

## AGENDA

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**Meeting:** Strategic Planning Committee  
**Place:** Alamein Suite, City Hall, Malthouse Lane, Salisbury, Wiltshire,  
SP2 7TU  
**Date:** Wednesday 14 November 2012  
**Time:** 10.30 am

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Please direct any enquiries on this Agenda to Kirsty Butcher, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718376 or email [kirsty.butcher@wiltshire.gov.uk](mailto:kirsty.butcher@wiltshire.gov.uk)

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<b>Briefing Arrangements:</b>	<b>Date</b>	<b>Time</b>	<b>Place</b>
<b>PARTY SPOKESMEN</b>	14.11.12	9.30	Alamein Suite

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### Membership:

Cllr Mark Connolly	Cllr Francis Morland
Cllr Andrew Davis (Chairman)	Cllr Stephen Petty
Cllr Peter Fuller	Cllr Leo Randall
Cllr Charles Howard	Cllr Anthony Trotman
Cllr Chris Humphries	Cllr Fred Westmoreland
Cllr Julian Johnson (Vice-Chair)	Cllr Ian West
Cllr John Knight	

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### Substitutes:

Cllr Rosemary Brown	Cllr Nick Fogg
Cllr Liz Bryant	Cllr Mollie Groom
Cllr Ernie Clark	Cllr Russell Hawker
Cllr Peter Colmer	Cllr Mark Packard

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## **PART I**

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

1 **Apologies for Absence**

2 **Minutes of the Previous Meeting** (*Pages 1 - 8*)

To approve and sign as a correct record the minutes of the meeting held on 12 September 2012.

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

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 Service Director of Resources) no later than 5pm on Wednesday 7 November 2012. 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 **S/2011/1566 - ECO Homes Development - Castle Works, Salisbury** (*Pages 9 - 24*)

A report by the case officer is attached.

- 7 **N/12/00836/OUT Land at Copenacre Corsham** (*Pages 25 - 38*)

A report by the case officer is attached.

## **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**

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## STRATEGIC PLANNING COMMITTEE

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**DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 12 SEPTEMBER 2012 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.**

**Present:**

Cllr Mark Connolly, Cllr Andrew Davis (Chairman), Cllr Peter Fuller, Cllr Mollie Groom (Substitute), Cllr Charles Howard, Cllr Julian Johnson (Vice-Chair), Cllr John Knight, Cllr Francis Morland, Cllr Stephen Petty, Cllr Leo Randall and Cllr Ian West

**Also Present:**

Cllr Ernie Clark and Cllr Fleur de Rhe-Philippe

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**33 Apologies for Absence**

Apologies were received from Councillors Chris Humphries, Tony Trotman and Fred Westmoreland.

Councillor Tony Trotman was substituted by Councillor Molly Groom for this meeting only.

**34 Minutes of the Previous Meeting**

The minutes of the meeting held on 16 May 2012 were presented, and it was,

**Resolved:**

**To approve the minutes as a true and correct record.**

**35 Declarations of Interest**

There were no declarations of interest.

**36 Chairman's Announcements**

The Chairman informed Members that a request had been received from Five Rivers Eco-homes Ltd for the Committee to agree a site visit of Castle Works,

Castle Road, Salisbury before the start of the Strategic Planning Committee when the application is considered.

**Resolved:**

That the request for a site visit, detailed above, before the meeting of the Strategic Planning Committee when the application is considered be agreed.

37 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation and the manner in which the meeting would be held.

Members of the public addressed the Committee as set out in Minute No 38, as detailed below.

There were no questions received from members of the public or members of the Council.

38 **W/12/01121/FUL - Land East of Westbury Road, North Bradley, Wiltshire - Construction of New Office, Fleet Vehicle Parking Area and Vehicle Preparation Centre including Associated Staff Car Parking, Landscaping & Access**

**The following spoke objecting to the application**

- Ken McCall
- David Feather

**The following spoke in support of the application:**

- John Lawes – Applicant
- Mel Clinton – Applicants Agent
- David Baker – Trowbridge Chamber of Commerce

**The following spoke on behalf of North Bradley Parish Council objecting to the application**

- Roger Evans – Chairman of the Parish Council

The Committee received a presentation by the Southern Area Development Manager which set out the main issues in respect of the application. He introduced the report which recommended that planning permission be granted, subject to conditions.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received presentations from those objecting and

those supporting the application as detailed above, expressing their views regarding the planning application.

The Committee then heard from Councillor Ernie Clark as a Member who represented other rural areas in Trowbridge and spoke about the site location; and Councillor Fluer de Rhe Philipe, Cabinet Member for Economic Development who spoke in support of the application.

Members also heard the views of Councillor Francis Morland, as local Member who asked the Committee to support a site visit to the site. The request for a site visit did not receive support from the Committee.

After discussion,

**Resolved:**

**To grant planning permission for the following reason and subject to the conditions set out below:-**

**For the following reason(s):**

**The proposed development is sited in a sustainable location adjacent to existing business parks. Whilst the site is not allocated for development, the proposal will assist an important locally based employer to develop and expand, and it meets the exception criteria set out in policy C1 of the West Wiltshire District Plan and is in line with the requirements of policy CP34 of the emerging Wiltshire Core Strategy and the National Planning Policy Framework, where a core planning principle is set out as proactively supporting sustainable economic development. The development will also deliver enhanced biodiversity by the creation of a woodland belt around the western perimeter of the site.**

**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. All soft landscaping comprised in the approved details of landscaping (Drawing no's 1038-201 Rev A & 1038-202 rev A) shall be carried out in the first planting and seeding season following the first occupation of the office building or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance**

with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

**REASON:** To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

3. No building shall be first occupied until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

**REASON:** To ensure the proper management of the landscaped areas in the interests of visual amenity

4. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall include details of how the scheme shall be maintained and managed after completion. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

**REASON:** To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity and ensure future maintenance of the surface water drainage system.

5. The site access junction shall be completed in accordance with the approved details shown on Drawing No. FMW 0781 GA01 D before the first use of the development.

**REASON:** In the interests of road safety.

6. The Travel Plan dated June 2012 and contained in Appendix F of the Transport Assessment by FMW consultancy shall be implemented in accordance with the details and monitoring proposals included within it. The results of the implementation and monitoring shall be made available to the local planning authority on request, together with any changes to the plan arising from those results.

**REASON:** In the interests of highway safety and sustainability.

7. No part of the development hereby permitted shall be first brought into use until the access, turning areas and parking spaces have been



completed in accordance with the details shown on the approved plans. The areas shall be maintained for these purposes at all times thereafter.

**REASON:** In the interests of road safety.

8. Before development is commenced, details of the proposal's energy strategy and BREEAM certification for the scheme shall be submitted to and approved in writing by the local planning authority. The agreed proposals shall be implemented in accordance with a timetable to be submitted to and approved in writing by the local planning authority before development is commenced.

**REASON:** To ensure that the development incorporates effective sustainable construction and renewable energy measures to reduce its carbon footprint

9. Before any external lighting is erected, a plan detailing the proposed location of any external lights, their height (which shall be minimised to protect the external appearance of the area) and the measures to restrict glare and spillage shall be submitted to and approved by the local planning authority. The scheme shall comply with the CISBE Guides and ILE category E2. Any lights erected shall comply with the approved details.

**REASON:** To minimise light spillage, in the interests of the protecting the appearance and amenity of the area.

10. The development shall be constructed in accordance with the Site Waste Management Plan approved as part of this application. Any proposed changes to the plan shall be submitted to and approved in writing by the local planning authority prior to their implementation.

**REASON:** To reduce the environmental impact of the development and in the interests of reducing vehicle traffic movements off site during construction works.

11. Prior to development commencing, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. This shall be based on the draft plan submitted with the application. The construction shall be implemented in accordance with the details contained within the CEMP.

**REASON:** To mitigate the construction impacts of the development.

12. The acoustic fence (and the panels on either side of the washdown area) shall be erected before the vehicle preparation centre (VPC) is first brought into use. Before construction work on the VPC is commenced, details shall be submitted to and approved in writing by the Local

**Planning Authority of the materials, height, design and precise position in relation to the landscaped bund of the acoustic fence. The fence shall be maintained for as long as the VPC remains in operation.**

**REASON: To protect the amenity of nearby dwellings.**

**13. Before any part of the security fencing is erected, details of the design and material of the fencing, including the colour, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

**REASON: To protect the character and appearance of the area.**

**14. The first occupier of the office building hereby approved shall be Hitachi Capital Commercial Vehicle Services.**

**REASON: The site lies in a location where new employment development is restricted by the policies of the development plan to that which is of overriding benefit to the local economy. This proposal by this applicant meets these criteria. A speculative application with no local employer may not meet these criteria.**

**15. This permission relates to the following plans: Drawing Numbers 12010(L) 001 P1; 002 P2; 003 P1; 012 P2; 013 P1; 12010(L) 101 P2; 102 P2; 103 P2; 12010(L) 12010(L) 201 P2; 202 P2; 203 P2; 210 P1; 211 P1; 12010 (D) 100 P1; 101 P1; 1038 - 001 D; 1038-002; 1038-004 A; 1038-011; 1038-201-Rev. A; 202-Rev A; .FMW 0781 GA01 Revision D.**

**REASON: To define the plans approved as part of this planning permission.**

**16. No development shall commence on the erection of either the vehicle preparation centre or the office building until (1) details and, where requested, samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority; and (2) the finished floor levels of the buildings in relation to the existing ground levels have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

**REASON: In the interests of visual amenity and the character and appearance of the area.**

**17. Before the bike store/bin shed structure is erected, details of its design and external appearance, including materials, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved plans.**

**REASON:** To ensure that the development does not detract from the character and appearance of the area.

**18.** Details of the any hard landscaping proposals (including fencing or walls) to the site frontage with Westbury Road and the A363 shall be submitted to and approved in writing by the Local Planning Authority before any building is first occupied and shall be completed within the proposed timetable for the soft landscaping scheme.

