

REPORT TO THE STRATEGIC PLANNING COMMITTEE

Date of Meeting	28 February 2018
Application Number	17/03417/OUT
Site Address	Land South-East of Junction 17 of M4 Motorway, Kington Langley, Chippenham
Proposal	Outline Planning for the Erection of up to 1,000,000 sq ft of Class B8 (storage and distribution) Employment Space and Associated Infrastructure.
Applicant	St Modwen Developments
Town/Parish Council	Kington Langley/Sutton Benger
Division	Kington
Grid Ref	392307 179536
Type of application	Outline Planning
Case Officer	Lee Burman

Reason for the application being considered by Committee

The Application was called in for Committee determination by Councillor Greenman in the event of a recommendation to approve in order to consider issues of Size, Scale, Environmental Impact, Highways Impact and the future use of the development.

1. Purpose of Report

To consider the proposal in the context of the development plan and site specific impact considerations and to recommend that authority be delegated to the Head of Service for Development Management to grant permission, subject to the conditions listed below, and the signing of a section 106 agreement to address highways, transport and local employment matters within 6 months of the date of the Committee's resolution.

In the event that a S106 agreement is not signed within this timeframe to delegate authority to the Head of Service for Development Management to refuse permission for the reason set out below.

2. Report Summary

The application has been subject to three periods of consultation during which a total of 429 objections were received (albeit a significant proportion of these submissions are multiple representations from the same individuals, reflecting the three periods of consultation undertaken). In addition 36 comments and observations have been received; whilst 6 representations of support were submitted.

Multiple Town and Parish Councils including Chippenham Town Council, Chippenham Without Parish Council, Kington Langley Parish Council, Kington St Michael Parish Council,

Sutton Benger Parish Council, Seagry Parish Council, Stanton St Quintin Parish Council, and Yatton Keynell Parish Council were consulted and their responses are set out in the report below. All the Parishes object, Chippenham Town Council raises concerns as to potential highways impacts.

3. Site Description

The site comprises two parcels of agricultural land combining to an approximate site area of 31.9 Hectares. The site is located to the south of the M4 adjacent to Junction 17 leading to the A350 and immediately adjoins both the A350 and the B4122. The site is currently in agricultural use and comprises fields subdivided by existing mature trees and hedgerows. The site undulates over part of its extent but is also relatively flat within large parts. Within the vicinity of the site are the Stanton St Quinton Recycling Centre and Chippenham “Pit Stop” for HGVs and other vehicles. There are a limited number of residential properties within the vicinity of the site but the locality is predominantly an open countryside location adjacent the motorway junction and is not in close proximity to established settlements. The B4122 bisects the site and can be accessed via Days Lane leading from the A350. The site is not allocated for any form of development and sits outside of any defined settlement boundary.

The site is subject to a number of constraints including medium susceptibility to surface water flooding; Flood Zone 2 (partial); Potential land contamination; Rights of way; Protected species of terrestrial mammal; River network; Archaeological Potential; Tree Preservation Order; and Important Hedgerows.

4. Planning History

The application site has not been subject to any applications relevant to the current development proposals but adjacent land, including the Chippenham Truck Stop and the Waste & Recycling Centre, has a significant application history.

The application site has been the subject of an Environmental Impact Assessment Screening Opinion Request in relation to the proposed development and on two separate occasions since 2014. In both instances the Council determined that an EIA was not required.

5. The Proposal

Outline planning permission is sought for the erection of up to 1,000,000 sq ft of Class B8 (storage and distribution) employment space and associated infrastructure including site access. As such matters of detail including landscaping, scale, layout and appearance are reserved and full permission is only sought in respect of site access.

6. Planning Policy

National Policy

- National Planning Policy Framework (NPPF) Paras 2, 11, 14, 17 & 196 plus Sections 1, 2, 7, 4, 11, 12
- National Planning Policy Guidance (NPPG)

Wiltshire Core Strategy (Adopted Jan 2015)

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- Settlement Strategy (Core Policy 1)
- Delivery Strategy (Core Policy 2)
- Infrastructure Requirements (Core Policy 3)
- Additional employment land (Core Policy 34)

- Biodiversity and Geodiversity (Core Policy 50)
- Landscape (Core Policy 51)
- Air Quality (Core Policy 55)
- Contaminated Land (Core policy 56)
- High Quality Design and Place Shaping (Core Policy 57)
- Ensuring the Conservation of the Historic Environment (Core Policy 58)
- Sustainable Transport (Core Policy 60)
- Transport and Development (Core Policy 61)
- Development Impact on the Transport Network (Core Policy 62)
- Movement of Goods (Core Policy 65)
- Strategic Transport Network (Core Policy 66)
- Flood risk (Core Policy 67)
- Water Resources (Core Policy 68)

Saved policies of the North Wiltshire Local Plan 2011

- NE14 Trees and the control of new development
- NE18 Noise and Pollution

Emerging Development Plan

- Site Allocations Development Plan Document

Wiltshire and Swindon Waste Core Strategy 2009 and Waste Site Allocations Local Plan 2013

- WCS4 Safeguarding Waste Management Facilities

Other Considerations

Chippenham Sites Allocations Plan

Landscape Character Assessments (underpinning WCS, Core Policy 51)

Wiltshire Landscape Character Assessment (1:50,000) Land Use Consultants.

