to the railway bridge]
- Loss of privacy through overlooking from bedrooms in building B.
- Urge support for self sustaining energy supply especially by using the leat for Hydro power
- Rigorous regulations be enforced to for weekday working during construction and use of mill Lane for construction traffic
- Lack of sunlight to the units in Grist Court
- Need to seek that design and layout provide for public safety and reduce fear of crime
- Lack of parking for existing residents, loss of parking on Mill lane and lack of sufficient parking for development means there will be an overflow demand on surrounding roads
- Inadequate provision for parking for residents, shoppers and workers leading to on street parking spreading to the hillside footpaths where it would serious health and safety concerns and impede emergency vehicle access.
- Lack of parking will result in more traffic circulating around the town area north of the river and aggravate the pollution problems that already exist.
- HGV will not be able to use the Silver Street/Woolley street/Mill lane without causing chaos.
- Parking cannot be extended safely to Woolley Street
- Tower block looks like a prison
- Lack of community resource such as a theatre is disappointing
- Relationship of dwellings to car park spaces and facilities will encourage residents to use cars
- Will bus route be provided through the site.
- Development does not appear to comply wit the Regional Spatial strategy policy for Co2 emissions and sustainable energy
- All building should be Ecohome and BREEAM to 'very good' as a minimum standard.
- No information on how wildlife habitat will be retained or improved along the river frontage.
- Shops will go under
- Inadequate provision for family friendly accommodation and children's play area. There is no indication of provision for affordable housing, Bradford on Avon is in dire need of affordable housing and Council's policy is 30%.
- Proposal for Lamb building involves either its retention or its replacement with a new building. Considerable body of local opinion favours clearing the site thus creating an open waterfront 'piazza'.
- Several of the reasons for retention are open to question, the present listing is based on dubious evidence and the reasons for demolition have never been properly considered and apparently not studied by the stakeholders.
- Density is high and has the potential for several problems, suggest Applicants be encouraged to lower the density by reducing the large number of one and two bedroomed flats and providing much need family accommodation in line with PPS3.
- Basic problems of a hugely overcrowded development at a population density of slum proportions with no attempt to alleviate the inherent dangers which already exist of traffic/pedestrian congestion, atmospheric pollution
- Pedestrian access can only alleviated by a pedestrian footbridge.

Comments following the Transport Assessment Addendum and WCC response

- Proposals are unworkable due to impact of additional volume of traffic from the development
- Location of access north of the Town Bridge will mean traffic from the south turning across the flow of traffic into the site, this is a recipe for disaster.

- Preposterous comment that car ownership and usage amongst residents would be low. Most residents will use their car to travel to work and to supermarkets and there is no reason to suppose that these residents will be any different from the rest of the UK.
- The site does not have excellent accessibility
- 1 parking space per dwelling is inadequate and overall residential parking needs of the development cannot be fully accommodated on the site.
- Development will exacerbate parking problems in the town
- Suggest introducing one way traffic in Market Street up the hill, one way in Silver Street down the hill and access into Kingston Mills by turning left only having come down Silver Street.
- Position will be untenable if parking in Mill Lane is lost and residents will have to face problems with overflowing parking on the site. A residents parking scheme is vital.

3 letters from residents were sent to Bradford on Avon Town Council commenting on some of the same issues above.

Bradford on Avon Town Council exit poll - the Bradford on Avon Town Council conducted an exit poll during their exhibition of the plans and have submitted a summary of their findings. 1065 exit polls were given to visitors of which 697 were returned to the Town Council.

Revised Plans:

13 letters of objection on all or some of the following grounds:

- Good that there is no longer a hotel
- Previous concerns still apply
- Consider it an insult to be presented merely with titivated details of previously rejected plans
- Whole plan is ill thought out
- Sad that gem of a site is not getting the quality of architecture and landscape it deserves.
- Revision led by builders seeking profit and not the Town Council seeking benefit.
- Council seems unwilling or unable to limit the number of housing units and to provide a solution to the traffic problem
- CCTV would be useful in this area
- Bradford on Avon is a national treasure, a town centre of national significance and one of the 50 most interesting and architecturally important small towns in the country.
- Tourists come in large numbers and contribute to the economy.
- Concerns about development altering the character of Bradford on Avon and splitting the town in two remain.
- Deciding factor must be whether the scheme conserves and enhances the conservation area
- Oversized buildings densely massed relieved only by roads and parked cars.
- Poor quality public realm that neither conserves or enhances the Conservation area.
- No development should take place until a by pass is built, which is urgently needed because bottlenecks and pollution is getting worse.
- Doubts the feasibility of the scheme layout on the basis of inadequate basic infrastructure facilities.
- Procrastination has worked well for developer as site now falls within the brownfield legislation whereby the original constraint of 80 dwellings has been blown aside by the prospect of 172 units
- Number of units should be scaled down
- Riverside café would be welcome if the riverside had been more significantly landscaped.
- There must be provision of a walkway along the bank of the river with an associated greensward before the any houses and their gardens begin, similar to France.
- Poor condition of existing buildings is a matter of concern but should not influence decisions which fundamentally affect how the town will function in the long term
- Building 70 is uncharacteristic of Bradford on Avon and its demolition would convey the benefits of opening up the arch in the Town Bridge, contribute to an open aspect in the town centre balancing Westbury gardens with a water frontage and possibly include more parking on site.
- Lamb's yard needs to be made more attractive pedestrian area
- Lamb's yard does not provide a workable public space
- Hierarchy of roofs will be lost if a circular storey is added to Lamb's building
- Kingston House, a listed building whose setting will be lost, it will be fronted by a car park and hard surfacing
- Public space is meaningless and serves no function
- Grist Court and building up to the leat are not in keeping with the Town's characteristic terraces and small gardens.
- Buildings are too crowded with no privacy just hard Landscape.

- Materials are totally alien and represent an erosion of the conservation area.
- Town parking spaces are for the benefit of visitors and residents of the town and not for private developers. The town cannot cope with additional demand, results will be illegal parking and clogging up streets.
- Suggestion to reduce the size of parking spaces in the car park will inconvenience most users.
- Development at park meadow will result in traffic overspill and additional pressure on traffic flow and parking.
- Provision of footbridge and pedestrian route to the station is of fundamental importance.
- Additional traffic would have negative impact, any movement in the town centre would be impossible and at worst hazardous.
- Concern about the noise of traffic so close to dwellings.
- Developers have totally failed to enhance this historic town.
- Questions validity of Town Council's support.

One Letter of support with a list of concerns similar to those reported above.

RELEVANT PLANNING POLICY

RPG10 Regional Planning Guidance for the South West
Policies SS6, SS7, EN1- EN4, EC3, EC6, HO3, HO5, HO6, TRAN3, TRAN10, RE1, RE2

Emerging South West RSS 2006
Policies SD1-SD4, Development policies B, C, E, G, H, SR23, H1, H2, ENV4, ENV5, F1, RE5, RE6 and RE9

Wiltshire Structure Plan 2016
Policies DP1, DP2, DP3, DP4, DP5, DP7, DP8, DP9, T5, T6 T8, C1, C3, C5, HE2, HE3, HE7, RLT1, RLT9, and W1

West Wiltshire District Plan 1st Alteration
Policies C6, C15, C17, C18, C20, C22, C26, C28, C30, C32 -C34a, C35, C37, R4, H2, H4A, H24, T10, TC1, S1, U1a, U2, I2, I3

Planning Policy Guidance Notes/Statements
PPS1, PPS3, PPG4, PPS6, PPS9, PPG13, PPG15, PPG16, PPG24, PPG25

West Wiltshire - Design Guidance - Principles SPG
West Wiltshire - Residential Design Guide SPD
West Wiltshire - Affordable Housing SPG
West Wiltshire - Open Space in New Residential Development SPG
Kingston Mills Development Brief SPG
Bradford on Avon Conservation Area Character Assessment

RELEVANT PLANNING HISTORY

Pre 1999 various applications for alterations to buildings as part of the Rubber Works.