**REASON:** To ensure that any such proposals do not detract from the character and appearance of the area.

**Informatives:**

**1.** There is a low risk to Great Crested Newts, which whilst not normally present on the site, are recorded in the vicinity. The outline mitigation strategy is satisfactory, but the applicant is advised that planning permission does not derogate the applicant's legal responsibilities under the Conservation of Species and Habitats Regulations (2010). It is the applicant's responsibility to obtain a European Protected Species Licence from Natural England to legitimate any action likely to breach Regulation 41.

**2.** The developer must ensure that the diversion of the registered public right of way, footpath no.8, is completed before any works which affect its current route are undertaken. Wiltshire Council will undertake the diversion procedure under Section 259 of the Town and Country Planning Act on behalf of the developer, who will pay all costs associated with the diversion.

**Notes:**

- Councillor Francis Morland asked for his vote against the decision to be recorded.
- The Committee voted – 9 in favour of the decision made and 2 against the decision made

**39 Urgent Items**

There were no urgent items of business.

(Duration of meeting: 10.30 - 11.45 am)

The Officer who has produced these minutes is Stuart Figini, of Democratic & Members' Services, direct line 01225 718376, e-mail [stuart.figini@wiltshire.gov.uk](mailto:stuart.figini@wiltshire.gov.uk)

Press enquiries to Communications, direct line (01225) 713114/713115

# Agenda Item 6

## WILTSHIRE COUNCIL

### REPORT TO THE STRATEGIC PLANNING COMMITTEE

Date of Meeting	14 <sup>th</sup> November 2012		
Application Number:	S/2011/1566		
Site Address:	Castle Works, Castle Road, Salisbury, SP1 3SB		
Proposal:	Demolish existing buildings and development of site with an eco-village of 60 dwellings, open space amenity areas, new footpaths, parking spaces and internal site road		
Applicant/ Agent:	Pro Vision Planning & Design, Grosvenor Court, Ampfield, Winchester, SO51 9BD		
Parish:	Salisbury City Council		
Grid Reference:	414083 131910		
Type of Application:	Major		
Conservation Area:	N/A	LB Grade:	N/A
Case Officer:	Charlie Bruce-White	Contact Number:	01722 434682

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

The Area Development Manager considers that the development has wider strategic implications, due to the scale and location of the development, which is outside the of development boundary, and the loss of a reasonably large employment site.

#### 1. Purpose of report

To consider the above application and to recommend to Members that planning permission be APPROVED subject to conditions and a S106 legal agreement.

#### 2. Report summary

The main issues in the consideration of this application are as follows:

1. Principle of development;
2. Loss of employment land;
3. Affordable Housing;
4. Compatibility of proposed residential use with surrounding recreation / leisure uses;
5. Highway considerations;
6. Character & appearance of the area, inc. impact upon setting of Old Sarum & Conservation Area;
7. Impact upon residential amenities;
8. Impact of the telecoms masts;
9. Ecological and environmental impacts;
10. Provision towards recreational open space, education, and waste & recycling facilities.

The application has generated objections from Salisbury City Council and 11 letters of representation from the public.

#### 3. Site Description

The site is located to the west of the A345 Castle Road, on the northern outskirts of Salisbury. It lies approximately 2km north of the city centre and 750m to the south of the Old Sarum Scheduled Ancient Monument (SAM). The site is surrounded on three sides by public open space, including

Hudson's Field and sports pitches related to Salisbury Rugby Club, whose clubhouse and parking area are located adjacent the eastern boundary. To the west the site is bounded by a caravan and camping site. Further afield, to the east, south and west, there are residential dwellings, including a children's day nursery. There are three existing telecommunication masts located adjacent to the southern boundary of the site. The vehicular access to the site is off the Castle Road, via a tarmac driveway, which also serves as an access to the Rugby Club and car park, as well as an access to the adjacent car parking serving Hudson's Field. The "Golden Way" cycle route runs east/west through Hudson's Field past this car parking area.

The site is currently in commercial use, and contains 2 main buildings, dating from the 1940's and the 1990's, as well as ancillary parking. There are 5 companies currently operating from the site, employing approximately 100 people on site full time, and are businesses mainly related to the car industry. Janspeed Technologies and Burlen Fuel Systems are the largest companies, and Hellier Performance and Advantage Servicing are smaller companies closely linked to Janspeed. Fluid Construction is the other company, which is an interior design business. Wiltshire Council owns the freehold of the site, and all the land surrounding it has been transferred to Salisbury City Council. The former Salisbury District Council accepted a surrender of an existing 99 year lease which commenced in the 1940s and granted a fresh 99 year lease of the entire site from the early 2000s to Janspeed who sub-let to the other tenants on the site.

#### **4. Relevant Planning History**

The site appears to have been in commercial use since at least the 1940's. Whilst there have been a number of applications over the years, these are largely all related to the commercial operation of the site, and are not directly relevant to the determination of this application.

#### **5. Proposal**

This outline application relates to the construction of 60 dwellings, with vehicular access off Castle Road to the east, via the enhanced existing driveway. The applicants have only sought detailed approval for the access details, with design and layout matters reserved for later consideration.

The indicative plans show a mixture of two and three storey dwellings, with a central landscaped area. The design and access statement indicates that 36 terraced and semi-detached houses, together with 24 apartments, are proposed which include a mix of 1, 2, & 3 bedroom units.

As the application seeks approval for a predominantly Code Level 6 housing development, the submitted indicative plans show highly contemporary dwellings, utilising sedum "green" roofs and timber cladding. A footpath/cycle link from the development to the adjacent footpath/cycleway to the north of the development in Hudson's Field is indicatively shown on the submitted plans, although this is outside the red line of the application site.

#### **6. Planning Policy**

- Local Plan: policies G1, G2, G5, G9, D1, D7, H22, C7, C13, C15, CN11, CN20, CN22, TR1, TR11, TR14, R2
- South Wiltshire Core Strategy: core policies 1, 3, 5, 6, 18, 19, 20, 22
- National Planning Policy Framework (NPPF)
- Ministerial Statement – "Planning for Growth" March 2011

## 7. Consultations

City Council	<b>Object</b> due to overdevelopment / excessive density of the dwellings; inadequate parking provision; road safety concerns.
Housing Officer	<b>Support</b> subject to 30% affordable housing provision.
Education Officer	The development generates the need to provide 16 primary and 5.5 secondary places, requiring contributions through a S106 agreement.
Open Space Officer	The development generates the need to provide an off-site equipped children's play area, and youth and adult recreation facilities, requiring contributions through a S106 agreement.
Spatial Planning	Comment that the proposal is contrary to Core Policy 5 of the South Wiltshire Core Strategy. Consideration will need to be given as to whether the potential benefits of the scheme outweigh the planning policy framework.
Climate Change Officer	Comment that a high quality zero carbon development is to be supported, but consider that insufficient detail has been submitted to demonstrate that the proposal will meet its eco objectives.
Highways Officer	<b>No objection</b> subject to conditions.
Environmental Health	Raises concerns that future occupiers could be affected by major events held on Hudson's Field, as well as activities at the adjacent Rugby Club, but notes that such events would only be occasional and would be subject to the provisions of other legislation concerning nuisance/noise.
Environmental Protection	<b>No objection</b> subject to condition to secure further land contamination investigation and remedial measures where necessary.
Conservation Officer	Raise a number of design related concerns and suggest the advice of the Urban Designer is sought.
Urban Designer	Raises a number of design related concerns and recommends associated revisions.
Tree Officer	Considers that new planting around the perimeter of the site requires careful consideration in order to maintain screening of the site.
Archaeology	<b>No objection</b> subject to condition to secure an archaeological watching brief.
English Heritage	Do not consider that the proposal would have a significant impact upon the setting of the Old Sarum SAM or the Stratford-sub-Castle Conservation Area. However, comment that the development would sit more comfortably if the design of the roofs on the north side of the site were revised.
Ecologist	<b>No objection</b> subject to a condition and S106 agreement securing biodiversity enhancement measures and a financial contribution

	towards the Wessex Stone Curlew Project.
Natural England	Comment that a Habitats Regulations Assessment is required.
Environment Agency	<b>No objection</b> subject to conditions to secure further details of surface water drainage, water efficiency measures and pollution prevention during construction.
Wessex Water	Comment that public foul sewers are available for connection adjacent to the site and in Castle Road, and there is adequate sewage treatment capacity and water supply to service the development.