- Landscape Character Area 16A: Malmesbury-Corsham Limestone Lowlands.
<http://www.wiltshire.gov.uk/lca-dec-05-type-16.pdf>

North Wiltshire Landscape Character Assessment (1:25,000) White Consultants.

- Landscape Character Area 8: Hullavington Rolling Lowland.
http://www.wiltshire.gov.uk/north_wiltshire_landscape_character_assessment_2004_volume_1.pdf

Swindon and Wiltshire Strategic Economic Plan January 2016

7. Consultations

The application has been the subject of three periods of consultation in response to initial and further submissions by the applicant team. The following summary represents the position of consultees following the outcome and conclusion of the three consultation exercises and is not intended to be a full detailed description of all comments submitted during each of the consultations undertaken.

Wiltshire Council Highways – No objection subject to S106 agreement to address travel plan; public transportation; Highways works; and conditions

Highways England – No objection subject to condition

Wiltshire Council Archaeologist – No objection. Following receipt of archaeological evaluation report, no mitigation is required.

Environment Agency – No objection. Request some Informatives be attached to the decision.

Natural England – No objection but recommended consultation with the Cotswold AONB Area Board

Wiltshire Council Ecologist – Support subject to conditions

Wiltshire Council Rights of Way Team – No objection following submission of application for diversion of rights of way

Wiltshire Council Drainage Team – Following submission of additional details no objection subject to standard conditions.

Wiltshire Council Landscape Officer – Objection as the scale of development proposed will result in significant landscape change in a localised context despite the proposed landscaping mitigation measures.

Wiltshire Council Public Protection (Environmental Health) – no objections subject to implementation of suggested measures contained in submitted reports.

Wessex Water – No objections raised but identify that both water supply and foul drainage provision are likely to require significant upgrading of the relevant infrastructure in the locality to provide both connections and capacity. The developer is advised to contact Wessex Water directly in this respect in the event of consent being granted.

Wiltshire Council Trees Officer – Objection due to loss of high status and value veteran and category A trees. It is not clear how the proposed mitigation will compensate for the loss of these trees and it is considered that some of the proposed units could be located to the northern plot of land in order to retain trees on site.

Wiltshire Council Spatial Planning and Economic Development Teams – Joint Response following provision of additional information and submissions in respect of site marketing and Local Labour Agreement concluded that whilst the applicant has provided some further material in the form of marketing enquiries and a draft local labour agreement, it is still considered that the alignment with the strategic objectives and sectors highlighted in the Wiltshire Core Strategy and the Strategic Economic Plan is still considered weak and some suggestions have been made as to how this could be improved.

The proposed site has not been identified as a result of a plan led process. It does have the potential to undermine the deliverability of other employment sites in Wiltshire including Chippenham. However, there is interest in the site from potential occupiers and the applicant has informed the Council that a business has agreed the principle of a forward sale agreement for one of the buildings proposed.

Chippenham Town Council – No objection but concerns raised as to traffic impact on Malmesbury Road – Town Centre route.