99/00767/FUL - Redevelopment mixed use - Withdrawn 18.04.01
99/00784/LBC - Alterations and repair- Withdrawn 30.04.01
99/00785/LBC - Alteration and repairs- Withdrawn 30.04.01
99/0786/CON - Demolition part building- Withdrawn 30.04.01
01/00357/FUL - Redevelopment of Kingston Mills- Withdrawn 03.07.03
01/00415/CON - Demolition of unlisted buildings- Withdrawn 03.07.03
01/00416/LBC - Alteration and demolition - Withdrawn 03.07.03
01/02070/LBC - Removal of clock - Consent 30.01.02
06/02400/LBC - Mixed use development - under consideration
06/02401/CON - Demolition of unlisted buildings - under consideration

KEY PLANNING ISSUES

The key issues raised in this application are:-

- Physical constraints
- Planning history/Existing uses
- Policy H4A
- Proposed mix of uses
- Historic environment
- Transportation
- Other planning matters

PLANNING OFFICER COMMENTS

This is one of three applications submitted for Planning Permission, Listed Building Consent and Conservation Area Consent for the demolition of some of the existing building on site, the conversion of other buildings and the erection of some new buildings. All of which are presented to this committee in this agenda.

They are brought to committee at the discretion of the Development Control Manager as they represent a significant development within the centre of Bradford on Avon and are of considerable public interest.

Physical constraints

The site is located close to the town centre, wherein the western end is adjacent to the existing commercial area of the town and the hub of both retail and social activities. It also has an access onto the main road junction where through traffic converges from three directions. This location, along with the previous uses on the site, result in a collection of constraints which should be taken into consideration in developing the site.

The site itself is bounded by the river to the south, the railway line to the east, the access road and boundary to the Hall to the north. The north west and western boundaries borders existing properties, Knees junction and the Town Bridge. The site is therefore constrained on all sides by physical features.

A significant part of the site falls within the 1:100 flood plain level. In order to accommodate this within the site, it has been designed and remodelling to create a flood storage area mainly through the excavation of the river bank around the eastern island area.

Not only is the site within the Bradford on Avon Conservation Area it also contains several listed buildings and contributes to the setting to others in the area. The latter includes the Town Bridge (also a scheduled ancient monument), The Hall (grade I listed building) and the gardens to the Hall (Grade II* historic garden). It is also visible from wider vantage points within the town.

Within the site and alongside the river several protected species have been observed in the past. This has included the Lodden Weed, water voles, otters and bats.

The last known use of the site as a rubber manufacturer means that such processes has resulted in contamination within the site which has had to be investigated and will require remediation before any new development can take place.

In addition to the constraints, this site has been the subject of considerable public interest as well as extensive public debate and consultation. As a result it has raised the expectations of not only the general public but also a variety of interest groups and individuals. In the development of such an extensive site, for such a range of uses, on such a central sensitive site, in such a prominent location and with the number of physical and design constraints, there is little likelihood of everyone's aspirations being fully achieved. By definition, therefore, the consideration of this site will necessitate a degree of compromise in order to achieve a suitable development that provides not only the range of uses in an historic, town centre location, along with all the requisite planning and social gains, but also complies with current national and local planning policies.

Planning history/Existing uses

The application site is believed to have supported factories for powered machinery from the early 19th Century in connection with the textile industry. It was converted to a rubber factory in the mid 19th century and became the Avon Rubber Company in 1956. Rubber production continued at the site until 1992 since when it has remained vacant.

The establishment of this industrial use predates the modern Town Planning system but the history would indicate that it is authorised as a B2 use (general industry) as defined in the Town and Country (Use Classes) Order 1995. No planning applications have been granted since 1992 to change the established use of the site. The applicants have taken their own legal advice to establish if there has been any 'abandonment' of this use in planning law terms and have concluded that the industrial uses remain extant. Your officers have no reason to disagree with that conclusion.

This means that general industrial uses, or those permitted under the Use Classes Order, could be recommenced on the site at any time without the need for further planning permissions. Such a scenario would retain the employment use of the site along with the associated noise, fumes and traffic in the centre of the town.

Taylor Woodrow acquired the site in 1998 and two attempts have been made to secure planning permission for the redevelopment of this site in; 1999 for restaurant, shops, offices and 73 dwellings and 2001 for 127 residential units, commercial, restaurants, retail, workshops offices public open space, riverside walk and car parking. Both of these, along with their respective listed building and conservation area consent applications were withdrawn before a recommendation could be made.

Following the last application, new architects were appointed and The Prince's Foundation asked to mediate through their Enquiry by Design process. This was a structured process involving all the main stakeholders, representatives from the Town, District and County Councils, Government agencies, local lobby groups and a number of other local community and economic organisations. As a result, a set of design principles and community aspirations were established, on which the architects and developers have sought to base their proposals. The current application appears to achieve these principles. The site has also been the subject of several public exhibitions mounted by the applicants in the Town.

Although the applicants remain as Taylor Woodrow, the site has been bought by Linden Homes. As planning permission runs with the site and not the owner, this has made no difference to the consideration given to the issues arising from the proposal.

Development Plan Policy

S 38(6) of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 2004, requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan policies for this application are itemised in the Planning Policy Section above. However, the main policy for the site is policy H4A of the West Wiltshire District Plan 2004.

Policy H4A

The whole of the application site has been identified as an area of opportunity since the West Wiltshire District Plan adopted in 1996 (policy C30B). It was also the subject of a Development brief adopted in 1994. Both suggested a mixture of residential, retail, leisure, arts and tourism.

In the more recently adopted West Wiltshire District Plan 2004, policy H4a identifies the site for a proposed mix of uses. This policy states:

“H4 Proposals for the redevelopment of the following areas, as defined on the Proposals Map, to a mix of uses specified below, will be permitted provided that listed buildings and protected trees are retained wherever possible and that scale, design, layout, heritage conservation, highway and local amenity considerations are satisfactorily resolved. Developers shall be expected to resolve any identified contaminated land, surface water and sewage treatment problems :-

A Kingston Mills, Bradford-On-Avon

A site of about 2.18 hectares (5.38 acres) is identified for redevelopment for a mix of uses to include about 130 dwellings plus any of the following:- small scale retail, further education, financial services office and leisure/arts. Development of this site will require the creation of a riverside walk and flood alleviation measures together with a package of on and off site highway works."

The site identified in the District Plan is larger than that the subject of this application. An area of land to the north of Kingston Road is not included in the application site. However, it is thought that the site area quoted in the policy is an under statement as the area of the submitted application site measures 2.7 ha., as confirmed by the applicants.

The explanatory text for this policy explains in paragraph 3.2.16:

"Mixed use development can help to promote vitality and diversity within urban areas whilst reducing the need to travel. The District Council has identified a number of previously developed sites within Bradford which are now considered appropriate locations for redevelopment for a mix of uses including housing. Development of these sites will be permitted subject to the identified criteria in Policy H4."

The Kingston Mills site is the one identified for redevelopment in Bradford on Avon under this policy.

The mix of uses proposed in this application include retail (including a convenience store), restaurant, offices, community use and residential units. Although the hotel proposed in the original application has been deleted, a restaurant has been retained on the ground floor and the range of uses remain as specified in the policy. The omission of the hotel has reduced the demand for off site parking, allowed for a longer public riverside walk and improved the viability sufficient to provide an affordable housing package. However, in the event that planning permission is granted, it is considered necessary to define the various uses by condition and to take away any permitted development rights which allow the change of use from those permitted to other uses without the need for express planning permission.

The community use has been identified on the ground floor of The Vaults building. The applicants have proposed that they secure this building for the community use but the Town Council decide a suitable occupier. This would have to be secured by a condition specifying the use.

Provision is also included for the footings of a bridge to be built in the future from the site to the south bank of the river. Again, the principle can be secured by condition.

Residential

The site, in its revised form, proposes a total 170 dwellings consisting of 37 no. 3/4/5 bed houses and 133 no. 1 & 2 bed flats. This breaks down into 12 no. 3 bed, 24 no. 4 bed and 1 no. 5 bed houses. The flats comprise of 36 no. 1 bed and 97 no. 2 bed flats. This mix of houses, flats and sizes is considered to be appropriate to a town centre location and is acceptable in planning policy terms. With the exception of Kingston House, the proposed houses are located towards the eastern part of the site (known as the Island). This represents a lower density form of development, with private gardens and conveys the traditional form of town development whereby the more spacious development is normally located towards the edges of the town.