## 8. Publicity

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

9 letters of objection/concern were received. Summary of reasons include:

- Overdevelopment;
- Incompatible with surrounding leisure/recreation uses, including potential for future occupiers to be affected by noise and flood lighting;
- Loss of employment within Salisbury;
- Increased traffic on Castle Road;
- Existing parking problems at the Rugby Club could be exacerbated;
- Insufficient cycle parking for the larger apartments and no mention of visitor cycle parking;
- Increased traffic within the site could be a hazard to pedestrians using the Rugby Club;
- Potential affect upon air quality;
- Would be more appropriate to revert the land back to open space for recreational use.

2 further letters of representation were made, supporting the development in principle, but making the following observations:

- The communal heating system should be fully investigated before permission is granted;
- The provision of 118 car parking spaces is incompatible with the ethos of eco-housing;
- A Travel Plan should be submitted, including a car sharing scheme;
- Improved links and signage from the site to the riverside cycleway should be provided.

## 9. Planning Considerations

### 9.1 Principle of development

Local Plan policy H22 indicates that in the main settlements (such as Salisbury), residential development will be permitted on previously developed urban land outside the Housing Policy Boundary provided that the site is:

- i) Not identified for an alternative form of development in this Local Plan;
- ii) Well related to the existing pattern of development; and
- iii) Accessible by public transport.

The policy clarifies that proposals which involve land currently in employment use will only be permitted if the business is relocated to an alternative site in the settlement which does not increase reliance on the private car, or the land and buildings are unsuitable and not viable for alternative employment uses.



It is noted that the site was also included within the Council's Strategic Housing Land Availability Assessment (SHLAA), where it was identified as a potentially suitable site for housing subject to meeting policies relating to employment retention.

## 9.2 Loss of employment land

In addition to the criteria of Local Plan policy H22, Core Policy 5 of the South Wiltshire Core Strategy further states that permission will not be granted for the development of land or buildings previously or currently used for activities falling within Use Class B1, B2, or B8 unless it can be demonstrated that:

- i) The same number, or more jobs will be generated;
- ii) The land lost is replaced with employment land of similar size elsewhere in the settlement;
- iii) The loss of a small proportion of employment use on a site would facilitate the continuation and provision of employment on the greater part of the site;
- iv) The site is not appropriate for the continuation of its present or any employment use due to a significant detriment to the environment or amenity of the area; or
- v) Valid evidence has been provided indicating that the site is no longer suitable or viable for employment use.

The applicant attempts to detail how exception criteria iv) is relevant, advocating that the redevelopment of the site for residential purposes would result in environmental improvements, including reduced visual impact and reduced traffic generation, resulting in improved residential amenities. However, Officers are not convinced that the environmental and amenity benefits would be significant; the site has successfully co-existed with surrounding residential development for over 50 years, and it is questionable whether the redevelopment would result in a reduced visual impact given that the proposed buildings would cover a greater portion of the site and some would be up to 3 stories in height. In this respect, the criteria of Core Policy 5 would not be met.

However, it is necessary to also consider other policies of the Core Strategy, in particular policy H22 which is a 'saved' policy from the Local Plan, and also any other material considerations. The applicant has submitted a statement which seeks to indicate why the existing site and buildings are no longer suitable to accommodate employment generating uses. In summary, this statement indicates that:

- The buildings are no longer fit for purpose and the costs of refurbishment or redevelopment would be prohibitive;
- The site is not well located for modern commercial use, given various conservation and recreational constraints, including the highways access and proximity of dwellings and a children's nursery.
- The site is not an allocated/strategic employment site;
- There is other sufficient employment land elsewhere in the South Wiltshire area;

Whilst Officers accept some of these arguments to a degree, of greatest significance is the applicant's commitment towards entering into a S106 agreement to secure a scheme of relocation for the existing businesses. No specific site has yet been selected for the relocation, although the applicant has detailed a potential shortlist and is committed to the Salisbury

locality. The S106 agreement would ensure that this was the case, and it is likely that the criteria for relocation would require the businesses to site within a certain radius of Salisbury that is within the South Wiltshire area. This would ensure that the development complies with Local Plan policy H22, and whilst employment land would be lost, the businesses and the employment they provide would not.

Furthermore, the relocation should enable the existing businesses to find employment premises which better suit their current and future needs, creating better conditions for growth and potentially increased employment locally. Significant problems also exist with modernising the existing site, due to its restricted size but, more importantly, due to the disruption that would be caused to production as a result of having to effectively relocate twice – once to temporary premises whilst modernisation of the existing site is undertaken, and secondly when relocating back. The proposed option, to site to alternative premises altogether, would ensure minimal disruption.

Other benefits of relocating would include the revitalisation of existing vacant employment sites, of which there are currently several major sites in the Salisbury locality (e.g. Highpost Business Park, Harnham Business Park, Old Sarum), or stimulus for the strategically allocated employment sites of the Core Strategy that are yet to be developed (e.g. Fugglestone Red, Old Sarum, the retained employments parts to Churchfields, UKLF, Imerys).

Consequently, subject to securing an appropriate scheme of relocation, it is considered that the proposal would comply with the overall economic objectives of the South Wiltshire Core Strategy and NPPF.

### *9.3 Affordable Housing*

Core Policy 3 of the South Wiltshire Core Strategy states that a target of 40% affordable housing on sites of 15 dwellings or more will be sought. The policy clarifies that the provision of affordable housing will be negotiated on a site-by-site basis taking into account the viability of the development.

The applicant details that the highest proportion of affordable housing that can be viably delivered on the site is 30%, and that the ability to commit to a higher proportion is compromised by the projected purchase costs of the site, which includes the cost associated with the early termination of existing commercial leases and the associated costs of relocating existing commercial tenants to alternative premises in the local area. Whilst such costs are not normally factored into viability appraisals, it is difficult to envisage how this site could be delivered for housing without taken them into account. The applicant details that in order to get to the position of vacant possession of the site, a developer will have to buy the freehold, acquire the head lease interest, acquire three sub lease interests, and make provision for moving up to 5 different licence holders at a below sub lease level. The Housing Officer acknowledges that the costs attributed by the applicant to obtain vacant possession are probably reasonable.

Since the development would therefore be unlikely to be deliverable at the target level for affordable housing, Officers are of the opinion that 30% is acceptable, particularly bearing in mind the potential benefits of an appropriate relocation scheme for the existing businesses, and the windfall of 18 additional affordable housing units in a sustainable urban location.

Officers have also investigated with the applicant whether more affordable housing could be provided by building all the development to Code Level 3, where build costs would be significantly lower, since there is no current policy requirement to build to Code Level 6. Further to negotiations with Officers, the applicant proposed that the 18 affordable housing units be constructed to Code Level 3, but is committed to the higher Code Level for the remaining dwellings and is prepared to reduce profits accordingly. Consequently, although the build costs

associated with the applicant's preferred scheme are greater than would be normally expected, the amount of affordable housing proposed would not be compromised as a result.

#### *9.4 Weight to be afforded to sustainability benefits*

Tackling climate change, through a variety of measures, is embedded within the objectives of the South Wiltshire Core Strategy, although there is no specific policy which requires new residential developments to achieve a minimum Code Level. Rather the Core Strategy seeks to tackle climate change predominantly through directing new development to the most sustainable locations, reducing reliance upon the private car, and the proposed development meets this objective given its urban location with good access to local services and public transport. A similar approach to sustainability is also contained within the NPPF. However, the draft Wiltshire Core Strategy, which would supersede the South Wiltshire Core Strategy when adopted, would seek to provide a policy which requires new residential development to achieve a minimum Code Level. Draft Core Policy 41 would require new homes to achieve Code Level 4 by 2013, rising to Code Level 5 by 2016.

A residential development which achieves a high number of Code Level 6 dwellings would certainly be a desirable feature, as well as an exemplar which could assist locally in raising standards of sustainable housing design. However, in the view of Officers, the current policy framework gives no reason to require the development be built to Code Level 6, and it would be difficult to justify a condition which would guarantee the applicant's stated sustainability objectives. The weight to be afforded to the draft Wiltshire Core Strategy and its Core Policy 41 is also limited given that it has yet to be examined in public. Consequently, there is a risk that if the site were sold on to another developer, who did not share the same vision as the applicant, they may not choose to build to Code Level 6. The view of Officers is therefore that the eco-village aspirations of the applicant should be regarded as a possible added bonus, which would be in addition to meeting the essential planning criteria which notably relate to economic growth and affordable housing objectives.

#### *9.5 Compatibility of proposed residential use with surrounding recreation / leisure uses*

The proposed scheme would be surrounded on all sides by public open space. The existing Rugby Club pitches and Hudson's Field pavilion building are also located within relatively close proximity to the south and north, and to the immediate west there is a seasonal caravan and camping site. It therefore seems likely that the future residents of the development will suffer some general noise and disturbance from the daily use of the surrounding fields for recreational purposes.

However, in Officers' opinion, any significant noise disturbance is likely to occur only when matches and events are occurring on the adjacent fields. Such events are more common in the summer months (although not always a weekly occurrence), whilst matches (including training sessions) are more likely to occur at other times of the year, and would not be a daily occurrence. It therefore seems likely that, on occasion, during the summer months the residential amenities of occupiers would be affected by large well attended public events, which usually generate significant traffic movements in and around the adjacent car parks, and generate significant amounts of people. During the week, outside the main summer months, it is likely that the main disturbance will be the noise generated by the rugby training and some matches. The training sessions apparently occur twice a week, and matches can occur about twice a month. It is not known at what time rugby training or matches usually occur, but if held on winter evenings, there may well be some additional impact on residential amenity from the existing floodlighting, which is located adjacent to the southern boundary of the application site, on top of two of the telecoms masts.