Kington Langley Parish Council – Object for the following reasons:-

- Economic Justification – The amended plans do not alter this comment. – The site is not designated as an employment or mixed use area as indicated on figure 5.4 of the Chippenham Community Area plan of the Wiltshire Core Strategy (WCS)
- The additional information to evidence compliance with Core Policy 34 is in the Parish Council's opinion not evident. It appears that this information is still out of date.
- It has also been noted that a similar structure in Swindon relating to the same applicant is unoccupied and has been for some considerable time
- 1000 acres of land is already designated employment therefore the parish council questions the need. In particular the similar development at J15.
- Contrary to Core Policy 1 – 4.16. The amended plans do not alter this comment – Development at small villages should respond to local needs and contribute to the vitality of rural communities – This is not needed in the small village of Kington Langley as it does not contribute to the vitality of the rural community. (Quote) Any development at small villages will be carefully managed by Core Policy 2
- Core Policy 2 states — Small villages are limited to infill and that it should have an acceptable landscape impact upon the countryside. This proposal does not
- Contrary to Core Policy 10 - section 5 – It is noted that updated landscaping and green infrastructure has been incorporated and illustrated on the boundary sections. Also saying that when this is established the buildings within the provided photomontage may be of lesser scale. This cannot be taken into consideration as it is only speculation. This is not acceptable. Therefore the following comments still stands - Should have an acceptable landscape impact upon the countryside and the settings to Chippenham and surrounding settlements, improve biodiversity and access and enjoyment to the countryside. The proposal does not.
- The proposed is contrary to the WCS policy 34 - 6.9 – Additional Employment Land –
- It is noted that Economic Development seeks to address points raised in the Economic Development Team's comments and provides further information to evidence compliance with Core Policy 34. This information is not evident and therefore the Parish Council is of the opinion that there is not enough evidence of demand for B8 usage on such a large scale in this area.
- The proposal is not in the right location to support the strategy role and function of the surrounding villages.
- The proposed if allowed would still quite possibly be the largest B8 building to be commissioned in the UK, albeit having been reduced to 400,000sq ft which is believed to be just one of the buildings. The economic benefits would come into question. Therefore it would still be out of scale and would dominate the area.
- With the Dyson development at Hullavington, J17 would be overloaded with the volume of traffic.
- The proposal does not comply with Core Policy 3 – Infrastructure Requirements
- It does not support social economic and environmental objectives
- The impact on surrounding villages has not been considered
- The amendments to the landscape and building height are noted as mentioned earlier, however, this does not alter this comment. All development within the community area will need to conserve the designated landscape of the Cotswolds and its surrounding areas, and where possible enhance its locality distinctive characteristics. The proposal does not.
- Contrary to Core Policy 51 – Landscape - Development does not protect, conserve or enhance landscape character and it will have a harmful impact upon landscape –
- Visually insensitive skyline. With the reduction of the building height, this would still apply.
- The views and visual amenity will be spoilt. Still applies.

- There will be light, noise and motion intrusion 24 hours each day – to a great extent. – Still applies.
- Contrary to Core Policy 57 – Ensuring High Quality Design and Place Shaping – 6.122 – States – Development needs to be carefully planned to ensure that valuable features and characteristics are protected and enhanced. Developments should contribute towards:
 - Achieving high quality buildings and spaces that reinforce a sense of identity. The proposal does not.
 - Well integrated development which makes a positive contribution to the character of Wiltshire’s urban and rural environments by complimenting valuable contextual features and buildings. The proposal does not.
- Contrary to Core Policy 63 – Transport Strategies -
- Proposals should provide a safer and more integrated transport system that achieves a major shift to sustainable transport, including walking cycling. The amended plans do not appear to have improved this situation
- Kington Langley is regularly used as a rat run for traffic coming and going from and to the A350 and the B4069. This problem will increase if this proposal is supported.
- Consideration needs to be taken into account of the recent developments at Hullavington – traffic will be forthcoming to and from this destination.
- Core Policy 65 – Movement of Goods -
- Rail transport for freight should be further investigated.
- Overnight lorry parking should be provided as demand has been demonstrated due to excessive lorry parking in all laybys in the vicinity of the proposed especially on the A350 – this causing nuisance to members of the community. The amended plans have not taken this into consideration.
- Excessive use of the B4122 would cause more traffic issues as this is used as the relief road for the M4 when it is closed between junction 16 and 17. Therefore the reduction in scale at the roundabout would not improve this situation.
- The proposed development is not fed by primary feeder roads. The A350 north is a single carriageway and is also in a very bad state of repair. The A350 south, whilst is dual for approximately 3 miles, thereafter reduces to a single carriageway and latterly into urban zones. It is yet to be seen as to whether the ongoing alterations at the roundabout at J17 will improve any situation. It is believed that this would only make matters worse for the relief roads.
- Flood Risk – It is noted that a surface water strategy which is to deliver a greater control of off-site flows is to be incorporated. However there would still be a risk of flooding downstream of the site due to the land it would be built on is clay and brash.
- With much local knowledge gained, It is a fact that the area surrounding the proposed development has a tradition of drainage issues and there is a significant flood risk from the run off from the development disturbing the finely balanced drainage and ditch system. Draycote Cerne would be affected by this.

Note - We would point out that the site is known as Chippenham Gateway for a reason and any development will set the tone for both Chippenham Town and the surrounding area. A distribution centre such as proposed would be downmarket as well as bringing 24 hour traffic and noise issues with it. We consider that the Planning Department should be encouraging a value adding development such as a business or Science Park, or alternatively a leisure centre, for this prominent and strategically important site. There are other major planning applications being considered in and around Chippenham, all these together with this application should be considered as a whole in relation to traffic movement.

Langley Burrell Parish Council

As part of the well-advanced Langley Burrell Neighbourhood Plan (NP) preparation (the Plan is currently out to independent Inspector scrutiny) the local Steering Group (SG) gathered evidence to corroborate its draft community policies.

Community Policy no 4 (CP4) is "to reduce HGV traffic through the villageand the B4069". 98% of residents who responded to the NP survey supported CP4.

The SG commissioned evidence on the technical aspects of CP4 and in particular traffic management and flow density advice. Critical to traffic-effects on Langley Burrell would be the management of traffic joining and leaving the M4 at Junction 17, which is currently at, and at peak times above, capacity.