The flats are dispersed around the rest of the site, towards the town centre end and comprise of both new build and conversions. Where possible listed buildings have been converted to retain the historic fabric whilst introducing new uses which will provide the accommodation required and maintain the vitality of the buildings. Furthermore, the architects have taken the opportunity to incorporate flats into the upper floors of the commercial units especially over the offices and shops. This will also contribute to the vitality and vibrancy of the commercial parts of the site and provide some degree of security during the quieter times of the day.

The applicants confirmed that the original plans provided a density of 59 dwellings per hectare(dph) quoted in their Planning Statement. However, this was qualified by reference to the overall planning application site area of 2.74ha. But, if based on the pro rata residential/commercial split, the net density could be expressed as 89dph. This density has been increased slightly as a result of the 8 additional flats in place of the hotel to 93dph. Nevertheless, such a density is not uncommon in town centre locations, especially historic towns.

Affordable Housing

Policy H2 of the District Plan seeks to ensure that "where there is a demonstrable lack of affordable housing to meet local needs, the intention is to negotiate for the provision of an appropriate element of affordable housing" on site of more than 25 dwellings in the towns. The policy defines affordable housing as "housing comprising low cost market housing and subsidised housing, provided for people who are unable to resolve their housing needs in the local private sector market...."

The Housing Enabling Officer has confirmed that there is a need for 1091 affordable dwellings in the town, a quarter of the Districts overall need. This is predominantly for 1 and 2 bed units. In addition, a sustainability check has shown that there is an ageing population in the town with 97% of housing occupied, car ownership is low at 1.14 cars per household and the Indices of Multiple Deprivation indicates that the town is in the top 5% (least deprived) areas of the country. Prices for 1 bed flats range from £105,00 - £147,800 with only 4 on the market at present. 2 bed houses range in price from £195,000 - £385,000 for which only 8 are available at present. There is no doubt that there is a proven housing need for affordable housing in this area. Furthermore, this is the only site allocated for housing in the Town from which a contribution to affordable housing can be expected.

However, the explanatory text and the Supplementary Guidance on Affordable Housing goes on to explain that the suitability of sites will depend on, inter alia, "... whether there will be particular costs associated with development of the site and whether the provision of affordable housing would prejudice the realisation of other planning objectives that need to be given priority in development of the site." It goes on to say that developers will be encouraged to submit a financial appraisal to assist in those negotiations.

It is quite clear that this site requires a significant degree of investment and expenditure in order to meet the various constraints and obligations associated with it. The applicants have submitted a financial appraisal, which demonstrates that the residual evaluation will not support the amount of affordable housing normally required. Furthermore, any additional demands for financial contributions from the site could further jeopardise the viability of the scheme.

As this is the only allocated site of any significance in the town, your officers have therefore sought to negotiate a compromise in order to secure some affordable housing within the site. It is partly for this reason that the hotel, originally proposed, was deleted and replaced by 8 no. riverside apartments. This has increased the viability of the site. The applicants have now offered 17 units at nil subsidy with a further 36 units available for purchase subject to grants from the Housing Corporation in a phased programme. They have also nominated the individual units within the scheme to be transferred to a Registered Social Landlord for affordable housing. This will guarantee a provision of 10% affordable housing at nil subsidy and, if achieved in total, would represent a 31% provision of affordable housing on the site. However, it cannot be assumed that the grants needed for the extra 36 units will be forthcoming.

Historic environment

One of the fundamental issues in considering this site is the effect the development would have on the listed buildings, the setting of the listed buildings in the surrounding area and the impact on the conservation area.

Listed buildings

Section 66 of the Planning (Listed building and Conservation area) Act 1990 states that the local planning authority has a duty to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

With regard to the listed buildings in the surrounding area, the main concern is the effect on the setting of the Town Bridge, The Hall and the Hall's historic garden. The overall design and layout of the proposed development has respected the setting of these buildings. The new buildings, in the vicinity of the Hall, range from 2 - 5 storeys in height, but sited at a lower level than the Hall.

Whilst care has been taken to restrict the height of new buildings in order to respect the setting, some concern has been expressed by both officers and conservation specialists about the dominance of Building F (the Tower) and its effect on the setting of the Hall and the site itself. The Architect has submitted that this is seen as a landmark building on the river frontage, which gives a focus when viewed from the Town Bridge. He maintains that the building would only be seen from limited view points, would not appear visually so large in this location compared with its surroundings and is appropriate to its context and environment. He has so far declined to reconsider its design, but instead, relies on a landscape solution to depict the mitigating and screening effect of maturing vegetation. Although Officers continue to seek a negotiated solution to this particular feature, within a site of this complexity and all other aspects being acceptable, the suitability of this building in this location is a matter of opinion and is not, in itself, considered to be sufficient on which to recommend a refusal.

The boundary of the site is, in part, coincidental with the watercourse that runs between the Hall Estate and the development. This has been proposed as a 1.8 metre high natural stone wall, when measured on the higher ground, surmounted by a 1.2 metre vertical boarded fence. This arrangement is not in itself considered to be appropriate to the setting of such a prestigious historic building and garden nor within the context of the Conservation Area. However, its impact would be compounded by the proposal to erect a further 1.2 metre high, temporary fence to sections of the wall while bamboo and willow planting matures to a point when it obscures the sight lines between the garden and the flats in terrace B to the satisfaction of the Hall Estate. Not only would the use of the elevated timber fence be an unsympathetic feature to such an historic setting but the indefinite period for the extended temporary sections would be outside the control of the Planning Authority and could remain in perpetuity. Although the proposal put forward is not acceptable, it is acknowledged that there should be some form of boundary demarcation between the site and the historic garden and it is suggested that this could be negotiated through submission of details required by a condition.

Within the site there are several listed buildings proposed to be retained and converted. These include the Lamb Building, The Vaults, New Mills and Kingston House. Several amendments have been submitted to address concerns raised in the original plans. The most significant are

- the alterations to the archway in New Mills (building 74) in order to make it more in scale with the building and more inviting as an entrance to the development as a whole. The public access to the riverside walk has also be re routed between the Lamb Building and the new restaurant. This extends the riverside walk and makes it more inviting to the public.
- The relocation of Building N to the east in order to free up the view of Kingston House from across the river and allow easier access for the future bridge and improve the space provided for Bridge Yard.
- Revisions to the front elevations of buildings fronting Kingston Court and Grist Court. These are not in themselves listed but do affect the setting of Kingston House. On going negotiations are taking place to seek further clarification and improvements to these frontages.

Conservation area

Section 72 of the Planning (Listed building and Conservation area) Act 1990 states that the local planning authority has a duty to pay special attention to the desirability of preserving and enhancing the character or appearance of the conservation area.

Several of the existing industrial buildings are proposed to be demolished to make way for the new build. Many of these are unlisted buildings in the conservation area and are the subject of the application for conservation area consent.

The site is currently a derelict remnant of a previous industrial use. The Conservation Officer has commented that, in visual terms, the retention of many of the existing buildings especially nearer the town centre end of the site will mean there is little change. The introduction of formal town squares/spaces helps to give buildings better settings and also enhance the conservation area.

There is however some concern over the visual impact of the gabions along the river bank frontage. A landscape plan has been submitted indicating the mitigating effect of the vegetation on this feature over the first 5 years. This appears to work for the majority of the gabion frontage but does not impact on the area under the Tower (building F) which surmounts part of the gabion.

The impact of the Tower, itself, has been addressed above and further details are expected prior to the committee meeting which may mitigate the visual impact.

