

# AGENDA

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**Meeting:** Strategic Planning Committee  
**Place:** Council Chamber - County Hall, Trowbridge BA14 8JN  
**Date:** Wednesday 13 July 2016  
**Time:** 10.30 am

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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](mailto:roger.bishton@wiltshire.gov.uk)

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## Membership:

Cllr Andrew Davis (Chairman)	Cllr Charles Howard
Cllr Tony Trotman (Vice Chairman)	Cllr David Jenkins
Cllr Glenis Ansell	Cllr Christopher Newbury
Cllr Trevor Carbin	Cllr Fred Westmoreland
Cllr Terry Chivers	Cllr Bridget Wayman
Cllr Stewart Dobson	

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## Substitutes:

Cllr Ernie Clark	Cllr Paul Oatway
Cllr Brian Dalton	Cllr James Sheppard
Cllr Bill Douglas	Cllr Ian West
Cllr Mary Douglas	Cllr Jerry Wickham
Cllr Dennis Drewett	Cllr Graham Wright
Cllr George Jeans	Cllr Magnus Macdonald

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## PART I

### Items to be considered when the meeting is open to the public

1 **Apologies for Absence**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 5 - 8*)

To approve and sign as a correct record the minutes of the meeting held on 15 June 2016. (copy attached)

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation and Councillors' Questions**

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register in person no later than 10.20am on the day of the meeting.

The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application and up to 3 speakers on any other item on this agenda. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered. The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda (acting on behalf of the Corporate Director) no later than 5pm on **Wednesday 6 July 2016**. Please contact the officer named on the front of this agenda for further advice. Questions may be

asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

- 6     **14/06562/FUL - Land to West of St Andrews Road, Warminster, BA12 8ES - Development of 203 Residential Dwellings, Open Space, Landscaping, Sustainable Urban Drainage, Vehicular and Pedestrian Accesses and Associated Infrastructure and Engineering Works including the Provision of a Foul Drainage Pumping Station (Pages 9 - 56)**

A report by the Case Officer is attached.

- 7     **Date of the Next Meeting**

To note that the next scheduled meeting of this Committee is due to be held on Wednesday 21 September 2016, at County Hall, Trowbridge, starting at 10.30am.

- 8     **Urgent Items**

Any other items of business, which in the opinion of the Chairman, should be taken as a matter of urgency.

## **PART II**

**Item during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed**

**None**

## **STRATEGIC PLANNING COMMITTEE**

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### **DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 15 JUNE 2016 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

Cllr Andrew Davis (Chairman), Cllr Tony Trotman (Vice Chairman), Cllr Glenis Ansell, Cllr Trevor Carbin, Cllr Terry Chivers, Cllr Stewart Dobson, Cllr Charles Howard, Cllr David Jenkins, Cllr Christopher Newbury, Cllr Bridget Wayman and Cllr Fred Westmoreland

#### **Also Present:**

Cllr Magnus Macdonald, Cllr Pip Ridout and Cllr Toby Sturgis

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#### **38 Apologies for Absence**

There were no apologies for absence.

#### **39 Minutes of the Previous Meetings**

##### **Resolved:**

**To confirm and sign the minutes of the meetings held on 11 May and 2 June 2016.**

#### **40 Declarations of Interest**

Cllr Bridget Wayman declared a non-pecuniary interest in West Warminster Urban Extension Masterplan (Minute No 43 below) as she was a member of Cranborne Chase and West Wiltshire Downs AONB Panel.

Cllr Andrew Davis declared a non-pecuniary interest in West Warminster Urban Extension Masterplan (Minute No 43 below) as he was a member of Warminster Town Council and, as a member of the Town Council's Planning Advisory Committee, had taken no part in the Committee's consideration of the matter and had left the committee room during the debate.

41 **Chairman's Announcements**

The Chairman reminded members of the public that whilst they had the opportunity to make representations on the West Warminster Urban Extension Masterplan and to contact and lobby their local member and any other members of the planning committee before today's meeting, he would not allow any last minute lobbying of members once the debate has started, including the circulation of new information, written or photographic which had not been verified by the Council's planning officers. He respectfully asked Members and members of the public to please bear this in mind

42 **Public Participation and Councillors' Questions**

No questions had been received from councillors or members of the public.

The Chairman welcomed everyone to the meeting. He then explained the rules of public participation and procedure to be followed at the meeting.

43 **West Warminster Urban Extension Masterplan**

**The following people spoke against the proposal**

Mr Jeremy Stadward, a local resident  
Mr Tony Nicklin, Chairman, Neighbourhood Plan Working Group  
Mrs Tracy Clifford, representing ABC Action Group & a local resident

**The following people spoke in support of the proposal**

Mr Dennis Barry of GL Hearn – Property Consultants, representing Persimmon Homes.  
Ms Jenny Mitter of Nathaniel Lichfield & Partners, representing Redrow Homes.

Consideration was given to a report by the Associate Director, Economic Development & Planning requesting the Committee to endorse the draft West Warminster Urban Extension masterplan (WWUE) and to authorise the Associate Director for Economic Development & Planning, in consultation with the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property & Waste, to make any further necessary minor changes in the interest of clarity and accuracy.

It was noted that, at its meeting on 13 April 2016, this Committee had given consideration to adopting this masterplan but during discussion Members had considered that there appeared to be some confusion on the number of houses which should be included in this masterplan. They also requested further detailed information about potential flooding, landscaping, traffic management

particularly of West Street and the sighting of the proposed new primary school and had resolved as follows:-

*“To defer consideration of the draft West Warminster Urban Extension masterplan and to request the officers:*

- (1) to look into how this could be brought into greater conformity with the Wiltshire Core Strategy, and*
- (2) to examine further the issues regarding potential flooding, landscaping, traffic management particularly affecting West Street and the position of the new primary school.”*

The Associate Director made a presentation in which he explained that the Wiltshire Core Strategy supported the delivery of 900 homes and six hectares of employment land on this site until 2026. Following a detailed site investigation and after consultation including an examination in public, the WWUE site had been identified as the most sustainable location for growth in Warminster. He further explained that the purpose of a masterplan was to manage the development of sites as identified in the Core Strategy. It provided a template to ensure that developers worked within the framework as set by the Core Strategy. It was pointed out that although the Core Strategy had identified this site as suitable for the provision of 900 houses until 2026, the site was large enough to accommodate 1550 homes. The intention of the masterplan was that development of the site would extend beyond the Core Strategy plan period to 2026 with estimates showing that 893 dwellings would be delivered within the Core Strategy Plan period to 2026, with the remaining figure to be delivered over the following years to 2033.

Following on from the meeting on 13 April 2016, further work had been undertaken to examine the issues regarding potential flooding, landscaping, traffic management particularly affecting West Street and the position of the new primary school and this was set out in paragraph 11 of the accompanying report.

Members then had the opportunity to ask technical questions after which they received statements from members of the public as detailed above, expressing their views regarding the proposal.

Members then heard the views of Cllr Pip Ridout, the local Member, who, whilst not supportive of so many dwellings being planned for this area of Warminster, nevertheless recognised the need for a masterplan and accordingly reluctantly supported the approval of the WWUE.

Cllr Ridout also drew attention to the traffic assessment and was disappointed that it did not include either West Street or Bath Road, both of which she considered required some attention whilst recognising that West Street was narrow and incapable of being widened. The Traffic Engineer recognised that

West Street was a traffic pinch point and these constraints had been taken into account in the traffic modelling. One option could be the introduction of a 20mph zone in West Street.

After some discussion,

**Resolved:**

- (i) **To endorse the draft WWUE masterplan as a significant material consideration, subject to the recommended changes set out in paragraph 11 of the report.**
- (ii) **To authorise the Associate Director for Economic Development and Planning, in consultation with the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste, to make any further necessary changes in the interest of clarity and accuracy. This will include confirmation of drainage and modelling as set out in paragraph 12 of the report.**

44 **Date of the Next Meeting**

**Resolved:**

**To note that the next scheduled meeting of this Committee was due to be held on Wednesday 13 July 2016, at County Hall, Trowbridge, starting at 10.30am.**

45 **Urgent Items**

There were no items of urgent business.

(Duration of meeting: 10.30 am - 12.40 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic & Members' Services, direct line 01225 713035, e-mail [roger.bishton@wiltshire.gov.uk](mailto:roger.bishton@wiltshire.gov.uk)

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## REPORT TO THE STRATEGIC PLANNING COMMITTEE

<b>Date of Meeting</b>	13.07.2016
<b>Application Number</b>	14/06562/FUL
<b>Site Address</b>	Land to west of St Andrews Road, Warminster, Wiltshire, BA12 8ES
<b>Proposal</b>	Development of 203 residential dwellings, open space, landscaping, sustainable urban drainage, vehicular and pedestrian accesses, and associated infrastructure and engineering works including the provision of a foul drainage pumping station.
<b>Applicant</b>	Redrow Homes Ltd
<b>Town/Parish Council</b>	WARMINSTER
<b>Ward</b>	WARMINSTER BROADWAY
<b>Grid Ref</b>	385844 144375
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Kenny Green

**Reason for the application being considered by Committee** - This application is being referred to the Strategic Planning Committee as it is a large scale major development. The proposed development raises significant issues of more than local importance in terms of housing delivery, economic investment, job creation and new infrastructure. This report assesses the highway implications, land drainage/flood risk, urban design and neighbouring impacts, landscape matters, sustainability principles, as well as the heritage and ecological effects.

**1. PURPOSE OF REPORT** - To assess the merits of the application against the relevant national and local development plan policies and to consider other material planning considerations; and to recommend that permission should be approved subject to the prior completion of a s106 legal agreement and planning conditions.

**2. REPORT SUMMARY** - The key determining planning issues are considered to be:

The Principle of Development; Master Planning Matters; Housing Supply; Site Planning History; Loss of Agricultural Land; Highway Impacts; Drainage Matters; Landscape Matters; Urban Design Issues and Neighbouring Impacts; Sustainability; Heritage Matters; Ecological Impacts; and, Developer Contributions

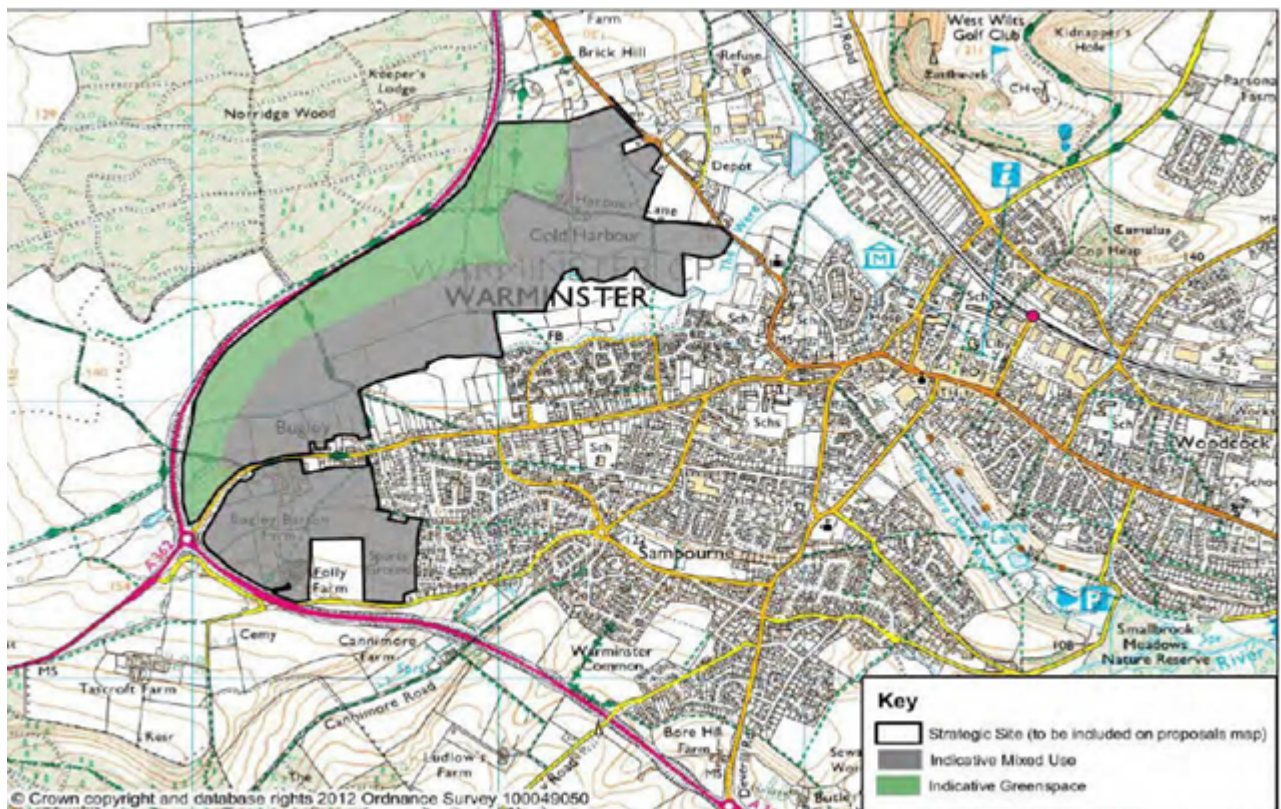
Neighbourhood Responses: 39 representations were received against the original plan submission for 212 houses which included a petition (with 274 signatories) objecting to the development. In May 2015, a revised scheme for 203 dwellings was submitted which resulted in a further 34 representations being received against the revised proposals. Following receipt of another revised suite of plans in mid-April 2016, a third neighbour notification process was followed inviting local residents/interested parties to review the revised application which led to 17 additional representations. [NB: multiple letters written by individuals have been collated and are represented as 1 representation].

Warminster Town Council - Objects for the reasons cited within section 7.

**3. SITE DESCRIPTION** - The inverted "L-shaped" application site extends to approximately 7.3 hectares of grade 2 agricultural land which is currently used for cattle grazing which is considered very

good versatile land located on the western periphery of Warminster's current settlement boundary. The application site is a strategically allocated site for new housing in the adopted Wiltshire Core Strategy which represents about 6% of the full extent of the WWUE allocation which is identified to deliver the following over the plan period 2006-2026:

- 900 dwellings;
- 6 hectares of employment land and associated facilities to encourage the delivery of flexible and affordable workspace across all the B uses, particularly small and start up units with some 'follow on' space, on accessible lease terms to provide continuing opportunities for small business, business start-ups and continuation;
- a link road connecting Bath Rd, Victoria Rd and St Andrews Rd/Thornhill Rd;
- a new bus service to the town centre;
- developer contributions to deliver a new 2FE primary school and contributions for secondary school spaces and childcare provision (or on-site allocation);
- to conserve the existing field patterns and hedgerows and trees with a substantial landscape buffer;
- to enhance access to Coldharbour Meadows, to reduce damage to sensitive habitats and create a mosaic of wetland and grassland ecological habitat, to provide for multifunctional and accessible greenspace and the provision of children's play areas, sporting facilities and allotments;
- to provide a holistic sustainable urban drainage solution with biodiversity enhancements; as well as
- further developer contributions for enhanced access to the countryside through improved cycleways and footpaths.



Source: Appendix A 'Indicative' Development Template Plan for the entire 115 hectare WWUE site – taken from page 256 of the adopted Wiltshire Core Strategy

For the purposes of clarifying the site's location and relationship with the WWUE site allocation (which it forms part of) and the existing built development, the case officer has annotated the above WWUE plan and included a site photograph on the following page. The site photograph looks north-eastwards towards the town and picks up some of the boundary planting. The site has three field access points served off the public highway – two via the St Andrews Road cul-de-sacs (which the photograph looks towards) and one off Folly Lane (located on the extreme right). There are no public rights of way through the site, although, WARM6 – a public footpath, is located to the north; WARM5 footpath runs SW to NE and WARM91 footpath located to the south of the A36(T), and links with WARM5, WARM1 and WARM66.



As partly illustrated in the appended site photograph, the site is bordered by well-established hedgerows and trees along the north-west, western and southern boundaries. Along the eastern boundary (i.e. the middle ground of the above photograph), landscape planting is more sporadic but there are two TPO'd oak trees, which would be retained.

The Broadway residential estate of the town is located to the east and north-east of the site. Some properties are visible in the above photograph with the closest residential properties found along St Andrews Road, Haygrove Close and Folly Lane. The housing which adjoins the site comprises a mix of housing types and styles characterised by different brick, stone facing and render wall finishes. The properties are predominantly detached and two-storey. In the case of the single-storey units, several have box dormers providing upper floor accommodation. The properties found along Haygrove are more modern, but again, a mix of house types and finishes are found. The housing along Victoria Road displays even more housing variety in terms of type, age and detailing. Allied with the mixed house type character, the local roofscape is varied in terms of gables and hips and the mixed presence of clay tiles, concrete and slate roofing materials.

As far as landform is concerned, the site has a 10 metre variance from south to north with the land sloping northwards from 145m-135m AOD (above Ordnance datum). The Environment Agency Flood Mapping database records that the site is located entirely within Flood Zone 1 (i.e. land having less than 1 in 1000 annual probability (<1%) of fluvial flooding in any given year). There are no watercourses within the site, but there is a stream (served by a ditch) located approximately 25m to the north of the site which runs west-east and passes through several residential rear gardens before being culverted further eastwards within the town. A pond which has an outfall to the culverted watercourse is located on agricultural land (forming part of the Bugley Barton farm) located to the immediate north of the proposed public open space and circa 15m from the site.

Agricultural land at Bugley Barton (which is also captured within the WWUE strategic allocation) is found to the west and north - beyond which lies Victoria Road. The Warminster Rugby Club abuts the western and upper southern site boundaries. Folly Lane abuts the site's southern boundary, with the A36 further southward. Folly Farm Nursery (which is also captured by the proposed WWUE site allocation) is located further to the west beyond the Rugby club site which in part, adjoins the site's upper western boundary.

The application site is not the subject of any statutory designations, although the following important constraints/designations are found in the vicinity:

- Cley Hill Scheduled Ancient Monument (comprising a hill fort, two bowl barrows, medieval strip lynchets and a cross dyke) is located approximately 2km to the west;
- Bugley Barton Farmhouse Grade II Listed Building is located about 160m to the north; and other Grade II listed buildings are found at 64/66 Victoria Rd, 54-58/54a Victoria Rd and 40 South Street
- Warminster Town Centre Conservation Area is located about 600m to the west;
- Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty comes within 450m of the application site;
- Salisbury Plain Special Area of Conservation (SAC), Special Protection Area (SPA) and Site of Special Scientific Interest (SSSi) is circa 3.9km to the north-east;



- The River Avon Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSi) is located about 1.8km to the south-east;
- Further afield but within 5km of the site, 7 nationally designated sites are found at: Brimsdown Hill SSSI, Upton Cow Down SSSI, River Avon SSSI; Salisbury Plain SSSI; Cley Hill SSSI; River Wylfe LNR (Local Nature Reserve) and Smallbrook Meadows LNR. The closest of which is the Cley Hill SSSI at about 1.3km west north-west of the site;
- Three non-statutory nature conservation designations lie within 2km of the site the closest being Cannimore Farm Local Wildlife Site which is about 0.4km to the south-west.

#### **4. PLANNING HISTORY**

79/01251/HIS – a 72 house outline application was refused on 05.02.1980. In summary form, this application was refused due to: 1. Unjustified Development Plan departure; 2. Loss of grade 2 agricultural land; and, 3. Site separation to shops & schools. This decision was appealed, but it was dismissed by the Secretary of State for the Environment on 29.09.1980.

81/00149/HIS – Following the above, an outline residential development was refused on 21.07.1981. In summary form, the 1981 application was refused due to: 1. Unjustified Development Plan departure; 2. Housing needs could be delivered elsewhere 3. Loss of grade 2 agricultural land; 4. The Council also referenced the 1980 Sec. of State appeal dismissal decision; and argued: 5. The development was premature given that the LPA was still in the process of preparing a District Plan. [No appeal was submitted].

86/01345/OUT – An outline residential development for 28 acres of land (which could have accommodated about 280 dwellings) was refused on 23.10.1986.

86/01346/OUT – An identical submission to the above was also refused on 23.10.1986. In summary form, the refusal reasons related to: 1. Unjustified Development Plan departure; 2. The development represented an unacceptable extension to the south-western fringe of the town into open countryside, and would have a damaging impact on the local landscape; 3. Inadequate road network unsuitable to serve the scale of development proposed; and, 4. Loss of grade 2 agricultural land.

13/06842/SCR – An adopted EIA Screening Opinion for up to 230 dwellings was issued on 06.01.2014

14/01958/SCO - An adopted EIA Scoping Opinion for the development of land to provide up to 230 dwellings was issued on 23.03.2014.

