

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

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| Date of Meeting | 06 September 2017 |
| Application Number | 16/04544/REM |
| Site Address | Land North of Bath Road, Corsham, Wiltshire |
| Proposal | Reserved Matters Application for Access, Appearance, Layout & Scale (Following Outline Application 13/05188/OUT) Proposed B1 Employment Units on Land to the West of Bath Road Development Corsham |
| Applicant | Redrow Homes Ltd. |
| Town/Parish Council | CORSHAM |
| Electoral Division | CORSHAM PICKWICK – Cllr Ruth Hopkinson |
| Grid Ref | 385631 170465 |
| Type of application | Full Planning |
| Case Officer | Chris Marsh |

Reason for the application being considered by Committee

The application was originally called in to Committee by Cllr Macrae - the call-in subsequently upheld by Cllr Hopkinson - in order to consider the visual impact, relationship to adjoining properties, design and environmental impact of the proposal.

1. Purpose of Report

Following deferral of the application at the Committee meeting of 14 June 2017, the purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved, subject to conditions.

2. Report Summary

The key issues in the consideration of the application are as follows:

- Layout of the development;
- Landscaping of the development;
- Scale of the development; and
- Appearance of the development

Corsham Town Council has objected to the application, which has also attracted 24 public objections from neighbours of the site and local residents.

A further round of consultation following the deferral of the application and receipt of amended plans has generated a second Town Council objection and a further 13 public objections, as detailed later in the report.

3. Site Description

The application site is located to the immediate North of the A4 Bath Road toward the western fringes of Corsham and comprises the southwestern portion of a large arable field, itself including a smaller historic pasture inset and amounting to approximately 10ha in total. The West site boundary is marked by a good quality stone wall running alongside the narrow Guyers Lane, beyond which is a sporadic series of historic cottages, whilst a similar structure flanks the southern – Bath Road – edge. The L-shaped plan of the site is partially dictated by an ecological ‘stand-off’ area, established through an earlier appeal, around an historic mine shaft that is a nationally-important site for protected bat species.

Outline planning permission was granted in May 2015 for the erection of up to 150 dwellings and 1,394m² of employment space, subject to a S106 legal agreement and conditions, several of which relate to specific technical matters. Application 13/05188/OUT refers. At that time, a dual access system consisting of a new roundabout directly opposite the main Bradford Road junction at the southwest corner and T-junction with right-turn lane at the southeast boundary with Bath Road were also approved, engineering details of which remain under separate consideration. The associated application for the approval of reserved matters related to the residential element is 16/03721/REM.

4. Planning History

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| 13/05188/OUT | Outline planning application for erection of up to 150 dwellings, up to 1,394sqm B1 offices, access, parking, public open space with play facilities and landscaping – appeal allowed |
| 16/03721/REM | Reserved Matters Application Relating to Appearance, Landscaping, Layout & Scale (following outline application 13/05188/OUT) Residential Development for 150 Units Together with Associated Highways, Drainage and Other Infrastructure Works, Landscaping and Play Area – pending decision |
| 16/08668/ADV | Erection of V Stack Sign and Flags to Advertise the Land for Residential Development – approved |

5. The Proposal

The current application seeks approval only of the outstanding matters of the layout, landscaping, scale and appearance of the ‘employment’ element of the outline permission 13/05188/OUT, which was granted on appeal, as expressly reserved for later consideration. Having initially been granted outline permission for up to 1,394m² of office space, the revised proposals now comprise a reduced quantum of 991m² (10,664sq/ft) offices, with the parking allocation reduced accordingly. The proposals also make provision for ecological buffers as mandated at the time of granting outline permission. Having originally been of a rather standardised form, the revised scheme now comprises two detached buildings, situated on the southern and northern parts of the site and measuring 595m² and 396m² in floor space respectively, each formed of varying architectural components.

The existing tree at the southwest corner of the land is to be removed and new planting is to be introduced around the periphery of the development and also within a new area of courtyard amenity space. A dedicated bike/bin store structure is to be positioned at the southwest corner, designed as a simple, timber-clad box beneath a dark corrugated sheet roof. In terms of materials, the development is otherwise to comprise a mixture of

reconstituted Cotswold stone, timber cladding, slate and clay tiles, informed by the relative status of each component and the more 'rural' vernacular found in the local area.