Consideration has also been given to the need for any development on this site to be implemented in its entirety. Care has been taken in developing this proposal to ensure that as much as possible of the historic environment is retained, town centre commercial and community uses are included and the new build is in part enabling development. In order to ensure that the new build does not take place at the expense of the less viable elements and the development can proceed in an ordered way, a phasing plan is considered necessary. Whilst this could be delivered as part of the s106 Agreement, it requires some flexibility in order to plan the phases around the requisite seasons for the respective ecological mitigation measures. A S106 agreement does not allow for this level of flexibility and it is therefore proposed to control this aspect by condition, which can allow a procedure for considering variations.

Transportation

The other main issue in developing this site is the traffic generation, car parking and associated air quality. The applicant draws attention to the Highway Authority's response, which accepts that the proposed development traffic can be accommodated into the existing highway network, the key junctions can operate safely and the level residential parking is acceptable. They accept that Traffic Regulation Orders (TROs) will be required at the developer's expense, to secure one way routes and other associated changes to the existing highway. This would be secured by a financial contribution in the S106 Agreement.

The principle provision would be a new roundabout at Knees Corner, with an entrance only to the site. A one-way route would be created from Knees corner through Lambs Yard, under the new archway, through the site, parallel to the river, to the eastern end of Building M. From there it turns north to meet the two way access road from the junction of Mill Lane and Kingston Road, along the northern edge of the site with the Hall boundary. This access road continues to the eastern end of the site and the railway bridge.

Mill Lane would be one way only, down hill to the junction with Kingston Road and the site entrance. All regulated and illegal parking would have to be removed from these roads. An additional exit from the site onto Kingston Road is proposed to serve the two-tiered car park located between Building Q east and West.

The Highway Authority have no significant concerns about this arrangement subject to the requisite TROs. The main access to the western end of the site, where the commercial units are located, would be via Knees Corner. This is the same position of the access as when the site was fully operational as a rubber factory. In view of the fact that the site could be used for such a purpose without further reference to the planning authority, the test on appeal would be whether the traffic generated by the proposed development is any worse than existing uses. With the controls and road improvements proposed this is considered to be an improvement.

Concern has been expressed over the rights of third parties to exit from this access point, but this is a civil matter which cannot be controlled by the Planning Authority. The applicants have stated that this issue has been resolved.

With the exception of construction traffic, the only large vehicles visiting the site are likely to be delivery vehicles. A construction management plan could be secured by condition and include recommended lorry routes during the construction period and an agreed green travel plan for the remainder of the site.

For the same reasons, the development is unlikely to have any significant impact in air quality. The Environmental Health Officers noted the Air Quality report but suggests a travel plan is required. They consider the area most affected by poor air quality is Masons Lane. For this reason, the travel routes should avoid directing additional traffic into Masons Lane. The current proposals show two means of access to the site and one egress via Kingston Road. The proposal to encourage two way exit into Silver Street and to direct north and east bound traffic to turn right , away from Knees roundabout and Masons Lane, is supported.

They also welcome the report which identifies the short term effects of dust and fine particles during the construction phase and the mitigation measures to reduce these effects during the construction phases. This can be secured by a condition.

The main issue is the provision of car parking for non residential traffic and the deletion of the hotel goes some way to alleviating this shortfall. They acknowledge there is a difference of opinion between the applicants and the Highway Authority as to whether there is sufficient capacity in the towns car parks to accommodate the additional demand particularly on market days. The applicants maintain this shortfall to be 20 spaces. They have therefore commissioned a feasibility study which confirmed that the station car park could be increased by 15-20 spaces by reconfiguring and re-lining, which they have agreed to fund.

Concern has been expressed about the pressure the development would put on the towns car parks. Such pressure will almost inevitably increase after April 2008, when the District Council takes responsibility for enforcing illegal parking. The revised plans propose provision for parking for 198 spaces and 140 cycles on site. In a town centre site such as this it is assumed that there will be a significant proportion of multi purpose journeys and a higher incident of alternative forms of transport. It is considered therefore that 1 space per dwelling is adequate. The issue therefore remains as to whether there is a significant shortfall on the commercial parking provision.

The Highway Authority have suggested electronic messaging signs at the various entrances to the town to advise visitors on the availability of car parking spaces. Whilst this works in many other towns, Bradford on Avon is relatively small, has an historic setting but no bypass and there is no other way round the town if no parking spaces are available. Such signs also rely on mechanisms that can count vehicles into and out of the respective car parks. Whilst there may be more sophisticated methods available, this is often a physical barrier and the entrances to the car parks in Bradford on Avon do not lend themselves to such a solution. An alternative is to provide a number of additional road signs directing vehicles to short and long stay car parks.

The applicants have re surveyed the Town's public car parks and offered to make a financial contribution to the relining, re-arrangement and subsequent provision of extra spaces in them to address some of the shortfall. This is acceptable to the District council.

Despite requests to convey the management of the on site parking to the District Council, the applicants propose to control them by a management company. The fear is that, under decriminalisation, any unauthorised parking in the town will be removed by the Council and casual parking will then take place on the site. Compatibility with the rest the town parking can be secured by ensuring that such a scheme would be in accordance with the Council's Parking Management Scheme through the S106 Agreement

Other planning matters.

Loss of Employment floor space - Policy E5 of the District Plan allows for the loss of employment floor space where there is an adequate supply and mix of available sites in the locality, the new uses are compatible with neighbouring uses and they do not give rise to traffic or environmental problems. In this case not only is the site allocated in the District Plan for redevelopment, but the mix includes some replacement employment and commercial uses. There is therefore no conflict with this policy.

Open space and recreation -

Policy R4 of the District Plan seeks to ensure the pro rata provision of public open space, formal and informal children's facilities in housing developments over 10 dwellings. The policy also states:

" ...where the achievement of the standard may be unrealistic or inappropriate, suitable arrangements will be considered such as contribution towards or the provision or improvement of facilities nearby.....".

This application proposes 170 dwelling in total but also includes the provision of a river side walk and landscaping to accommodate the flood mitigation area. This does not however amount to the required level of public open space.

The development does however provide for a satisfactory children's play space for under 5's.

The site is recognised as a town centre regeneration site which raises difficulties in development with the normal level of public open space. In addition, since the District Plan has been adopted, the Recreation Needs Survey has been published. This recognises the maintenance problems created by small amounts of public recreational space scattered throughout individual developments. The Leisure and Recreation Manager is satisfied with the play area for children 5 years and under in addition to an appropriate commuted sum to be spent on play provision for older children in the Bradford area as well as a commuted sum in respect the deficit for public open space, to be spent on existing open space provision in the town. This is in accordance with the District Plan policy.

Education contribution - Policy S1 of the District Plan allows for a contribution towards additional education provision in scale to the need arising from the development. Originally the County Council Education department advised that there was sufficient capacity within the existing schools to accommodate the demand from the development. However, on submission of the revised plans which increased the development by 8 dwellings, they reviewed their position, acknowledged the site's ability to support any affordable housing provision and suggested a sum of £90,000 for the education provision. This is acceptable to the developer.

Percentage for Art - Policy I2 of the District Plan seeks 'where possible' a contribution to further an artistic objective (Percentage for Art). With the commitments and other obligations necessary for the development of this site, no such contribution has been sought on this site. The applicants have however, suggested siting an industrial artefact within one of the public areas within the site, possibly Lamb's Yard. This can be covered by condition.

Management company - In many cases of large scale development, communal spaces such as roads, car parks, open space and recreational space are put forward for adoption by the relevant public body. In this case, the developers intend to set up a management company to maintain these spaces with the exception of the main access road loop which they will put forward for adoption to the County Council. The establishment of the management company will have to part of the S106 Agreement.

Economic, Social and Environmental implications

The economic, social and environmental implications have been set out in the main report.

Legal Framework

The Council as the Local Planning Authority have a duty to determine the planning applications within the legal framework set out in the report.

CONCLUSION

The development proposed in this application has been the subject of a long gestation period and extensive public consultation. The architects have endeavoured to accommodate as much of the public aspirations as they can within the context of national and local planning policies, the constraints of the site itself and their client's brief. With a site as large and as complex as this it is unlikely that any scheme could accommodate every aspiration put forward.

