

AGENDA SUPPLEMENT (1)

Meeting: Strategic Planning Committee
Place: Council Chamber - County Hall, Trowbridge BA14 8JN
Date: Wednesday 25 April 2018
Time: 10.30 am

The Agenda for the above meeting was published on Monday 16 April 2018. Additional documents are now available and are attached to this Agenda Supplement.

Please direct any enquiries on this Agenda to Roger Bishton, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713035 or email roger.bishton@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

- 7 **15/04736/OUT: Land south east of Trowbridge - Outline planning application for mixed use development comprising: residential (up to 2,500 dwellings - Classes C3 & C2); employment (Class B1, B2, and B8); two local centres (Classes A1 - A5, D1, C2, and C3); two primary schools, one secondary school, ecological visitor facility, public open space, landscaping and associated highway works including for the 'Yarnbrook / West Ashton Relief Road' and the access junctions. (Pages 3 - 10)**

We have received a final representation on the above planning application from the Environment Agency which means its holding objection is now withdrawn. This effects the recommendation, so the Case Officer has prepared an update report – with revised recommendation, which is attached together with the response received from the Environment Agency.

DATE OF PUBLICATION 18 April 2018

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REPORT FOR STRATEGIC PLANNING COMMITTEE - UPDATE

Date of Meeting	25 April 2018
Application Number	15/04736/OUT
Site Address	Land south east of Trowbridge
Proposal	Outline planning application for mixed use development comprising: residential (up to 2,500 dwellings - Classes C3 & C2); employment (Class B1, B2, and B8); two local centres (Classes A1 - A5, D1, C2, and C3); two primary schools, one secondary school, ecological visitor facility, public open space, landscaping and associated highway works including for the 'Yarnbrook / West Ashton Relief Road' and the access junctions.
Applicant	Ashton Park Trowbridge Ltd & Persimmon Homes Ltd
Town/Parish Councils	NORTH BRADLEY / TROWBRIDGE / WEST ASHTON
Electoral Divisions	SOUTHWICK – Cllr Horace Prickett TROWBRIDGE PAXCROFT – Cllr Steve Oldrieve
Grid Ref	386358 157356
Type of application	Outline
Case Officer	Andrew Guest

Update

On 17 April 2018 the Environment Agency withdrew its holding objection to the planning application, this following its consideration of additional flood compensation modelling information provided by the applicant. The notification of the withdrawal is attached as an annex to this update report.

As a consequence of this change the recommendation has been revised to remove reference to the grant of planning permission subject to the Environment Agency withdrawing its holding objection. The re-drafted recommendation is set out below, together with additional planning conditions relating to water efficiency and measures to control/removal an invasive plant species, as recommended by the Environment Agency. The other conditions recommended by the Agency – relating to floodplain protection and levels, and a Construction Environmental Management Plan – are provided for already by conditions 24 and 22 respectively.

RECOMMENDATION

Having taken into account the environmental information, it is recommended that the Strategic Planning Committee authorises the Head of Development Management to grant planning permission, this subject to the following 'legal agreements' being first entered into:

1. an obligation under Section 106 of the Town and Country Planning Act 1990 between the applicant and Wiltshire Council requiring provision of the following:
 - 30% affordable housing with suitable mix;
 - Two new primary school sites of at least 1.8 ha each. Primary education financial contribution (of £9,509,390 (2017 figure) based on 2,500 dwellings; adjusted accordingly depending on final numbers) completion of two schools;
 - One new secondary school site of 5.24 ha. Secondary contribution (of £8,463,708 (2017 figure) based on 2,500 dwellings; adjusted accordingly depending on final numbers);
 - 'Early Years' education contribution (of £3,863,313 (2017 figure) based on 2,500 dwellings; adjusted accordingly depending on final numbers) or on-site provision;
 - Health / dental care contribution of £1,108,500 (2015 figure, to be adjusted for indexation), to be used for sites in Trowbridge Community Area only and subject to such sites remaining in NHS/public ownership;
 - Elements of open space (equipping/phasing/maintenance contributions/etc.);
 - Ecological mitigation, to be set out in a Biodiversity Management Plan covering the management, mitigation, monitoring and enhancement of all habitats and species affected by the development during the pre-construction, construction and operational phases, both within the application boundary and on land owned by Wiltshire Wildlife Trust. To include –
 - Provision of, and/or provision of funding for, a Steering Group to oversee implementation of the Biodiversity Management Plan;
 - Provision of, and/or provision of funding for, visitor facility, and related land transfer arrangements;
 - Provision of ecology Green Infrastructure, related maintenance/long term management contributions, ecological monitoring including remedial works triggered by monitoring and related land transfer arrangements;
 - Provision of, and/or provision of funding for, full time wildlife warden, and mechanism for his/her perpetual funding;
 - Agreement that no public access will be allowed through the agricultural land identified for employment use other than to areas which have been developed for that purpose. An impenetrable barrier will be maintained between housing and employment land on the east side of West Ashton Road until at least 75% of the employment site has been completed at which point a public footpath will be provided between the two which will breach the impenetrable barrier at a single point.
 - Financial contribution towards the cost of monitoring implementation and maintenance of mitigation, with bond or other means of security secured against non-delivery and/or non-maintenance of mitigation.
 - Provision for revision of the Green Lane and Biss Woods Management Plan to incorporate requirements arising from the Biodiversity Management Plan and the Habitats Regulations Assessment (including Appendix 2).
 - Elements of transport infrastructure in line with the Trowbridge Transport Strategy, notably –