6. Local Planning Policy

Wiltshire Core Strategy:

Core Policy 50 (Biodiversity and geodiversity)
Core Policy 51 (Landscape)
Core Policy 57 (Ensuring high quality design and place shaping)
Core Policy 58 (Ensuring the conservation of the historic environment)
Core Policy 64 (Demand management)

National Planning Policy Framework

Paragraphs 14 and 17
Section 7 (Requiring good design)
Section 12 (Conserving and enhancing the historic environment)

7. Summary of consultation responses

Corsham Town Council – *“Resolved: to refuse the application on the grounds that the two applications (16/04544/REM and 16/03721/REM) should have been considered in a single application as the twin elements of residential and employment uses constituted a significant part of the argument in favour of sustainable development. There is insufficient detail to ensure that the landscape buffers and dark areas required have been provided and are not infringed by the proposed development. The Town Council still has concerns regarding land stability and drainage and would like to be assured that there is only one air shaft on site. The larger trees to be provided on site should be indigenous species and the regimentation of the planting scheme is not in keeping with the area. The Town Council had concerns over the thoroughness of the bat survey. The Town Council supports the Pickwick Association’s objections to the application.”*

Highways – no objection, subject to conditions

Urban Design – initial objections, citing primarily the utilitarian design of the units – revised details received subsequently

Ecology – objections, although limited to those impacts already overruled in the Inspector’s conclusions. Revised proposals are compliant with outline Condition 4 and Habitat Regulations Assessment of March 2017, which remains valid

Landscape – initial objections, citing inadequacy of landscaping treatments – revised details received subsequently

Drainage – no objection

Archaeology – no comments

Historic England – no comments

Highways England – no objection

Natural England – no objection in respect of internationally and nationally protected sites, refer to standing advice in respect of protected species

Upon re-consultation, Corsham Town Council's objections were updated as follows:

“Resolved: that the application be refused on the grounds that the environmental assessment was not satisfactory; Conditions 7 and 22 of the outline permission have not been met; the Town Council were not satisfied that the land was suitable for this development or that the detrimental effects on the bats could be suitably mitigated, the Town Council were also concerned about drainage on the site as the Atkins Report was not yet available; and were unhappy with the removal of World War 2 memorial trees; the Town Council would also like their previous objections to be considered (Minute PL 33/16)”

8. Publicity

The application was advertised by site notice, press notification and neighbour letter.

24 letters of objection were received, based on the number of households and including those submitted on behalf of the Pickwick Association, Beechfield House Trustees and Corsham Civic Society, raising the following points:

- Ecological impacts, and in particular the adequacy of information required under condition 4 of the outline permission (20 references)
- Design out of keeping with Corsham/Pickwick (12)
- Landscaping inappropriate or ineffective (5)
- Materials inappropriate/unsympathetic to context (3)
- Adverse impact on setting of heritage assets (2)
- Inadequate or unsuitable highways layout (2)
- Adverse impact on residential amenity (1)

As the principle of employment development and means of access to the site are already agreed matters, any such points should be discounted from consideration for the purposes of the current application. Several comments also related to the prospect of future mining works beneath the site however this matter is subject of separate conditions (no.22 & 23) to the outline permission.

A further round of consultation attracted a further 13 letters of objection, again by household and including those made on behalf of Corsham Civic Society, Pickwick Association and Beechfield Park Trustees, variously raising the following points:

- Details fail to accord with necessary ecological parameters plan;
- External lighting will impact adversely on protected species;
- Cumulative impact with other developments on species has not been addressed;
- Development will impinge on retained trees and root protection areas;
- Office buildings will overlook nearby properties;
- Additional soft landscaping should be incorporated into proposals

Further points raised in respect of the principle of development, ground stability, drainage details, traffic and mining noise/vibration disturbance have either already been approved or are subject of separate conditions attached to the outline permission, and are not relevant to the specific items subject of the reserved matters application.

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Given the relationship to designated heritage assets at Guyers House and Pickwick Conservation Area, the provisions of S66(1) and 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 are relevant.

Layout

The proposed layout is relatively simplistic, owing primarily to the considerable restrictions imposed by the proximity of the mineshaft and ecological buffers along the western and southern site boundaries. These spatial limitations effectively push any built development to the southern and northern ends of the site as well as limiting the intervening space available for parking. Consequently, the level of floor space has been decreased substantially relative to the maximum granted outline permission; this is welcomed. As parking standards for commercial developments are set on a per m² basis, this reduces pressure for parking and associated hard standing and lighting.

In its revised form, the proposal adopts a considerably more rustic form, featuring setbacks and projections to increase street frontage and add articulation, whilst also reducing bulk and part-enclosing areas such as the central courtyard to enable the creation of a quality landscaped amenity space within the development. Access and parking provision is considered adequate by the Council's Highways Officer, whilst the relaxed requirement in this regard represents a considerable improvement in terms of likely ecological impact, with considerably less lighting disturbance to the mine shaft swarming area in particular.