No technical assessment of the likely impact of the surrounding uses or the existing flood lighting has been submitted by the applicant. As a result, in the absence of such information, it is difficult for the local planning authority to ascertain with certainty that the development and its amenities would not be adversely affected by its locational characteristics. However, other existing dwellings are already located adjacent to the open space and playing pitches, and whilst some short term disturbance may well be suffered, Officers have no firm evidence that there is a significant amenity issue. Similarly, the existing floodlights would actually face away from the proposed dwellings, and this orientation may well significantly reduce the impact of any lighting on adjacent amenity, particularly given the shading offered by the adjacent mature trees. Furthermore, presuming that the floodlighting is only occasionally used, it would seem that the actual impact of any lighting would be temporary and short term. As a result, despite the lack of a technical assessment, it is considered that it may be difficult to substantiate a reason for refusal based solely on the impact of the floodlighting or the general noise disturbance on residential amenity.

The other source of potential disturbance would be from the Rugby Club clubhouse, which is a licensed premises and is regularly hired out for weddings and other events. The Council's Environmental Health Officer comments that the building is far from ideal with respect to containing music noise. The ability to contain noise within the building is limited due to the lack of an artificial ventilation system, meaning that windows/doors are often kept open in warm weather. Furthermore the front doors to the building do not benefit from a tight fit and there is no lobbied area to ensure that a set of doors to the main function room are always shut when accessing/egressing the building. The Rugby Club also has events outside including BBQ's during which music is provided inside the premises and its doors are kept open. In the view of the Environmental Health Officer the close proximity of the proposed residential properties to the clubhouse would call into serious question whether such activities would be appropriate in future.

However, the applicants have put forward a proposal to carry out alterations to the existing clubhouse, which would improve the ability of the building to contain noise. The option most likely to meet the needs of both parties is to:

- Provide a new barbecue and smoking area to the south of the clubhouse rather than the north as existing.
- Extend the current Committee Room and provide an adjacent access from the common parts to the terrace;
- Amend the kitchen to allow the service of food onto the terrace during summer months;
- Revise the main access to provide a new hall area and disabled toilets; and
- Double glaze the north aspect of the main event room

In addition, various measures to better manage the operation of the clubhouse have also been discussed between the applicant and Rugby Club, to further reduce potential noise nuisance. The Rugby Club have confirmed that they have been in productive dialogue with the applicants and that, subject to the agreement of an appropriate schedule of works, they have no objection.

As a result, subject to the necessary alterations to the clubhouse being secured, which Officers consider could be secured through a Grampian condition, it is considered that the potentially detrimental effects of the clubhouse can be mitigated, and that the proposed development and Rugby Club could successfully co-exist.

#### *9.6 Highway considerations*

The Council's Highways Officer is satisfied that the site can be converted for residential development and that the existing access (up to the existing gated entrance to the site from the

main A345 highway) is of a sufficient standard of design to provide safe and satisfactory access for the development traffic, subject to some minor amendments detailed below.

Local residents have raised concerns about the standard of the access junction with Castle Road. However, the analysis of the submitted Transport Statement clearly demonstrates that traffic levels will be less than those already recorded at the junction and much less than the industrial site could generate if fully occupied and/or occupied by end users who could generate higher traffic levels (within the existing development use classes).

However, the existing access road is not adopted as public highway, is not street lit and lacks a footway on the south side. It also provides access to the Hudson's Field car park, a caravan park, a children's nursery and a public car park which is regularly used for rugby events. The traffic levels from these uses do not generate significant weekday peak period traffic. Therefore, in the view of the Highways Officer, when the development traffic is added to these movements at the weekday peak traffic periods, the overall traffic level does not present a concern for road safety. The capacity of the junction of the access road with Castle Road is well within acceptable tolerances with very little queuing of vehicles or delays predicted. The Highways Officer also confirms that visibility at the access point onto Castle Road is adequate for the combination of new development and existing uses. A condition is recommended, in order that the layout of the access road be changed to suit the change in circumstances, where public access to the new development will be involved.

On the internal layout, the Highways Officer comments that this is provided in draft or preliminary form by the applicant. Concerns are raised over the dimensions of the vehicle/pedestrian/cyclist shared use spaces, which are low when taking into account the scale of development. A 5.5m wide access road is therefore recommended together with the use of 2m wide service strips to improve inter-visibility for vehicles emerging from driveways, which are omitted from the draft scheme. It is also considered that a 3m wide cycle/pedestrian access to/from Hudson's Field should be provided, not 2m as shown: this will also provide an alternative emergency access to the development. Additional pedestrian/cycle links to the surrounding network are noted to not be achievable due to land ownership constraints which is disappointing, but does not, in the view of the Highways Officer, make the scheme unacceptable.

The Highways Officer therefore recommends that no highway objection be offered subject to conditions.

#### *9.7 Character & appearance of the area, inc. impact upon setting of Old Sarum & Conservation Area*

The submitted plans involve the removal of all existing industrial buildings, and envisages a scheme of 60 dwellings, positioned largely around the perimeter of the existing site, with a central open space. The properties would be of a contemporary architectural design, utilising materials and design features which would be unique to the area. The overall design approach results from the applicant's requirement to achieve the highest Code Level in terms of the Sustainable Homes criteria, as in order to achieve that Code Level, buildings need to be arranged and orientated in a particular manner, and include certain design features (such as green alpine sedum roofs).

Given the rather isolated nature of the site, and the fact that the surrounding area consists of a variety of built form with no particular overriding architectural style or materials, Officers are of the opinion that the scheme as suggested would be unlikely to have a significant impact on the built character of the area. However, it should be noted that many of the proposed dwellings are indicated as being of a three storey height (up to a height of 13.5m), with a majority being approximately 9 metres in height. Whilst this is not objectionable in itself, the resultant housing

would therefore be somewhat taller across the majority of the site than the existing industrial buildings which are up to 12 metres tall but cover a smaller portion of the site. As a result, the proposed built form would not be quite as well screened by surrounding mature trees, and hence, is likely to be more prominent in the surrounding landscape than the existing industrial building. Equally, it seems likely that any such scheme would also be somewhat more visible from the Old Sarum monument.

In Officers' opinion, whilst the scheme is likely to be somewhat more visually prominent, the resultant harm would not be so significant as to warrant refusal, particularly as such harm would be limited due to the partially suburban and residential character of the existing area. This view is reinforced by English Heritage who conclude that the development would not cause significant harm to the setting of the Old Sarum SAM or Conservation Area. Whilst aspects of the illustrative design have been criticised by English Heritage and the Council's Urban Designer, many of the issues raised could be altered at the reserved matters stage, and hence, a reason for refusal based on specific and detailed design issues may also be difficult to defend. Officers are therefore advising that the scheme would not cause such significant visual harm as to warrant refusal.

#### *9.8 Impact upon amenity of nearby residential property*

Whilst the dwellings proposed on the site would be upwards of three storeys tall, the site is located in a relatively isolated location, a reasonable distance from surrounding residential properties. The proposed dwellings are likely to be most visible from the rear gardens and elevations of the small group of existing housing located to the east of the site adjacent Castle Road. However, whilst there may be some inter-visibility between the new dwellings and those adjacent properties, any reduction in privacy or general noise disturbance is, in Officers' opinion, unlikely to be so unreasonable as to warrant refusal.

#### *9.9 Impact of the telecoms masts*

Along the southern boundary of the site, on the Rugby Club land, are three existing telecommunication masts. A fourth mast was granted consent in 2008 but has not been constructed. Officers requested that a study of effects should be undertaken, as the masts would be located within a few metres of the proposed dwellings, and given the height of the dwellings, the proposed three storey flats would be located at roughly the same height as the head of the masts. The applicant has therefore submitted an assessment of the likely impacts of these masts on the future occupiers of the proposed residential scheme. The highly technical report concludes that all masts are operating well within acceptable guidelines, and that "... no harm should be expected to result to anyone visiting or living in the proposed development". Consequently, given the conclusions of the technical evidence, it is not considered that the future occupiers of the development would be likely to be significantly affected by the nearby masts.

#### *9.10 Ecological and environmental impacts*

The Council's Ecologist comments that the application is supported by bat and reptile surveys, which demonstrate that there is only a low risk of significant populations of bats or reptiles being affected by the proposed development. The survey puts forward recommendations to address risks to these species, and additional recommendations are also put forward as enhancement measures. The Council Ecologist concludes that there would be no harm to protected species or biodiversity objectives subject to conditions to secure the provision of bat and bird nesting opportunities within the new development.

The Council Ecologist also concludes that the proposal would have no risk of likely significant effects upon the River Avon Special Area of Conservation (SAC) subject to conditions securing

water efficiencies measures, appropriate surface water drainage to the development, and the agreement of a Construction Environmental Management Plan. The Council Ecologist also considers that for the development to comply with the Habitats Regulations and Core Strategy, a contribution towards the Wessex Stone Curlew Project will be required to avoid harmful effects to the Salisbury Plain Special Protection Area (SPA).