Given the (already approved) residential expansion of Chippenham on its northern boundary into the Parish of Langley Burrell - particularly Rawlings Green, the proximity of Birds Marsh (and potentially Barrow Farm as well) then, without substantial remodelling of Junction 17, approval of planning application 17/03417/OUT would utterly compromise traffic management (gridlock), health and safety (to pedestrians, cyclists), and the environment (residents, visitors).

Since this submission was made and during the drafting of this report a further representation has been received and is reproduced in full as follows:-

Langley Burrell Parish Council (LBPC) last commented upon application 17/03417/OUT at "original application" stage (18/05/17). Since that date, revisions to the application have been received by the planning authority, and critically commented upon by seven of the closely neighbouring parish councils (all of which have objections to the transport impacts of the application).

Langley Burrell Parish Council's principal concern has also been (and remains) the traffic impacts of the proposed development, and particularly upon the B4069.

In October 2017 the Langley Burrell Neighbourhood Plan (NP) was overwhelmingly approved by the residents of the village and has now been adopted as planning guidance by Wiltshire Council. Community Policy no 4 (CP4) is "to reduce HGV traffic through the villageand the B4069". 98% of residents who responded to the NP survey supported CP4.

Given the (already approved) development of Chippenham within its northern boundary (both residential and commercial); and agreed & prospective expansions into the Parish of Langley Burrell, LBPC remains unconvinced that the current reconfiguration of Junction 17 will fully mitigate future traffic flows and in particular:-

(i) Hullavington Airfield commercial redevelopment to the north of the junction (which has also been critically commented upon by four of the closely neighbouring parish councils); and

(ii) Rawling Green residential development (straddling the parish boundaries of Langley Burrell and Chippenham town) which is understood to be shortly subject to reconsideration by the Strategic Planning Committee.

Yatton Keynell Parish Council – strongly object for the following reasons:-

Scale

Although the three unit option has been withdrawn our continued objections are on the basis of the scale and nature of the proposal. This is a purely speculative proposal based on a perceived usage of the site as primarily logistics based. No end users are identified and similar developments are either planned or under construction along the M4 near Swindon

and Bristol. There is no economic evidence or business case contained within the application to suggest that such a development is justified or sustainable.

Nature

According to Wiltshire 2026 Part 2 'The Findings' '5.71 Sprawling warehousing and industrial estates should be avoided.' This is an understandable position for the Council to adopt. Warehousing and distribution proposals invariably overstate the employment potential and may include peripatetic jobs eg drivers. Additionally, logistics is increasingly automated and the jobs available of low quality and pay. In summary logistics hubs do not provide high value added employment. The application under review immediately fails that test and for Wiltshire Council to accept this plan would itself be a contradiction of its own strategic vision. We agree with the Wiltshire Council, Head of Service, Economic Development and Planning's email date 29 August 2017 which succinctly alludes to this proposal being opportunistic rather than satisfying a strategic need. It has been our contention throughout, that this development lacks any vestige of strategic planning.

Alternatives

Yatton Keynell Parish Council remains of the opinion that a more appropriate use of this land would be the creation of a more diverse range of developments including, hotels and leisure, ICT, high technology enterprises including engineering and R & D. Looking at the opportunities for such businesses within existing or projected supply chains, the region is strong in a range of sectors including automotive, aerospace and consumer electrical products. Wiltshire Council should be taking a lead from these sectors and encouraging the creation of innovation centres which will encourage higher value added and sustainable employment on developments that are more environmentally acceptable and blend more sympathetically into the surrounding area.

Sutton Benger Parish Council – Object for the following reason:-

- Drainage/Flooding - The proposed revisions still do not address the issues of flooding downstream from the site – parts of the B4122 are in Flood Zone 2 and are regularly affected by the flooding of the Sutton Benger Brook, which is fed by the Bushes Leaze watercourse. A diversion of this watercourse is essential to mitigate flooding of the Sutton Benger Brook through the village of Sutton Benger.

Seagry Parish Council – Object on the bias that if approved the development would set a precedent for further development surrounding the junction on an ad hoc basis with no strategic thinking. The development would in the short term result in significant detrimental impact to the highway network including J17.

Kington St Michael Parish Council – Strong objections to the application which is considered to be premature and if consent is given will result in serious detrimental impact to existing highway conditions including at J17. A consent now would also set a precedent for further development at J17. The location should be the subject of a strategic assessment as to employment land requirements before consent is considered.

Chippenham, Without Parish Council object to the application proposals. The basis and reasons for the objection are as identified by both Seagry and Kington St Michael Parish Councils.