With this background in mind, the site has an established use as an industrial employment site, located in the centre of an historic town. The application proposes a mix of uses including offices, retail, food and drink, community facilities as well as a large number of dwellings. The latter in itself proposes a mix of houses and flats with a range of sizes. The principle of this mix of uses is acceptable and in accordance with policy H4a of the District Plan.

The scheme also includes some benefits to the local amenity with the removal of a derelict site and provision of a riverside walk. The applicants have agreed to provide one building (building V) for community use but leaving the Town Council to decide how it is utilises. Similarly the applicants will provide the footings for a footbridge but it will be the responsibility of the Town to provide the bridge itself. Some public open space and a play area will be provided on site with the balance secured by means of a commuted sum to improve other similar facilities in the town. In addition, the applicants will contribute to education, highway improvements, construction management plan, travel plan and ecological mitigation. Such measures would mitigate the impact of the traffic on the local roads which could not be secured if the authorised use were to be re enacted.

Whilst the principal of the development is acceptable in conservation and historic terms, the impact on the historic environment depends, to a large extent, on the details of the proposed design and materials. The proposal would, in many respects, enhance the area by removal of a derelict site. The test on appeal would be what harm is caused in order to prove the proposal has a detrimental impact on the character and appearance of the conservation area. Many of the listed buildings have been retained and reutilised. There are however some individual concerns about the scale and design of some individual buildings which detract from the setting of some of the listed buildings. Building F being the most prominent. This is not, however, in itself considered sufficiently harmful to sustain a reason to refuse the whole development on appeal.

On a site of this size and complexity, it is unlikely that any development will meet all the individual aspirations in full. It is acknowledged, therefore, that a number of compromises will be need to bring the development forward as a whole. The proposal put forward in this application brings a derelict site into use, provides a range of uses and facilities for the town, contributes to the commercial viability of the town, adds to the housing stock and improves the riverside frontage.

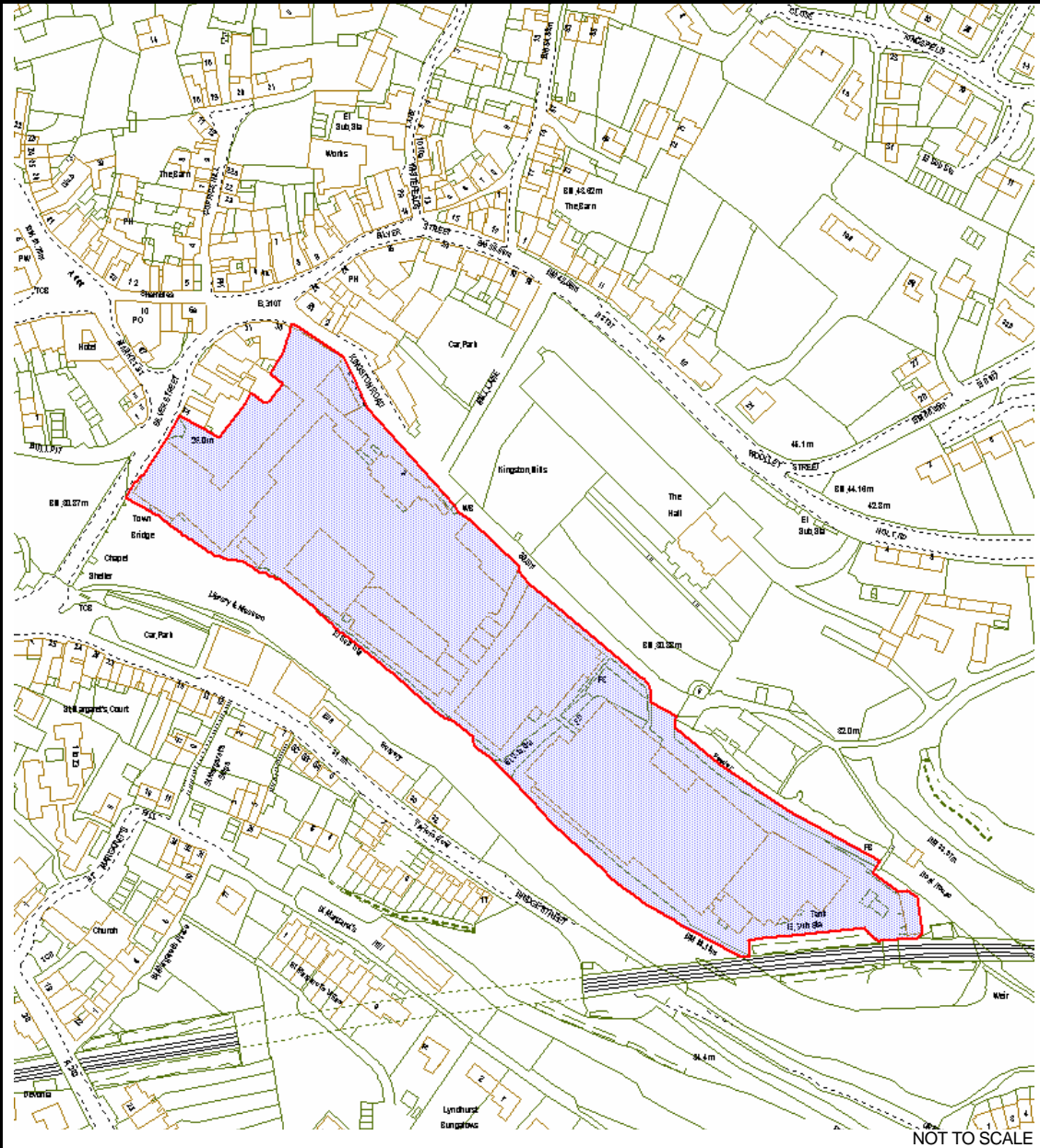
PLANNING COMMITTEE

29 November 2007

ITEM NO: 02

APPLICATION NO: 06/02400/LBC

LOCATION: Kingston Mills Kingston Road Bradford On Avon
Wiltshire



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West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD Tel: 01225 776655
Fax: 01225 770314
www.westwiltshire.gov.uk

SLA: 100022961

02 Application: 06/02400/LBC

Site Address: Kingston Mills Kingston Road Bradford On Avon Wiltshire

Parish: Bradford On Avon Ward: Bradford On Avon North
Grid Reference 382748 160897
Application Type: Listed building
Development: Comprehensive mixed use redevelopment comprising alterations to Buildings 2, 43-44, 53, 55, 70, 74, 76, 77, second floor extensions to Building 70, demolition to Buildings 41, 42, 61, 62-65, 68, 71, 72, 73, 75, 78 and associated works
Applicant Details: Taylor Woodrow Developments Limited
Riverside Court Bowling Hill Chipping Sodbury Bristol BS37 6JX
Agent Details: Nash Partnership
F A O Chris Beaver 23A Sydney Buildings Bath BA2 6BZ
Case Officer: Mrs Christine Caistor
Date Received: 11.08.2006 Expiry Date: 06.10.2006

REASON(S) FOR RECOMMENDATION:

The proposed development would not result in any detrimental impact on the site or surrounding area, enables a comprehensive development of the whole site and would not significantly harm any interests of acknowledged importance.

RECOMMENDATION:

The application be referred to the Secretary of State on the grounds that the Committee are minded to grant listed building consent for the significant alterations to listed Buildings 55, 70, 74,75 and 78 and the demolition of the curtilage buildings nos 41, 42, 61, 62-65, 71, 72, 73, and boundary walls on the site and the Development Control Manager be authorised to grant consent subject to the following conditions in the event that that the application is not called in.

Condition(s):

- 1 The works hereby authorised shall begin not later than three years from the date of this consent.

REASON: In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 The listed building(s) shall not be demolished before a contract for the carrying out of the works of redevelopment of the site approved by the planning permission reference 06/02394/FULES has been entered into.

REASON: The alterations and demolition are only acceptable in conjunction with the approved plans for the redevelopment of the whole site..