#### *9.11 Provision towards recreational open space, education, and waste & recycling facilities*

The applicant has agreed to enter into a S106 legal agreement to provide the necessary developer contributions towards recreational open space within the locality, additional primary and secondary school places, and the provision of waste and recycling bins for the development, in accordance with saved Local Plan policies R2 and G9.

### **10. Conclusion**

The development would be acceptable in principle, comprising residential development on previously developed urban land outside the Housing Policy Boundary that is not identified for an alternative form of development, is well related to the existing pattern of development, and is accessible by public transport. Although currently in employment use, the main businesses would be relocated to an alternative site, which would be more likely to facilitate improved conditions for growth. Subject to conditions, the proposed means of access to the site would be acceptable in highway safety terms and the development would not have a significant effect upon the highway network. The indicative layout demonstrates a generally acceptable townscape and relationship with neighbouring dwellings subject to the further approval of detailed matters relating to scale, design and landscaping. Subject to a Grampian condition agreeing an appropriate scheme of works to the Salisbury RFC clubhouse, the development would be compatible with the adjacent recreation use. Subject to conditions there would be no significant adverse impacts in terms of ecology, the environment, archaeology or public health. An appropriate level of affordable housing would be provided on site, having regard to viability considerations, and appropriate provision has been secured towards off-site recreational open space and other necessary community infrastructure improvements.

### **11. Recommendation**

#### **Subject to:**

**The applicant entering into a S106 legal agreement to secure:**

- a) A scheme of relocation for the two main businesses; and**
- b) Financial contributions towards Education, Public Open Space, the Wessex Stone Curlew Project, and Waste and Recycling Bins**

#### **Planning Permission be APPROVED for the following reasons:**

The development would be acceptable in principle, comprising residential development on previously developed urban land outside the Housing Policy Boundary that is not identified for an alternative form of development, is well related to the existing pattern of development, and is accessible by public transport. Although currently in employment use, the main businesses would be relocated to an alternative site, which would be more likely to facilitate improved conditions for growth. Subject to conditions, the proposed means of access to the site would be acceptable in highway safety terms and the development would not have a significant effect upon the highway network. The indicative layout demonstrates a generally acceptable townscape and relationship with neighbouring dwellings subject to the further approval of detailed matters relating to scale, design and landscaping. Subject to a Grampian condition agreeing an appropriate scheme of works to the

Salisbury RFC clubhouse, the development would be compatible with the adjacent recreation use. Subject to conditions there would be no significant adverse impacts in terms of ecology, the environment, archaeology or public health. An appropriate level of affordable housing would be provided on site, having regard to viability considerations, and appropriate provision has been secured towards off-site recreational open space and other necessary community infrastructure improvements. The proposal would therefore accord with the aims and objectives of the development plan and other Government guidance, having particular regard to policies G1, G2, G5, G9, D1, D7, H22, C7, C13, C15, CN11, CN20, CN22, TR1, TR11, TR14, R2 of the Salisbury District Local Plan (as saved within the adopted South Wiltshire Core Strategy), core policies 1, 3, 5, 6, 18, 19, 20, 22 of the adopted South Wiltshire Core Strategy, and the NPPF.

**And subject to the following conditions:**

- 1) Approval of the details of the Scale, Appearance and Layout of the buildings, and Landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995 as amended by section 51 (2) of the Planning and Compulsory purchase Act 2004.

- 2) Plans and particulars of the reserved matters referred to in condition 1 above, relating to the Scale, Appearance and Layout of the buildings, and Landscaping of the site shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995 as amended by section 51 (2) of the Planning and Compulsory purchase Act 2004.

- 3) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995 as amended by section 51 (2) of the Planning and Compulsory purchase Act 2004.

- 4) The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995 as amended by section 51 (2) of the Planning and Compulsory purchase Act 2004.

- 5) All soft landscaping comprised in the approved reserved matters (landscaping of the site) shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.



Reason: To ensure a satisfactory landscaped setting for the development.

Policy: G2

- 6) No development shall commence on site until details of the access road from its junction with Castle Road to the existing site entrance, to include a street lighting scheme, an additional 2m wide footway on the south side, pedestrian crossing points and reconstruction as necessary to bring the road up to an adoptable standard, has been submitted to and approved in writing by the local planning authority. The access road over this length shall be reconstructed in accordance with the approved details before the development is first occupied.

Reason: In the interests of highways safety

Policy: G2

- 7) No development shall commence on site until details of the internal road layout have been submitted to and agreed in writing by the local planning authority. The internal road layout shall be provided in accordance with the approved details before the development is first occupied.

Reason: In the interests of highways safety

Policy: G2

- 8) No development shall commence on site until details of a 3m wide emergency link road between the development and Hudson's Field have been submitted to and approved in writing by the local planning authority. The link road shall be provided in accordance with the approved details before the development is first occupied.

Reason: In the interests of highways safety

Policy: G2

- 9) No development shall commence on site until a written programme of phased archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved in writing by the Local Planning Authority. The approved programme of archaeological work shall be carried out in accordance with the approved details.

Reason: To enable the recording of any matters of archaeological interest.

Policy: CN22

- 10) Before development commences the applicant shall commission the services of a competent contaminated land consultant to carry out a detailed contaminated land investigation of the site and the results provided to the Local Planning Authority. The investigation must include:

- A full desktop survey of historic land use data;
- A conceptual model of the site identifying all potential and actual contaminants, receptors and pathways (pollution linkages);
- A risk assessment of the actual and potential pollution linkages identified;
- A remediation programme for contaminants identified. The remediation programme shall incorporate a validation protocol for the remediation work implemented, confirming whether the site is suitable for use.

The remediation programme shall be fully implemented and the validation report shall be forwarded to the Local Planning Authority prior to habitation of the development.

Reason: In the interests of public health and safety.

Policy: G2

- 11) Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme should also include details of how the scheme shall be maintained after completion and to make adequate provision for potential overland flows.

Reason: To prevent the increased risk of flooding, to improve and protect water quality and ensure future maintenance of the surface water drainage system.

Policy: G2

- 12) No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved in writing by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

Reason: To prevent pollution of the water environment

Policy: G2

- 13) No development shall commence on site until details of bat roost and bird nesting features, to be built into the design of new buildings, have been submitted to and agreed in writing by the local planning authority. Details shall include the number, design and locations of bat roost and bird nesting features, which shall be provided in accordance with a timetable to be agreed by the local planning authority.

Reason: In the interests of protected species and biodiversity

Policy: C15

- 14) No development shall commence on site until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details before the first occupation of the development.

Reason: In the interests of sustainable development and prudent use of natural resources.

Policy: Core Policy 19

- 15) No development shall commence on site until a scheme to mitigate the noise associated with the Salisbury RFC clubhouse has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in accordance with the approved details prior to the first occupation of the development hereby permitted, unless an alternative timetable is agreed in the approved details.

Reason: To ensure that the existing recreation and proposed residential uses are compatible.

Policy: G2

- 16) No development shall commence until details of acoustic fencing to the north-eastern boundary of the site (adjacent to the Salisbury RFC clubhouse) has been submitted to and agreed in writing by the Local Planning Authority. The fencing shall be erected in accordance with the approved details prior to the first occupation of the development hereby permitted, unless an alternative timetable is agreed in the approved details, and shall be retained and maintained as such at all times thereafter.

Reason: To ensure that the existing recreation and proposed residential uses are compatible.

Policy: G2

- 17) No demolition or construction works shall take place outside the hours of 0730 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays or at any time on Sundays & Banks Holidays.

Reason: In the interests of neighbouring amenity.

Policy: G2

## **INFORMATIVES:**

### Internal road layout condition

For the avoidance of doubt, the internal road layout shall not be as shown on the illustrative layout shown on drawing 927 P 09 Rev C. An overall highway width of 8m consisting of 5.5m carriageway, service strip and safety margin should be provided in any final design. A design which encompasses these basic parameters but is provided in an innovative MfS design will be acceptable. Internal traffic speeds of 20mph or less should be provided by design, with max forward, bend and junction sight lines of 25m. Junctions to have 2.4m x 25m, including individual accesses.

### Water efficiency condition

The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. Any submitted scheme should include detailed information (capacities, consumption rates etc) on proposed water saving measures. Manufacturer's specifications should not be submitted. Applicants are advised to refer to the following for further guidance:

<http://www.environment-agency.gov.uk/homeandleisure/drought/31755.aspx>  
<http://www.savewatersavemoney.co.uk/>

### Salisbury RFC clubhouse noise mitigation condition

The scheme shall be generally in accordance with the details submitted by the applicant within their email of 14.08.12.

### Nesting birds

The adults, young, nests and eggs of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay altering or removing such features until after young birds have fledged.

## Site Waste Management

In England, it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000. The level of detail that a SWMP should contain depends on the estimated build cost, excluding VAT. The duty of care for waste must also be complied with. Because all waste movements need to be recorded in one document, having a SWMP will help to ensure compliance with the duty of care. This can be incorporated into the Construction Environmental Management Plan (CEMP). Further information can be found at <http://www.netregs-swmp.co.uk>

## Pollution Prevention During Construction

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. The Environment Agency's Pollution Prevention Guidelines should be referred to, which can be found at:

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>.

Pollution prevention measures should be included within the CEMP.