**5. THE PROPOSAL** - This much revised application proposes the construction of 203 dwellings on a 7.3 hectare site (which equates to approximately 27 units per hectare) comprising 142 private open market and 61 (30%) affordable homes, associated highway infrastructure and car parking spaces, 1.1 hectares of 'multi-functional' public open space including provision of a local equipped play area, surface water drainage attenuation and new landscaping and tree/shrub planting.

The proposed dwelling mix would comprise 7no. single-storey bungalows (4 two-bed and 3 three-bed units); 178no. two-storey dwellinghouses (comprising 84no. four-bed, 65no three-bed and 36no two-bed units); and, 18no. apartments accommodated within 2no. two-and-half storey blocks (comprising 12 one-bed and 6 two-bed units). No building would be greater than 11m above ground level with the vast majority being 2-storey at circa 8-8.5m high.

The proposed materials palette would comprise a mixture of ibstock multi-stock brick with some properties being rendered under tiled roofs, which would include some variety in terms of colours including mixed russet and darker tones. The property boundaries would be defined by a mixture of brick screen walling along highway frontages, close-boarded fencing for garden divisions, hit and miss fencing for the shared boundaries defining rear gardens and the rugby club site and open farm land.

The most recent April 2016 revised negotiated scheme introduces numerous amendments relative to developing an on-site drainage solution, introducing siting and layout urban design improvements, addressing highway requirements and proposing a significant amount on-site landscape tree/shrub planting with bolstered boundary hedgerow planting, relocation of a foul pumping station, redefining and enhancing the proposed public open space and play area; and deleting the initially proposed rear alleyways.

Vehicular access is proposed to be taken via two connections onto the St Andrews Road cul-de-sacs. The internal link road through the site has been designed in liaison with the Council's highway authority to accommodate a future bus link to allow for a connection route to link the site with Victoria Road to the northwest under future application(s) as required by the adopted WCS. The internal 'link road' would be constructed right up to the application site boundary with highway verge clearly notated on the revised road adoptions plan to prevent any ransom strip complications which would potentially compromise the future delivery of the strategic road link between St Andrews Road and Victoria Road. In addition, a new dedicated pedestrian and cycleway link is proposed through the public open space to link with Haygrove Lane; and to further enhance site permeability, a new pedestrian/cycleway link is proposed to connect with Folly Lane to the south. It is worth noting here that a temporary/permanent vehicular connection with Victoria Road is not achievable at the present time given that the land is under separate control and ownership.

The proposed landscaping proposals comprise a range of green and public open spaces supplemented by robust native tree/shrub planting. Approximately 200 trees would be planted across the site, with the vast majority planted in the northern part of the site to strengthen the north site boundary, POS areas as well as on plot planting. The largest area of public open space (which would include an informal play area as well as landscaping) would be located towards the northern part of the site (which has been subject to officer negotiation to allow for a further extension to produce a strategic 'green lung' running east-west when the land to the north of the Redrow site comes forward under future applications to create a more strategic central open space. In addition, a local equipped area of play (LEAP) would be provided and enclosed by black railings 1.2m high with the entry point identified as having a public art installation opportunity for a local artist or local school to promote a bespoke design. Towards the southern part of the site, and adjacent to Folly Lane, the applicants propose a linear 'pocket park' providing more informal public open space. Throughout the development, plots would have trees and hedging to break up the built form and incorporate more green linkages and following officer requests, an avenue of trees would line a stretch of the main route through the site. A landscape buffer would also be provided between new housing and Folly Lane and the TPO'd oak trees.

After an extensive appraisal of land drainage matters, which included downstream modelling of the culverted land drainage network, the applicant's appointed consultants, negotiated with Wessex Water and the Council's drainage team to produce a bespoke drainage strategy designed to cater for up to and including the 1 in 100 year plus 30% climate change flood event for the site comprising a combination of soakaways, permeable paving, attenuation and an infiltration basin. Parts of the site suitable to accommodate private soakaways and permeable paving will have private SuDS systems installed. Elsewhere, an area of the site shall drain to a large cellular soakaway measuring 16.5m x 14m x 1.2m deep that is designed for 1:100 year plus 30% climate change located next to a centralised public open space and play area. The remainder of the site shall drain to a large underground attenuation tank located in the northern public open space. The large attenuation tank would measure 99m x 10m x 1.5m deep (having a capacity of 1500m<sup>3</sup>) which would have a restricted discharge using a flow control device to the infiltration basin restricted flows to 10 l/s using a hydro brake flow control. The infiltration basin would have a maximum storage capacity of 454m<sup>3</sup> plus 300mm freeboard and would have a 1.5m high structural supporting gabion (or similar) wall embankment along the northern perimeter to hold back any excess flood water on-site as well as protecting against any slippage of the basin. The embankment structure would have an impermeable membrane installed both behind and below it to prevent seepage of groundwater through the structure located a minimum of 4m from the top of the bank to minimise any impact on the performance of the infiltration basin.

A separate modelling exercise has been undertaken relative to managing foul drainage. After commissioning work done by Wessex Water, the applicant has produced a plan to provide an adoptable foul pumping station measuring 8m x 10m within the site (located on the northern perimeter of the site and some 150m away from the nearest existing dwelling) which would connect to a rising main laid through the site that would be directed to the southern boundary to connect with the existing sewer offsite. The on-site foul pumping station compound would have a wet well and a kiosk for control equipment which would be enclosed by metal railings that is to be supplemented by a living wall to assimilate with the adjoining public open space/northern site landscaping. The site access would be formed using grasscrete to minimise the amount of hardstanding. The foul pumping station would be designed and constructed in accordance with Wessex Water's Sewers for Adoption (SFA) (7<sup>th</sup> Edition) requirements. No permanent flood lights are proposed.

To assist the Council with its determination of this application, the following supporting documents have been submitted:-

An Environmental Statement with a non-technical summary; a Design & Access Statement with an April 2016 addendum; a Planning Statement; a Site Investigation Report; an Agricultural Land Classification Report; a Tree Survey; a Noise Assessment with trickle vent details; an Odour Assessment; a Waste Audit Strategy Report; an Energy Statement; a Utilities Assessment; a Transport Assessment; a Flood Risk Assessment and Drainage Strategy the latter of which was revised in April 2016; a Construction Traffic Management Plan; and a Statement of Community Involvement. The application is also supported by a Master Plan which was endorsed by the Strategic Planning Committee on 15 June 2016.

## **6. PLANNING POLICY**

The Adopted **Wiltshire Core Strategy WCS** (which was adopted in January 2015) - Core Policy 1 Settlement Strategy; Core Policy 2 Delivery Strategy; Core Policy 3 Infrastructure; Core Policy 31 Warminster Community Area; Core Policy 41 Sustainable Construction and Low Carbon Energy; Core Policy 43 Providing Affordable Homes; Core Policy 45 Meeting Wiltshire's Housing Needs; Core Policy 50 Biodiversity and Geodiversity; Core Policy 51 Landscape; Core Policy 52 - Green Infrastructure; Core Policy 57 - Ensuring High Quality Design and Place Shaping; Core Policy 58 Ensuring the Conservation of the Historic Environment; Core Policy 60 - Sustainable Transport; Core Policy 61 Transport and Development; Core Policy 62 - Development Impacts on the Transport Network; Core Policy 63 Transport Strategies; Core Policy 64 Demand Management; Core Policy 67 Flood Risk; Core Policy 68 Water Resources; and, The Design Template for the strategic West Warminster Urban Extension Site found within Appendix A.

Core Policy 31 (supported by the development template contained within Appendix 1 of the WCS) specifically allocates land at West of Warminster for a mixed-use development to include 6ha of employment land and 900 dwellings. The development template outlines that the WWUE should be limited to 900 houses and 6 hectares of employment land. The policy indicates that the strategic allocation should be brought forward through a master planning process agreed between the community, local planning authority and the developer and should be in accordance with the development template set out in Appendix A. The development template for the West Warminster urban extension strategic site requires any new development proposal to:-

*1. Integrate with the existing town and town centre; 2. Protect the setting of and views to the Cranborne Chase and West Wiltshire Downs AONB; 3. Conserve and enhance the environment within and around the strategic site; 4. Provide a link road connecting Bath Road, Victoria Road and Thornhill/ St Andrews Road and new bus service to the town centre; 5. Deliver improvements to the Rights of Way identified in the IDP (which includes WARM6); 6. Provide areas of multi-functional accessible natural green space along sections of the River Wey floodplain; 7. Provide for children's play, accessible natural green space, sports and allotments; 8. Retain, buffer and restore habitat corridors across the site with sensitive lighting close to hedgerows, mature trees and the riparian corridor; 9. Include sensitively designed SUDS; 10. Provide a substantial landscape buffer to screen visually intrusive urban edges; 11. Should have regard to the setting to Cley Hill SAM; and, 12. Ensure the Master plan accords with the specific recommendations for the Site in the Historic Landscape Assessment.*

In addition to the above, the following saved policies of the **West Wiltshire District Plan – 1<sup>st</sup> Alteration** (WWDP) remain relevant which have been carried across into the Core Strategy and are listed within Appendix D: C40 – Tree Planting; U1a – Foul Water Disposal; and I2 – The Arts.

**Wiltshire Waste Core Strategy** (adopted 2009) is also relevant especially Policy WCS6 – Waste Reduction and Auditing.

**The Leisure and Recreation DPD** (which was adopted in February 2009) is a material consideration with particular reference to the following saved policies: LP1 Protection and Enhancement of Existing Open Space or Sport and Recreation Provision; LP4 Providing Recreation Facilities in New Developments; LP5 New Sport and Recreation Facilities; CR1 Footpaths and Rights of Way; CR3 Green Space Network; GM2 Management and Maintenance of New or Enhanced Open Space; GM3 Future Management Partnerships; and, YP1 Children's Play Areas.

Warminster Town Council is preparing a Neighbourhood Plan (hereafter referred to as the **emerging Warminster Neighbourhood Plan** - eWNP). In late May/early June, the eWNP was independently examined and subject to a number of modifications made by the inspector to make it sound and compliant with the Planning Acts; the eWNP can proceed to a local referendum. Now that the eWNP has passed the examination stage, the weight to be attached to the eWNP consequently increases. However, until its adoption, it cannot have full weight. In its current form, the eWNP does not make any proposed changes to the limits of development in Warminster or to the WWUE site extent, and in its modified form; there is no conflict in terms of what is proposed by this application.

In addition to the above, the Council's Housing Sites DPD is progressing but is not at an advanced stage to carry much weight.

In addition to the above, the following also merit due consideration:

**Wiltshire Council's Statement of Community Involvement (which was updated July 2015); Wiltshire Council's Community Infrastructure Levy (CiL) Charging Schedule: Draft Revised Regulation 123 List and Draft Revised Planning Obligations Supplementary Planning Document (SPD) (February 2016); and Delivery Plan 2 (2011-2016) Appendix 1 – Warminster Community Area; Wiltshire Council's 2015 Housing Land Supply Statement; Wiltshire Council's Waste Collection Guidance for New Development; The Wiltshire Local Transport Plan (LTP) and Car Parking Strategy; The Affordable Housing SPG; Open Space Provision in New Housing Development SPG (Adopted August 2004); and The Emerging Wiltshire Groundwater Management Strategy (2015).**

At the national level, **The National Planning Policy Framework (NPPF)** was published in March 2012 and is a material consideration in the determination of all planning applications; and specific to this application, the overarching aim (the 'golden thread' running through the Framework) is that of achieving Sustainable Development. Section 4 Promoting Sustainable Transport; Section 6 Delivering a Wide Choice of High Quality Homes; Section 7 Requiring Good Design; Section 8 Promoting Healthy Communities; Section 10 Meeting the Challenge of Climate Change, Flooding and Coastal Change; and Section 11 Conserving and Enhancing the Natural Environment are all relevant.

The following also merits due weight and consideration:

**Planning Policy Guidance (PPG); The Cranborne Chase and West Wiltshire Downs AONB 2014-2019 Management Plan; and The Noise Policy Statement for England (2010).**

## **7. CONSULTATIONS**

**Warminster Town Council** – Objects on the grounds that the plans do not accord with Wiltshire Core Strategy Policy 31. The planning application does not form part of the master plan that is required for the West Urban Extension. The plans should be rejected until the questions raised about the drainage and flooding issues have been satisfied fully and the master plan for the West Urban Extension has been agreed and adopted by Wiltshire Council. Warminster Town Council also urges Wiltshire Council to refuse all large applications until such time as an acceptable and credible plan has emerged for the provision of education for 11-16 year-olds in Warminster.

**Spatial Planning** - Delivering development on the allocated strategic sites is a critical part of the adopted WCS approach to meeting development and the wider needs of settlements. To fulfil their role, the Plan requires a comprehensive approach to site delivery to ensure plan objectives are met alongside a high quality of design. This is perhaps no more the case than in Warminster where the strategic site requires a comprehensive treatment for one side of the whole town up to a long term boundary of the A36(T). Consequently, the WCS requires individual detailed proposals to accord with an indicative Masterplan that itself results from collaborative master planning. The development proposals are acceptable in principle given the site's formal allocation as a strategic site in the WCS.

It is important that special attention is given to mitigating any harmful visual impacts of development and preserve the qualities and setting of Cley Hill Scheduled Ancient Monument and the Area of Outstanding Natural Beauty. Highway and amenity impacts should be thoroughly appraised along with ecological and any archaeological interest. Careful attention must also be given to site drainage and surface water management measures to manage flood risks effectively within the site and elsewhere.

The NPPF was introduced as a principal material consideration in the determination of planning applications in March 2012. It introduces the presumption in favour of sustainable development at

paragraph 14 as a 'golden thread' running through plan making and decision taking. The NPPF is also clear in stating that 'planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise'. The NPPF does not change the statutory status of the development plan as the starting point for decision making. Paragraph 17 of the NPPF sets out the core planning principles. Paragraphs 18-219 constitute what sustainable development means in practice. The sections of the NPPF that are considered relevant to this application, as well as paragraphs 14-17 are: Building a strong competitive economy • Ensuring the vitality of town centres • Delivering a wide choice of high quality homes • Conserving and enhancing the natural environment; and • Conserving and enhancing the historic environment.

As members will be aware, for the N&W Housing Market Area, the Council cannot currently demonstrate having a 5-year housing land supply; and, consequently the weight that can be attached to the WCS housing policies (which includes CP2 and CP31) must be reduced and they "*should not be considered up-to-date*". To boost the supply of housing, NPPF paragraph 49 must be engaged which sets "*a presumption in favour of sustainable development*" and paragraph 14 imposes the following clear direction on LPAs for decision taking i.e.:

*"Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in [the] Framework..."*

**Highways England** – No objections.

**Council's Highways Authority** – No objections. The supporting Transport Assessment for this site/scheme assesses the local road conditions, facilities, impacts, site sustainability and local safety; and the findings conclude that this residential development would not have severe cumulative highway impacts. A thorough appraisal of this application has taken place following several amendments and design layout iterations. The local opposition against the scheme is fully acknowledged, however it is important to note that the site forms part of a strategic allocation and a central part of the allocation is the delivery of a strategic link road from Bath Rd – Victoria Rd to connect with St Andrews Rd. Highway modelling and the constraints have been fully appraised, including safety audits/accident reporting and traffic counts; and after a lengthy assessment, no severe cumulative highway/transport harm has been evidenced to justify recommending a refusal. Subject to planning conditions and a s106, the development would satisfy national and local planning policy on highway/transport matters.

It is also important to stress that it is entirely appropriate to conduct daytime assessments as this would be the time when construction vehicles would arrive and depart each day. In terms of practicalities, it is important to report that St Andrews Road is some 6m wide, which is perfectly adequate to accommodate a degree of on-street parking, as well as providing for through flow of traffic. Most of the properties fronting the roads that may be affected have a level of on-site parking space not enjoyed by many residents on other roads in the town carrying significant levels of traffic. No insurmountable access issues have been evidenced e.g. for other service vehicles using the roads, such as the refuse vehicles which need access, on average, twice a week.

The principle of using St Andrews Road to access the strategic housing site south of Victoria Road has been established for a considerable period of time, over which residents have had an opportunity to voice their concerns. The TA demonstrates that the impact of the development is not locally unacceptable in transport terms.

In addition, at the end of the two St Andrews Rd hubs, there are field gates for the purpose of agricultural access. Agricultural machinery is of a comparable width (2.5m) and length to many construction lorries; therefore if such accesses are viable for agricultural access, then there is no reason why they cannot be accessed by construction lorries.

No contradictory evidence has been provided finding fault with the TA modelling and highway assessment. As far as the Council's highways authority is concerned, the predicted additional traffic flows on the local roads would not be unacceptably prejudicial to road safety and NPPF para 32 and WCS policies on highway matters are therefore satisfied. The construction traffic management plan has been appraised and is found to be acceptable and it should be conditioned as part of any approval.



Should the elected members approve this application, the highways authority would seek a package of measures that address the requirements of sustainable transport infrastructure to serve the site. As access to the site would be achieved via two arms of St Andrews Road, it would be necessary to secure alterations to those roads at the connection points as part of a wider package of highway improvements - which should be captured by s106 agreement and Traffic Regulation Orders (TROs) where applicable.

The Council's PRow officer rightly makes the point that there will be demand between the existing and new communities. In the interests of promoting sustainable travel options it is beneficial to have enhanced optional PRow routes available. The site has been visited along with the PRow warden and it has been noted that some local residents park cars on the existing path, which had resulted in concerns about obstruction; the links proposed by Redrow Homes would provide an alternative to avoid that length of path for many future users. It is appreciated that residents of Haygrove Close are opposed to the PRow link onto WARM6 near the play area along the close, however in highway safety terms, residents of Haygrove Close would not be significantly disadvantaged by the presence of the eastern connection. If there is demand, then users would still presumably use Haygrove Close. Users of the Ruskin Drive/new development route would be disproportionately disadvantaged should the secondary PRow link be deleted.

The transport assessment for the wider urban expansion of Warminster has been appraised and it is acknowledged that there would be some cumulative impacts on the wider town resulting from the overall development, and mitigation opportunities are admittedly limited. One focus of attention would be to deliver a step change in the opportunities to use local bus services for trips associated with both sites; and a bus strategy is required and should form part of any approval.

No concerns are raised about the revised location and proposed access arrangements for the on-site foul pumping station. Visits to the pumping station by large vehicles having vacuum suction machines are likely to be very occasional.

The layout accords with the Manual for Streets and the Council's LTP3 Car Parking Strategy. There will be a requirement for traffic calming to achieve a design speed of 20mph on all roads except the bus route, which should seek to achieve a maximum speed of 25 mph through the estate.

**Council's PRow Team** – No objections, subject to s106 obligations and conditions. Footpath WARM6 runs immediately to the north of the site and would provide a key link to the north and a useful link to the east. Folly Lane to the south of the site would provide further enhanced site permeability that would encourage people to walk/cycle rather than use private vehicles. New housing layouts that have good levels of permeability offer local residents more opportunities to use sustainable modes of travel; and it is national and local policy to provide for such linkages wherever possible and appropriate.

The revised scheme proposes a 3m wide pedestrian/cycle tarmac link to connect with WARM6 via the on-site public open space which is supported and has been negotiated by the PRow team. The north/south section of WARM6 leading from the northern part of the site to Victoria Road requires to be upgraded to a pedestrian/cycleway route, but after a site inspection, the necessary upgrade is not considered significant. A cycle track conversion order (separate to the planning process) which would be subject to public consultation is required to fulfil this request. The developer would need to agree to a s106 obligation agreeing to pay for the conversion order, and the associated upgrade and resurfacing costs (to an adoptable standard).

The other proposed PRow link with WARM6, close to the Haygrove Close play area would be for pedestrians only measuring 2m in width and gravelled use of gravel which would be acceptable providing the track and the contiguous land is maintained in perpetuity by a management company.

Although the extent and content of local opposition to the proposed PRow linkages are duly noted, the proposed linkages are considered essential to make the development acceptable; and in liaison with the highways officer, no substantive highway safety concerns are raised.

**The Environment Agency** – No objections subject to planning conditions and informatives.

**The Lead Local Flood Authority** – No objections subject to planning conditions and a s106. Following receipt of revised information in mid-April 2016, the lead local flood authority is now satisfied that the

holding objection can now be removed. The application is supported by a revised flood risk assessment and revised drainage strategy plan (ref 0526-320 Rev I). The surface water drainage strategy incorporates private soakaways and permeable paving, a cellular soakaway, surface water attenuation and an infiltration basin which would provide adequate storage volumes to meet the 100-year return period storm plus 30% allowance for climate change and would provide a betterment in the drainage treatment compared to the current situation – which satisfies NPPF paragraph 103 and WCS CP67.

The scheme shall deal with storm drainage on-site and the drainage calculations have shown that the proposed development would not worsen problems downstream. The greenfield run-off rate has been fully evaluated and the LLFA is satisfied that the proposal would not increase flood risk off-site (which again accords with WCS CP67 and the NPPF). Flows from the proposed drainage solutions will get to the watercourse over a longer period and it is necessary to have robust planning conditions and that the on cellular soakaway, tank and site attenuation are robustly maintained and managed in perpetuity.