The Inspector did not previously identify any particular conflict between the development of the 'employment' element of the outline proposals specifically and the setting of the listed Guyers House or the Pickwick Conservation Area. Having regard to the provisions of S66(1) and S72(1), therefore, it is considered that the respective significance of the designated heritage assets and the setting of the listed building would be preserved. Due to their use, landscaping, orientation and relative containment, it is not considered that the proposed buildings or the use of surrounding areas would impact significantly on the residential amenity of nearby occupiers.

Landscaping

The landscaping for the site is provided principally by the designated buffers which enclose the site on all but its shorter northwest and southeast ends. Accordingly, there is little planting incorporated into the proposals per se, relying on sensitive transitional landscaping such as low level shrubs to avert undue pressure on the more strategic landscaping. It is considered that this approach is acceptable in the circumstances and that to instead attempt to screen the development altogether would run counter to the

site's role as the gateway to Corsham, ultimately unsuccessfully. The South and West fringes of the site have been shaped by what cannot be introduced, rather than what can or should, and is therefore open to interpretation. The limited planting scheduled can be secured by condition, together with the timely delivery of the hard landscaping that is integral to the success of the scheme in amenity and functional terms. Being quick to mature with the use of the development, it is considered that this would provide a good level of amenity consistent with the overall approach to the site and its role in the wider context of Corsham and Pickwick.

Initial objections were raised by both the Council's Landscape and Ecology Officers, relating specifically to the relationship between the scheme and the adjacent strategic planting surrounding the mine shaft clearing. As the latter forms part of a vital piece of ecological mitigation, it is essential that the planting should be able to establish rapidly and continue to mature without pressure for reduction arising from neighbouring buildings and/or unnecessary intrusion as required for building maintenance. This relationship has now been improved significantly through revised details; the building is set further back with only a blank elevation presented toward this part of the wider site, both minimising the above conflicts and safeguarding the ecological area from additional light ingress from windows, over which the authority would have little control. In order to prevent similar incursion from external lighting, a condition is recommended to provide additional control over such installations to prevent unwelcome light spill to ecological receptors. It is considered that this approach is a successful one overall when considered in the context of the quantum of development approved in outline for the site, and considerably better than any fallback position comprising an exhaustive representation of the maximum commercial floor space and associated infrastructure.

Scale

In keeping with the original Design & Access Statement, the employment buildings proposed comprise of a reasonable two-storey scale within their principal elements, dropping to around one-and-a-half storeys in the more subordinate sections. This mixture of proportions is welcomed as a means of achieving a more articulated, softened form of development in this prominent position without adversely affecting the degree of visibility in the street scene that it should rightly command. The dedicated cycle/bin store is of very modest proportions and will not appear particularly prominent given the scale of the adjacent building and limited wider visibility due to the boundary walls. It is not considered that the proportions of the buildings will have any overbearing or overshadowing effect on neighbouring properties and, with the re-orientation of the units, will not result in unwelcome light spill – particularly during the winter months – that would unduly illuminate bat areas, a notable improvement on the original submission.

Appearance

The external appearance of the units is much improved relative to that originally submitted and indeed that indicated at outline stage. Both previous iterations leaned heavily toward the rather utilitarian style of building typically found on commercial estates and devoid of any notable concession to local building styles. By contrast, the revised scheme represents a sympathetic composition utilising more traditional forms

and materials to achieve an altogether more 'agricultural' appearance, including the modest timber structure of the cycle/bin store. This will assist in forming a transition between, in particular, the historic cottages at Travellers Rest, and the modern form of the larger housing element for which approval is sought separately. Notwithstanding the active frontage presented to the south and west site boundaries, due to the intervention of parking and roads on both sides, together with the associated separation distances to neighbouring properties, it is not considered that any significant loss of amenity will be experienced by other occupiers by way of overlooking from the office units.

It is nonetheless considered that the buildings themselves have some independent merit; the South and East-facing elevations of Block A – perhaps the most prominent element – will be finished in a higher order reconstituted stone, giving the building a status and positive relationship to the newly-created access to the wider development. As a smaller component, Block B will assume a less articulated, more simplistic appearance that is considered well-suited to its recessed position. Nonetheless, the building now incorporates a good standard of finish, including a dedicated area of amenity space that can be refined through a detailed landscaping condition.