**STRATEGIC PLANNING COMMITTEE**

<b>Date of Meeting</b>	<b>14<sup>th</sup> November 2012</b>		
<b>Application Number</b>	<b>N12.00836.OUT</b>		
<b>Site Address</b>	<b>Land at Copenacre, Bath Road, Corsham</b>		
<b>Proposal</b>	<b>Outline application for up to 84 dwellings and economic development including nursing home, hotel and B1 offices. Demolition of existing buildings and structures, car parking, open space with associated infrastructure and access.</b>		
<b>Applicant</b>	<b>Copenacre Developments LLP</b>		
<b>Town/Parish Council</b>	<b>Corsham</b>		
<b>Electoral Division</b>	<b>Corsham Pickwick</b>	<b>Unitary Member</b>	<b>Councillor MacRae</b>
<b>Grid Ref</b>	<b>385281 170384</b>		
<b>Type of application</b>	<b>Outline</b>		
<b>Case Officer</b>	<b>S T Smith</b>	<b>01249 706 633</b>	<b>Simon.smith@wiltshire.gov.uk</b>

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

Under the Scheme of Delegation Specific to Planning, this application falls to be considered by the Strategic Planning Committee by reason of it being a large-scale major application which, by its nature would raise issues of more than local importance. In addition, the application is recommended for approval and if permission is so granted, would be a departure from the policies of the statutory development plan.

**1. Purpose of report**

To consider the above application and to recommend that planning permission be GRANTED subject to all parties entering into a legal agreement under s106 of The Act (as amended) and subject to planning conditions.

**2. Report summary**

The main issues in the consideration of this application are as follows:

- Principle of development
- Access
- Design, appearance and layout
- Trees

The application has generated 6 letters of comment from local residents – 3 raising objections and 3 in support. Corsham Town Council and Box Parish Council support the redevelopment of this redundant site and raise no comments respectively.

### **3. Site Description**

Originally created as a limestone quarry, the Copenacre site has long been associated with various parts of the Ministry of Defence and armed services, first opening as the Royal Navy Storage Depot during World War II. After a decrease in activity and movement of staff and activity to other MoD sites in the locality, Copenacre finally closed in 2010 and has remained vacant since that time. The site is now in private ownership. The underground space remains in separate ownership, being part of the nearby Hartham Park quarrying operation.

The site covers an area of some 5.3Ha and is longitudinally positioned against the A4 Bath Road, north of Corsham. The site can indisputably be considered Previously Developed Land, currently consisting of redundant offices, storage buildings, hard surfacing for car parking and the above ground elements of the quarry ventilation and access shafts (long since closed). The site is well defined from the landscape via perimeter security fencing.

The site is entirely outside of any Settlement Framework Boundary as identified in the adopted North Wiltshire Local Plan 2011 and by extension within the emerging Core Strategy. The site is not part of any specific landscape, ecological or archaeological designation.

### **4. Relevant planning history**

None.

### **5. Proposal**

The proposal for consideration has emerged through extensive publicity and involvement with the local community on behalf of the applicant. It is a mixed use scheme comprising: up to 84 dwellings (40% of which to be affordable housing), 80 bed hotel, 280m<sup>2</sup> office/starter unit floorspace, 80 bed nursing home and related "extra care" accommodation. The scheme includes two points of vehicular access to the A4 as well as public open space in the order of 0.58Ha.

The application is submitted in outline form only and with the exception of access, all detailed matters are reserved for later consideration.

### **6. Planning Policy**

North Wiltshire Local Plan 2011: Policy C3 (general development control criteria), Policy NE15 (landscape character of countryside), Policy NE20 (redevelopment of redundant MoD sites), Policy CF3 (public open space).

Wiltshire Core Strategy: Core Policy 1 (designating Corsham as a "Market Town"), Core Policy 11 (Spatial Strategy for Corsham Community Area), Core Policy 37 (relating to the redevelopment of redundant MoD sites), Core Policy 43 (affordable homes).

The National Planning Policy Framework (hereafter referred to as NPPF)

### **7. Consultations**

Corsham Town Council – *"Resolved: to support the outline application for this redundant site."*

Box Parish Council – *"No comment at this time."*

Spatial Planning Officer – Supportive of the application. Comments form basis of “Principle of Development” section below.

Highway Officer – Confirms that there is no highway objection to this application. The new access arrangements will need to be constructed prior to any development taking place, although any site clearance and demolition could be undertaken using the existing main access.

The site is not directly served by a bus service and I have advised the applicants to contact the bus companies that run the Bath to Chippenham services to ascertain the possibility of diverting one of the half hourly services via the main road. The operators may not be willing to make a decision prior to completion of the housing but the provision of bus stops needs to be secured at this stage by means of the S106 agreement. If the provision of the revised access arrangement is not to be covered in the S106 Agreement, appropriate planning conditions should be imposed.

Environmental Health Officer – No objections subject to the imposition of planning conditions.

Council Leisure and Amenity Officer (public open space) - Conclusion: In accordance with the current Local Plan there would be sufficient Open Space provided as part of this development. The proposed development has a Play requirement of 630m<sup>2</sup>. The developer has proposed the play element of CF3 is provided in the form of two Local Areas for Play. A LAP has an area of not less than 100m<sup>2</sup>. 200m<sup>2</sup> of play provision would represent a significant under provision of play. The Council would request that a single LEAP (Local Equipped area for Play) is provided on the largest central Open Space. Conclusion: In accordance with the current Local Plan the proposed development generates a requirement for 630m<sup>2</sup> of Play, this has not been provided on site. The Council requests a single LEAP is provided. The proposed development would provide an overprovision of Open Space. The developer must ensure this land is secured as Open Space in perpetuity. The Councils preferred option is for the land to be transferred into public ownership. Conclusion: The Open Space must be secured as Open Space in perpetuity; preferably the land will be transferred into Public ownership

Council Housing Enabling Officer – Require the scheme to deliver 40% affordable housing, inclusive of the transfer of a suitable quantum of land to enable the Council to deliver locally needed extra care facilities (Note: negotiations continue between the Council and the applicant regarding the amount of land to be given over to extra care facilities on the site, the results of which should be incorporated into an associated agreement under s106 of The Act).

Council Ecologist – *“Having reviewed the available information for the above application I have no objection in relation to ecology. Given the existing intensively developed and well lit nature of the site, it is currently of limited ecological value and it appears that ecological impacts would be limited to a small loss of grassland and scrub habitats of limited ecological value, and impacts upon a small population of slow worm and breeding birds. The report includes recommendations for native planting on the boundaries of the site and measures to avoid impacts upon breeding birds and reptiles and it is recommended that implementation of these impacts are made conditional of any permission granted, such that:*

*All development shall be carried out, and any reserved matters application submitted, shall be in full accordance with the recommendations of Chapter 5 of the submitted Ecological Assessment Survey Report (RSK, 2012) unless otherwise agreed in writing with the Local Planning Authority.*

*The report also includes a robust assessment of bats’ use of the site, with particular relevance to the nearby Bath and Bradford Bats SAC. The site itself is of limited value as foraging / commuting for the qualifying species (horseshoe and Bechstein’s bats), and indeed this has been confirmed by an absence of these species recorded on the site during activity / static recorder survey work. Two mine shafts do have potential to support these species however due to the relatively isolated and well lit context of these shafts, they are unlikely to be used by the qualifying species – this was also confirmed through inspections and static recorder surveys. The shaft openings suitable for bat access would be retained within the scheme, and it has been confirmed that there is no physical underground connection between these mines and the Box mine network. I have there*

*conclude that the proposed development would have no likely significant effects upon the Bath and Bradford Bats SAC, and as such an appropriate assessment in accordance with Reg.61 of the Habitats Regulations is not necessary.”*

Council Landscape Officer - Generally welcomes the sensitive and high quality redevelopment of the site. Requires that the resulting details for development include adequate landscaping and tree planting, the treatment of retained concrete structures and public open space.

Council Arboriculturist & Landscape Officer – No objections subject to conditions.

Council Archaeologist – No objections.

Council Education Officer – Confirms Corsham to be a current pressure point for the supply of and demand for school places. Therefore a requirement for the scheme to deliver a financial contribution toward the provision of facilities at the primary and secondary level.

Play and Leisure Strategy Officer – Based on the development of 100 dwellings on the site, the scheme should deliver a financial contribution towards leisure provision in Corsham (Note: final contribution to be pro-rata, as revised plan shows reduction in residential units).

Environment Agency – No objections subject to conditions.

Natural England – No objections. Outside of their statutory remit, raise a concern regarding the level of access from the site to the surrounding countryside. Speculates on whether there is ability for negotiations between landowners to increase site permeability and permissive access routes. In the absence of this, suggests that the level of green space on the site should be increased

## **8. Publicity**

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

4 letters of comment and concern received from local residents, plus further letters from the Corsham Civic Society and Corsham Civic Society. Summary of key relevant points raised:

- Would be interested in seeing new houses come forward for sale.
- Improve the appearance of the site, which is currently an eye-sore.
- General support for the redevelopment of this site if well structured and sympathetically designed.
- Design and layout should be in-keeping with traditional elements of Corsham – Academy Drive, an ex. Bath College of Art property.
- Boundaries to site should be adequately screened on both Western and Eastern sides – enhance effectiveness of green belt between Corsham and Rudloe which is presently despoiled by piecemeal development.
- Suitable traffic mitigation measures should be put in place along A4.
- Retain the mini-roundabout at junction between A4 and Academy Drive (strongly oppose previous proposal to remove roundabout as part of the Basil Hill Barracks development).
- Should erect a radar speed sign on eastbound approach to Park Lane mini-roundabout.
- Adjust speed limits along A4.
- Phasing of development should ensure housing is not delivered before nursing home or B1 elements.
- Developer should provide for a contribution towards the reopening of Corsham rail station.
- Entire site should be for employment development, but recognise housing element is needed for site to be financially viable.
- Too many houses and no room for landscaping or open space.
- Care home (second) not required for town of 14,000.
- Significant need for nursing home which will also deliver local employment.