Getting the construction of the pond, its embankments and the stability right is crucial to plan against flood risk and robust planning conditions are required. A planning condition is also necessary to robustly secure an acceptable drainage strategy, appropriate flood routing and flood risk safety factoring to accord with policy and established guidance including the Council's draft publication Groundwater Management Strategy and CIRIA C697 publication "The SuDS Manual" 2007.

**Wessex Water** – No objections. The applicant proposes the disposal of foul drainage from the site via an on-site pumping station and off-site pumping main to a point of adequacy to the south of the site (in accordance with a fully modelled strategy by Wessex Water). Arrangements will be subject to a Section 104 of the Water Industry Act 1991. The drainage consultant has advised that the level of the pumping station wet well will be lower than the site sewer levels as current contour lines suggest the proposed pumping station is not located at the lowest point within the site. The foul pumping station will be designed and constructed in accordance with Sewers for Adoption (SFA) 7th Edition. 1.8m high fencing and gates shall enclose the site and keep it secure, although it is noted that Redrow propose to erect a living wall around the perimeter to visually integrate the compound with the adjoining POS.

Surface water discharge to soakaway arrangements will require the approval of the Local Lead Flood Authority.

**The Council's Landscape Officer** – No objections subject to planning conditions. The landscape planting palette is acceptable and has been enhanced with more native/native cultivars. At pre-app stage, the applicant was encouraged to create a hierarchy of tree planting for the site identifying key locations for large long term specimens to achieve their full potential, reinforcing key routes with avenue trees and using smaller trees within gardens. Due to the topography, trees will play an important part in breaking up the visual effect of the new roof lines especially when viewed from Cley Hill and the AONB and from the north of the site. Viewpoints were agreed with the LPA in March/April 2014 and the LVIA assessment was undertaken in June 2014 which was subsequently bolstered by a winter assessment to enable the full extent of visual effects/worst scenarios to be appreciated. The LVIA correctly concludes that there would be a permanent change in landscape character from an agricultural field to a housing development. The site is located on the urban fringe of Warminster and is overlooked by housing from the north and east; but it is reasonably well enclosed to the south and west by well-established dense landscape planting - creating an enclosed character that does not contribute greatly to the wider landscape character. The site is visible in the landscape at a local scale from neighbouring properties, Folly Lane, Victoria Road, Bugley and most notably from Cley Hill in the AONB. However, most of these views are seen from within an urban context or against the backdrop of the built environs of Warminster. With appropriate planning conditions relating to enhanced boundary and tree planting, comprising native species or their cultivars such as oak, ash, field maple, hawthorn, holly and hazel, views into the site would be filtered to an acceptable level. There are still restrictions on planting ash, but acceptable substitutions could include lime, beech, hornbeam, cherry and/or elm. Instead of planting *Salix caprea*, field maple is recommended.

**Cranborne Chase & West Wiltshire Downs AONB Board** – Objects. The AONB Management Plan is a statutory document, approved by the Secretary of State and adopted by the constituent Councils making it a material consideration. As far as the NPPF is concerned, Paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. The '*presumption in favour of sustainable development*' does not apply automatically within AONBs as confirmed by paragraph 14 footnote 9. Paragraph 115 furthermore

dictates that great weight should be given to conserving landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are also important considerations in such areas. Whilst the proposed site is not within the AONB, the edge of the site is only about 450m away from the AONB boundary. The views towards and from AONBs, and the impacts of potential developments to the settings of AONBs on such views and the perception of AONB attributes, have been important matters in leading planning inspectors to dismiss planning appeals. It is, however, recognised that the site forms part of a strategic allocation on the west side of Warminster. Bodies such as the AONB Partnership were prepared to accept the strategic allocation on condition that robust landscape treatments (with a strong buffer to the A36, and regard to Cley Hill & AONB and development limits) are proposed/implemented.

At the WCS EIP (examination in public), developers and their agents sought to increase dramatically the scale of housing development which would either extend the developed area at the expense of the landscape or create very high density development more akin to an inner city situation than a rural market town. This current application appears to take forward that process with a high density development with minimal landscape integration close to the AONB. The development is proposed on the relatively small south-easterly corner of the strategic allocation. The proposed development is considered site cramming which would not deliver the type, quality or character this sensitive part of Warminster should have.

The original ES doesn't inspire much confidence because of its poor attention to detail, typographical and obvious cut and paste errors. The documentation didn't robustly consider the appearance of the development in terms of views towards and from Cley Hill. Cley Hill was referred to in its context as an SSSI, but not as a significant open access area within the AONB that is under National Trust ownership. Comments appear to be based on the current view of the site rather than the visibility of the site once developed. The landscape section of the ES non-technical summary was considered very strange. To suggest that existing landscape features and character 'would be retained' [para 8.3] seems very misleading as an open grass field would be completely changed by housing and roads. Furthermore, development on the remainder of the WWUE site would result in cumulative impacts which are unlikely to be negligible [ES para 8.8]. The EIA seemed to avoid acknowledging that the development would create change, and hence, it had difficulty assessing the landscape and visual changes and their potential adequacy and acceptability. Whilst the ES Addendum has been duly noted, the LVIA is more of a supporting document rather than an objective assessment.

There is considerable emphasis placed on retaining and managing the hedges and hedgerow trees along the western site boundary. This is laudable, as it implicitly acknowledges the importance of sustaining the character and health of the hedgerow/treed boundary that would limit the visibility of the proposed development from key locations within the AONB, such as Cley Hill. However, the hedges and associated trees along the western site boundary are outside the control of the applicant; and therefore they are not in a position to commit to sustaining those hedges and trees. There appears to be no undertaking or proposal either to include those hedges and trees within the red line area or for the applicants to enter into a legally binding arrangement with the Rugby Club to maintain those hedges and trees in perpetuity.

Turning briefly to the on-site environment, not only are there limited private green spaces associated with the buildings but there are tight street scenes with extensive areas of car parking abutting the fronts of many houses. Concerns exist about light pollution also and the lack of an on-site community renewable energy scheme. No consideration appears to have been given to wood fuel systems that could work on an individual, group, or whole community scale. The proximity of the AONB woodlands for a sustainable source of wood fuel does not appear to have been given any consideration. There would be mutual benefit to any proposed development within the strategic allocation as the utilisation of the woodland products would help maintain the woodlands of the AONB at the same time providing a source of energy with minimal transport costs to the new development. Furthermore, the scheme fails to capture and utilise solar energy solutions.

Despite the consolidated green space in the northern part of the proposed development, the rest of the site lacks the approach to landscape matters advocated in the Core Strategy Strategic Allocation – namely having strong structure planting and reinforcement of the existing landscape structure with significant green areas. The amended scheme, despite some improvements, still appears to be a case of advanced site cramming, minimising space on property frontages, minimising private green

space, reducing public access routes, with a lot of 'adjacent to the highway' car parking spaces.

**Natural England** – Objects and broadly supports the representation of Cranborne Chase and West Wiltshire Downs AONB. The landscape impact on the AONB would be unacceptable in the context of the cumulative effect of the whole WWUE allocation. The WCS requires a substantial landscape buffer “*to screen visually intrusive urban edges using landscape infrastructure of native species*”. The proposed planting is scattered and would not screen the development site. Concern is also raised about the POS landscape planting and the long term retention of trees planted within private plots (which would filter the roofscape once mature).

The absence of a Masterplan remains a concern. A landscape management strategy showing how the mitigation measures will be managed in perpetuity could address some of the above concerns, however NE are not convinced the density is compatible with retaining the special qualities of the AONB, whilst being mindful of the wider WWUE cumulative effects; and recommends that additional tree planting is included within and along the western edge of the development

The application site is in close proximity to the River Avon Special Area of Conservation (SAC) and the Salisbury Plain SAC and Special Protection Area (SPA), and therefore has the potential to affect their interest features. European sites are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations'). The sites are also notified at a national level as the River Avon System Site of Special Scientific Interest (SSSI). The application site is approximately 1.3km from Cley Hill SSSI, which is notified for chalk grassland and some of the invertebrates this habitat supports. Whilst Historic England's non objection with respect to the Scheduled Ancient Monument is duly noted, the site is vulnerable to increased visitor pressures, although it is acknowledged that the information provided in the Ecology chapter of the ES states that there would not be a significant increase in pressure as a result of the proposed development.

NE references Section 40 of the Natural Environment and Rural Communities Act (2006) which states that *'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'*. Section 40(3) of the same Act also states that *'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'*. NE has not however assessed this application and associated documents for impacts on protected species. This is left for the LPAs expert ecologist to advise on.

**National Trust** – Objects. The National Trust's main interest is the views and setting of Cley Hill, which is a locally iconic landscape feature and designated heritage asset that is popular with local residents and visitors alike. Although the current proposal to the west of St Andrews Road is not the nearest part of the West Warminster Urban Extension area to Cley Hill, it would be set against the urban mass of Warminster. The development should adhere to WCS Core Policy 31 and the development template. Concerns are raised that the proposal does not appear to be part of a comprehensive master planning process (the Trust has not been consulted on any such exercise), and it comprise nearly 25% of the 900 houses combined total limit imposed on the WWUE allocation on less than 1/10th of the development area. The concerns of the AONB partnership are noted and supported.

**The Council's Conservation Officer** – No objection.

**Historic England** – No objection. The application would not present substantial harm to designated assets forming part of the historic environment. It is noted, that land within the application site has been previously assessed as potentially including archaeological deposits. The Council's Archaeologist should advise on such matters separately.

**The Council's Archaeologist** – No objection. An archaeological assessment in the form of desk-based research, geophysical surveying and trial trench evaluations have been carried out at the proposed development site. The results have confirmed the presence of features which relate to post-medieval field boundaries which are likely to be associated with nearby Bugley Farm and Folly Farm. No other archaeological features were found. Based on results of the investigations, there are no heritage assets with archaeological interest likely to be impacted by the proposed development.

**The Council's Ecologist** – Supportive subject to an extensive list of planning conditions and a s106. Several ecological surveys have been submitted with this application, and form part of the ES and

associated appendices. The survey methodologies are considered to be satisfactory and no further survey or assessment is required. As far as the Salisbury Plain SPA is concerned, now that the Council is a CIL charging Authority, some of the developer's requisite CIL liabilities could go towards the Wessex Stone Curlew project. In relation to the River Avon SAC, the 'River Avon Special Area of Conservation Nutrient Management Plan for Phosphorous' was published on 30th April 2015 as a joint document between Natural England, the EA and Wiltshire Council, The Nutrient Management Plan (NMP) is "*a measure to help to reduce and manage phosphorus levels in the River Avon SAC, in accordance with international obligations, principally in the EU Habitats, Wild Birds and Water Framework Directives. It will help to facilitate development and change in the catchment of the river by ensuring that they do not add to the phosphorus load in the river in a way that might conflict with the conservation objectives for the SAC. The primary sources of phosphorus into the river are from land management and agricultural activities (diffuse sources) and the treatment of sewage related to development (point sources)*".

Wessex Water has confirmed that the proposed quantum of housing under this application (and the cumulative number of housing proposed in combination with the Persimmon/Hannick Homes submission) is within their current licensed headroom at the Warminster sewage treatment works. As the development is within the allocated housing figure for Warminster (as a whole), something which was considered in the Wiltshire Core Strategy HRA, there is no further HRA requirement. In line with the recommendations in the NMP, it is assumed that development connecting to mains drainage will not compromise the deliverability of the plan until monitoring or modelling of impact on river water quality results suggest otherwise. Therefore, for this particular case, no developer contributions are required.

Existing hedgerow and tree retention is important and hedgerows should receive a minimal trim to remove sideways growth that may interfere with construction machinery rather than being completely cut back / coppiced. It is recommended that this should be provided as part of a Construction Environmental Management Plan (CEMP) planning condition. The majority of the northern and southern boundary hedgerows would adjoin public open space and would continue to be protected under the Hedgerow Regulations 1997. These hedgerows qualify being classed as "important" under the Hedgerow Regulations 1997 as recorded in the hedgerow assessment carried out by the Pegasus Group in their arboricultural report. Hedgerow management as part of the public open space is recommended within Redrow's own ES to ensure they are maintained as ecological corridors with a range of fruiting and flowering plant species. A Landscape and Ecology Management Plan (LEMP) should be conditioned to secure this requirement.

The proposed pedestrian and cycleway link through the southern hedgerow connecting with Folly Lane has been located sensitively to avoid damaging or losing part of the existing hedgerow. The construction of this link should be restricted to a no-dig specification to protect the existing mature tree adjacent to the western side of the access gate and the existing hedgerow. The hedgerow should be planted up on both sides of the link and a hop-over maintained. This should be included in the CEMP and LEMP conditions.

The eastern boundary hedgerow already forms the curtilage of domestic properties and the hedgerows around the adjacent rugby pitch on the western boundary, have been recently planted (approx. 15 years ago); and therefore these hedgerows fall outside the remit of the Hedgerow Regulations 1997. However, the rugby pitch hedgerow is species-rich and should be protected. A 'hit and miss' fence is proposed for the garden boundaries backing onto the rugby pitch hedgerows, which would enable maintenance of the vegetation, i.e. trimming it back to keep vegetation growth in check. The management of the hedgerows would however remain the responsibility of the rugby club. The long term management of all hedgerows should be the main priority for the LEMP and subject to a S106 agreement.

Hedgerow (H7) on the western boundary qualifies being categorised as "*important*" under the Hedgerow Regulations 1997 as part of the arboricultural survey. The scheme allows for habitat connectivity and it is important that gaps in the boundary hedgerows are planted up and secured by condition. Hedgerow and tree protection should be implemented in line with the '*Tree Survey Report, Hedgerow Assessment, Arboricultural Impact Assessment and Draft Tree Protection Plan*'.

The submitted ES refers to six of the hedgerow trees as having "*definite bat potential*", which support features that could be used by roosting bats. Two dusk emergence surveys and one dawn re-entry survey were carried out on these trees to identify any roosts, but no bats were observed. However, this does not provide categorical proof that bats are not roosting in these trees, as tree-roosting bat species tend to move between roosts more regularly and therefore roosts in trees are difficult to confirm. Two of these trees (T12 and T13) have been identified in the tree survey as being "*unsuitable for retention*". These trees

are however shown as being retained on the site plans and section 12.7 of the tree survey recommends that they should be managed (“pollard to hedge height”) as they are located adjacent to public open space and may present a risk to the public, but it also states that management decisions should take in to account their ecological benefits. Tree T1 on the southern boundary has “*major physiological defects*” and the tree report recommends a further detailed arboricultural inspection. Any management requirements of T1, T12 and T13 should take account of the likely presence of roosting bats and nesting birds. A check for roosting bats by a licensed ecologist should be carried out immediately prior to tree surgery works on T1, T12 and T13 as part of the CEMP condition.

The hedgerow planting details are satisfactory, as are the landscaping proposals including wildflower areas, wetland meadow areas, bulb planting and species-rich rough mown grass areas. However, there is some uncertainty about what the difference is between wildflower meadow areas and species-rich rough grass areas. More details about the wildflower and species-rich grassland areas should be included in the LEMP.

As far as lighting of the site is concerned, Redrow’s plans having lighting less than 0.1 lux at the edge of canopy of retained trees and hedgerows, and no lighting of the POS is acceptable. Where required, low-height bollard style lighting may be appropriate in some locations for pedestrian/cycle ways. A planning condition requiring a sensitive lighting strategy should be imposed.

No reptiles or dormice were found on site following detailed surveys. The survey methodologies are satisfactory; therefore no detailed mitigation measures are required for these species. However, Common frog was found during the reptile survey and precautionary measures to take account of likely presence should be put in place during site clearance. This should be included in the CEMP. The site is also potentially suitable for hedgehogs and nesting birds, specifically Song thrush, Starling, House sparrow and Dunnock are mentioned in the ES; and it is recommends that vegetation clearance be undertaken outside the breeding season. An informative on nesting birds should be attached to planning consent.

Recommendations are also made for bird boxes and bat boxes to be installed as an enhancement of the site for nesting birds and roosting bats. The LEMP should incorporate details for bats and nesting birds, specifically integral bat boxes/tubes/bricks into the gable end of new dwelling houses around the periphery of the site, so that bats fly out onto the retained boundary hedgerows, nest box provision for House sparrow, Starling, House martin and Swift.

The attenuation pond would create a new wetland habitat for the site and biodiversity enhancement. The attenuation pond should be left to colonise naturally spanning at least 2 growing seasons, avoiding the introduction of any aquatic plants or invasive species and problematic plants such as Canadian pond-weed and Parrot’s feather. If necessary, plants could be introduced in accordance with Environment Agency guidelines, to make the pond more visually attractive as part of the public open space which should be conditioned. The impacts on water resources are considered acceptable providing the development is carried out in accordance with the ES mitigation.

Folly Lane is identified as a cycleway/pedestrian link from Warminster town centre to the east of the application site, past the southern edge of the application site and continuing west alongside the A36. Sustainable transport principles dictate that provision should be made for footpaths and cycleways within developments to encourage residents to walk or cycle to the town centre or to other parts of the development and adjacent residential areas. As long as the links through the hedgerows are sensitively located, for e.g. at existing field access gates or other gaps, then potential ecological impacts would be avoided or reduced. A no-dig specification to protect mature trees is recommended. Other mitigation measures such as allowing adjacent trees to grow up and over the top of the link creating a “hop-over” should be considered as part of the LEMP.

It is also recommended that all the mature trees identified as having “definite bat roost potential” in the boundary hedgerows of the application site are made the subject of a new Tree Preservation Order (TPO). These trees may be at risk of conflict in the future with the new residents and management/surgery works or removal and should be controlled through the TPO application process.

A management company is required to be set up to be responsible for the ecological conservation/landscaping of the site; and it may well be appropriate for the same Management Company to take responsibility for the rugby club hedgerows as well as the management of the Public Open Space



and other hedgerows within the proposed development, so that it is considered holistically rather than as two separate contracts. However, this approach would require an agreement between the developer and the rugby club, which could be included as a clause in the S106 agreement between the council, the developer and the rugby club. It makes sense for all the boundary hedgerows to be managed by the same company, or at the very least, the same contractor who can establish a good working relationship with all parties.

The use of restrictive covenants for all the properties adjoining the well established hedgerows is recommended to ensure the hedgerows especially adjacent to the rugby club are not removed or damaged, e.g. residents would be able to 'trim' their side of the hedge only. A planning informative should be considered for any planning permission to encourage the developer to impose such covenants.

A residual hedgehog impact is identified in the Ecology chapter of the ES, but no mitigation to minimise this impact is recommended. Provision for hedgehogs should be included in the proposed development such as habitat creation, installation of hedgehog homes, providing gaps under fencing into gardens and enhancement measures should be incorporated within any LEMP.

The public representations have been fully considered, but there is no ecology basis to refuse the application. Impacts can be mitigated against providing appropriate additional information is submitted through planning conditions prior to any commencement of works on site and providing works comply with the associated ecological recommendations. Within the objections, reference has been made to research by the Dorset Bat Society that suggests there is a potential bat swarming site present on Folly Lane. However, there has been no evidence of swarming bats sent to the Council. The completed bat activity surveys which have been carried out are acceptable. A full dormouse survey has been carried out by the applicant's ecologists with no evidence of this species found.

A cycleway to link to Haygrove Close to the north of the application site is unlikely to lead to significant impacts on the nearby pond or other adjacent habitats, and associated wildlife, such as frogs, newts and water shrews. The pedestrian/cycleway links through the northern and southern boundary hedgerows should be subject to a no-dig specification for construction to protect the roots of the mature trees and other hedgerow vegetation. Existing field access gaps are being utilised and the hedgerows would benefit from reinforcement/infill planting.

Trees with "definite potential" for roosting bats are being retained as part of the proposed development and there would be specific requirements for adequate tree protection and long-term management as conditions of planning consent. Assessments of trees for roosting bats can be carried out during the winter months when there is less vegetation present to obscure the view of potential roost features, and during the daytime to inform whether dusk emergence or pre-dawn re-entry surveys are necessary. The completed bat surveys carried out by the applicant's ecologist are in accordance with best practice guidelines (Hundt, 2012).

The risk of chemical spillage or other pollution during construction phases should be dealt with as part of a Construction Environmental Management Plan (CEMP) and required by a planning condition. In addition, a planning condition should seek a sensitive lighting strategy for the whole site, but particularly for the proposed pedestrian/cycleway links into the site and onto Folly Lane. No lighting should be introduced into important wildlife corridors to ensure that foraging/commuting bats can continue to use the hedgerows and trees. However, some level of lighting may be required for public safety, and this should be designed to be downward directional and low-level lighting that does not increase the lighting levels to more than 0.1 Lux around hedgerows and trees, as stipulated in the ecological survey report.