Policy: West Wiltshire District Plan - 1st Alteration - Policies C28 and H4a

- 3 No work shall be commenced until a full survey and photographic record of the listed building(s) has been submitted to and approved in writing by the Local Planning Authority, and a copy has been deposited with the Wiltshire County Records Office. Such a record shall be undertaken to level 4 of English Heritage's guidance 'Understanding Historic buildings - A Guide to Good Recording practice, 2006'
- REASON: To ensure that the character and appearance of the listed building is conserved.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policies C28.
- 4 A full schedule of repairs and areas to be made good following demolition shall be submitted to and approved by the Local Planning Authority prior to the commencement of any works to the listed building, and subsequently the works shall be carried out strictly in accordance with the approved details.
- REASON: To ensure that the character and appearance of the listed building is conserved.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policy C28.
- 5 No development shall take place until samples of all the materials to be used in the construction of both internal and external surfaces of the development hereby permitted 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 that the development does not detract from the character of the listed buildings and it harmonises with its setting.
- POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C28
- 6 Details of the elevations of all new or replacement external windows, rooflights and doors including any glazing, at a scale of not less than 1:20, and sections through all frames, glazing bars and opening mechanisms, at a scale of not less than 1 :2, shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.
- REASON: To protect and preserve the character of the listed building.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policies C28.
- 7 Details of all new or replacement rainwater goods, which shall be of cast iron or cast aluminium construction and finished in black, shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.
- REASON: To ensure that the character and appearance of the listed building is conserved.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policies C28.
- 8 Details of all new or replacement internal doors, door linings, architraves, beadings, skirtings, shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.
- REASON: To ensure that the character and appearance of the listed building is conserved.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policies C28
- 9 Details of the design, external appearance and finish of all railings, fences, gates, walls, bollards and other means of enclosure shall be submitted to and approved by the Local Planning Authority prior to their construction. The works shall then only be carried out strictly in accordance with those approved details.
- REASON: To ensure that the character and appearance of the listed building is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C28.

- 10 Prior to the commencement of any work to Kingston House details of the following shall be submitted to and approved in writing by the Local Planning Authority:

1. A full room by room schedule of works to include any repairs, full fire/sound insulation, proposed services with relevant plans and information.
2. Proposed replacement roof structure including sections, plans at 1:20 and full structural/construction details
3. Repair, restatement and full photographic record of all the fireplaces which have been removed and currently stored within the House to their correct location.
4. A schedule of repairs for the hall/staircase/landing to show the recording, repair and conservation of the wall paintings

The work shall be carried out in accordance with the approved details

REASON In order to ensure the character of Kingston House is preserved.

POLICY Wiltshire and Swindon Structure Plan policy HE7 and West Wiltshire District Plan - Policy C28

- 11 All existing materials shall be carefully dismantled, set aside and stored in a safe place for re-use in the works to the listed building.

REASON: To ensure the character and appearance of the listed buildings are conserved

POLICY: West Wiltshire District Plan - 1st Alteration policy C28

- 12 Notwithstanding the submitted plans, prior to the commencement of any development on site, details of the north eastern boundary treatment between the Island and the garden to The Hall shall be submitted to and approved in writing by the Local planning Authority. The work shall be carried out in accordance with the approved plans.

REASON: In order to ensure that the boundary treatment is satisfactory and suitable for the grade II_ historic gardens and the setting of the grade I listed building.

POLICY: West Wiltshire District Plan Policy C28

COMMITTEE REPORT

INTRODUCTION

This application runs in parallel to the planning application for the development of the whole site reported immediately prior to this. The details of the development are the same as in the previous report and most of the comments refer also to this application. To avoid duplicating a very extensive report, Members are asked to consider the consultee and public comments made in the previous report.

APPLICATION DETAILS

This application refers specifically to the demolition and alterations to the listed buildings on the site and their curtilage buildings. The listed buildings, all grade II or curtilage buildings, proposed to be retained and altered in the revised plans are:

1. Lamb Building (Building T) - Grade II
2. The Vaults (Building V) - Grade II
3. The Laboratory (Building 77) - curtilage building
4. New Mills (Building 72 _ 74) - Grade II
5. Kingston House (Building 55) - Grade II
6. Carpenters shop (Building 2) - curtilage building
7. The Lodge to Kingston House - curtilage building

Those to be demolished, which are not listed in principle but are classed as curtilage buildings,

1. Buildings 75/78 - part New Mills, grade II
2. Building 58 - curtilage building
3. Building 54 - curtilage building
4. Buildings 41/42 - curtilage building
5. Buildings 60/61 - curtilage building

Other structures such as the wall in Lambs Yard and the boundary with the mill water course at the north eastern end of the site are also the subject of alterations in this application.

In terms of the historic environment, the developers have assessed the need for demolition against the test set out in the Government Guidance no. PPG15. The overriding challenge has been to address the technical constraints of flood risk, accessibility etc., while producing a viable scheme of sufficient quality to ensure the preservation/enhancement of the conservation area and listed building settings. The justification for demolitions has therefore centred around the combination of the general viability relating to the whole site rather than individual buildings and the delivery of substantial community benefits.

One substantial alteration is the demolition of part of the New Mills building (Building Q West) in order to create the archway entrance suitable for vehicles access into the site.

Those listed buildings that are the subject of conversion will require alterations in order to achieve the conversion to the proposed respective uses.

The site and surrounding area - please see previous report

CONSULTATION REPLIES:

[Owing to the length of the consultation submissions, they are all summarised in the previous report for the planning application]. Any additional comments received specifically referring to the listed building application have been added to this report below.

BRADFORD ON AVON TOWN COUNCIL: -

Original Plans:

Recommendation:- Permit The Council fully supports the retention of all the listed and other historic buildings on the site and is keen to see them put to proper use. In general terms the Council is satisfied that the proposals will achieve these objectives but requests that appropriate conditions are attached to ensure that details and materials are compatible with the buildings in question.

Further details should be submitted of the proposed north-west elevation of the Lamb Building to ensure that access into the building can be achieved satisfactorily.

Revised Plans:

Recommendation:- Permit

The Town Council fully supports the retention of all the listed and other historic buildings on the site and is keen to see them put to proper use. In general terms the Council is satisfied that the proposals as outlined will achieve these objectives but considers that additional details and information are required to demonstrate that the special architectural and historic interest of the various buildings will be retained.

The Council recognises that it is not reasonable to seek submission of full details of all alterations to the listed buildings until the overall scheme has been agreed in principle. Accordingly the Council has no objection to the granting of listed building consent in due course subject to confirmation that the Conservation Officer of the District Council is satisfied that appropriate details are received prior to the granting of consent or that conditions are attached to ensure that details and materials to be used in the repair and alteration of the buildings are compatible with the buildings in question.

ENGLISH HERITAGE - see planning application report

CONSERVATION OFFICER

Revised Plans:

No objections subject to the Secretary of States final views and the adequate recording of the structures that are proposed for demolition at level 4 of the English Heritage Guidance on recording practice and other conditions that will relate to the alterations of the remaining historic buildings. The benefits of the scheme as a whole outweigh the minor alterations and demolition works that have been proposed with this scheme.

A detailed justification for the demolition of a number of curtilage listed structures has now been provided by the applicants. This indicates that the main thrust of their argument is economic viability of the new scheme holistically. By identifying the most significant buildings on the site for retention it has meant that some of the less important ones have been sacrificed. However, these will need to be fully recorded in line with English Heritage's recording recommendations (in accordance with "Understanding Historic Buildings- A Guide to good recording practice"- 2006, English Heritage) and should be subject to the appropriate conditions.

Of the buildings that are to be demolished but that provide some limited architectural or historic merit are Buildings 71, 61, 58, 54, and 41-42. In all cases these buildings are redundant and have not been particularly well maintained.

Building 71, the northern light building, the applicants justify the demolition by arguing the need for a taller and more adaptable building that will more easily accommodate commercial use on the GF whilst above there will be sufficient space for residential accommodation. The others are less likely to lend themselves to alternative uses given the low height and location of 61; blocking views of the river, and the size and unsuitable form that 41-42 take in that they would not lend themselves to obvious reuse. It is argued that without massive adaptation these buildings would not have been suited to a new economic use. It is also made clear that the viability of this site is dependant on releasing the highest value areas for redevelopment. This means that the entire river frontage is going to attract the form of value that is higher than other parts of the site.