- Significant demand in Corsham for budgeted hotel bed-spaces, also delivering employment opportunities.
- Significant need for start up business units – welcome on the site, but would prefer to see more.

## 9. Planning Considerations

### Principle of development

#### *Policy weighting*

It is important to note that the National Planning Policy Framework (NPPF) confirms that existing adopted planning documents are able to be given full weight for 12 months after publication of the NPPF. The North Wiltshire Local Plan 2011 was adopted under the 2004 Act and therefore policies within it can be given full weight.

The Wiltshire Core Strategy has now been submitted to the Secretary of State. This is an advanced stage in its production and, therefore, considerable weight should be given to the emerging policies within core strategy where there are no significant outstanding objections to that policy.

#### *Application of policy*

In planning policy terms, the application site is located in the open countryside, outside of the Corsham and Rudloe Framework Boundaries, the maximum extent of which lay on the opposite side of the A4 Bath Road, some distance from the site to the East and West respectively. Approximately 1.0km to the north and west of the site is the boundary of the Cotswolds Area of Outstanding Natural Beauty and Bath and West Wiltshire Green Belt.

The application comprises mixed use development, which includes residential and economic development. By reason of its location in the open countryside, the site is outside the limits of development and residential development in particular is not supported in either the general development policies of the adopted North Wiltshire Local Plan or the emerging Wiltshire Core Strategy. However, the site remains a redundant Ministry of Defence (MoD) installation, exclusively made up of previously developed land (PDL), and, therefore, a number of other development policies support the application. Both the adopted North Wiltshire Local Plan 2011 and the emerging Wiltshire Core Strategy contain policies specifically relating to MoD sites that have become redundant.

Current adopted policy in the North Wiltshire Local Plan (Policy NE20) does not allow for any new residential use on such sites, but does, subject to compliance with criteria, allow for redevelopment where the existing buildings are not suitable for re-use and that the redevelopment does not exceed the general footprint of the existing buildings. The site is host to several substantial buildings, but the proposed building footprint would greatly exceed the existing, thus failing to meet the requirements of Policy NE20.

Neither excluding or including residential development, emerging policy in the form Core Policy 37 Military Establishments of the Wiltshire Core Strategy does allow redundant military sites to come forward for redevelopment as mixed use schemes, provided a number of criteria are met. In common with the adopted Local Plan Policy NE20, it continues to require redevelopment proposal to not exceed the footprint (and floorspace) of existing buildings on the site “*unless they are well located to an existing settlement*”. Policy CP37 requires that the focus will be on “*employment-led*” development.

#### *Community engagement*

In addition to setting out qualitative requirements for new development, Emerging Policy CP37 also defines the process by which the finally submitted scheme should be reached. It states:

*'The focus will be on employment-led development and other uses should be determined through a masterplanning approach...'*

In the supporting text (para 6.22) the approach to "masterplanning" is clarified;

*'The re-use of any significant redundant MoD sites will be determined through masterplans, developed with the Local Planning Authority in conjunction with the local community, in order to ensure the holistic planning of a site...'*

The submitted application has been accompanied by a detailed Statement of Community Involvement (SCI). In this statement the applicant has set out the community engagement undertaken and demonstrates where this engagement has led to changes in the layout and land uses incorporated into the proposed development. The Statement details the numerous methods of consultation undertaken, including public exhibitions and meetings with various local bodies (Corsham Area Board, Corsham Town Council, Box Parish Council & Corsham Chamber of Commerce). The application demonstrates that a large amount of community engagement has been undertaken. The relatively small number of representations received from local residents in respect of the planning application is, perhaps, a measure of the success of the community engagement undertaken. Further, the extent and apparent success of the community engagement undertaken by the applicant is thought, to some extent, compensate for the corresponding lack of communication and negotiation with the Council and Local Planning Authority, also a requirement of Core Policy 37.

#### *Practicalities*

Although the applicant has not strictly fulfilled the requirements of Core Policy 37, it appears that the submission has worked within the spirit of the emerging policy and there is clear evidence that the outline masterplan has been developed in association with the community, which is after all, the overriding intention of the policy.

The uses proposed would fulfil the mixed-use requirement of the Core Policy 37, clearly providing for significant employment and community type uses implicitly demanded. Although forming a significant proportion of the proposed development, C3 housing is nevertheless not specifically identified as being unacceptable by emerging Core Strategy policy. In the context of a scheme that will also deliver B1 office, C1 hotel and care home/extra care facilities C2, the residential component of the development is considered to be acceptable. Certainly residential development would most likely be a necessary component of development economics if such redundant (and awkwardly positioned sites (at least in planning terms) are to be brought back to useful purposes.

#### Access

The proposal seeks to retain two of the four existing points of vehicular access onto the A4 Bath Road. One point of access is to the Eastern third of the site, the other to the Western third. Access is a matter for consideration and the grant of outline permission would also mean granting specific permission for the positioning of those access points. The requisite visibility splays onto the A4 can be achieved, despite the incorporation of land into the development site, which is currently outside the perimeter fence.

The submitted indicative masterplan demonstrates that the Eastern point of access would serve the residential elements of the scheme, with the Western serving the hotel, offices, nursing home and extra care accommodation. Internal roadways are shown as linking the two.

The concerns of local residents (primarily those residents at Academy Drive making representations) are understood in respect of traffic using Park Lane. However, in concluding their no objection to the proposal (subject to planning conditions), the Council's Highway Officer will have had regard to the existing lawful use of the Copenacre site, which continues to be an MoD installation that could legitimately be used for intensive purposes. Such a "fall back" position should rightly be regarded as a material consideration, but in any event, after consideration of the

submitted Transport Assessment, the Highway Officer does not consider the proposal to present an unacceptable impact upon highway safety, given the sites relationship with the A4 Bath Road.

The site is not directly served by a bus service and, in the event of a resolution to grant planning permission, the applicants will be required to contact bus companies that run the Bath to Chippenham services so as to potentially divert one of the half hourly services via the main road. In the event of bus operators not being willing to reach a decision over potential diversions prior to completion of the housing, the provision of bus stops along the A4 frontage of the site will still nevertheless need to be secured by means of a s106 agreement.

### Design, appearance and layout

The application is submitted with appearance, landscaping, layout and scale being matters for later consideration (as part of Reserved Matters applications). Nevertheless, the 2004 Act requires illustrative details to be submitted so as to enable an assessment of how the site could be developed.

The submitted illustrative layout is considered to articulate an agreeably balanced form of development. Whilst not highly engineered, the layout and suggested quantum of development does still appear to make efficient use of this site (which, after all, falls foursquare into the Previously Developed Land classification). The Eastern point of access primarily serving, via a hierarchical interconnection of streets, the housing component of development, the Western point of access serving the balance. Although linked internally, the two accesses would purposefully separate traffic type. Parking levels for each development component are to meet adopted Council standards.

Two areas of open space are supplemented by more informal areas of amenity landscaping, together with substantial space for landscaping along each of the site boundaries, as is required by the Council's Landscape Architect. Due to differences in ownership, it is not possible to demand that linkages be created from the site into the surrounding countryside, as is suggested by Natural England. However, given the sites long frontage with the A4, this is not thought to be fatal to the scheme.

In addition to the application's specification of the proposed quantum of floorspace and residential unit numbers (see "Proposal" section above), the submitted Design and Access Statement sets out broad parameters for future appearance, materials used and scale of new buildings, to which future Reserved Matters submissions must adhere. None of the buildings proposed are to exceed 2.5 storeys in height, with the largest buildings to be the hotel, nursing home and offices not to exceed 12.0m in ridge height. The Design and Access Statement goes on to draw themes and material palette from local vernacular, then transcribing into nuanced "character areas" (set out the "Gateway", "Main Street", "Bath Road" and "Rural Edge") within the application site. Illustrative elevations and street scene drawings are provided so as to gain an understanding of the likely presentation of the site. In the event of a grant of planning permission, such illustrative details are automatically embedded into the consent and would inform future Reserved Matters submissions.

### Underground quarry workings

In common with much of this part of Corsham, Rudloe, Westwells and Box, the Copenacre site sits atop a labyrinth of old quarry workings resulting from the mining of local limestone. After subsequently becoming the main centre for testing and storage of Royal Navy electronic equipment, the mine workings beneath Copenacre were sold in 1995 to the quarrying company Hanson UK. As part of that transfer of ownership, Hanson UK were to retain use of two separate staircases and associated incline shafts within the site. These access points were to serve as emergency egress from active quarry still taking place in the locality (current at the Hartham Park quarry, some 1.0km to the South). Above ground, the two emergency egress points are defined by large concrete structures of utilitarian appearance.