The drainage works across the footpath "WARM 6" are unlikely to have a significant long-term impact to wildlife, but these works should be undertaken sensitively and located so as to avoid impacts to retained mature trees (root protection areas) and hedgerows.

The list of species (provided by some of the objectors) is unquestionably comprehensive and includes some UK BAP priority species and Section 41 (Natural Environment and Rural Communities Act 2006) species of principle importance, such as House sparrow, Starling, Common toad, Tree sparrow, Dunnock and Yellowhammer. The majority of these will be on land adjacent to or in close proximity to the application site, rather than the application site itself. The ecological surveys carried out included an Extended Phase 1 Habitat Survey and Ecological Constraints Assessment, a full desk study, a badger survey, a reptile

survey, bat activity surveys and tree roost assessments, and a dormouse survey. The site was assessed as being of “*low value for most ecological receptors*”; and after a thorough appraisal of the supporting documents and visiting the site, the Council’s ecologist agrees that “. . . *after mitigation, the residual impact on habitats, species and nearby designated sites is considered to be neutral / negligible, other than a potentially minor adverse effect on hedgehogs*”; and as a consequence, there is no significant ecology reason to refuse the application.

**The Council’s Tree Officer** – No objections.

**The Council’s Urban Design Officer** – Supportive of the revised layout which responds to officer concerns and amendment requests. The revised layout has reduced the number of houses and the number of cul-de-sacs and the street network follows a more legible simplified route. Two landmark buildings are proposed at key junctions which would improve way-finding. The public open space would provide additional character and visual relief; and the developer’s proposal to incorporate some public art installation at the smaller centralised POS/LEAP is supported. The larger POS creates an opportunity to connect the site with the wider green infrastructure. The site’s relationship with the rugby club has also been improved with the relocation of taller buildings away from the boundary.

**The Council’s Environmental Health/Public Protection Team** – land contamination, light pollution, air quality and odour pollution concerns and construction traffic amenity impacts were all considered from a public protection stance and no objections are raised, subject to conditions and informatives.

The proposed pumping station has now been relocated and is more than 15m from the curtilage of residential properties. This distance should mean that, when the pumping station is working as it should, it would not have an adverse impact through odour or noise on future residents. As part of the plan submission there are notes stating that the pumping station would be designed only for this development and it would not be over designed so that it can take waste from development proposed nearby. It must be ensured that this is the case and it is recommended this is controlled through a condition along with suitable controls in terms of its completion prior to it being brought into use. To avoid future concerns relating to sewage turning septic, it would be beneficial if an online monitor was installed in the rising main to measure hydrogen sulphide; as well as ensuring an appropriate company is employed to monitor the pumping station and the online monitor and carry out any remedial action, such as chemical dosing, that may be necessary.

**NHS England** – NHS England (NHSE) were consulted given its function as commissioner of NHS primary care services, specifically doctors, dentists, pharmacists and opticians. In Warminster there are 2 GP practices serving the town, namely the Avenue Practice and The Smallbrook Practice. The Avenue, although purpose built, has reached its capacity and when compared to the most recent guidance on doctors premises sizes, it is approximately 33% undersized based on the current patient numbers and the emerging NHS guidance on premises size allowances. The Smallbrook practice has occupied a small leased section of the Community hospital for 8 years which was only supposed to be a temporary arrangement. The practice needs to move to a new location to allow the practice to grow and absorb new patients in the area. The floor area is approximately 40% undersized based on their current patient numbers and there is no possibility of increasing this area in the current hospital building. In the context of Redrow’s application, 203 new dwellings would result in 467 potential new patients (calculated on a ratio of 2.3 people per dwelling - based on 2012 census figures). In relation to this development only, the amount that NHS England would require under S106 would be £101,982. Assuming that Wiltshire Council secures these funds from the developer, NHSE requests that these are made available for NHSE to use to support both practices in developing their premises to accommodate the additional patients directly generated by this large development.

**Wiltshire Police Architectural Liaison Officer** – Supportive subject to conditions being imposed to ensure alleyways are secure and there is clear boundary enclosure.

**Wiltshire Fire & Rescue Service** – Informatives recommended covering fire safety. Any identified necessary Fire & Rescue infrastructure/apparatus could seek monies from the developer’s CiL payment obligation.

**Electricity Board / DNO** – No objections but the developer would be required to agree connections and any necessary infrastructure to service the development.



**The Council's Green Economy Team** – No objection. The applicant has highlighted a commitment to delivering the equivalent level 4 energy efficiency standards which were prescribed within the now redundant Code for Sustainable Homes, mindful of the Council's adopted WCS core policy (CP41).

**The Council's New Housing Team** – No objection. There is a policy requirement for 30% on-site affordable housing which has been met with the proposed provision of (61) affordable homes to be split as 60% (37) affordable social rented units and 40% (24) shared ownership/intermediate units.

To meet the demonstrable need the on-site mix of units should be as follows:

Affordable rent: 12 x 1 bed apartments; 6 x 2 bed apartments; 7 x 2 bed houses; 10 x 3 bed houses; and, 2 x 4 bed houses

Shared Ownership / Discounted market units: 16 x 2 bed houses and 8 x 3 bed houses

This mix and the proposed spread of housing throughout the scheme are satisfactory.

It has also been confirmed that the proposed provision for 'intermediate sale' to be used to cover the units that would be shared ownership and/or discounted market units is also acceptable. It would be expected that the discounted market units to be set at a level that does not exceed 75% of the market value and to consist of a mix of 2 and 3 bed properties.

The Wiltshire Core Strategy specifies that affordable housing is expected to meet high standards of design, quality and should be visually indistinguishable from open market housing. In addition to complying with The Homes and Communities Agency's Design and Quality standards (or any other subsequent design guidance which may supersede it); Wiltshire Council recommends, as a guide, that all affordable dwellings meet the minimum space standards.

Any affordable housing units agreed would need to be provided at nil subsidy, in perpetuity and would need to be transferred to a Registered Provider, approved by Wiltshire Council. When providing affordable housing, developers are advised to engage with a Registered Provider at the earliest opportunity, in order to ensure that the appropriate standards are met at the design stage. Affordable housing will be secured via a S106 Agreement and nominated in line with the Council's current Allocation Policy and Procedures. Please note that adapted/wheelchair accessible affordable properties will be sought wherever there is a demonstrable local need and affordable homes for people with learning disabilities may be sought based on an identified need (as advised by the Council's Adult Care Team).

The proposed distribution of the on-site A/H is acceptable. Any affordable housing units agreed would need to be provided at nil subsidy and built to, at least meet the minimum sizes and Design Quality Standards/Housing Quality Indicators as set out by the Homes & Community Agency. Please note that the Wiltshire Core Strategy specifies building to Sustainable Code Level 4. Developers are also required to demonstrate that their proposals respond to the needs of the aging population. The completed affordable homes would need to be transferred to a Registered Provider, approved by the Council, secured via a S106 Agreement and nominated in line with the Council's current Allocation Policy and procedures.

**The Council's Public Open Space Officer** – No objections, subject to conditions and s106 legal agreement securing the on-site public open space and play area in perpetuity and a financial contributions amounting to £45,457 for off-site sporting and recreation space; and £3,748 towards the expansion of Warminster Cemetery which is at capacity and needs to expand. The Infrastructure Delivery Plan for Warminster lists a cemetery expansion being part of the infrastructure requirements needed to support development in Warminster (linked to Core Policy 2).

In order to make the development acceptable in planning terms, and to be compliant with the adopted Leisure and Recreation DPD, the applicant proposes to provide 0.82Ha and a local equipped area of play (LEAP) amounting to 250m<sup>2</sup>, so there would be a satisfactory level of on-site POS/play area. As noted above, it is essential that such provision is secured by s106, in perpetuity. Ideally, the land should be transferred to the Town Council (if they are willing); otherwise, a management company would be needed to take on the maintenance and management responsibilities and liabilities. The Environmental Services team have confirmed that they would not adopt the land.

The proposed level of development generates a need for just under 0.48Ha of sporting and recreation space which is not provided for on-site; and should be subject to a s106 to secure the sum of £45,457.

As far as cemetery provision is concerned, the 2013 Infrastructure Delivery Plan for Warminster specifically identifies the need for a new cemetery or to secure its extension as a community place-shaping priority. The adopted CiL Regulation 123 List stipulates that the funding delivery mechanism for “*site specific requirements for community and cultural facilities, where the requirement can be attributed to five or fewer developments*” should be through s106 contributions. The population in Warminster is currently around 23,000 and the cemetery has capacity for another 5-6 years. All residents of the Parish of Warminster are entitled to be buried at Warminster Cemetery, and this would apply to all new / future residents of this proposed development.

**The Council's Leisure Officer** - No objections. It is accepted that any required enhancements to existing sports halls and swimming pool could be obtained through Community Infrastructure Levy contributions.

**The Council's Education Team** - No objections, subject to a s106 legal agreement securing financial contributions amounting to £1,476,356 (split as follows: £628,223 for primary places and £848,133 for secondary places. In line with established practice, the 30% affordable housing triggers an education standard discount leaving 176 qualifying units for assessment. This housing quantum generates a substantial need for school places - 55 primary and 39 secondary. The designated area schools here are Princecroft Primary and Kingdown Secondary School.

Princecroft has a capacity of 147 places and the headcount (in July 2015) recorded 129 pupils on the roll with only 18 spare places available. Following a re-assessment of Princecroft, the Local Education Authority will recommend that the primary be expanded to provide a sustainable 1FE (210 pupil capacity); and given the essential priority attached to delivering further education infrastructure, Redrow Homes is hereby required to contribute towards 37 (i.e. 18 minus 55) primary spaces at £16,979 each, totalling £628,223 (to be index linked). As per Cabinet approved s106 methodology, the developer can benefit from any existing school capacity to reduce their financial burden as outlined above. As demand for the new primary school is directly attributable to the WWUE development, this should be subject to S106 legal agreement.

At secondary school level, Kingdown School is the only public secondary serving Warminster and its environs. It has a Yr 7 – 11 PAN capacity in permanent accommodation of 1245 places and the Jan 15 headcount for this age group recorded 1304 pupils present. A full financial contribution is required for 39 secondary school spaces at £21,747 each which equates to a developer contribution amounting to £848,133 (to be index linked). As the requirement is both: site specific and directly attributable to the proposed development, it must be secured by way of a s106. Extensive liaison has already taken place with Kingdown School and the board of governors with the discussions being led by the head of school place commissioning. Options for consideration include splitting the secondary site and potentially creating an all-through academy for age range 4-19 delivering education facilities across two sites i.e. the existing Kingdown site and the WWUE site). As part of the joint Masterplan proposals which are embedded in application 15/01800/OUT, a new school site comprising 3.6 hectares is proposed which could accommodate a future proofed 2FE primary school for 420 children and a full year 7 secondary school cohort of between 300-325 children. The all-through school proposal was reported to members as part of the endorsement of the Masterplan for the WWUE site in June (application 16/01323/MAS refers).

The above assessment reflects up-to-date pupil data (as of 23 June 2016), forecasts, capacities and details of other known housing in a designated area. The capital cost multipliers quoted are valid on S106s signed in the current financial year that are subject to updating on an annual basis. The figures in operation at the time of completion of an S106, would apply.

**Warminster Civic Trust** – Raised concerns prior to the adoption of the WCS. A holistic vision is required when considering this application. Concern is raised about the developer's intention to bring all works traffic and material through the Broadway estate. This is completely unacceptable to local residents bearing in mind the duration which the site traffic and resulting mess would have to be endured. It is doubly unacceptable when there is an obvious alternative to build an access road from Victoria Road close to the by-pass. Since this road is most likely to be required as part of the WWUE plan it is inexplicable why this road is not constructed as a prerequisite to any development taking place on this site.

Further concern is raised about site drainage and water run-off. Last winter produced a substantial stream after heavy rainfall and the low ground on the north edge of the site where Redrow propose to create an attenuation pond. Along with the larger part of the WWUE site, these fields form a sponge that holds a significant amount of water draining off the surrounding hills, not least Cley Hill. All this water is funnelled into and under Warminster streets (e.g. Fore Street). A classic example of the failure to properly deal with this problem occurred during recent Victoria Fields development (on the H12 site) on the north side of Victoria Road, when the developer pumped the surplus water from the site into the Were Brook and caused flooding in the Smallbrook area of town – resulting in a warning from the Environment Agency. They subsequently pumped the water down the main drain.

In addition to the above concerns, the construction of these dwellings would impose an additional burden on schools, medical, fire service, policing and transport infrastructure. It is not feasible to simply blot on another major development in West Warminster without detrimental consequences. The development would impose further pressure on national energy and water resources. The opportunity must now be seized at the outset of such major building expansion to minimise the impact by design and construction. It is accepted that it may be too expensive to fit solar photovoltaic panels, but roofs of new dwellings should be created in such a way that they offer the optimum angle to maximise the sun for future addition of panels to the buildings. Houses should be constructed with rain water storage tanks for washing and flushing use. To miss this opportunity will store up trouble for the future and building codes should ensure this happens.

In the 12 years of dealing with Town planning matters, the Trust has not heard greater disquiet in the community about the developments now being imposed on us. The Civic Trust accedes then there must be development, it should be introduced sensibly, sensitively and with concern for the community's views. Formal routine liaison must be established between developer and the town's people at the outset. Our town is going to expand by between a third and a half in the next ten years and this is probably the largest expansion we will ever see, but will no doubt be the last, and that too must be taken into consideration. We have a chance to create an eco-friendly market garden town that we can be happy and proud to live in, but it can only be achieved if there is a holistic, overarching and carefully crafted plan that holds developers up to the mark. This application by Redrow does not fit this definition in anyway. Piecemeal development is unacceptable and this one cannot be allowed to proceed in isolation and must be considered as part of the coordinated grand scheme

**The Council's Arts Development Officer** - No objections, subject to a s106 legal agreement securing a financial contribution of £60,900 (£300 per dwelling) or planning condition seeking the integrating of public art into the designed scheme.

**The Council's Environmental Services Team (bin provision)** – No in principle objection to the revised layout, however a financial contribution amounting to £17,997 is requested to secure the provision of essential site specific waste management infrastructure in accordance with WCS CP3 and the Council's adopted Planning obligations SPD. Policy WCS6 of the Wiltshire and Swindon Waste Core Strategy requires developers *“to design and provide facilities for occupiers of the development to recycle/compost waste [...] and/or facilities within individual groups of properties or premises for the source separation and storage of different types of waste for recycling and/or composting”*. Wiltshire Council retains control of procuring containers that are issued to occupiers of residential properties. The reasons for this are to ensure that the containers are compatible with lifting equipment and that branding – which is essential for ensuring that residents know what materials are designated for each container – meets the required standard. As a developer cannot directly provide the facilities for the separation and storage of waste, the requirements of Policy WCS6 can be satisfied by securing a s106 contribution.

## **8. PUBLICITY**

This application was advertised in the local press and by 6 site notices displayed along Folly Lane (1), (2) along the St Andrews Road cul-de-sacs, (1) along Haygrove Close (1) at the Victoria Road and PRoW intersection; and (1) on the field gate along WARM6 where it runs alongside the site. In addition, over 175 individual neighbour notification letters were posted on three occasions. Following the first publicity, a petition with 274 signatories was received raising objections/concerns about the number of houses being proposed, as well as citing flooding and sewage infrastructure capacity concerns, and the impacts on the local highway network and the proposed construction access. In addition to the petition, 39 objection letters were received in relation to the original plan submission (dated July 2014); 34 objection letters were

received following the publication of revised submission in May 2015; and following receipt of a revised suite of plans in mid-April 2016, a third neighbour notification process was followed inviting local residents/interested parties to review the revised application which led to 17 additional representations.

### **Principle of Development**

- The proposal is contrary to the Government's sustainable development objectives.
- A petition has been lodged signed by over 720 people seeking the site to be designated as local green space in the Emerging Neighbourhood Plan.
- The application should be held in abeyance until the Warminster Neighbourhood Plan is adopted.
- Loss of countryside/ high quality agricultural fields should not be supported.
- The submitted agricultural land classification and survey by Reading Agricultural Consultants cannot be relied upon since the farmer / land owners have reduced the use of the field as they have been planning on selling the land for housing for 20 years.
- The development is considered premature without a Masterplan or being able to deliver the Victoria – St Andrews Road link
- Redrow and Persimmon/Hannick Homes (applicants for 15/01800/OUT) should be forced to cooperate to create a temporary construction vehicle access route through the farmland north of Redrow's site to avoid the housing estate.
- The scheme proposes 25% of the WCS housing allocation on 10% of the land holding.
- Land to the east side of Warminster is considered more suitable for major housing development given its superior road links, direct access to the town centre, train station, secondary schools and other amenities without residents having to travel through any existing housing estates.
- There is no need for more affordable housing.
- There are insufficient health services available (e.g. the current waiting time to see a GP is 2-3
- The local schools are at capacity (with significant waiting lists for primary school).
- Restricted job opportunities locally which will lead to more out-commuting.
- As an alternative, the site could be developed for low level rustic holiday accommodation with a visitor centre.
- Applications in the past were refused for the site.
- Historically Redrow have not used local construction firms/merchants or labour, so there would be no local employment benefit

### **Highway Impacts**

- There is significant amount of local concern raised about the proposed vehicular access and the construction traffic route through the existing Broadway housing estate. The non-objection to this plan by the highways authority is of concern. Construction vehicles going to and from the site through residential areas would cause significant nuisance and disturbance to local people, their lives, and their amenity. Access to the site is substantively hindered by road narrowing, some tight 'blind' bends, restricted junctions, and the need to manoeuvre around parked cars (in places on both sides of the road). Access via Fore Street is often single lane with cars parked on both sides. Serious jams are commonplace along Victoria Road, Sambourne Road and Deverill Road, with Pound Street being termed as "equally chaotic".
- Doubt is cast whether the roads (constructed 40 years ago) would be able to withstand the weight and volume of construction traffic for 2-3 years.
- A direct road link from the site to Victoria Road to the north via Bugley Barton farmland should be provided – which would avoid creating significant disruption to local residents. Although some local residents acknowledge that Redrow have no control over land to the north and west of the site; and consequently cannot provide a link road to Victoria Road on their own, others maintain that no development should commence until the Victoria Road link is provided. Notwithstanding the Core Strategy requirement to provide a permanent road linking Bath Rd-Victoria Rd-St Andrews Rd, other local residents do not wish to see any such link.
- Over 200 houses could generate more than 450 vehicles which would cause future chaos to the town/surrounding road network.
- Doubts are also cast over the suitability of rail and bus services - leading to more dependence likely being placed on private motor vehicles.
- The proposed cycle path does not follow a strategic route unlike other proposals.
- A cycleway/pedestrian access through to the Haygrove Play Area would not be safe. It is owned by Haygrove residents and is maintained by Meadfleet - a management company. The park is for Haygrove Close residents. There is no legal route of access from WARM6 to Haygrove Close. Access and use by

non-residents should be discouraged due to anti-social behaviour and misuse. Allowing such a link would encourage people to cross private land – the drives associated to 17a and 17b Haygrove Cottage.

- Any upgrade to footpath WARM6 to a pedestrian/cycle route is cause for concern (and would require legitimising under the procedures enshrined within the Cycle Tracks Act 1984. Public consultation and approval must be sought from the requisite owners before any such upgrade/improvement work.
- There is a lack of speed restriction detail/screening for the purposes of safety. Water run off from the highway would cause (cadmium) pollution in a protected area.
- During festival days and county events/activities at the sports ground, the field is used as a temporary car park. What alternative provision will be made if the site is developed?
- Concern is raised about the pedestrian/cycleway link with Folly Lane being tarmac instead of gravel; and it being a safety hazard.
- Increased traffic calming measures, enhanced street lighting and clear signage would be necessary
- Locals have heard that the rugby club could be used for construction storage (with Folly Lane used as the means of access), both suggestions are unacceptable. Folly Lane is not suitable as a means of vehicular access to this site. It is narrow, mostly single lane and a haven for wildlife much used by pedestrians/walkers.