- Completion of funding agreement with Wiltshire Council for the provision of YWARR and commuted sum for structures maintenance;
 - Provision and completion of Yarnbrook and West Ashton Relief Road (including works to redundant A350 and all other associated highway works), phased or in entirety, subject to the timescales set out by the HIF and LEP;
 - Provide and deliver a Bus Strategy for the site, identifying how a half hourly service between the site and the town centre can be achieved, firstly through the negotiation with commercial operators for a commercial service, or, secondly, and in the event that a commercial service cannot be initiated and/or maintained, by a supported service, funded at the reasonable cost of the developer. The bus service shall be provided for a period from occupation of the 50th dwelling to up to three years following occupation of the 2,450th dwelling, the exact period dependent on the commercial viability or otherwise of the service at the time. The Bus Strategy shall set out how the funding arrangements will work in the event that a supported service is required;
 - Provision of travel plans for the separate land uses on the site;
 - Financial contributions towards the legal costs associated with making of traffic regulation orders at a cost of £6,000 per identified TRO;
 - Implementation of all made legal orders relating to highways and transport issues associated with the site;
 - 'Contingency Plan' for planned diversion of public footpaths NBRA9 and NBRA11;
 - Design and provide a wayfinding scheme aligned to the phasing of the development;
 - Construction and improvement of off-site highway works associated with the Yarnbrook and West Ashton Relief Road, alterations to West Ashton Road and improved connectivity to the town centre and to the White Horse Business Park;
 - Connectivity (vehicular) between Drynham Lane and site, unless secured by alternative means;
- Waste collection facilities contribution.
2. A legal agreement between Wiltshire Wildlife Trust and Wiltshire Council to achieve implementation and maintenance of ecology mitigation measures relevant to the Trust via a revised Management Plan for Green Lane and Biss Woods covering the following:
- To provide an account of the role the site plays in achieving the conservation objectives of the Bath and Bradford on Avon Bats SAC, and a specific objective to maintain the population of Bechstein's bats through maintenance of the structure and function of the habitats within the plan area;
 - To incorporate all relevant land transfers to WWT and commit the trust to managing these in line with the objectives of the revised plan;
 - To define the operating constraints for the ecological visitor centre and car parking arrangements which arise from the potential for recreational pressure to reduce the value of the site for Bechstein's bats;
 - To set out types and levels of acceptable amenity and educational use and the means by which these will be monitored and reviewed;

- To set out what constitutes acceptable and unacceptable fire making and a protocol to be followed to minimise and deal with the latter;
- To include an objective regarding the maintenance, and where necessary, replacement, redesign and / or repositioning of bat boxes for Bechstein's bat use;
- To recognise the role of the Steering Group in reviewing the implementation of relevant aspects of the management plan, monitoring results and implementation of remedial measures;
- To anticipate the potential effects of increased visitor numbers and identify monitoring to be undertaken, thresholds for unacceptable change and remedial measures.

Management Plan to be implemented by Wiltshire Wildlife Trust with governance of relevant elements by the Steering Group.

The agreement will also commit the Trust to employ a full time warden to implement the plan and to engage with local residents in order to enhance understanding of local ecological features with a view to reducing impacts from potentially damaging behaviours.

And, subject to the planning conditions set out in the first version of the Committee report, including any subsequent changes agreed with the Head of Development Management, and the following additional conditions –

32. No development in any Phase or Sub Phase of the overall development hereby approved shall commence until a scheme for water efficiency relevant to all the buildings within the Phase or Sub Phase has been submitted to and approved in writing by the Local Planning Authority. Thereafter no building within the Phase or Sub Phase shall be first occupied until the water efficiency measures relevant to the building have been installed and are operational in accordance with the approved scheme.

REASON: In the interests of sustainable development and climate change adaptation.

INFORMATIVE: The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. An appropriate submitted scheme to discharge the condition will include a water usage calculator showing how the development will not exceed a total (internal and external) usage level of 110 litres per person per day.

33. No development hereby approved shall be first occupied until a scheme setting out a strategy for the control / removal of Himalayan balsam has been submitted to and approved in writing by the local planning authority. The scheme shall include a programme for the implementation of the strategy. The strategy shall be implemented in accordance with the approved scheme and programme.

REASON: In the interests of ecology and to ensure compliance with the Wildlife & Countryside Act 1981 (as amended).