Stanton St Quinton Parish Council – Strong objections because of the enormous scale of the development, the huge size of the building, the environment impact (noise and light), the unacceptable increase in the traffic, the flood risk and the fact that there is no identified end user

Christian Malford Parish Council – Object for the following reasons:-

1. The proposed development would lead to unacceptable traffic conditions, with additional congestion, delays and hazardous conditions at J17 of the M4; the Junction of the B4122 and B4069, Draycot Cerne and the proposed site access on the B4122 contrary to Core Policy (CP) 62 Wiltshire Core Strategy Jan 2015 (WCS). The proposed development would be detrimental to road user safety and convenience on the B4122. The development would be contrary to CP60, CP61 and CP62 WCS and to National Planning Policy Framework (NPPF) paras 30 and 32. The cumulative impact on J17 of the M4 of this and other proposed developments set out in the Chippenham Site Allocations Plan must be addressed.
2. The proposed development by virtue of unclear supporting information in that no end-user(s) have been identified, fails to demonstrate that the development is required to benefit local economic and social needs. The proposals do not meet sustainable development objectives, adversely affect the surrounding area and are not supported by adequate infrastructure. The proposal conflicts with CP34 criterion v, vi, vii and ix WCS and paras 7, 14 & 17 of the NPPF.

8. Publicity

The application was advertised by Site notice, Neighbour notification, Press notice, Publication to the council's website and weekly lists of applications, and notification to 8 Town and Parish Council's in the locality. As noted above the application has been the subject of 3 separate periods of consultation in response to initial and further revised submissions by the applicant. The following is a summary of matters raised during the 3 consultation periods.

- The proposals do not accord with WCS CP34 being speculative with no identified end users;
- Harm to highways conditions through traffic generation individually and cumulatively;
- Limited job creation of predominantly unskilled low paid employment; and inadequate supporting information in this respect and in terms of the economic justification for the proposals.
- Increased flood risk;
- Inappropriate to treat any supporting information including expressions of interest as to use / occupancy as confidential and is unjustified;
- Vacant premises in Swindon and Avonmouth Bristol demonstrates lack of demand for the purposed development and the inadequacy of the submitted supporting economic justification statements;
- Applicants own supporting information on B8 warehouse take up of space indicates demand has peaked and is now decreasing;
- Disputed ONS data for out commuting from Chippenham;
- Proposed Local Labour Agreement is inadequate in terms of ensuring local economic benefits;
- Economic development and employment generating land uses should be delivered through the appropriate spatial planning framework and subject to effective and comprehensive site / locality masterplanning;
- Traffic and highways impact assessments are based on outdated or non-existent data; Reference made to surveys undertaken by local residents disputing traffic volumes and on highway queuing at the recycling centre the result sof which conclude that:-
 1. The existing levels of traffic at peak periods on the B4122 are already almost at or are close to the Atkins Base levels assumed for 2019.

2. The PBA Base 2019, based on a June 2016 traffic survey, is already exceeded by current levels of traffic on B4122 in 3 of the 4 AM & PM E-W & W-E peak periods

3. The outputs from the modelling of the expected capacity of Jct 17, and queue lengths, cannot be possibly be sustained if they are predicated on the Baseline Traffic Flows set out in the Transport Assessment.

4. There is clearly a need to validate the assumptions by conducting a full scale professional survey of traffic numbers. The figures used by Atkins are based on 2011 & 2015 surveys. The survey by PBA was only on one day, 8th June, 2016, and covered the periods 6-9 AM and 4-7 PM rather than 7-10 AM and 4-7PM.

5. The traffic monitors witnessed significant tailbacks on the B4122 in the AM peak period and have photographs of these.

- No account taken of planned or existing development in the locality and associated traffic;
- Loss of greenfield land and harm to the character and appearance of the locality including nearby local villages and the landscape;
- Planting mitigation will not mature or have any effect for 15 + years;
- Give location will not reduce the need for out commuting from Chippenham and will increase traffic on the A350 and other local roads which are already heavily congested;
- Proposals will result in air pollution;
- Will undermine growth at Chippenham & Hullavington in association with Dyson;
- Applicants have not responded positively or proactively to the concerns raised during consultation;
- Traffic assessment data is questioned in the absence of identified end users;
- J16 of the M4 is well related to the Wiltshire locality and undermines the argument that J17 is the only available location to accommodate the development proposed and thereby benefit Wiltshire economy;
- J16 is subject to proposed upgrading to enhance its function and role with resultant benefits as a location for development to meet Wiltshire Needs;
- Incomplete information supplied to Highways England – further submissions and public consultation required in this respect;
- Unallocated site and contrary to WCS Core policies CP1 CP2 CP23 CP10 CP51
- The development will result in noise and light pollution;
- Inappropriate design out of scale with the location and with no ability to effectively screen and mitigate visual impacts;
- Inadequate and flawed consultation process with local residents by both the applicant and the Council;
- Gross Value Added information submitted by the applicant team is inflated and should be subject to independent professional assessment; Objectors have undertaken their own critical analysis of the applicant team assumptions and conclude that Savills and St Modwen have overstated their GVA figures by over 50%;
- Contrary to the WCS development strategy and approach to the allocation and distribution of development including that for the Chippenham Community area; and is therefore premature in advance of the preparation of any review or progression of the Site Allocations DPD;
- Contrary to the Swindon and Wiltshire LEP priorities for employment development which are advanced engineering; high value manufacturing; health and life sciences; professional; and financial services and digital and communications technologies;
- The development would undermine the delivery of other strategic employment sites across Wiltshire;