### **Drainage/Flood Risk and Utilities**

- Local residents are concerned about waste drainage management. The proposed waste water strategy is also of concern. Doubts are cast about the capacity in the system to cope with this scale of development. The sewage pipes are only 150mm in diameter and there is a real risk of blockages especially at the right angled bends which are close to residential properties.
- Queries are also raised over legal access rights to implement such works below a private road. Local residents have raised further concern about disruption to existing utility services during any connection phase(s).
- The development should have its own standalone sewerage system which should be connected directly through to Victoria Road and not be tacked onto the Broadway system. Modelling work has been commissioned to identify current capacity of the main sewage system, but this has not been made public.
- Local opposition is targeted against the proposed on-site pumping station (which became part of the revised scheme). There is no noise and odour assessment or residual risk analysis relating to the pumping station. There is also little detail provided for the off-site sewage connection proposals.
- Concerns are also raised about storm water management. Significant doubt is cast as to whether there is sufficient capacity in the system without causing off-site flooding downstream at Brook / Fore Street, Masefield Road, Henforth Marsh and at The Common play area – which has standing water after storm events at present. The application lacks hydraulic modelling of the downstream land drainage network. A Strategic Flood Risk Assessment Level 2 is required, as stated in the adopted WCS.
- The proposed drainage strategy of allowing storm flood water off roads to discharge to soakaways is flawed since the flow water would be polluted by oils, fuel residue and other contaminants
- Off-site surface water sewer connection would be provided under requisition order(s) by Wessex Water as a statutory undertaker. There is no detail how, when or where this is to take place.
- The site forms part of a water source protection area. The development would affect a major aquifer. There is no mention made about control of phosphates entering the water supply.
- The proposed connections to PRoW WARM6 are unacceptable given the existing surface water problems and would impact on root protection areas for trees and hedging (T15/T16 and H10/H14).
- Local residents are not satisfied with the applicant's impact analysis relative to surrounding land. The proposed surface water drainage scheme is cause for concern. The residual risk associated to proposing a water basin higher than surrounding land is cause for concern. There is already a small pond nearby which is prone to overflow in wet weather. Detailed scrutiny is required to ensure the proposed attenuation works shall work and that the development would not compromise neighbouring properties – their insurability or future saleability. How would the attenuation pond be managed? The plans fail to provide any levels or depths for the pond. The slopes of the attenuation basin are proposed to be 1:3, however no detail has been provided about the proposed construction methods, maintenance or about its relationship with surrounding properties.
- What are the proposed dimensions of the attenuation pond in relation to the road? Since the pond is proposed to be located on elevated ground, how deep will it be, how will holding water be contained? What are the impacts on the nearby hedgerow?
- There is a problem of limited absorption and therefore high potential water run-off. Concern is raised about the proposed retention basin and underground storage tank on elevated land above the

Haygrove Close properties. Concern is raised about off site flooding to these properties. The applicant appears to indicate there are a number of possible mitigating measures including permeable surfaces and water-butts. However, the wording in the submission indicates that the developer is not obliged to undertake any of them. If the calculations/technical assessments are found to be wrong and proposed measures fail to prevent flooding in Haygrove Close (or elsewhere) who would be liable?

- Residents are alarmed by the applicants' proposal to channel water flow (during extreme storm events or drainage failure), overland through gaps between the buildings naturally directed downhill by the road network. This would mean that storm flows would run straight down the hill through the proposed cycle path/ gate way and through to residential properties causing off-site flooding. What mitigation shall be imposed to ensure Haygrove or other local residents are not flooded? If flooding does take place, who would be culpable?
- Has the rugby club's drain which runs through the site and connects with the main surface sewer drain been factored into the drainage assessment?
- A culvert is proposed below the pumping station within the tree and hedging protection area. No plan is proposed for dealing if/when it floods and making it secure.
- No details are provided for the pumping station, its construction material, depth, width or disposal calculations.
- Much is made of the 1 in 100 year flood event. In the last 3 years, there have been two such events.
- There is little detail about electricity or gas service availability / connections.

### **Design/Layout and Neighbouring Impacts**

- The proposed scheme does not match the surrounding scale of housing. Bungalows should be proposed alongside the existing housing and the maximum elsewhere in the site should be 2-storey. The highest proposed buildings (plots 84-92) are positioned on the most elevated part of the site and would intrude upon existing privacy and be detrimental to Cley Hill. The proposed single-storey dwellings are proposed on the lowest part of the site.
- There is no commitment to delivering quality (e.g. Building for Life 12 minimum Level 4).
- The proposed density of 28 houses per hectare is far too high and would not be in keeping with the surroundings.
- There is not enough public open space and the roads are narrow.
- The acoustic report only considers the effects of the A36(T) on the proposed site with no analysis given to noise emanating from the site (e.g. the new highways).
- The proposed pumping station's size/design, purpose, position/proximity to existing dwellings (circa 15m away) and the associated noise/smells. It is understood that the developer proposes pumping waste drainage uphill to the centre parcs sewerage facility (in consultation with Wessex Water), but concern exists locally about the implications if/when the pumping station fails or is affected by a power cut and septicity.
- The public open space was initially planned centrally. The submitted plan shows the POS adjacent to Haygrove Close and concerns are raised about increased anti-social behaviour and passing crime impacting upon local residents. The POS should be re-located back centrally within the site taking up plots 80-95 instead.
- The application lacks sufficient fencing/planting between existing housing and the proposed development. There should be a sympathetic yet robust landscaping barrier and separation between proposed and existing houses.
- The proposed social housing should be relocated away from existing properties.
- The land immediately behind Haygrove Close is elevated and the proposed 2-storey housing would have an overbearing impact.
- The proposed 2.5 storey blocks would be on the most elevated part of the site and would tower above established communities in St Andrews Road/Haygrove Close
- The proposed pedestrian link to Haygrove Close via the park is cause for a lot of concern. It is also not seen as being necessary.
- Concerns raised about the dimensions of the attenuation pond in relation to the road
- Noise and light pollution are also raised as concerns.
- Hedging and tree planting is requested along the Public Open Space to filter / screen views. It is vital that the hedgerows and trees are all retained from a landscape and ecological stance.
- No provision is made for dog fouling bins or the maintenance of said bins.
- Haygrove Lane should be fenced off and supplemented by thick hedging.

- Given all the disruption and noise created for several years, local residents seek certain aspects to be re-considered and a compromise to be reached.
- TROs which may prevent local residents parking outside their homes is not supported

### **Heritage and Environmental Impacts**

- What is the Council's Archaeologist view on Cley Hill Iron Age Fort & SSSI potential impacts? The landscape based objections from the National Trust and AONB do not appear to have been addressed/resolved. The developer states that the development would have no impact, but the site is being advertised as Cley View!
- Is there sufficient headroom capacity in the public sewer system without causing environmental harm?
- Until there is a noise assessment undertaken for the proposed pumping station, the impact on ecology interests, especially bats is left unacceptably in doubt.
- Doubts are cast about the accuracy and robustness of the developer's ecological assessments. Local residents have surveyed the site and have shared recorded species using, feeding and breeding on the site or immediately adjacent to it with the Council's ecologist.
- The trees and boundary hedging bordering Haygrove have an extensive wildlife population including bat's using the tree's and hedging; as well as wildfowl and newt's using the small pond. A local administered wildlife survey dated 1 May 2015 (capturing 9+ months) recorded 63 wildlife species of which at least 13 were "notable". [Note: The survey work was shared with the Council's ecologist]. There are numerous species listed on the priority red amber list as threatened under the 1981 Wildlife Act, the Wild Mammals Protection Act 1996 and the Bern Convention (Appendix III).
- Nesting birds should not be disturbed during the breeding period March-July.
- Concern is raised about creating the new pedestrian/cycleway links through existing hedged/treed boundaries.
- Land, air and water pollution would pose a risk to the natural environment and protected species.
- The green fields should be retained free from more light pollution.
- PRow WARM6 is a breeding and roost area for (Noctule) bats and is home to hedgehogs and water voles. The route is not therefore suitable for an upgrade and should not be illuminated.
- Construction and infrastructure works would put trees (including TPOs) and natural hedging in jeopardy. Ultimately if the tree roots are destroyed, the trees would likely fall on neighbouring houses/property less than 20 ft away.
- Concern is raised about pollution during construction phases.
- The landscape and visual impact assessment does not assess the solar pv panels.
- There is no commitment to provide bird / bat boxes as recommended in the ecological reports.

### **Community Engagement**

- It is acknowledged that Redrow organised two pre-submission public consultation/exhibition events. However, the developer has failed to address community concerns and has instead ignored emphatic pleas made by local residents asking them to re-consider amongst a host of matters, the means of accessing the site, the density of development, the building heights, and the position of the POS.
- Concerns have also been raised about Redrow accessing the site to undertake on-site assessments/surveys whereby workmen have clearly been given inadequate direction regarding accessing the site and the distinct lack of directional road signage. A widespread local plea for better communication from Redrow to liaise better with local residents (resident group leaders/spokespersons) was also made.

### **Conditions**

- Should permission be granted, specific conditions should be imposed covering pepper-potting on-site affordable housing around the site; providing a vehicular access from Victoria Road for construction vehicles, resurfacing Broxburn and St Andrews Road and Fore Street; and that the finalised essential drainage infrastructure be completed before any dwelling is sold/occupied; and have it maintained in perpetuity. The housing standard should be sustainable and satisfy build for life requirements. Also during construction stages, the site should be regularly visited and any breaches remedied immediately.

Dr Andrew Murrison MP – The local MP has expressed significant concern about the means of access, including the construction traffic routing through the existing housing estate and any use made of Folly Lane for vehicular access. The MP also highlighted having a great interest in what measures would be imposed to ensure the level of disruption to local residents is minimised. The MP also requested that

should permission be granted by the Committee, there must be a proper and comprehensive site plan that includes an account of how access and egress shall be managed to avoid local harm.

Wiltshire Fire & Rescue Service – Requests that the developer provides reasonable facilities to assist fire fighters within buildings and design the site so that emergency vehicles can gain access. Informatives should be added to any permission.

## **9. PLANNING CONSIDERATIONS**

9a Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise. The development plan for Wiltshire comprises the adopted Wiltshire Core Strategy; and within the WCS, the site is identified as a strategic site allocation for 900 dwellings and 6 hectares of employment land.

9b In addition to the strategic objectives and policies contained within the main body of the WCS, the still saved former district plan policies from the West Wiltshire District Plan – 1<sup>st</sup> Alteration contained within Appendix D of the WCS are of material consideration. Other material considerations include the National Planning Policy Framework (the Framework or NPPF); The Community Infrastructure Levy (CIL) Regulations 2010 as amended, and The 2011 EIA Regulations. In addition, the Wiltshire Housing Sites Allocation Plan can only be afforded limited weight given its current status.

9c Due cognisance should also be given to the emerging Warminster Neighbourhood Plan (shortened as eWNP) which extends to the same plan period as the WCS (i.e. until 2026). Officers note that it acknowledges the strategic housing (and employment land) allocation on the west side of the town (referred to as the WWUE site) and within para. 4.1.2 it recognises that “*the majority of housing...[will] be built on land that lies inside the bypass between Victoria Road and Bath Road*” and accepts the ‘far reaching consequences’ the development will have on the Town (para 1.3), including many positives brought about by the delivery of a variety of housing types, a new school and other community facilities, enhanced recreational area; 6 hectares of employment land as well as an economic boost to local shops and services. At the same time, the eWNP recognises the added pressures the WWUE shall have on community and leisure facilities. The eWNP has not passed a referendum and until it is adopted, it cannot be given full weight. However, officers find no conflict between the eWNP and this proposal. The eWNP references the County’s housing delivery requirements and the contribution the town of Warminster should provide (totalling about 1920 new dwellings over the period 2006-2026). At the time of writing this report, after taking into account approved/implemented housing development and the 900 homes strategically allocated in the WCS, there still remains a shortfall of ca.317 to be accommodated within the town.

9d Officers fully appreciate that a considerable number of local residents oppose this development, however, as will be outlined within the following sections, the importance attached to delivering housing and its associated infrastructure, including forming the first phase of a strategic new road link across the WWUE strategic allocation and critically to re-balance the current housing shortfall as far as the North and West Wiltshire Housing Market Area (HMA) is concerned, significantly outweighs the ‘in principle’ objections raised.

9e The key issues to consider for this application are titled as follows: **The Principle of Development; Master Planning Matters; Housing Supply; Site Planning History; Loss of Agricultural Land; Highway Impacts; Drainage Matters; Landscape Matters; Urban Design Issues and Neighbouring Impacts; Sustainability; Heritage Matters; Ecological Impacts; and, Developer Contributions and Commitments.**

9.1 **The Principle of Development** – The 7.3 hectare site forms part of the 115 hectare WCS strategic allocation on the west side of Warminster which the Council has adopted for residential and employment led development. The site is one of sixteen strategic sites across the County which are vitally important to securing the delivery of large-scale residential development and economic development. Elsewhere on the WWUE site allocation, to maximise economic synergies 6 hectares of employment land is identified adjacent to bath road to support the business sector and generate new jobs, with a particular emphasis placed on reducing out-commuting. Following a detailed site selection process comprising site identification methodology and using sustainability appraisals, community consultation and an examination in public, the WWUE site was identified as the most sustainable location for strategic growth for Warminster. The Council is committed to delivering 900 new houses at the 115 hectare WWUE site for the



plan period (up until 2026). When brought forward as a strategic allocation, there was full appreciation that it could accommodate more housing, but at the time of the public examination, a threshold was set within the development template to ensure there was sufficient land retained to protect the setting of Cley Hill and the AONB, and to ensure provision of a landscape buffer, public open space as well as resolving land drainage matters. It should however be appreciated that adopted WCS CP31 does not prevent development above 900 units and nor does the WCS prevent more than 900 homes being built beyond the plan period. The plan also does not impose a developable area limit which was deliberate to allow sufficient flexibility for any scheme to be brought forward informed by a comprehensive master planning process, and supported by detailed site assessments.

9.2 Adopted WCS Core Policy 1 identifies Warminster as a Market Town with the potential for significant development for jobs and homes. Market Towns are specifically identified as settlements that have *“the ability to support sustainable patterns of living in Wiltshire through their current levels of facilities, services and employment opportunities. Market Towns have the potential for significant development that will increase the jobs and homes in each town in order to help sustain and where necessary enhance their services and facilities and promote better levels of self-containment and viable sustainable communities”*. It is widely accepted that in Warminster particular infrastructure such as schooling and health services are stretched and developments such as the scheme proposed by Redrow Homes would need to financially contribute through appropriate s106 and CiL payments to mitigate against recognised shortfalls.

9.3 Core Policy 2 sets out the delivery strategy. The Core Strategy advises that a number of sources of supply have been identified for new housing in Wiltshire including through future Site Allocations DPDs and neighbourhood plans. Core Policy 2 advises that within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development within the Principal Settlements, Market Towns (like Warminster), Local Service Centres and Large Villages.

9.4 WCS Core Policy 31 sets out the strategy for Warminster and its community area and records that approximately 2,060 new homes must be provided in the area of which 1,920 *“should occur at Warminster”*. This requirement is expressed as a 20 year provision covering the plan period of 2006-2026. The most up-to-date (and published) Housing Land Supply Statement reveals that beyond the 900 new houses to be developed across the WWUE site by 2026, there remains a residual need for some 318 extra homes. This figure does not include the 172 number of houses considered to be a developable supply elsewhere within the town. The emerging Wiltshire Housing Site Allocations Plan will become an important document as it will support the WCS in terms of identifying sufficient land (in the form of sites) to ensure delivery of the Wiltshire Core Strategy housing requirement and maintaining a five year housing land supply up to the end of the plan period to 2026, however it is not well advanced to have sufficient weight.

9.5 It is also important to stress that WCS paragraph 5.159, which accompanies Core Policy 31, asserts:-

5.159 An increase in future housing in Warminster, compared to historic trends, will help facilitate the delivery of improved services and facilities in the town. The delivery of sustainable employment growth opportunities, alongside an appropriate mix of housing, will help improve the self-containment of the town and will strengthen the vitality and regeneration prospects for the town centre. Facilities for the young will have been improved. Warminster’s role as a service and employment centre for the surrounding rural catchment will have been enhanced. The River Wylde and the woodlands at Longleat Park will continue to provide social, environmental and economic assets as part of a wider green infrastructure network.

9.6 Members will be fully aware of the pressing need to deliver more housing and support the local economy; and under this application, the applicants, have expressed a clear commitment towards delivering much needed new housing for both the town and the associated north and west housing market area over the next 4/5 years – which would act as the initial phase of the strategic urban extension delivering 203 dwellings. The housing will positively boost the LPAs 5-year housing land supply in the immediate short-term. Since 2014, the applicant has been subject to significant amount of officer time and

attention and the scheme has advanced alongside the proposed development being promoted on land north of Victoria Rd by Persimmon & Hannick Homes who control 84 hectares of the strategic site.

9.7 Central Government heavily supports housing delivery and it is an essential planning objective as part of the “*government’s pledge to deliver security, stability and opportunity to the British people*” (source: PM Press release dated 12 October 2015). The NPPF, within the context of a presumption in favour of sustainable development, aims “*to boost significantly the supply of housing*” (source NPPF para 47); and at the local level, the Council’s adopted WCS and published HLSS attach great importance to delivering new housing; and our strategic sites are identified as being instrumental to sustaining housing development and maintaining a 5-year housing land supply. Members will be fully aware that the NPPF requires local planning authorities to identify and regularly update a supply of specific deliverable sites sufficient to provide 5.25 years’ worth of housing land supply measured against the housing requirements of the housing market area identified in the WCS (a description normally abbreviated to 5 years supply). The NPPF makes it clear that where this cannot be demonstrated, relevant policies for the supply of housing (which in this case would include CP2 and CP31 cannot be considered up to date, and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

9.8 Housing Land Supply has to be regularly assessed. The Council’s April 2015 Housing Land Supply Statement, published in September, indicated that there was a 5.6 years land supply available in the north and west housing market area. However, this included some sites identified for housing in the draft Chippenham Site Allocation Plan. Members will be aware that the examination of this plan was suspended by the Inspector late last year to allow the Council to undertake further work to address concerns raised by him regarding the site selection procedure, sustainability appraisal and deliverability of the proposed allocations in the plan (policy CH1 South West Chippenham; CH2 Rawlings Green and Policy CH3 East Chippenham). Following the suspension of the examination, another planning inspector in December 2015 considered a 28 house development on a site at Arms Farm, Sutton Benger – which is located within the same north and west housing market area as Warminster. The Council’s position for the purposes of the appeal was that, following the suspension of the examination into the Chippenham Site Allocations DPD, it could not demonstrate a five-year supply of deliverable housing sites; and in such circumstances, paragraph 49 of the Framework became engaged and all relevant plan policies for the supply or restriction of housing should not be considered up-to-date.

9.9 Since the mid-December 2015 Inspector’s decision and the conclusions referenced above, the Council has not yet been able to update its position on 5 year housing land supply and consequently, this application for housing must be considered in the context of the presumption in favour of sustainable development and the consideration of adverse impacts of the development compared to the benefits.

9.10 After extensive negotiations held with the applicants and their appointed agent(s) spanning a couple of years, which has led the numerous design layout iterations and several extensive public notification / consultation exercises, and the submission of additional information, surveys and revisions, officers are satisfied that the development is a sustainable scheme which can be delivered without compromising the key objectives expressed within the WWUE development template; and by approving this application, the proposed 203 new homes would strengthen the Council’s 5-year housing supply - which is essential to keep the Plan and its housing policies valid and up-to-date.

9.11 **Master Planning Matters** – Members will be aware that this site forms part of a Masterplan which has been the subject of significant officer input, negotiation, and local community engagement. Members will recall that the masterplan was reported and presented to the strategic planning committee on 13 April and 15 June 2016 with an officer recommendation seeking its endorsement. At the April meeting, members resolved to defer endorsing the allocation Masterplan to allow for a Furtehr local community engagement and submission of revisions. Following member’s direction, a fresh public engagement was scheduled and took place during the evening of 31 May when a presentation was given by Alistair Cunningham and Kenny Green in front of about 120 local residents at the athenaeum theatre in Warminster, which was also attended by town Cllrs and unitary ward members. The applicants and agents promoting development across the WWUE site were also present, but it was Council officials who presented the Masterplan update and fielded all the questions. At the 15 June strategic committee meeting, members were given an updated presentation by officers and following Member questioning and a detailed debate, by a majority vote, the committee agreed to endorse the WWUE masterplan.

9.12 Running alongside the Masterplan exercise, this detailed application has been subject to a series of public consultations following the receipt of revised plans and associated documents (the most recent of which was in mid-April). Following the endorsement of the WWUE Masterplan, there is no reason why this detailed application for 203 houses (which is well within the 900 housing delivery quantum expressed by WCS CP31) should not be supported in principle.

9.13 Officers fully acknowledge that the endorsed Masterplan does not have the support of the local community but it does comprehensively establish the framework to inform detailed applications such as this particular case. The application submitted by Redrow Homes has fed into the Masterplan process and the documented submission illustrates how the proposed 203 houses relates with the existing townscape, open countryside and in the future, link with the remainder of the urban extension in the years ahead. This application identifies the key infrastructure requirements to service and support the proposed new development; as well as recognising the parameters for further development opportunities on land to the north and north-west of the site to be connected via an extended link road – part of which Redrow would be obligated to construct.