It is therefore considered that there needs to be a balance made between the loss of these less important buildings against the opportunity to gain valuable land for redevelopment that will in turn empower the less viable listed structures on the site to be repaired and converted. This form of enabling development should then be controlled through the mechanisms of Conditions on phasing and a Section 106. It is recommended that this application is submitted to the Secretary of State for the granting of the Consent.

Specific Alterations to Historic Buildings. - Details have now been received that indicate that further thought has been put into the proposals relating to areas where significant intervention with historic fabric is proposed. My main interest lies with the intervention with the Lamb Building and New Mills;

Lamb Building - The main issue with the proposals are the removal of the ground floor of the majority of the main building in order to deal with a major structural problem with the corroded concrete and metal superstructure of the building. This is major intervention but entirely justified by the structural engineer's concerns. This also means that the ultimate use of this building does need to be a high return commercially in order to cover the high cost involved in this structural intervention.

New Mills- The alteration of Building S from hotel accommodation to residential has been beneficial in removing the requirement to puncture more openings into the existing wall of New Mills.

- Improvements and refining of the design of the large opening into New Mills have been submitted that indicates more in-depth consideration of this major intervention has been undertaken. It is considered that this alteration/demolition is acceptable subject to the Secretary of States views.

- The other area of demolition at the northern end of New Mills is the area of staircases that link New Mills with other buildings in this part of the site. The loss of the stairs is unfortunate as they are of historic interest in the context of this industrial building. However, it is recognised that they will limit any modern access to other parts of the site/buildings if this alteration is not allowed. The replacement is also of a contemporary design and worthy of replacing this rather archaic staircase tower.

Kingston House - This has been identified by the applicants as the first building on the site to come forward for repairs, refurbishment and ultimately conversion. This should mean that the scaffold on the structure should be dealt with early on once the scheme is implemented in order to lessen the impact of the derelict look of the site on the town itself. This proposal is welcome. It will be important to get agreement on the phasing and triggers for this building to come forward through the Conditions imposed and S106 Agreement.

Other considerations - Recent improvements have been made to the external appearance of the Lamb Building that should allow for this building to remain boarded for a further length of time. It is clear from discussions with the applicants that the 1st phase of construction on the site should be the formation of the new entrance way through New Mills. This will in turn have implications for ensuring that the structural integrity of this building is properly safeguarded during this construction phase. I do have some reservations, however, that the size of the opening will prevent larger construction vehicles/machinery from entering the site this way. Further clarification relating to how construction vehicles will gain access to the site should be provided.

PUBLICITY RESPONSES

The application was advertised in the press, site notices displayed on the site and adjacent neighbours notified.

Original Plans:

In addition to the 24 letters submitted for the planning application there was 1 additional letter submitted in respect of the listed building application. This raised the following points:

Roofscapes - rooflines are now more in keeping with the traditional look of the town but slates proposed where reproduction Cotswold stone tiles and red brick would be more appropriate.

Walling material - Cladding on Building N and Building S should be reconsidered and more details for Building K

[Comments on the vehicle site access/ public spaces and walkways/ river bank are not matters for consideration as part of the Listed Building application]

Revised Plans:

All reported on the planning application report

RELEVANT PLANNING POLICY

Wiltshire Structure Plan 2016
Policies HE2, HE3, HE7,

West Wiltshire District Plan 1st Alteration
Policies C6, C14, C15, C17, C18, C20, C22, C26, C28,
Plan since September 2007: C7, C14, C16, C27, c29, C31,]

Planning Policy Guidance Notes/Statements
PPG15

Kingston Mills Development Brief SPG
Bradford on Avon Conservation Area Character Assessment

RELEVANT PLANNING HISTORY

See planning application report

KEY PLANNING ISSUES

The key issues raised in this application are:-

Alterations to and demolition of the listed buildings including their cartilage buildings.

PLANNING OFFICER COMMENTS

Historic environment

This application seeks only to determine if the works proposed to the listed building on the site are acceptable. The effect on the setting of listed buildings is considered as part of the Planning Application.

Section 66 of the Planning (Listed building and Conservation area) Act 1990 states that the local planning authority has a duty to pay special attention to the desirability of preserving the historic building or its setting or any features of special architectural or historic interest which it possesses.

English Heritage in their comments on the original plans had no fundamental objection to the overall scheme and was happy to leave the intervention of the listed building to the Council.

The Conservation Officer originally drew attention to English Heritage's structural engineer's report which stated that most of the buildings on site are structurally sound so their retention and reuse would normally be feasible. A more detailed justification for the viability for not retaining these buildings would be needed. The applicant has submitted an addendum to the listed building report explaining the need to clear much of the site in order to create a suitable regeneration scheme for the site as a whole. This complies with the requirements in PPG15, which sets out the criteria by which demolition/alterations of listed buildings are judged.

Within the site there are several listed buildings proposed to be retained and converted. This includes the Lamb Building , The Vaults, Building Q West and Kingston House. Several amendments have been submitted to address concerns raised in the original plans. The most significant of which is the alteration to the archway in Building Q west (New Mills) in order to make it more in scale with the building.

As a result of the revisions to the scheme, there is no objection to the proposed alterations demolition of principal listed buildings or the demolition of the curtilage buildings, nor to the alterations of those to be converted, subject to conditions controlling approval of the details.

Economic, Social and Environmental implications

The economic, social and environmental implications have been set out in the main report.

Legal Framework

The Council as the Local Planning Authority have a duty to determine the planning applications within the legal framework set out in the report.

CONCLUSION

The alterations to the listed buildings and the demolition of others are required in order to provide a comprehensively acceptable scheme on the site which seeks to achieve as many of the local objectives as possible. The alterations to individual buildings have been negotiated over a long period and with the revision to the archway in new Mills (Building Q West) are all considered acceptable subject to conditions requiring more detailed information to be submitted and approved. There has been no objection to the demolitions from the conservation groups.