- Development results in the loss of trees; diversion of rights of way; removal of ancient hedgerow; and realignment of a stream;
- Loss of habitat for protected species of birds and bats;
- Submitted Landscape and Visual impact assessment information including sections and photomontages incomplete and not fully representative of factual situation but still shows significant harmful impact to the character and appearance of the locality;
- Inadequate supporting road infrastructure and consequent traffic congestion is a constraint to economic development which minimizes and mitigates against economic benefits arising from the proposals and other committed development in the locality;
- More appropriate locations for this form of development in Bristol and Swindon;
- Light pollution will cause harm to nearby listed building and conservation areas;
- Large scale distribution and warehousing is not an economic priority for the Council or the Swindon and Wiltshire Local Enterprise Partnership;
- Given the scale and visual prominence the proposals do not meet and are contrary to the criteria and requirements of WCS CP50, CP51 & CP57;
- Outline from of the application and lack of detail as to the building requirements indicate a lack of firm demand from future occupiers and illustrate the speculative nature of the proposals;
- Inadequate lorry parking and staff parking proposals, area already blighted by lorry parking in laybys;
- Dispute projected growth rates of proposed tree planting mitigation – 8 metres in 15 years for Quercus Robur (English Oak) is not realistic;
- Delivery of further B8 development at Avonmouth Bristol is questioned by the applicant on the basis of traffic congestion in the adj motorway junctions, Highways England is addressing this problem and this will be resolved prior to release of J17 site;
- Showell Farm and Rawlings Green are more sustainable and better locations for the proposed development;
- Savills own research* states that 'The huge levels of demand from online retailers seen in 2016 have not continued in 2017 with 11.8m ft2 transacted in H1 2017'. This compares to a total of 34.6m ft2 transacted in 2016. Furthermore they go on to say that 'Nationwide supply has risen by 1.5m ft2 since the turn of the year and now stands at just over 28m ft2.' This illustrates that the market is well supplied already and has probably past its peak in terms of large retailers having secured the sites they need. Specifically in the South West they state that 'there is currently 833,624 ft2 available across three existing units and that the space available in the South West has increased by 122% since 2016'. Again in the South West H1 2017 take up is down they say by 29% at only 2.5m ft2 and this includes the 33.5 acre Amazon development at Central Park in Bristol without which take up falls to only 268,850 ft2 ! There is therefore no secure economic justification for this proposed development based on Savills own research and it remains in my view a speculative development.
*Big Shed Briefing July 2017.
- Irreversible loss of agricultural land;
- Flood Risk Assessment not considered to be sound - surface water permeability testing undertaken at an inappropriate time of year when the water table will be low;
- More appropriate uses of this land would including, hotels and leisure, ICT, high technology enterprises include engineering and R & D;
- Lack of detail as to the proposed Shuttle bus service, considered unlikely to come forward and unlikely to be well used in the event that it is delivered;
- Scheme revisions and additional information submissions have not addressed concerns or responded proactively to the issues being raised;
- Poor location for logistics distribution purposes unrelated to other transport nodes and related development/operations;

- No provisions for foul drainage in the application and no existing facilities at the site/locality;
- Chippenham needs jobs and the development proposal is sensible in this context;
- No measures to restrict right turn HJGV movements from the site leading to neighbouring small villages;
- The proposed development is of a scale that is inappropriate to the rural location and will not meet the identified need for development in the locality which is for small to medium sized companies with potential growth, to grow in line with the growth in the infrastructure

In addition submissions were made on behalf of a landowner's consortium in respect of a site located to the North East of J17. The submissions identify that the site is being promoted through the Development Plan process for allocation for employment uses within the logistics/B8 Warehouse & Distribution Sector. The submissions reflect much of the submissions of objectors summarised above, in particular asserting that permission for the proposed development would be premature to a sound and comprehensive analysis and assessment as to employment related development at J17 and which is the most appropriate least impactful site for the development in this location. In this context the submissions assert that the information supporting the Wiltshire Core Strategy requires review and updating, whilst existing evidence and assessment information provides no sound basis for the Council to assess compliance with CP34, particularly in respect of requirements for proposals to make contributions to the strategic economy.

The submissions identify that an Employment Land Review informing review of the Core Strategy is imminent and any grant of consent prior to the outcome of the assessment works is premature. The submissions do however assert that there is information and evidence available to the consortium of significant demand at this location for B8 land uses and logistics facilities and indeed their DPD submission proposes allocation for development of 110 acres of up to 2 Million Sq Ft of space. Further submissions were also made in respect of landscape and visual impact assessment asserting that of the two locations the land to the North East of J17 has significantly less visual and landscape character impact being contained by existing landform and planting and set within the context of existing built development and including some previously developed land with fewer features of landscape character and environmental importance i.e. hedgerows, trees and streams.