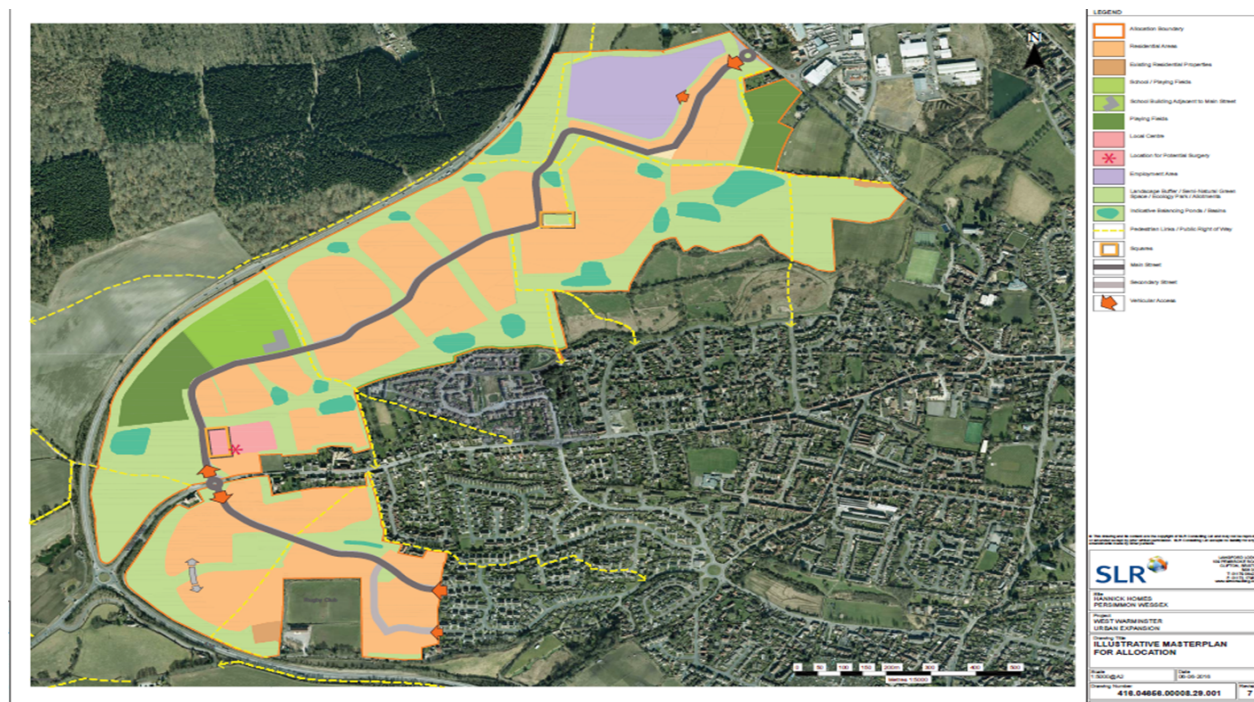
9.14 It is important to acknowledge that it was never the purpose of a Masterplan to prescribe detailed design matters – this must be left to the planning application processes. Since WWUE phasing was raised during the committee's consideration of the masterplan, it is considered useful to duly record here that the endorsed masterplan (submitted in association with Persimmon and Hannick Homes) comprises the following phased housing projections:

- The table below illustrates that Redrow Homes consider that the proposed 203 new homes can be delivered on the land west of St Andrews Road site on a phased basis indicatively projected over 4 years commencing in 2017/18 until 2020/21 as outlined below:

Indicative Housing Delivery Trajectory*	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	
Persimmon / Hannick Homes (Up to 1,200 Homes)** (Application Ref 15/01800/OUT)	-		20	70	100	100	100	100	100	100	100	100	100	100	110			
Redrow Homes (203 Homes) (Application Ref 14/06562/FUL)		60	60	60	23	-	-	-	-	-	-	-	-	-	-	-	-	
Allocation Remainder (c. 147 Homes)	-	-	-	-	-	-	-	-	-	-	-	-	30	30	30	30	27	
<b>WWUE Allocation Total (c. 1,550 Homes)</b>		60	80	130	123	100	100	100	100	100	100	100	130	130	140	30	27	
<b>Total to 2026</b>	<b>893 new homes</b>										<b>Post-2026</b>		<b>657</b>					

- Separately, Persimmon and Hannick Homes under application 15/01800/OUT propose to deliver 690 new homes on their 84 hectare site up until to 2026
- The two lodged WWUE applications would, as envisaged by the Masterplan, indicatively deliver 893 new homes (in total) up to 2026.
- Beyond 2026, and entirely separate to what Redrow propose, it is envisaged that 510 additional houses could be delivered on part of the 84 hectare site and a further 147 additional houses could come forward after 2026 for the land south of Victoria Rd – although for the latter proposed housing projection, there is no application currently lodged.

9.15 The Core Strategy development template identifies 6 key objectives for the site along with additional infrastructure and sustainable planning requirements to satisfy the Council's Infrastructure Delivery Plan (IDP). The 6 objectives relate to providing a mixed development including a range of housing (in terms of size and tenure), site integration with surroundings and the town centre, protecting the setting of and views to the AONB, reducing flood risk, safeguarding and enhancing the environment within and around the strategic site; and, to contribute towards the development and implementation of a Phosphates Management Plan or suitable on-site alternative – to compensate for additional phosphate loading from sewage discharge into the River Avon. For completeness sake, a reproduced copy of the illustrative Masterplan for the entire WWUE site is reproduced on the following page – with the Redrow site located in the south-east corner connecting with the two orange arrows:



9.16 **Housing Supply** – Given the plan policy implications, the importance which is attached to delivering housing on the strategically allocated sites cannot be over emphasised, especially at the present time when the Council cannot demonstrate a 5-year housing land supply. Delaying or refusing this application could have significant impacts in terms of the Council’s 5-year housing land supply, as well as opening the door further to speculative non-plan led developments which the Council may not be able to resist whilst NPPF paragraph 49 is engaged.

9.17 NPPF paragraph 52 recognises that *“the supply of new homes can sometimes be best achieved through planning for large scale development”*, including extensions to existing towns. Paragraph 157 leads on to state that local plans should *“indicate broad locations for strategic development”* and *“allocate sites to promote development and flexible use of land”*. Given the site’s adopted Plan allocation status and the fact the site is seen as a natural extension to the town, and it is not located on the periphery of the WWUE site allocation, the principle of this scale/quantum of residential development on the land west of St Andrewes Rd is fully supported by officers. In addition, it should not be overlooked that there is a WCS strategic requirement for developers to provide a link road connecting Bath Rd, Victoria Rd and St Andrews Rd which would only be delivered as part of a viable and sustainable scheme. After a great deal of work to negotiate amendments and advance this application over the last 2 years, officers consider the Redrow scheme to be an appropriate and vital early phase to deliver essential new housing and form the first stretch of the strategic link road.

9.18 **Site Planning History** – Although a site’s planning history can be a material consideration, in this particular case, the historic refusals referenced in this report date back to the 1980s; and in the intervening years, planning policy at both the local and national level have significantly evolved; and the housing needs have also significantly changed. The site now forms part of an adopted strategic urban extension, which is specifically identified to deliver essential additional new housing to Warminster and the Housing Market Area (HMA). Elsewhere within the WWUE, 6 hectares of employment land would be provided to enhance local business vitality and job opportunities. The delivery of housing on the WWUE site is seen as being critical to ensure sufficient housing is provided for the next 20 years; and in the shorter term, to help satisfy the next 5-year housing land supply requirements. The historic reasons for refusing previous applications are fully covered in the following sections.

9.19 **Loss of Agricultural Land** - Whilst NPPF paragraph 112 (and annex 2) both seek to protect the best, most versatile agricultural land, the ‘loss’ of the grade 2 agricultural land at the WWUE site allocation is considered to be necessary in terms of satisfying the noted strategic housing needs. Prior to proposing the site as the WWUE, other site options were analysed by the Council, but the WWUE site was identified as the most sustainable and deliverable site to deliver the necessary new housing and employment land. The Strategic Environmental Assessment (SEA) which was prepared to inform the WCS identified the pros and



cons, and concluded that the land should be allocated for new development and to deliver a strategic transport link between Bath Road and Victoria Road to the north with Thornhill Road and St Andrews Road cul-de-sacs in the south-west.

9.20 Whilst some contributors have suggested that land to the east side of town should be considered instead, land elsewhere around Warminster is also classified as being of good quality agricultural land also. Notwithstanding the above, the site which is the subject of this application has gone through the proper rigorous plan led processes to become strategically allocated and the Council cannot reasonably object to the principle of development now and favour alternative land. Developers, investors and local communities fully expect developments to be plan led and it would be entirely inappropriate to raise an objection now to the loss of the agricultural land on the WWUE site. Whilst regrettable, there would be significant strategic benefits of the housing development which would far outweigh the loss of the agricultural land.

9.21 Whilst being grounds for refusal back in the 1980s, raising an in-principle opposition to the loss of the high quality agricultural land on the south-western urban fringe is no longer considered reasonable in planning terms.

9.22 **Highway Matters** – One of the core planning principles of the NPPF is to “*actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable*” (para. 17). This core planning principle is reflected within WCS CP60 ‘Sustainable Transport’ and CP61 ‘Transport and New Development’ which seeks new development to be located within sustainable locations and designed to encourage the use of sustainable transport facilities. Core Policy 61 also seeks to ensure that all new development is capable of being served by safe access to the highway network, whilst Core Policy 62 ‘Development Impacts on the Transport Network’ seeks to ensure that developments provide appropriate mitigating measures to offset any adverse impacts on the transport network at both the construction and operational stages.

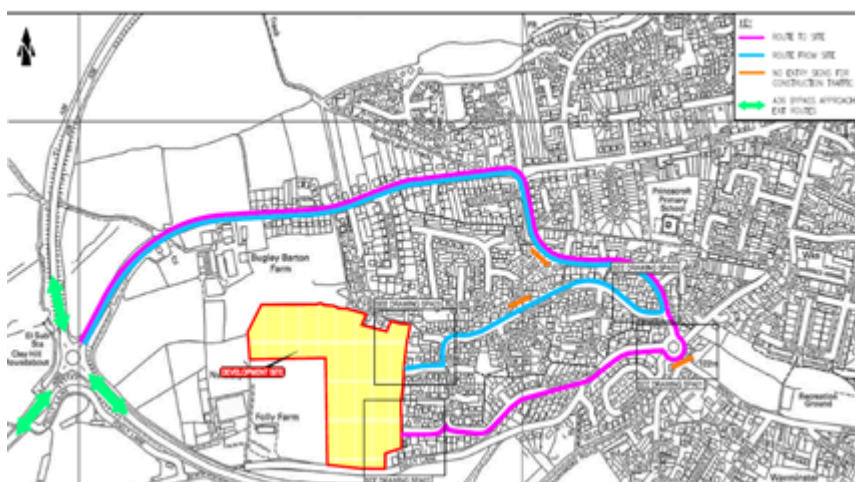
9.23 Redrow’s application is supported by a detailed Transport Assessment (TA) which considers the impact on the highway network and shows the need to maximise opportunities for walking, cycling and public transport use to reduce reliance on the private car. The TA methodology, findings, appraisal and conclusions have been thoroughly assessed by Highways England and the local highways authority; and as referenced within section 7 of this report, both raise no objections subject to planning conditions and a s106 legal agreement. One of the key transport objectives for the WWUE site enshrined within the WCS relates to making public transport improvements – which the applicant has expressed a commitment towards in terms of promoting a bus route to serve the site and surroundings would provide an alternative to using private vehicles for at least some local trips. The applicants are also committed to contributing towards necessary highway infrastructure enhancements and enhancing pedestrian/cycleway linkages to provide additional non-car based travel options.

9.24 The scheme has been designed to accommodate the Council’s aspirations for having a link road between St Andrews Road and Victoria Road (and in future connect with Bath Road through the wider strategic site). There is however no planning or highway justification to require the advance provision of the link road connecting Victoria Rd and St Andrews Rd. Redrow’s proposed 203 house scheme can be adequately serviced off the existing road network without resulting in cumulative severe harm – which is the appropriate policy test (as explicitly outlined within paragraph 32 of the NPPF). Highways England have confirmed that the residential scheme would not pose any harm to the A36(T) SRN and the Council’s highways team have advised that the 203 house development to be served off of two connections with St Andrews Road, is acceptable.

9.25 The submitted TA has considered the local highway accident records and asserts that there are no particular ‘accident black spots’; and the proposed development would not have a significant impact on the operation of the highway network. The assessment notes that ‘during construction’ the impacts of construction traffic are likely to result in minor adverse harm and on a temporary basis. Construction traffic movements are estimated to be approximately 12 to 20 vehicle movements per day or between 1 and 2 vehicles per hour visiting/delivering to the site. The type of construction traffic requiring access to the site would vary and after a thorough appraisal of the supporting assessments it has been concluded that the construction traffic generation levels can be accommodated without severe cumulative highway harm. Capacity assessments, driver and pedestrian delay appraisals have been undertaken for the local highway network as well as an assessment regarding pedestrian amenity and fear and intimidation.

9.26 The projected construction period is projected to last 42 months and in recognition of the potential disruption the development may have for the phasing period, the applicants have produced a draft Construction Traffic Management Plan which recognises that constructing 203 dwellings and delivering all the associated infrastructure works (i.e. the road/pavement construction, public open space, SUDs and landscaping) shall inevitably lead to some localised impacts. In recognition of this, a series of mitigation measures are recommended to manage the impacts of the construction phase and control hours of operations, as well as to ensure the local highway is kept free of site debris and that banksmen are on-site to direct deliveries and ensure a high level of safety. Redrow have in addition, expressed a clear commitment towards managing construction traffic in a number of ways, including as follows:

- directing inbound vehicles from the A36 bypass via Frome Road, down Masefield Road (which is 7.3m wide) taking a right hand turn at the Broadway roundabout and along Thornhill Road (at 6.75m wide) before reaching the southernmost St Andrews Road cul-de-sac and from there enter the site.
- operating a one-way system with outbound traffic using the northern most St Andrews Road cul-de-sac access point with vehicles then exiting via Broxburn Road (which is 6.75m wide) and back to Masefield Road – as illustrated in the Figure below:



[Figure: Draft Construction Traffic Management Plan June 2014 prepared by FMW consultancy]

- prior to any development commencing a construction environment management plan (CEMP) would be prepared by the applicant/their appointed consultants which would need to be agreed in writing by the Council;
- if necessary/required, the applicants would seek temporary parking restrictions (formalised by way of traffic regulation orders (TRO) which falls under the remit of the Highways Authority – a process which requires local resident notification/consultation) to safeguard swept paths for vehicles.
- a willingness to provide temporary parking for local residents on part of the WWUE site for any displaced traffic created by any imposed TRO.
- the applicants are furthermore keen to stress that any TRO would remain in place for the minimum possible time to reduce the impact on local residents.

9.27 Following house construction, several of the impact categories reported minor adverse impacts although several were also reported as being neutral or negligible. In particular, several roads were identified as being subject to traffic increases of over 30% (when compared against existing levels) affecting St Andrews Road, Thornhill Road and Masefield Road, which would experience moderately adverse impacts. However, it should be noted that these roads have a relatively low level of traffic movements at present (i.e. less than 600 per hour) and as such, the actual environmental impact is classified as minor adverse. It is also relevant to appreciate that the adopted WCS requires a strategic link road connection involving St Andrews Rd and Victoria Rd, which as part of the Plan preparation, accepted increased traffic generation along the affected roads.

9.28 As part of the plan submission, the accessibility of the site by sustainable modes of transport has been assessed. With the town centre approximately 2km from the site and shops, a pub and Princecroft Primary between 600m-1km away, it is argued that the site is highly sustainable and there are several walking, cycling and public transport options for future residents to use rather than rely on using private motorized vehicles. The negotiated scheme with s106 obligations would secure further enhancements which would include an

extended bus service and there would be a requirement in liaison with the other promoters of the WWUE site to develop a bus strategy. In addition, a framework residential travel plan to encourage future residents to use sustainable modes of travel would be promoted and Redrow have expressed a clear commitment to follow up the travel plan with some dedicated actions to promoting non-car modes of travel where appropriate. These actions include, appointing a travel plan coordinator and producing every new residence with a travel information pack outlining the availability of public transport and pedestrian/cycle links prior to first occupation. Following these actions, and after the 100th house is occupied, the developer is also committed to undertaking a local resident travel survey. As far as the A36(T) SRN is concerned, Highways England removed their holding objection in mid-November 2015 after reviewing additional material supporting the TA. As far as the projected post construction trip rates are concerned, the table below represents the predicted volume of generated traffic from 203 houses:

	AM Peak		PM Peak		Daily	
	In	Out	In	Out	In	Out
Trip rate per unit	0.246	0.935	0.671	0.355	4.415	4.448
203 Units	50	190	136	72	896	903

9.29 The site layout has been deliberately designed to provide for a future new link road connecting the site with Victoria Road with a second phased link road forming a future critical part of an application affecting the land north of the Redrow site and south of Victoria Road.

9.30 In response to the significant volume of local concern raised about the construction traffic access route, Redrow and their appointed agents have held extensive discussions with the case officer and the Council's senior highway officer which reported on alternative construction traffic access options. The options were all fully examined and found to be so constrained that they could not reasonably be advanced. The options included the potential of providing a temporary access to the A36 bypass via Folly Lane – an option discounted due to the trunk road classification. Accessing the site via Folly Lane was also discounted due to inadequate road widths and lack of suitable footways or pedestrian refuge provision. In addition, there were also land ownership / access constraints which would pose considerable difficulties for implementing such a route. Providing a temporary access route from Victoria Road to the site's northern boundary was also found to be unachievable given separate landownership issues and potential conflicts with the Highways Act and PRoWs as well as inadequate access widths and routing through the Bugley Barton farm steading located to the south of Victoria Rd. Lastly, the listed building status of Bugley Barton was an additional constraint to weigh up in terms of providing a temporary access from land to the north.

9.31 After an extensive assessment, and as reported within the highway consultation section of this report, officers conclude that the proposed construction traffic routing and one-way system being proposed via the Masefield/Thornhill and St Andrews Road network is satisfactory, and the highway engineers are fully content that the development and its associated traffic generation both at construction and post development stages, would not result in severe residual cumulative highway safety/pedestrian harm. Whilst the concerns of local residents are fully appreciated, paragraph 32 of the NPPF clearly asserts that *"development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe"*. Your highways officers and Highways England (who represent the Minister of State for Transport) have reported that the access to the site can be practically and adequately achieved via the existing road network without introducing cumulative severe harm.

9.32 In order to provide a cumulative assessment of the potential highway impacts of the wider West of Warminster Core Strategy proposals, a paramics microsimulation model of the whole of Warminster assessed the impacts of up to 1,200 residential units being delivered to the north of Victoria Road, and up to 350 residential units to the south of Victoria Road (including the 203 units proposed by Redrow); and a new link road to St. Andrews Road. The paramics model identified that any cumulative construction impacts would be focused on the link between the A36 and the new Victoria Road roundabout as this would be the only shared link used by both construction sites, assuming that they are developed in tandem. However, the limited amount of pedestrian traffic in this area and the short length over which construction traffic would share routes ensures that the cumulative impact would be categorised as minor adverse at worst. The paramics model also identified minor cumulative operational impacts across the network, especially on Victoria Road and to a lesser extent on Masefield Road.

9.33 A series of additional mitigation measures were tested within the paramics model that would act to reduce the cumulative residual impacts of any development. These include: highway improvements to the

Portway / Westbury Road / Copheap Lane junction; providing a 'toucan' controlled crossing along Victoria Road and providing financial contributions towards the enhancement of pedestrian, cycle and public transport facilities. These would be applied in addition to the mitigation measures outlined above, and as expressed within Redrow's TA. The PFA paramics model shows that these measures are adequate to mitigate the cumulative operational impacts of the WWUE development so that, at worst, only a minor adverse impact would be observed.

9.34 Residential traffic distribution and traffic assignment analysis have been thoroughly reviewed. Traffic impact, traffic counts/queue length analysis and capacity assessments have been interrogated by the statutory consultees (Highways England and the Council's Highways Authority) with the resulting conclusion that the traffic generated by the proposed development can be "adequately" accommodated by the existing road network without creating demonstrable harm. After a lengthy and detailed assessment, this proposed 203 house scheme is found to be a sustainable and suitable form of development; and in terms of appreciating NPPF para 32 (and para 14 since para 49 is engaged) the cumulative highway impacts of the development would not be "severe"; and therefore Members are advised there is no justified highway reason to refuse this application.

9.35 **Drainage Matters** – The site lies within Flood Zone 1 (the lowest level of risk with less than 0.1% chance of fluvial or tidal flooding in any one year) and the residential scheme does not encroach upon Flood Zones 2 or 3. There are several existing public sewers in the vicinity to the site with two capable of being reached via gravity discharge from the site. However, due to infrastructure constraints (e.g. an existing hydrobrake limiting flow rate discharges) and recorded d/s flooding constraints and recent events, rather than seek to make direct connections into the surface water sewer, following extensive negotiations between officers and Redrow Homes, the applicant's drainage consultants developed an on-site drainage solution which has resulted in the finalised scheme having dedicated on-site soakaways supported by positive percolation testing, underground tank(s) and an attenuation pond which has been specifically and carefully designed following direct liaison with the local lead drainage authority.