Both the access points and the above ground structures are to be retained as part of the proposal, since Hanson will retain their originally secured emergency access rights from the Copenacre underground workings onto the A4. Despite their rather monolithic appearance, it is considered that appropriately worded planning conditions will be able to secure the suitable treatment, safety and aesthetic integration into the redeveloped site.

The application has been submitted complete with documented site stability assessment to inform the suitability and safety of the site for redevelopment. In concluding that there is unlikely to be a risk from mining related ground subsidence that study has clearly been prepared by the appropriate professionals and, therefore, it is not for the planning system to doubt its veracity or validity.

## **10. Conclusion**

The topography of local and national planning policy does allow for a pragmatic consideration of the submitted proposal. Although the quantum of development would greatly exceed that ordinarily allowed for by adopted and emerging Local Plan policy, it is clear that substantial community engagement has been sought by the developer and that this has led to a general level of support by that local community. The residential component is considered to be reasonable in the context of a mixed use scheme and most likely necessary if this redundant, and visually degraded, site is to be brought back into productive use.

In the absence of a strong character that should be retained from the sites existing appearance, and its degree of separation from Corsham town, the submitted illustrative details are considered to demonstrate that a high quality development could indeed be achieved on the site, complete with the requisite landscaping, open space and affordable housing. Other necessary community infrastructure, which the applicant has in principle agreed to provide, can be secured via a legal agreement under s106 of The Act.

## **11. Recommendation**

**Subject to the agreement being reached over the required amount of land to be given over to extra care accommodation; and**

**Subject to all parties entering into an agreement under s106 of The Act (as amended) in relation to the following matters:**

- **The delivery of affordable housing**
- **The delivery of extra care accommodation**
- **The delivery of on site play and public open space**
- **The delivery of a contribution towards local education provision**
- **The delivery of a contribution towards local leisure provision**
- **The phasing of development**
- **The provision of bus stops and diversion of bus services to serve site**

**Then:**

**Planning Permission be GRANTED for the following reason:**

The proposed development is considered to be an acceptable redevelopment of a redundant Ministry of Defence establishment in the countryside for mixed use purposes. Subject to the imposition of relevant and necessary planning conditions and associated agreement under s106 of The Act (as amended), the development would not have an unacceptable impact upon the amenities of local residents, would provide a safe vehicular access, pose an acceptable impact upon the surrounding highway network and would deliver necessary community infrastructure so to ensure a sustainable form of development in the context of the local settlements. As such, the

proposal is considered to comply with the provisions of the National Planning Policy Framework, Policies C3, NE15 and CF3 of the adopted North Wiltshire Local Plan 2012 as well as the principles behind Policy NE20 of the adopted North Wiltshire Local Plan 2011 and Core Policy 37 of the emerging Wiltshire Core Strategy.

**Subject to the following conditions:**

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The scale of the development;
- (b) The layout of the development;
- (c) The external appearance of the development;
- (d) The landscaping of the site;

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

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

3. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

Site location plan

Design and Access Statement - Pegasus Urban Design – March 2012

Planning Statement – March 2012

Statement of Community Involvement – March 2012

Flood Risk Assessment – RSK – March 2012

Utilities and Drainage Report – RSK – March 2012

Archaeological Assessment – Heritage Collective – March 2012

Transport Assessment and Travel Plan inc. Site Access plan 3032/sk/001/B – WSB – March 2012

Mining Stability Assessment – Parsons Brinkerhoff – March 2012

Explosive Ordnance Risk Assessment – Environment Science Group – March 2010

Ecological Appraisal – RSK - March 2012

Landscape and Visual Impact Assessment – Pegasus Landscape – March 2012

Noise Assessment – RSK - March 2012

Ground Conditions Report – SKM – September 2012

Sustainability and Low Carbon Energy Strategy – Sweett – March 2012

Air Quality Statement – RSK – March 2012

Indicative Open Space Plan – YOR.1891\_35-2 I (date stamped 17<sup>th</sup> August 2012)

Indicative Cross Section of Interface with Concrete Structures – YOR.1891\_38 I (date stamped 17<sup>th</sup> August 2012)

Indicative Masterplan – YOR1891\_02-TG I (date stamped 09/10/12)

All date stamped 27<sup>th</sup> March 2012 unless otherwise indicated.

REASON: To ensure that the development is implemented as approved.

4. Development shall be carried out in complete accordance with the principles set out within the submitted Landscape and Visual Impact Assessment and those landscaping details approved at Reserved Matters stage. The resulting implemented landscaping shall be maintained thereafter for a period of not less than five years from the implementation of each phase. This maintenance shall include the replacement of any tree or shrub which is removed, destroyed or dies by a tree or shrub of the same size and species as that which it replaces, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of amenity.

5. Prior to the commencement of the development hereby permitted and before any equipment, machinery or materials are brought onto the site for the purposes of the development, details of fencing to be erected for the protection of retained trees/hedges/shrubs shall be submitted to and approved in writing by the local planning authority. Fencing for the protection of retained trees/hedges/shrubs shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason: In the interests of protecting the existing trees/hedges/shrubs on the site.

6. No development shall take place until a detailed scheme for the positioning of all service trenches, pipe runs and/or drains has been submitted to and approved in writing by the Local Planning Authority. Such detailed scheme shall be configured such that no trenches, pipe runs and/or drains are sited within the root protection zone of retained trees set out in the approved landscape strategy and plans.

Reason: To maintain a vigorous and healthy root system to ensure the retention of trees in a safe and healthy condition.

7. No development shall take place until details of the construction of all walls, fences and other means of enclosure have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in accordance with a timescale to be approved by the local planning authority.

Reason: In the interests of amenity.

8. Absolutely no external lighting (including any lighting installed for security purposes or used during construction) shall be installed anywhere on the site until full details (which shall include positioning, levels of luminance and hours of illumination), have been submitted to and approved in writing by the local planning authority. The lighting shall thereafter be installed and operated in accordance with the approved details, unless otherwise first agreed in writing by the local planning authority in the form of a separate planning permission in that regard.

Reason: In the interests of amenity and nature conservation.

9. No development shall take place until a construction method statement, including phasing of development in relation to nature conservation interests has been submitted to and approved by the Local Planning Authority. The development shall be carried out in complete accordance with the approved statement.

Reason: In the interests of nature conservation.

10. Development shall be carried out in complete accordance with the conclusions and recommendations contained within the Noise Assessment. In particular, all new plant and services installed on any new building on the site shall achieve -5 dB below the measured background level when assessed (worst-case) in accordance with BS4142. During daytime (0700-2300hrs), all new building services plant shall be so sited and designed in order to achieve a Rating Level of -5dB below the lowest measured background noise level, determined to be LA9046dB at the nearest noise sensitive receptor. During night time(2300-0700hrs), all new building services plant shall be so sited and designed in order to achieve a Rating Level of -5dB below the lowest measured background noise level, determined to be LA9028dB at the nearest noise sensitive receptor. Measurements and assessment shall be carried out in accordance with BS4142: 1997.

Reason: In the interests of securing a development that respects the amenity of the nearest neighbouring residential occupiers.

11. Development shall be carried out in complete accordance with the conclusions and recommendations contained within the Noise Assessment. In particular, the new residential properties shall be constructed so as to achieve the "Good" indoor criteria for internal noise levels both day time and night time (BS 5228 1999). The applicant has identified that properties located in areas within NEC C will require both acoustic glazing and ventilation systems to avoid the need to open the windows. The applicant will have to provide additional information detailing the exact specification for the glazing and ventilation schemes at the design stage to achieve this.

Reason: So as to ensure the new residential properties to be constructed in close proximity to the A4 corridor are of a suitable standard so as to provide for a reasonable level of residential amenity and living conditions.

12. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The scheme shall include details of how the scheme shall be maintained and managed after completion. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

13. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

(a) A preliminary risk assessment which has identified: all previous uses potential contaminants associated with those uses a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.

(b) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

(c) The results of the site investigation and detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

(d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved  
Reason: To prevent pollution of controlled waters.

14. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To prevent pollution of controlled waters.

15. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To prevent pollution of controlled waters.

16. No demolition, site clearance or development shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees shall be submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following: -

- A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2012 and a plan indicating the alignment of the protective fencing;
- A specification for scaffolding and ground protection within tree protection zones in accordance with BS5837:2012
- A schedule of tree works conforming to BS3998.
- Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;
- Plans and particulars showing the siting of the service and piping infrastructure;
- A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification;
- Details of all earthworks shall be submitted and include the proposed grading and mounding of land areas including levels and contours to be formed, and the nature of the material, showing the relationship of proposed moulding to existing vegetation and surrounding landform;
- Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and



procedure for notifying the Local Planning Authority of the findings of the supervisory visits;  
and

- Details of all other activities, which have implications for trees on or adjacent to the site.

Reason: In order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

17. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- (a) indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (d) finished levels and contours;
- (e) means of enclosure;
- (f) car park layouts;
- (g) other vehicle and pedestrian access and circulation areas;
- (h) hard surfacing materials;
- (i) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- (j) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- (k) retained historic landscape features and proposed restoration, where relevant.

Reason: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

**Informative:**

Attention is drawn to the Legal Agreement relating to this development or land which has been made pursuant to Section 106 of the Town and Country Planning Act 1990, Section 111 of the Local Government Act 1972, Section 33 of the Local Government (Miscellaneous Provisions) Act 1982 or other enabling powers and the Deed of Variation dated 21/06/2011.