Chippenham Chamber of Commerce submitted representations raising some concerns that this proposed development would be isolated from existing business parks, industrial estates and amenities. If consented, it would create a remote business location that is not readily accessible by public transport. People who would work there but live in Chippenham would therefore be travelling out of town and away from the town centre facilities and amenities that are important to sustaining Chippenham's business economy. The Chamber is also concerned that the scale of the development and size of the proposed new units is focused on attracting large scale warehousing. The Chamber is aware that there is currently a severe shortage of available employment land in the Chippenham area to allow existing business to expand and relocate. This proposal does nothing to address that situation as the proposed unit sizes significantly exceed the size that would be required by the vast majority of Chippenham businesses. While not wishing to make an outright objection to the proposed development, the Chamber encourages the Council to carefully consider the negative aspects of this proposal. If the Council is minded to grant consent, the Chamber requests that a condition be included that at least some floorspace provides units of 1000 sq.m and under. While not ideal for the local community, it will enable some existing Chippenham businesses to remain in the town rather than relocate to surrounding towns such as Melksham that has attracted a number of Chippenham businesses in recent years.

Swindon & Wiltshire Local Enterprise Partnership

The Board of the Swindon and Wiltshire Local Enterprise Partnership (SWLEP) discussed the development of land at Junction 17 of the M4 at its meeting on the 24 January 2018. The proposed development by St Modwen on behalf of the land owners is located at a key intersection of two of the SWLEP's growth zones – Swindon and the M4 corridor and the A350, which are identified in our Strategic Economic Plan. The Strategic Economic Plan, revised in 2016 specifically mentions the importance of the development of land at Junction 17 to draw out investment from Bath and Bristol to the west.

The expressed opinion of the SWLEP Board is to support strategic development of land at Junction 17, with the proviso that development focuses on new business take-up and is able to demonstrate that it will not lead to displacement or detriment to existing business and strategic land allocation.

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. This requirement is reflected and reiterated in paras 2, 11, 196 of the NPPF. The local component of the development plan is formed by the adopted WCS including saved policies of the NWLP. The emerging Site Allocations DPD is at a stage at which only limited weight can be attached to the document in any event this is a housing allocations plan and does not address allocations for employment land.

9.1 Principle of Development

The site falls outside of any defined settlement or established employment area and is within the open countryside. The site is not allocated in any adopted or emerging development plan document for any form of development. In this context the development proposals are not in direct accord with WCS core policies CP1, CP2 and C10. The WCS must however be read as a whole and it does make provision for development proposals of this nature to come forward on unallocated sites and outside of defined settlements under the provisions of policy CP34, subject to the criteria contained within that policy. As such and in broad terms the principle of development is potentially acceptable subject to compliance with the policy criteria and the other relevant policy provisions of the plan relating to site specific matters. These are addressed under specific headings below.

It is necessary to consider whether or not the criteria of CP34 are in this instance addressed and if not whether there are any material considerations that may indicate an alternate decision not fully in accord with the policy could be appropriate and acceptable.

Criteria i – iv set out a series of locational circumstances whereby proposals for employment development (B1, B2 or B8) outside of the Principal settlements, Market Towns and Local Service Centres will be considered acceptable. It is not the case that all of these locational circumstances have to be met in each instance and indeed in some respects and circumstances they are not entirely consistent and as such could not be met in full. In this context *Criteria ii) & iii)* are not applicable in this particular instance given the nature of the development proposed.

Criteria i) of CP34 allows for proposals where located adjacent to principal settlements, Market Towns and Local service Centres and where they will seek to retain or expand businesses currently located within or adjacent the centres. Given the nature of the proposals and the site location it cannot be said that the development proposal is in direct accord with this criterion. The site is in reasonable proximity of Chippenham but is not directly adjacent to the settlement and the proposals are not expressly aimed at

accommodating the expansion/retention of existing business in Chippenham and the supporting information presented to date does not confirm this to be the case.

Criterion iv) is also relevant and this requires that proposals be considered essential to the wider strategic interest of the economic development of Wiltshire as determined by the Council and subject to assessment against 5 further criteria. In this context the applicant has made multiple submissions aimed at demonstrating that the proposals are of a strategic nature, and that they meet a range of economic development objectives providing various economic benefits to the locality. These submissions include information as to the demand for B8 Warehouse & Distribution space in this locality and in the M4 Corridor from Swindon to Bristol. Submissions have sought to demonstrate significant take up rates of space at existing locations predominantly in Swindon and Bristol alongside the lack of existing provision in this sector within Wiltshire itself. In the latter respect the applicant has also sought to demonstrate the unsuitability of some existing committed development sites for this type of facility and operation, and particularly at the strategic level. Further submissions have also sought to link the development of B8 distribution facilities to the wider area northwards to the midlands and strategic level distribution requirements in that area. The applicant has also provided some publicly available information as to market demand and has provided officers with confidential submissions as to expression of interest in proposed facilities at J17. This latter information is submitted confidentially due to commercial sensitivities and interest in respect of competitor operators in the sector. This is not an entirely unusual or abnormal approach. Such submissions have also been augmented by a meeting between officers and representatives of one of the companies expressing interest in the site.