9.36 WCS Core Policy 67 requires all new development to include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground (sustainable urban drainage) unless site or environment conditions makes these measures unsuitable. Still saved former WWDC Plan Policy U1a titled Foul Water disposal requires new development to have adequate foul drainage and connect to mains drainage, where appropriate. NPPF paragraphs 99-104 specifically set out the requirements for meeting the challenges of climate change, flood risk and coastal change.

9.37 Redrow's much revised scheme and drainage strategy (since the summer of 2014) has the support of the Wessex Water, the Environment Agency and the Council's lead local flood authority. The scheme and strategy promotes an on-site drainage solution comprising individual on-plot soakaways and permeable paving, a cellular soakaway in the public open space, an attenuation tank and an infiltration pond which would have a hydro brake valve limiting discharge flow from the underground storage tank to 10litre per second, with additional safeguards added to the drainage strategy including the provision of an impermeable gabion wall embankment structure to hold back any excess storm water on site following an extreme weather event. It should be noted that the drainage solution which has the backing of the drainage experts, is designed to provide adequate storage volumes to meet the 100-year return period storm plus 30% climate change; and overall the scheme would result in a betterment compared to the current uncontrolled greenfield run-off rates.

9.38 Paragraph 5.158 of the WCS which accompanies CP31 explicitly states that the delivery of the strategic allocation can be advanced ahead of a detailed Strategic Flood Risk Assessment (Level 2) – which would need dedicated Council funding to understand additional development sites, as well as advancing the town's growth potential elsewhere and the associated flood risk. Redrow are not required by policy to resolve the town's flood risk problems, but they are obligated by national and local plan policy to develop a drainage strategy for their residential development and demonstrate that the resulting surface water drainage solution would be an overall betterment compared to the greenfield run-off rate at present, plus account for 30% climate change; and as reported above and within the drainage authority's consultation response, an acceptable proposal has been finalised.

9.39 The application is supported by a revised flood risk assessment and drainage strategy and the developer's water resources assessment sets out appropriate mitigation measures and potential impact on surface water discharge and water quality, including the impacts on groundwater abstraction areas and concludes that the proposed development would have a neutral impact on water quality, reduction of



discharge rates for the site and improve overall the water environment. Elements of the drainage strategy comprise the following:

- Provide permeable pavements for driveways and courtyards to be tanked with an outfall to the adoptable sewer network. Permeable paving would slow down the rate of discharge and assist in improving the quality of the run-off by filtering out organic matter, silt and hydrocarbons as water passes through the geo-textile and stone layers;
- Provide overflow infiltration trenches comprising stone filled trenches connecting to the adoptable sewer network; and
- Water butts to be provided to collect and store roof water – to be re-used in gardens, landscaped borders.

9.40 As far as foul drainage connections are concerned, Wessex Water were commissioned by Redrow Homes to model the drainage network in the vicinity of the site in 2015 which concluded that the existing sewers found along Victoria Road and Broxburn Road had insufficient capacity for this 203 house development to connect into. As a consequence, an on-site pumping station with a rising main through the site to the southern boundary which would head east to the nearest suitable point of connection - a 225mm sewer located approximately 1.5km to the east serving the Center Parcs, Longleat site; and thus would avoid the need for connections through Haygrove Close and St Andrews Rd. Whilst local residents' concerns are duly appreciated, Wessex Water as the sewerage undertakers has the legal power to requisition sewers through private land for domestic connection/flows. In this particular case, the necessary off-site foul connection arrangements shall be secured by Sewers for Adoption (SFA 7<sup>th</sup> Edition) industry requirements and a s104 legal agreement under the Water Industry Act 1991.

9.41 Planning conditions rather than S106 obligations would adequately cover the provision of the on-site essential drainage infrastructure although a site management company would be required to take on the responsibility of the infrastructure which would need to be enshrined within a legal agreement to ensure the necessary mechanisms are in place for the on-going maintenance and effective operation of the drainage infrastructure prior to the first occupation of any dwelling and for the responsibilities and mechanisms to be managed in perpetuity. Due to the unpredictable nature of flood risk and drainage issues, having a later implementation requirement would not be acceptable. It is essential that the all the related SUDs infrastructure is complete and ready for use prior to the first occupation of the dwellings. For phased developments, each SUDs feature associated to any phase would need to be similarly complete and ready for use prior to occupation.

9.42 It is noted that local residents have raised concerns about a proposed drainage solutions, however after lengthy negotiations that have spanned 2 years, Wessex Water have confirmed the proposed foul water drainage solution is acceptable, subject to s104 Water Act legal agreement to secure connections. The Lead Local Flood Authority confirmed in early June that the previously imposed holding objection could be removed following an appraisal of the revised drainage details; and the environment agency report no objection. As reported within the consultation section of this report, robust planning conditions and a s106 are required to ensure the on-site surface water attenuation and soakage proposals are fully implemented and maintained in perpetuity, subject to management company responsibilities.

9.43 After an extensive and detailed appraisal of the negotiated drainage scheme and strategy (which was formulated following direct liaison with the local lead flood authority), the final proposals are found to be acceptable, subject to planning conditions to secure the provision and completion of the drainage infrastructure and a legal agreement to define the terms and management responsibilities for its future maintenance to ensure the scheme would not increase flood risk elsewhere in compliance with WCS Core Policy 67 and the NPPF.

9.44 **Landscape Matters** – The 7.3 hectare application site is not subject to any special landscape statutory designations. The key characteristics of the localised landscape are formed by small-medium sized fields of varying shapes with hedged boundaries. The majority of the landscape is undulating clay vale with a mix of arable, pasture and woodland. Transport corridors, small pockets and larger expanses of woodland, the River Avon also characterise the landscape. The proximity to the Cranborne Chase and West Wiltshire Downs AONB requires careful consideration, although detailed investigations carried out at different times of the year reveal that much of the Redrow site would be largely screened by existing development and dense woodland when viewed from the AONB/Cley Hill. The A36 (T), the rugby club and several agricultural fields separate the site from the AONB and the topography of the application site is

relatively level at circa 128m AOD across most of the site, which is enclosed by well-established field hedgerows and treed boundaries. The lowest part of the site (found along the northern boundary) would be the most visible part from the AONB/Cley Hill. However, it should be noted that part of this land is not identified for residential development but is instead, set aside for enhanced landscaping, surface water attenuation and public open space. From Cley Hill and the elevated publicly accessible parts of the AONB afford views across Warminster and it is accepted that whilst the development will be visible, the visual effects would be tempered by existing infrastructure and woodland planting and once complete and the proposed tree planting matures, the residential scheme would not be significantly perceivable within the wider context of the landscape and it would visually merge with the rest of the town leaving the viewer from Cley Hill to see roof tops broken up by trees and woodland planting.

9.45 NPPF Paragraph 115 advises that “great weight” should be given to conserving the landscape and scenic beauty of AONBs. Paragraph 109 stresses the importance attached to “protecting and enhancing valued landscapes”. Core Policy 51 of the WCS sets out a requirement that development within the AONB conserves and where appropriate, enhances its scenic beauty and other special qualities. For development sites outside of the AONB, but within close proximity, there still remains a statutory duty to have regard to conserving and enhancing the scenic beauty of the AONB – which is consistent with both the NPPF and the statutory duty to have regard to conserving and enhancing the scenic beauty of AONBs as laid down by Section 85 (S.85) of the Countryside and Rights of Way Act 2000 (the CRoW Act).

9.46 Great care and weight has been given to assessing how the proposed development responds to the immediate site context and the protected surrounding landscape. In addition to consulting with the AONB Partnership Board, Natural England, National Trust and the Council’s strategic landscape officer, lengthy negotiations have taken place with the applicant’s and the appointed agents spanning several years. These discussions have led to several revised layouts, which have been publicly advertised and consulted upon. Lengthy negotiations have taken place with statutory consultees as well as taking on board and the expressed concerns from all parties as well as referencing the AONB Management Plan.

9.47 A detailed LVIA supports the application with agreed winter and summer viewpoints taken from close, mid and long range distances. The case officer visited a wide selection of vantage points to appreciate the visual and landscape impacts throughout 2014/15 and 2016 at different times of the year and reached the conclusion alongside the Council’s strategic landscape officer that whilst the development proposal would introduce a significant change to the localised landscape i.e. changing the agricultural fields to primarily residential, the proposal would not substantially harm the protected status of the AONB/Cley Hill. There would be a substantial landscape buffer with a variety of trees acting as a foil breaking up rooflines and the urban mass; and the revised negotiated development would integrate with the existing urban form without appearing inappropriate in landscape/visual impact terms. The Council will also have full control over what development is deemed acceptable on land between the Redrow site and the A36/AONB; and will be in a position to negotiate tree retention and enhanced landscape planting; and thus address AONB/Natural England concerns.

9.48 A negotiated enhanced native landscape planting scheme comprising nearly 200 new trees consisting of oak, maple, birch, beech, hornbeam, hazel, cherry, lime and other species would be implemented on the site that would assist in integrating the 203 house scheme with the established urban form of Warminster. From the elevated Cley Hill summit, landscape planting won’t entirely screen the new development – only incongruous Leylandii cypress or Western Red Cedar would provide a dense blanket screening function, which would not be appropriate in terms of respecting the surrounding woodland, Longleat estate and visual/ecological habitat value. Instead, the much revised and negotiated mixed native tree planting scheme would break up and filter the development successfully. The landscaping proposal comprise both POS planting and on-plot planting which require planning conditions for the implementation and s106 clauses to cover their long term protection and maintenance.

9.49 The site forms part of a strategic allocation for housing in the WCS with the key objective of delivering housing growth and a link road. After lengthy, detailed negotiations and assessments, officers conclude that subject to planning obligations and planning conditions, the proposed 203 house development can be effectively constructed without generating harm to the recorded protected landscape and visual interests.

**9.50 Urban Design Issues and Neighbouring Impacts** – The NPPF recognises that high quality and sustainable design are core planning principles. With regard to achieving integrated and inclusive communities, paragraph 57 states that: *"It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes."* The importance of good design is emphasised in Section 7 of the NPPF and specifically paragraph 56 states that *"The Government attaches great importance to the design of the built environment. Good design is indivisible from good planning, and should contribute positively to making better places for people."* Paragraph 58 states that *"decisions should aim to ensure that developments... respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation"* (bullet 4) and Paragraph 60 states that *"planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness."*

9.51 Paragraph 9.22 onwards (the highway impact section of this report) appraised the consequential impacts on local residents as a result of the proposed road linkage and construction traffic routing. This section considers the urban design matters such as layout, build density, property separation, scale, massing, property orientation and window-window relationships.

9.52 As far as the layout is concerned, creating new residential development westwards from the St Andrews Rd cul-de-sacs is considered appropriate. With the WCS strategic requirement to link St Andrews Rd with Victoria Rd to the north and Bath Rd further beyond, developing the land west of St Andrews Rd for residential purposes is considered necessary to bring forward the first phase of the link road. As reported in the previous section, the site would be well screened by the established treed backdrop of Folly Lane, as well as the array of field boundary planting. In addition, the Council would have the opportunity to influence and control landscape protection on land beyond the Redrow site where it forms part of the WWUE since that land would require planning permission for future development.

9.53 The proposed layout/form of development responds to the established urban form found along St Andrews Road cul-de-sacs. Revisions made to the site layout have evolved following two public exhibitions and pre-application discussions in 2014, extensive negotiations have been led by the case officer which have resulted in reducing the housing numbers from 230 to 203, halving the number of 2.5-storey apartment blocks to 2, introducing seven bungalows near to existing low-rise neighbouring housing, designing for SUDs requirements, redesigning the road layout and providing the opportunity for enhanced permeability around and beyond the site, locating the POS towards the northern boundary as well as creating a separate equipped children's formal and informal play areas. The scheme has been designed to allow for the continuation of the link road on land to the north, and allow for an expanded centralised green landscaped sward running west-east across this lower part of the WWUE site allocation. A linear pocket park adjacent to Folly Lane along the southern boundary would further offer more informal public area enhanced by existing and additional landscaping with the new housing set back from the lane.

9.54 The proposed density at around 27 dwellings per hectare is considered an appropriate density transition in the context of the existing 24 dwellings per hectare density found within a comparable the 7.3 hectare site area covering properties along St Andrews Rd, Folly Lane, and parts of Broxburn Rd, Thornhill Rd, Langholm Avenue and Langholm Close. The approximate 3 additional dwellings per hectare on the application site would not appear significantly out of keeping or constitute as site cramming. Whilst every application must be assessed against its own merits, local context has been taken into account. The need to significantly boost housing delivery is also a material consideration in this regard.

9.55 As mentioned above, properties to be built along or near to the boundaries shared with existing residential properties have been carefully planned with the introduction of seven bungalows. In addition to the three public open space areas, individual plots would have adequately sized private amenity ground, and there would be enhanced boundary and on-site landscaping to help integrate the development with the existing urban form. The new housing would have no substantive overbearing effects. The revised scheme has taken into account previously raised officer concerns about property separation, their orientation and window-window relationships. The two 2.5 storey apartment blocks (at less than 11m in height) would have a larger roof plan and wall elevation compared to the other houses, but the two blocks would not appear out of keeping or harmful in a landscape sense of to residential interests. The two buildings would be only

marginally higher than the vast majority of the 178no two-storey proposed properties within the new development. The significant proposed tree planting referenced in the previous section would filter visual effects and by virtue of the two building blocks being integrated within a much negotiated scheme which has been informed by a thorough review of plot-plot separation distances, members are advised that there would be no significant overshadowing / overlooking effects. A separate appraisal was undertaken specifically concerned with assessing the impacts of proposed houses with existing properties. To ensure that window-window and property/property relationships are appropriate, this revised scheme acceptably responds to previous officer concerns. New housing sited within 25m of existing residential properties have limited opposing new windows, obscure glazing and bathroom windows are planned where appropriate as well as having blank elevations on some properties as well as having single storey properties in the interests of safeguarding residential amenity.

9.56 The range of dwelling types and sizes with an emphasis placed upon traditional family homes is supported. 61 affordable housing units (30% on site allocation) would be provided on site significantly contributing towards satisfying a long-standing and increasing affordable housing need in the local area. The spread of the affordable homes across the site is supported by officers to avoid segregating different tenures. A mixed palette of construction materials is proposed comprising a variety of complementing brick stock, a nominal amount of rendering and cladding, a variety dark tiled roof finishes, brick wall enclosures rather than fencing within the public domain with no particular over dominant material to help create a sense of place and street scene interest and variety.

9.57 As far as public protection matters are concerned (noise, air quality, odour etc.), officers are satisfied that with appropriate mitigation and planning conditions, the proposed development would not result in significant harm.

9.58 **Sustainability** – The developer has expressed a commitment to ensure that each new dwelling complies with energy efficiency ratings in compliance with WCS Core Policy 41. The submitted Energy Statement assesses the feasibility of several types of renewable technologies and proposes the installation of photovoltaic panels for each house roof to satisfy the required renewable energy generation and reduce CO2 as well as introduce energy/water consumption reducing features. A sustainable urban drainage system has been planned also. The Council's land contamination officer is satisfied with the findings of the geo-environmental, geo-technical assessments and ground investigations and recommends permission subject to conditions including a land contamination strategy. Officers are fully supportive of these elements of the scheme and recommends that planning condition(s) are appended to any permission to ensure the scheme and necessary features are implemented.

9.59 **Heritage Matters** - Local planning authorities have a statutory duty as directed by s.66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to 'pay special attention to the desirability of preserving or enhancing the character or appearance of the (conservation) area' with the equivalent test for developments affecting listed buildings having 'regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'. In addition, NPPF paragraph 131 states that as part of a robust decision making process, LPAs should consider "the desirability of new development making a positive contribution to local character and distinctiveness"; and, within paragraph 132, the NPPF places "great weight" to the conservation of heritage assets and states that "the more important the asset, the greater the weight should be". One of the core planning principles of the NPPF is to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations (para 17). The NPPF defines a 'Heritage Asset' as "*a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing)*".

9.60 WCS Core Policy 58 'Ensuring the Conservation of the Historic Environment' specifies that heritage assets include Listed Buildings, Conservation Areas, Scheduled Ancient Monuments, Registered Parks and Gardens, Registered battlefields, World Heritage Sites, Non-designated heritage assets such as buildings and archaeological sites of regional and local interest. The policy seeks to ensure that developments protect, conserve and where possible enhance the historic environment; and designated heritage assets and their settings will be conserved, *and* where appropriate enhanced in a manner appropriate to their significance.

9.61 Given the status of Cley Hill as a Schedule Ancient Monument, it has high significance in terms of its heritage value. It is recognised as a prominent historic landscape feature of significant archaeological interest and the long distance views from the summit, particularly to other nearby hillforts (Battlesbury and Scratchbury) are significant. It is owned by the National Trust and is visited by many people, attracted to it in part because of the spectacular sweeping panoramas; and, given its position from the St Andrews Rd site, it is important for any proposed development to be sensitively scaled and designed. In this particular case, Redrow's planning application is supported by a detailed historic environment appraisal to which both Historic England and the Council's Conservation officer raise no objections. Although the heritage based concerns raised by The National Trust and third parties are duly noted, the expert heritage consultees and planning officers are satisfied that the development would not detrimentally affect the setting of Cley Hill.

9.62 The NPPF defines 'setting' as "*the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral*" (Annexe 2). After an extensive and detailed assessment, the statutory consultees and your officers advise that the effect of the proposed 203 house scheme on the nearby heritage assets including the conservation area and listed buildings would be neutral (in terms of appreciating the available intervisibility, the proximity of heritage assets to the application site, and acknowledging their immediate site context, and their respective significance and setting); and consequently, their character and appearance would be preserved.

9.63 In terms of archaeology, a geophysical survey and archaeological evaluation, including trial trench analysis was undertaken which established the site has negligible archaeological significance. Only limited features relating to post-medieval field boundaries likely to be associated with nearby Bugley Farm and Folly Farm were found and a random selection of updateable flint material. No archaeological features or artifacts of material significance were found; and consequently, the Council's archaeologist has confirmed that no further investigations are required. The proposed development is therefore considered to be acceptable in heritage terms and compliant with the provisions of WCS CP57 & CP58 and the NPPF.

9.64 **Ecological Matters** - The Council's ecologist is fully satisfied with the application after an extensive appraisal of the revised development as outlined within section 7 above. In terms of ecological habitat, the site – which is predominantly semi-improved grassland, has little ecological value. The boundary hedgerow/landscaping is of mixed quality although its value is considered to be medium-high from a landscape point of view, but less so in terms of ecology. The submitted ecological assessment sets out a series of ecological mitigation measures to maximise ecological enhancement opportunities for the site. The ecologist advises that there is limited nesting and foraging potential and no bat roosts were found. The hedgerow and existing landscaped boundaries are however recognised as offering potential for enhancement, with the hedgerow network seen as worthy of retention/protection to link through the wider strategic site to create ecological corridors, to be supplemented by native planting.

9.65 There is sufficient headroom at the town's sewage treatment works to accommodate this development without compromising the Council's adopted Nutrient Management Plan (NMP) in terms of water phosphate levels. Planning conditions are required to secure an LEMP (landscape and ecology management plan) and CEMP (construction environmental management plan) to ensure that there is appropriate and sympathetic management of retained and created habitats within the site, including hedgerows, mature trees, wildflower areas and 'species-rich rough grasslands'. This should include full details of the body that will be responsible for implementing habitat management, and the monitoring and review process. A sensitive lighting scheme for the site is also necessary.

9.66 **Developer Contributions and Commitments** – Should the Committee be minded to grant planning permission, in addition to an extensive list of planning conditions, Members are asked to agree to delegating authority to the Head of Development Management to finalise a s106 legal agreement before issuing any planning permission. This development requires numerous essential planning obligations to which the developer would be held liable and obligated to deliver. Members will be aware that planning obligations must comply with three legal tests, however, for the avoidance of any doubt, they must be:

a) Necessary to make the development acceptable in planning terms; b) directly related to the proposed development; and, c) must be fairly and reasonably related in scale and kind to the proposed development.