Mr Andrew Guest
Wiltshire Council
Development Control West
County Hall Bythesea Road
Trowbridge
Wiltshire
BA14 8JN

Our ref: WX/2015/127874/11-L01
Your ref: 15/04736/OUT
Date: 17 April 2018

Dear Mr Guest

MODEL RE-RUN - OUTLINE FOR MIXED USE DEVELOPMENT: RESIDENTIAL (UP TO 2,500 DWELLINGS); EMPLOYMENT; TWO LOCAL CENTRES; TWO PRIMARY SCHOOLS, ONE SECONDARY SCHOOL, ECOLOGICAL VISITOR FACILITY, PUBLIC OPEN SPACE, LANDSCAPING, HIGHWAY WORKS. FULL PLANNING APPLICATION FOR YARBROOK/WEST ASHTON RELIEF ROAD AND ACCESS JUNCTIONS

ASHTON PARK, LAND SOUTH EAST OF TROWBRIDGE, WILTS

Thank you for re-consulting the Environment Agency on the above planning application.

We can now **withdraw our objection** to the proposals, **subject to the inclusion of the following conditions** and informatives in any permission granted.

Flood Risk

We have reviewed the:

- Email from Andrew Guest to Ellie Challans - 10/04/18
- Email from Glen Godwin to Andrew Guest - 09/04/18 - and attachments:
 - File Note 07, Trowbridge Model report - April 2018
 - Appendix A to model report
 - Comparison of post-development and baseline scenarios – April 2018

With specific reference to the File Note (P843-FN07 dated 05/04/18) we acknowledge that the hydraulic model was only amended to include the proposed raised embankments and compensation areas. No other changes were reported to be made to the model. We undertook a technical check of the model during the original submissions and we found the model to be broadly fit for the purpose of assessing flood risk as a result of the development. On this basis, we do not consider it appropriate to undertake a further technical review of the model and we hereby accept the proposed revisions to the raised embankments and compensation areas at face value. We have not undertaken a detailed or technical check of the submitted reports mentioned herein, or their findings.

Floodplain Protection

We ask that the detailed design of all works within the floodplain are managed by suitable **planning condition(s)**. As the detailed designs come forward we will expect to see confirmation that they conform exactly with what has been modelled. If there are any changes or departures from this, additional modelling may be required.

It is important to stress that the Environment Agency is fully reliant on the accuracy and

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completeness of the FRA in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors. Our responses do not constitute approval of those details or calculations nor do they constitute our consent or approval that may be required under any other statutory provision, byelaw, order or regulation. The responsibility for the FRA and proposal details and calculations remains with the developer or his agents. Flood risk cannot be eliminated and is expected to increase over time as a result of climate change and our response does not absolve the developer of his responsibility to ensure a safe development.

Sports Pitches

We also note the comments made within the above File Note in relation to the proposed sports pitches within the floodplain. So long as no changes will be made to existing ground levels and no obstructions to floodplain flow or storage will be placed within the floodplain, we have no additional concerns over this element. We ask for a detailed **planning condition** to ensure that this requirement is suitably met.

Finished Site and Floor Levels

We request the inclusion of suitable **planning conditions** to ensure that the proposed finished site and floor levels are accurately implemented.

Environmental Permit

In addition to any other permission(s) that may have already been obtained, e.g. planning permission, the applicant may need an Environmental Permit for flood risk activities for carrying out work in, under, over or near a main river (including where the river is in a culvert), on or near a flood defence on a main river, in the flood plain of a main river or on or near a sea defence.

For further information and to check whether a permit is required please visit:

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. For any further advice, please contact your local Environment Agency FRA Permitting Officer, daniel.griffin@environment-agency.gov.uk / yvonne.wiacek@environment-agency.gov.uk

Ecology and Biodiversity

CONDITION

No development approved by this permission shall commence until a Construction & Environmental Management Plan (CEMP) has been submitted to and agreed in writing by the local planning authority, in consultation with the Environment Agency. The plan shall include details on safeguards which cover:

- the use of plant and machinery
- wheel washing and vehicle wash-down
- oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes
- protection measures for water voles.

The CEMP shall be implemented as agreed.

REASON

To accord with the requirements of the Wildlife & Countryside Act 1981 (as amended).

CONDITION

No development shall commence until scheme detailing a strategy for the control of Himalayan balsam has been submitted to and agreed in writing by the local planning authority, in consultation with the Environment Agency. The strategy shall be implemented as agreed.

REASON

To ensure compliance with the Wildlife & Countryside Act 1981 (as amended).

Water Efficiency and Climate Change

The incorporation of water efficiency measures into this scheme will contribute to climate change resilience, by minimising the impacts of drought (cumulatively) and will benefit future residents by reducing water bills. The following condition has been supported in principle by the Planning Inspectorate.

CONDITION

No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

REASON

In the interests of sustainable development and climate change adaptation.

INFORMATIVE

The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered.

An appropriate submitted scheme to discharge the condition will include a water usage calculator showing how the development will not exceed a total (internal and external) usage level of 110 litres per person per day.

NOTE TO LPA

By ensuring that any scheme submitted meets the standards given above you do not need to consult the Environment Agency on discharging the above condition.

Please send us a copy of the decision notice issued for this application.

Yours sincerely

Ms Ellie Challans
Sustainable Places - Planning Advisor

Direct dial 02030 259311
E-mail swx.sp@environment-agency.gov.uk

cc Chris Isherwood - PFA Consulting

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