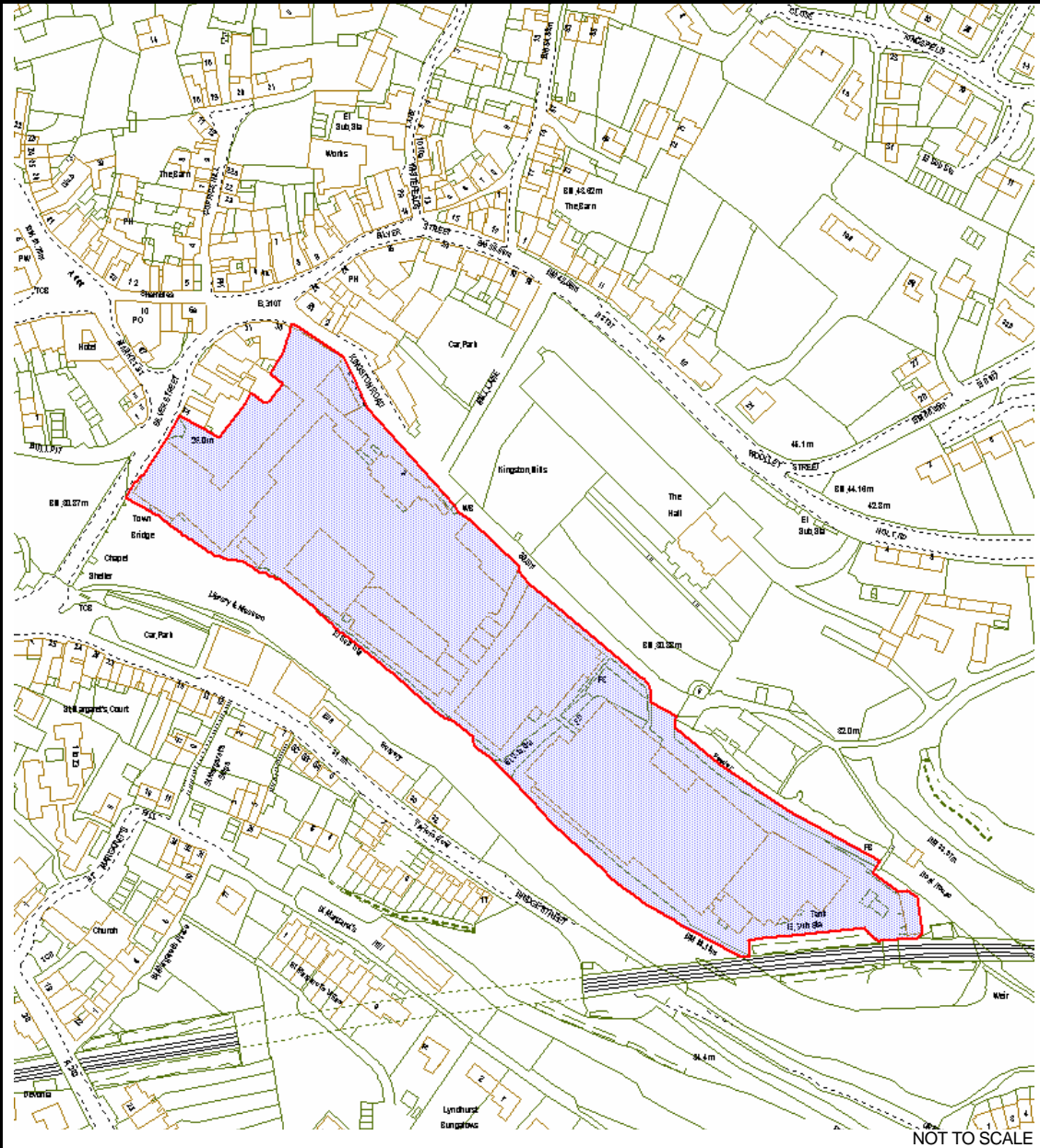
PLANNING COMMITTEE

29 November 2007

ITEM NO: 03

APPLICATION NO: 06/02401/CON

LOCATION: Kingston Mills Kingston Road Bradford On Avon
Wiltshire



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West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD Tel: 01225 776655
Fax: 01225 770314
www.westwiltshire.gov.uk

SLA: 100022961

03 Application: 06/02401/CON

Site Address: Kingston Mills Kingston Road Bradford On Avon Wiltshire

Parish: Bradford On Avon Ward: Bradford On Avon North
Grid Reference 382748 160897
Application Type: Conservation Area
Development: Proposed demolition of unlisted buildings 3, 6, 7, 8, 9, 10, 30, 45, 54, 60, 62-65
Applicant Details: Taylor Woodrow Developments Limited
Riverside Court Bowling Hill Chipping Sodbury Bristol BS37 6JX
Agent Details: Nash Partnership
F A O Chris Beaver 23A Sydney Buildings Bath BA2 6BZ
Case Officer: Mrs Christine Caistor
Date Received: 11.08.2006 Expiry Date: 06.10.2006

REASON(S) FOR RECOMMENDATION:

The proposed development would not result in any detrimental impact on the surrounding area and would not significantly harm any interests of acknowledged importance.

RECOMMENDATION: The Development Control Manager be authorised to grant consent in the event that the Secretary of State determines to refer the Listed building application back to the Local Planning Authority and subject to the following conditions:

Condition(s):

- 1 The works hereby authorised shall begin not later than three years from the date of this consent.

REASON: In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 The building(s) shall not be demolished before a contract for the carrying out of the works of redevelopment of the site approved by the planning permission reference 06/02394/FULES has been entered into.

REASON: The alterations and demolition are only acceptable in conjunction with the approved plans for the redevelopment of the whole site..

Policy: Wiltshire and Swindon Structure Plan policy HE7 and West Wiltshire District Plan - 1st Alteration - Policies C22 and H4a

- 3 No work shall be commenced until a full survey and photographic record of the building(s) to level 1 of the English Heritage Guidance, 'Understanding Historic Buildings – A Guide to Good Recording Practice, 2006' has been submitted to and approved in writing by the Local Planning Authority, and a copy has been deposited with the Wiltshire County Records Office.

REASON: To ensure that the character and appearance of the listed building is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C22.

COMMITTEE REPORT

INTRODUCTION

This application runs in parallel to both the planning application for the development of the whole site and application for listed building consent reported immediately prior to this item. The details of the development are the same as in the previous report and most of the comments refer also to this application. To avoid duplicating of a very extensive report, Members are asked to consider the consultee and public comments made in the planning application report.

APPLICATION DETAILS

This application refers only to the demolition of the unlisted buildings within the conservation area. This applies essentially to all those industrial buildings on the eastern half of the site, except the Carpenters Shop. Their demolition is required to make way for the redevelopment of the site in accordance with the details put forward in the planning application ref 06/02394/FULES.

The site and surrounding area - please see previous report

CONSULTATION REPLIES:

[Owing to the length of the consultation submissions, they are all summarised in the previous report for the planning application]. Any additional comments received specifically referring to the conservation area consent application have been added to this report below.

BRADFORD ON AVON TOWN COUNCIL: -

Original Plans:

The Council has no objection in principle subject to the satisfactory resolution of the Planning and Listed building Consent applications. No consent should be granted for demolition prior to this and subject to agreement that demolition will be followed by immediate reconstruction or building works to a determined timescale.

Revised Plans:

Recommendation - The Council has no objection in principle subject to the satisfactory resolution of the Planning and Listed building Consent applications. No consent should be granted for demolition prior to this and subject to a formal agreement that demolition will be followed by immediate reconstruction or building works to a determined timescale.

CONSERVATION OFFICER

Original Plans:

There are a number of other buildings and structures on the site that are proposed for demolition. In all cases they are not worthy of retention and have no objections to their demolition. My only concern on this point is that a comprehensive record of all the buildings and structures to be demolished should be recorded because they have a degree of interest from the industrial processes that went on in them and how this evolved over time.

Revised Plans:

Most of the buildings that come under this category on the site are because they were constructed post-1948 and cannot be considered to be curtilage listed.

There are no objections to the demolition of the more recent buildings on this site. These buildings will still need to be recorded at a basic level of 1.

PUBLICITY RESPONSES

The application was advertised in the press, site notices displayed on the site and adjacent neighbours notified.

Original Plans:

In addition to the 24 letters submitted for the planning application there were 2 additional letters submitted in respect of the conservation area consent application but none referred the demolition of the unlisted buildings.

Revised Plans:

All reported on the planning application report

RELEVANT PLANNING POLICY

Wiltshire Structure Plan 2016
Policies HE2, HE3, HE7,

West Wiltshire District Plan 1st Alteration
Policies C6, C14, C15, C17, C18, C20, C22, C26, C28,
Plan since September 2007: C7, C14, C16, C27, c29, C31,]

Planning Policy Guidance Notes/Statements
PPG15

Kingston Mills Development Brief SPG
Bradford on Avon Conservation Area Character Assessment

RELEVANT PLANNING HISTORY

See planning application report

KEY PLANNING ISSUES

The key issue raised in this application is the demolition of the un listed buildings within the site.

PLANNING OFFICER COMMENTS

Historic environment

This application seeks only to determine if the demolition of the unlisted buildings on the site are acceptable.

Section 72 of the Planning (Listed building and Conservation area) Act 1990 states that the local planning authority has a duty to pay special attention to the desirability of preserving and enhancing the character or appearance of the conservation area.

Several of the existing industrial buildings are proposed to be demolished to make way for the new build. The site is currently a derelict remnant of the a previous industrial use and the buildings in question are the larger, more modern, post 1948, type of industrial building which make little or no contribution to the character and appearance of the conservation area. In fact, some of these buildings appear to be harmful to the character and appearance of the area but it is only because they are relatively low in height that allows them to be so discreet within the conservation area at present. Their demolition could be considered a positive enhancement.

There is no objection to the demolition of these buildings provided it is done in conjunction with the redevelopment of the site proposed in the planning application.

Economic, Social and Environmental implications

The economic, social and environmental implications have been set out in the main report.

Legal Framework

The Council as the Local Planning Authority have a duty to determine the planning applications within the legal framework set out in the report.

CONCLUSION

The demolition of the unlisted buildings are required in order to design an acceptable scheme on the site which seeks to achieve as many of the local objectives as possible.