Other matters

Given the time elapsing between the determination of the appeal and consideration of the reserved matters applications, the County Ecologist has undertaken an update appropriate assessment under the Habitats Regulations in respect of any likely impacts upon the integrity of the Bath and Bradford-on-Avon Bats Special Area of Conservation (SAC). Although it should be noted that the earlier judgement of the Inspector, as competent authority in this regard, at the time of his decision represents the 'baseline' position that must be accepted, the update assessment has regard to any changes in circumstances arising since that time and the extent of effect these may have on relevant protected species. The assessment concludes that *relative to the accepted findings of the Inspector*, the proposed scheme whether independently or in combination with other 'live' or pending developments locally will not impact detrimentally on the qualifying features of the SAC. To this end, the application is considered in conjunction with the Landscape and Ecological Management Plan (LEMP) submitted pursuant to Condition 5 of the outline permission. It should be made absolutely clear that neither the Council nor Natural England has the power to compel the applicant to apply for a derogation licence however given the Inspector's earlier conclusions and the outcome of the update HRA, and with respect to the proper tests, there is no reason to believe a licence would be *unlikely* to be granted if applied for. As such, the previous assumption that this would occur is not relevant or fatal to the current reserved matters applications. This is a separate matter to be monitored and, if necessary, enforced by Natural England should a breach of the Regulations occur.

Having initially raised a holding objection owing to uncertainty over whether adequate drainage could be accommodated within the proposed layout, the Council's Drainage Officers are now satisfied that final details can be secured through outline conditions 13 and 14, relating to foul and surface water disposal respectively. The updated Drainage Strategy makes provision for a maximum discharge rate of 10l/s and, notwithstanding that the results of the survey of the downstream system remain outstanding, this

represents a reasonable solution based on the assumed existing arrangement. Final detail will still be subject to scrutiny and may require improvement works as directed by the statutory undertaker to ensure that these are adequate in practice. In any case, however, this is not incompatible with the proposal considered here and thus not critical to the application.

Whilst not a matter within the immediate control of the Local Planning Authority, the Officer is aware of other instances whereby outline or full planning permission has been granted in respect of commercial development but instead residential development pursued subsequently in its place. In this instance, however, the approval of reserved matters in respect of the units – which are designed to a reasonably high standard – would represent a better prospect for the purposes of marketing and improve the chances of finding a suitable tenant. Should the site be sold on as freehold, this would also provide greater reassurance to any purchaser as to the costs and yield of development. Notwithstanding the lack of any outline phasing condition and the Inspector's conclusions in relation to the principle of employment development in this location, therefore, this is material to maximising the prospects of delivering a balanced mix of housing and employment in tandem with the adjacent site.

Conclusion

It is considered that the much-improved proposals achieve a high standard of design in relation to this prominent corner plot. Notwithstanding that the development represents a significant change to the existing character of the site, the details submitted are of a good standard relative to the assumptions of the outline permission and represent the best chance of securing a long-term active employment use in this location at the entrance to Corsham. It is considered that the revised proposals are acceptable in planning terms.

RECOMMENDATION

That the application is approved, subject to the following conditions:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

1794 11 C – Detailed Planting Proposals Employment Land
REDR160424-SW SL.01 rev D – B1 Office Units Site Layout
Received 27 June 2017

SLP.01 rev A - Site Location Plan
EL.01 rev A - Engineering Layout
A.e1 rev A - Block A Elevations
A.e2 rev A - Block A Elevations
A.p1 rev A - Block A Ground Floor Plan
A.p2 rev A - Block A First Floor Plan
B.e1 rev A - Block B Elevations
B.e2 rev A - Block B Elevations
B.p1 rev A - Block B Ground Floor Plan
B.p2 rev A - Block B First Floor Plan

Received 16 September 2016

BS.01 - Bin & Cycle Store Plans & Elevations
Received 2 September 2016

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

- 2 No development shall commence on site until the exact details and 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. Development shall be carried out in accordance with the approved details.

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

- 3 No walls shall be constructed on site, until a sample wall panel, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

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

- 4 No paint or stain finish shall be applied to external timber (including external walls and window joinery), until details of the paint or stain to be applied have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being first brought into use.

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

- 5 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the buildings 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.

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

- 6 No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on approved plan EL.01 rev A - Engineering Layout (received 16 September 2016). The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no buildings or structures, gates, walls, fences or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area.

8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions, extensions or external alterations to any building forming part of the development hereby permitted and no plant, machinery or other incidental structure shall be installed outside any such building on the site on the approved plans.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or external alterations, or the installation of any outdoor plant, machinery or other structure.

9 No external lighting shall be installed on site until details of lighting, external cowls, louvers or other shields to be fitted to reduce light pollution have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be put in place before the floodlights are first brought into use and shall be retained and maintained in accordance with the approved details at all times thereafter.

REASON: To protect species and to minimise light pollution in the interests of ecology and the amenities of the area.

10 INFORMATIVE TO APPLICANT:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

11 INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

12 INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

13 INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples.

Please deliver material samples to site and inform the Planning Officer where they are to be found.