9.67 In this particular case, the development of 203 dwellings requires the following obligations to be secured by a s106:

- Delivering and securing 61 no. affordable housing units on site with 60% (37) being for affordable rent and 40% (24) for intermediate sale (shared ownership/discounted sale) to respond directly to a local critical need;
- Delivering and securing in perpetuity the on-site public open space with landscaping and tree/shrub planting and provision of a local equipped play area;
- Establishing a management company and to define its liabilities including the maintenance of the POS, children's play areas, landscaping (except for private gardens) in perpetuity as well as safeguarding important landscape and biodiversity conservation management requirements;
- Delivering and securing in perpetuity the on-site SUDs infrastructure and clarifying its formal adoption by the local drainage authority or setting out the management and maintenance responsibilities of a SUDs management company;
- Contributing £45,457 for off-site sporting and leisure provision;
- Contributing £101,982 for enhanced health care service provision within the Town in line with CP3. Note: NHS England has specifically requested that this sum is made available for NHSE to use and support both existing GP practices and to accommodate the additional patients directly generated by this development.
- Delivering and securing a safeguarded future link road to connect with adjoining land located towards the northwest of the site; and to avoid any form of ransom strip;
- To contribute circa 57% of the costs associated to the provision of new controlled crossing on Victoria Rd (currently estimated between £63-£69k); highway works to St Andrews Road, and upgrading pedestrian/cycleway linkages;
- To contribute circa 15% of the costs associated to the provision of a new roundabout at Copheap Lane/Westbury Road (currently estimated as £39k with the remainder to be secured through future s106 agreements with other developers promoting development on the WWUE site);
- Delivering and securing in perpetuity an internal highway route to accommodate buses; and contribute a financial contribution towards the provision of bus services to serve the site and develop a Bus Strategy Report;
- To pay for a temporary traffic regulation order to restrict the movement of lorries associated with the construction site from using inappropriate roads in the vicinity;
- To pay the necessary costs associated to implementing a cycle tracks order along WARM6;
- To contribute towards the provision of a surfaced, drained and lit route between the site and Victoria Road generally on the line of the existing footpath;
- Delivering and implementing a Residential Travel Plan and promoting a travel plan coordinator;
- Contributing £17,997 for the necessary new waste recycling infrastructure to service the housing;
- Contributing £1,476,356 for essential education infrastructure split as follows: £628,223 for primary places (i.e. Princeroft) and £848,133 for secondary places (i.e. Kingdown);
- Delivering and securing the on-site foul water pumping station with all its associated infrastructure and required odour minimising infrastructure to ensure it is fully operational prior to any dwellinghouse being occupied; and contribute all necessary network improvement obligations imposed by Wessex Water;

No financial obligation for public art is recommended by planning officers for this particular case on the basis that public art can be secured within the overall design of the scheme in accordance with CP57 criterion xii and by planning condition.

9.68 Separate to the s106 obligations listed above, this development has a CiL liability amounting to circa £520k (Note: the exact amount would be subject to a separate check as part of the CiL levy liability process). In the context of this application, CiL payments banked with the Council could contribute towards leisure service infrastructure improvements, the Wiltshire Fire & Rescue Service, the Wessex Stone Curlew Project, the expansion of the Warminster cemetery and Air Quality improvement works. Following the adoption of the Neighbourhood Plan, Warminster Town Council would directly secure 25% (i.e. ca £130k) of the CiL contribution, until then, 15% (i.e. ca £78k) of CiL would be passed to the local community.

9.69 The above list of obligations represents a significant cumulative level of contribution. As with every planning application due regard must be given to site viability; and officers have sought to secure only

essential obligations and contributions in accordance with the adopted WCS, CiL Regulations and the adopted Infrastructure Development Plan for Warminster Community Area.

9.70 It is also worth reporting, that the delivery of 203 proposed dwellings would also bring about approximately £2.6 million in additional funding to the Council via the Government's New Homes Bonus Scheme.

**10. CONCLUSION (THE PLANNING BALANCE)** – This comprehensive detailed planning application has been extensively negotiated by officers which is policy compliant in terms of the NPPF and the WCS. It is supported by a joint masterplan in accordance with the requirements expressed within WCS CP31 and the development site template. The applicant/developer and their appointed agents have fully cooperated with officers to address numerous concerns and requests to bring about improvements to the residential development; and there has been extensive local community engagement. The application is supported by extensive detailed assessments and whilst, officers duly acknowledge that some parties still oppose this development, after a thorough appraisal of all the relevant planning considerations and mindful of the current 5-year housing land supply shortage, officers are fully supportive of this application, subject to planning conditions and a s106 legal agreement.

10.1 The site forms part of the strategic urban extension which seeks to deliver 900 new homes by 2026. During the course of assessing this application, Warminster Town Council has advanced the preparation of a Neighbourhood Plan which has passed through the examination stage and can progress to a referendum. The emerging Neighbourhood Plan has been appraised and no conflict is found between the inspector's modified examiner's report and this planning application. It is important to recognise that the WCS does not limit a developable area and nor does it prescribe a suitable density for this site. It is also worth noting that a central tenet of the delivery of new development on the WWUE site comprises the phased delivery of a strategic link road which will ultimately provide a new road connection between Bath Rd – Victoria Rd and St Andrews Rd. This development would secure the first phase of the link. The principle of developing the site for new housing is well established and the layout, density, mix of housing and the essential infrastructure are considered acceptable in planning terms with appropriate/necessary improvements and mitigation measures that can be secured via robust planning conditions and a legal agreement. Officers duly submit that in the context of and presumption in favour of promoting sustainable development (NPPF paras 14 and 49), there are no adverse impacts that would significantly and demonstrably outweigh the benefits that this particular development would deliver in terms of securing much needed new housing including the provision of 61 affordable housing units supported by extensive infrastructure improvements and financial contributions secured by s106 and CiL as well as generating significant New Homes Bonus Scheme payments for the Council.

**11. RECOMMENDATION:** To defer and delegate the issuing of a decision to the Head of Development Management following the completion of a s106 legal agreement to enshrine the obligations outlined within paragraph 9.67 and subject to the following conditions and informatives:-

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

2. The development hereby permitted shall be carried out in accordance with the approved plans contained within the plan list schedule drawing issue ref 31051/AC/TD dated 15 June 2016.

REASON: For the avoidance of doubt and in the interests of proper planning.

3. The development hereby approved shall be constructed in full accordance with the Construction Traffic Management Plan (CTMP) dated May 2015. Should the projected construction programme deviate away from the detail contained within the CTMP, an updated CTMP will require the written approval of the local planning authority prior to any commencement taking place on site. If the programme is to be revised during the construction phase(s), no deviation will be tolerated until the details have been approved in writing.

REASON: In order to ensure that the amenity of the local highway network is adequately protected as well as adopting measures to minimise disruption to local amenities.

4. The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. Within 6 months of any dwelling being occupied evidence



shall be submitted to and approved in writing by the local planning authority certifying that the stated level or its equivalent has been achieved.

REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out within Wiltshire Core Strategy CP41 are achieved.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no garage hereby approved which is required to satisfy on-plot parking standards shall be converted to ancillary habitable accommodation without first obtaining planning permission.

REASON: To safeguard the amenities and character of the area and in the interest of highway safety and to ensure there is adequate car parking provision.

NOTE: Future PD rights to convert garaging into additional ancillary habitable accommodation would still apply to plots that can accommodate the requisite parking provision on-site. This condition would only apply for plots/properties that rely on the garaging for off-street car parking.

6. That for the avoidance of any doubt, the land fronting plot 31 which is contiguous to the adoptable highway shall not be considered part of the residential curtilage, but instead it shall remain associated highway for the future purpose of delivering the strategic link road further to the north and Victoria Road.

REASON: To define the terms of this permission and to ensure the link road is not encumbered by any over land ownership dubiety or ransom strip conflict.

7. No construction works on the site shall take place outside the following hours: 07:30 to 18:00 Mondays to Fridays; and 08:00-13:00 on Saturdays or at any time on Sundays or Bank Holidays.

REASON: In the interests of protecting the amenity of nearby residential properties.

8. The development hereby approved shall be carried out in accordance with Redrow Homes' Acoustic Assessment and trickle vents detailed specifications.

REASON: In the interests of protecting residential amenity.

#### **Pre-Commencement Conditions:**

9. No development shall commence on site until a scheme of phasing the proposed landscaping, including the hedgerow boundary planting has been approved in writing by the Local Planning Authority. The landscaping shall be carried out in the first planting and seeding season following occupation of the related building(s) or the completion of the development, whichever is the sooner within that particular phase; any trees or plants which die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species. The landscaping and hedgerow enhancement planting shall be implemented in full accordance with approved plan drawings R0323\_07F (The detailed Public Open Space Landscape Proposals) and R0323\_10E Sheets 1-3 (Detailed On-Plot Landscape Proposals).

REASON: This information is required to ensure that the phased development and proposed landscaping is undertaken in an acceptable manner.

10. No development hereby approved with the exception of ground works and vegetation clearance shall commence until a lighting strategy for the site has been submitted to and approved in writing by the local planning authority. The strategy shall:

a) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications, including a Lux plot) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places; and

b) Specify luminaires, heights and positions of fittings, direction and other features, e.g. cowls, louvres or baffles

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To minimise light spillage into hedgerows and trees, to ensure no illumination of the bat roost and to maintain dark foraging and commuting corridors for bats, particularly along the northern boundary hedgerow.

11. No development (including vegetation clearance and preparatory ground works) hereby approved shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The content of the LEMP shall include, but not necessarily be limited to, the following information:

- a) Full specification of habitats to be created and enhanced, including locally native species of local provenance and locally characteristic species
- b) Description and evaluation of features to be managed; including location shown on a site map, including hedgerows, mature trees and wildflower meadow areas
- c) Landscape and ecological trends and constraints on site that might influence management
- d) Aims and objectives of management; including:
  - The creation and management of 'hop-overs' at breaches through hedgerows for pedestrian/cycleway links;
  - The provision of integral bat boxes and nest box provision for House sparrow, Starling, House martin and Swift across the site;
  - Further details of wildflower meadow areas and species-rich rough grassland areas; and how will they be created;
  - Hedgehog mitigation and enhancement measures, e.g. hedgehog boxes in suitable locations within hedgerows, specific habitat creation, gaps under garden fences;
- e) Appropriate management options for achieving aims and objectives;
- f) Prescriptions for management actions;
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over on a 5-year period basis; including bat roost inspections for tree surgery works to T1, T12 and T13 (if necessary) and mitigation for loss of high potential bat roosts;
- h) On-going monitoring and remedial measures;
- i) Timeframe for reviewing the plan
- j) Details of how the aims and objectives of the LEMP will be communicated to the occupiers of the development and establishment of an on-site management company.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented. The LEMP shall be implemented in full in accordance with the approved details.

REASON: This information is required to ensure the long-term management of protected and priority habitats and other landscape and ecological features, and to maintain and enhance these habitats and features in perpetuity.

NOTE: This is a modified version of the model condition from section D.4.5 of the British Standard BS42020:2013 Biodiversity – Code of practice for planning and development. In c) above 'trends and constraints' refer to those circumstances that might influence long-term management of a site, for example, natural succession, recreational use, other types of disturbance relevant to the site, flooding, geology, soil, etc. In g) above the annual work plan period requires to be determined on a case by case basis in conjunction with the developer, their ecological consultant and the Council Ecologist. In most cases, 5-years may be appropriate, but up to 10 years may be necessary depending on the development and management requirements. It should be noted that this is a work programme for a specified number of years that must be reviewed at the end of that period and rolled forward in perpetuity. In j), it is appreciated that full details of the management company may not be available until after occupation, however, it would be desirable to obtain as many details as possible.

12. No tree surgery works shall commence until an inspection for roosting bats has been carried out by a professional, licensed ecologist. If bats are found, mitigation measures shall be submitted to and approved in writing by the local planning authority. Mitigation shall be carried out in line with the approved measures.

REASON: To ensure roosting bats are fully considered before tree surgery works to trees with high potential for roosting bats.

13. No development hereby approved shall commence until an enhanced native planting scheme for the attenuation pond's immediate environs and the northern public open space, including species composition, origin, source, a timetabled planting scheme as well as its aftercare and maintenance, has been submitted to and approved in writing by the local planning authority. Once agreed in writing, the approved details shall be carried out in full within 12 months of the completion of the development hereby approved.

REASON: This information is required to ensure planting of the attenuation pond is carried out appropriately in line with Environment Agency guidelines to avoid the introduction of invasive, non-native species as well as further enhancing the public open space with more shrub and tree planting.

NOTE: The maintenance requirements as outlined by condition 9 would apply.

14. No development pursuant to the construction of the foul water pumping station hereby approved shall commence until the exact details of the "living wall" to be planted around the perimeter of the foul water pumping station compound has been submitted to and approved in writing by the local planning authority. Once approved in writing, the living wall planting shall be carried out in full within either 12 months following the completion of the development or following the bringing into use of the foul pumping station whichever is the earliest.

REASON: This information is required to ensure an appropriate planting scheme around the foul pumping station is agreed in the interests of good planning as well enhancing the public open space and landscaping proposals.

NOTE: The maintenance requirements as outlined by condition 9 would apply.

15. No development shall commence on site (including ground works and vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of 'biodiversity protection zones';
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements), including reptiles, badgers, nesting birds, great crested newts, hedgerows, bats, veteran willow trees;
- d) A dust suppression scheme to minimise windblown dust from affecting adjoining neighbouring properties. This scheme should cover all the phases of the construction site, including earth works, spoil heap storage, vehicle movements and cutting of materials;
- e) Exact details confirming the site compound, site operative parking, wheel washing, pollution control measures to be adopted and the projected phasing of development including the siting of the compound for the construction phases;
- f) The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
- g) The times during construction when specialists ecologists need to be present on site to oversee works;
- h) Responsible persons and lines of communication;
- i) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s);
- j) Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;
- k) An Ecological Mitigation Plan to provide a visual representation of all required mitigation measures;
- l) On going monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

A report should be prepared by a professional ecologist / the Ecological Clerk of Works certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, and detailing the results of site supervision and any necessary remedial works undertaken or required, shall be submitted to the Local Planning Authority for approval within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner. Any approved remedial works shall subsequently be carried out under the strict supervision of a professional ecologist following that approval.

REASON: To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats, to ensure that approved mitigation and compensation works are carried out and completed as approved and in line with current best practice guidelines, and to ensure adequate professional ecological expertise is available to assist those implementing the development to comply with statutory requirements, planning conditions and any relevant protected species licence, during construction.

16. No development hereby approved shall commence until a scheme for the discharge of surface water from the development (including surface water from access/driveways and roads/footpaths) incorporating sustainable urban drainage details together with permeability tests results to BRE365 detailed calculations for the infiltration pond which shall be designed to satisfy an appropriate factor of safety along with detailed specifications for the supporting impermeable wall and further details regarding embankment stability and flood routing measures to protect existing and future residents and flood risk prevention, has been submitted to and approved in writing by the local planning authority. None of the dwellings shall be first occupied until the surface water drainage systems including the underground tank(s), the attenuation pond, embankments and supporting impermeable wall have been fully constructed in accordance with the approved scheme.

REASON: This information/level of detail has not been submitted with the application and is considered necessary to define the terms of this permission and to ensure the surface water drainage / SuDS solution is acceptable to the lead local flood authority.

17. No development hereby approved shall commence until details of a temporary on-site looped access construction traffic route plan has been submitted to and approved in writing by the local planning authority. Following the written approval of such matters, the development shall proceed in accordance with the routing plan unless otherwise agreed by the local planning authority.

REASON: In order to secure a satisfactory construction access which allows for one way movement of construction traffic on each of the cul-de-sac arms of St Andrews Road, and to reduce construction traffic impacts along individual frontages.

18. For this phased development, no development hereby approved shall commence (as part of each phase) with the exception of site preparation and preparatory ground works, until details of the site access junctions, connections to St Andrews Road, estate roads, traffic calming measures, cycle tracks, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. In particular the details shall include vertical and horizontal details sufficient to ensure that a future connection to Victoria road can be effectively provided. The development shall not be first occupied until the estate roads, cycle tracks, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture have all been constructed and laid out in accordance with the approved details, unless an alternative timetable is agreed for the approved details.

REASON: To ensure that the roads are laid out and constructed in a satisfactory manner.

19. No works comprising the proposed pedestrian/cycleway link to connect with Folly Lane shall commence until full no-dig specification details and measures to be adopted to protect the adjacent tree/hedgerows above and below ground have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner.

#### **Pre-Occupancy Conditions:**

20. Prior to the first occupation of the dwellings hereby approved, the foul water pumping station and its associated infrastructure including the off-site rising main must be completed and available to accommodate any connection, unless agreed in writing with the Local Planning Authority.

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

NOTE: Wessex Water have agreed the foul water drainage proposals with the practical connections still to be subject to a s98/s104 legal agreement under the Water Industry Act 1991.

21. For this phased development, prior to the occupation of the dwellings (as part of each phase) the associated roads, including footpaths and turning spaces shall be fully constructed with a properly consolidated and surfaced footpath and carriageway to at least binder course level between the dwelling and existing adopted highway.

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

22. For this phased development, no dwellinghouse shall be occupied until upgrade details of the shared footway and cycle track between the site and Victoria Road have been submitted to and approved in writing by the local planning authority.

REASON: In the interests of promoting non-motorised sustainable modes of travel.

23. For this phased development, no dwellinghouse shall be occupied (as part of each phase) until the parking spaces together with the access have been provided in accordance with the approved plan drawings.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

24. For this phased development, no dwellinghouse shall be occupied until a public art scheme for the site and a timetable for its subsequent installation has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure the proposal complies with the relevant public art policies

NOTE: The applicants proposed promotion of a public art installation at the entry of the LEAP on site is encouraged and should further advice and guidance be required in terms of promoting local school and/or local artist involvement, contact should be made with Meril Morgan, the Council's arts officer.

25. For this phased development, prior to the occupation of Plots 31-41, the proposed bus route road (for future connection with Victoria Road) shall be provided in the north-west part of the site so as to allow adoption of the road to the site boundary.

REASON: In the interests of the proper planning for the area and to ensure that a link through to Victoria Road can be secured in line with Core Strategy objectives.

26. For this phased development, no dwellinghouse shall be occupied (as part of each phase) until cycle parking and storage facilities have been provided on site.

REASON: To ensure that satisfactory cycle storage is provided on site and to encourage non-motorised means of transport by future residents.

### **Planning Informatives:**

1. The applicant/developer is advised that to satisfy the surface water management condition requirements, the Council expects the following detail to be submitted: 1. A clearly labelled drainage layout plan showing the pipe networks and the attenuation ponds and drainage storage tanks. This plan should show any pipe node numbers referred to in the drainage calculations and the invert and cover levels of manholes. 2. A manhole schedule. 3. Model runs to demonstrate that the critical storm duration is being used. 4. Confirmation of the agreed discharge rate, with any flow control devices indicated on the plan with the rate of discharge stated. 5. Calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 critical duration storm event. If overland flooding occurs, a plan should also be submitted detailing the location of overland flow paths and the likely depths of flooding. A 30% allowance for climate change should be incorporated into the scheme in accordance with NPPF.

2. 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. The surface water soakaways which require building warrant approval should be constructed in accordance with the BRE Digest No 365 or CIRIA Report 156 "Infiltration Drainage, Manual of Good Practice". Only clean, uncontaminated surface water should be discharged to soakaway.

3. To avoid disturbing nesting birds and breeding season, no works should take place to the site boundaries between March to July inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the

breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the Council Ecologists.

4. Bats are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). Please be advised that, if bats are discovered, all works should stop immediately and Natural Resources Wales (NRW) should be contacted for advice on any special precautions before continuing.

5. All hedgerows should be fully protected in line with the recommendations made in section F6.2 of the Ecology Chapter of the ES. Hedgerows should receive a minimal trim to remove sideways growth that may interfere with construction machinery rather than being completely cut back / coppiced. Further advice can be obtained from the Council's arboricultural and ecology officers.

6. The developer/applicant is required to reach an agreement with Wessex Water with respect to finalising foul water and clean water connections.

7. The developer/applicant is advised to incorporate water efficiency measures into this scheme to provide resilience to some of the extremes of weather conditions that climate change brings. It benefits future residents by reducing water bills, and also benefits wider society by allowing more water to go round in times of shortage. 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 promoted and implemented. An appropriate submitted scheme should include a water usage calculator showing how the development would not exceed a total (internal and external) usage level of 105 litres per person per day.

8. The developer/applicant is advised to ensure appropriate safeguards are fully implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover: - the use of plant and machinery - oils/chemicals and materials - wheel-washing and waste water disposal - 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. The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at: <https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

9. The developer/applicant is advised to follow the guidance from the Wiltshire Fire & Rescue Service in terms of precautionary measures to reduce the risks of fire and on-site measures to deal with an emergency. This advice is often in addition to building regulation requirements. Further guidance can be obtained regarding the on-site provision of fire hydrants and a water supply for the purposes of fire-fighting.

10. The developer/applicant should give due consideration to securing a covenant on dwellings with garden boundaries adjacent to the rugby club hedgerows to ensure that these hedgerows are retained in perpetuity.

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