The applicant team has also sought to support and justify their proposals by submission of assessment of the jobs created by the proposals equating to some 1081 Jobs (not including construction) in various sectors as summarised below. Also in terms of the Gross Value Added (GVA) to the Local Economy, based on the estimated gross direct operational employment in the development proposal the applicant estimates that the proposed scheme would generate around £50.5 million of gross additional GVA per annum with the average GVA per employee within the proposal is estimated to be £46,749 whilst also providing approximately £2.5 million in non-domestic rates to the Council.

HCA (2015) / Prologis Research (2016)
Chippenham Gateway (total direct jobs - 1081)

Occupation	Number
1. Managers, directors and senior officials	86.48 (8%)
2. Professional occupations	-
3. Technicians and associate professionals	227 (21%)
4. Administrative & secretarial	140.4 (13%)
5. Skilled trade occupations	-
8. Process plant & machine operatives	86.48 (8%)
9. Elementary occupations (labourers)	540.5 (50%)

Taking into account an estimate of 25% leakage (i.e.75% of the gross direct jobs are anticipated to be held by Wiltshire Council residents) and 15% of jobs being taken by displaced workers, the jobs available to Wiltshire residents are anticipated by the applicant team to amount to the following:-

HCA (2015) / Prologis Research (2016)
Chippenham Gateway (total direct jobs available as new jobs to Wiltshire residents - 689)

Occupation	Number
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1. Managers, directors and senior officials	55.12 (8%)
2. Professional occupations	-
3. Technicians and associate professionals	227 (21%)
4. Administrative & secretarial	140.4 (13%)
5. Skilled trade occupations	-
8. Process plant & machine operatives	55.12 (8%)
9. Elementary occupations (labourers)	344.5 (50%)

It is also noteworthy that competitor land interest to the north of J17 M4 has also made detailed submissions in respect of the application and to inform the Wiltshire Core Strategy Review / DPD preparation. These submissions also confirm demand for the B8 Warehouse and Distribution development at the J17 M4 location in the context of their assessment that the NE quadrant adj J17 M4 is a preferable location with significantly less environmental impact.

The Council is also in receipt for extensive objections from local residents and multiple parish and town councils as summarised above. Many of these focus on the submissions made with the application, and indeed other publications by the agent team, identifying reduced demand and take up of space in this sector during the last year. Concerns are raised as to availability of confidential information. Vacant existing space at Swindon and Bristol is also identified and identified constraints as to delivery of further additional provision in these locations is also disputed. Many objectors conclude that there is at best weakening demand and that Swindon and Bristol are the principal focus locations for B8 facility provision and as such the proposals do not meet an essential strategic requirement within Wiltshire. Officers have met with one local resident objector with significant experience in the B8 Distribution sector from a financing background to receive information as to concerns being raised particular around weakening sector demand.

Officers, including those from the Council's Spatial Planning and Economic Regeneration Teams, have reviewed the submissions made to date and have requested additional submissions throughout this process, particularly relating to the marketing exercise undertaken, supporting information as to local supply changes, sector linkages and related vehicular movements and sector costs & including comparisons with other locations amend labour sourcing. As noted above Officers have also met with one proposed occupant on a confidential basis to receive information as to their site interest.

Having reviewed and considered the GVA and employment generation submissions and the underlying assumptions informing these assessments it is considered that the conclusions are broadly sound, reasonable and justified taking into the account the nature of the application (Outline). As such these can be give weight in the determination process and as contributing to addressing the requirements of WCS CP34 (v) & (vii). The proposals will support the economic led strategy of the WCS contributing toward meeting the identified requirements for employment led and reducing our commuting form Wiltshire and by providing employment land in the M4 and A350 corridors which are a focus for growth and supported by the SWLEP. The commitment to a Local Labour Agreement will also contribute to enhanced local employment thereby providing benefit to local economic and social needs in accord with CP34 (vii).

The submitted information in respect of past and recent take up rates and available supply in the region is considered to be accurate and reasonably comprehensive. Whilst there are still available plots in key locations such as Swindon and Bristol it is accepted that these alone do not provide a sufficient supply in the medium to longer term and of the sufficient scale to fully meet the demand that is identified. In part this is a matter related to location in that J17 of the M4 does provide an ideal location for linkages between the south, east, west and midlands; supporting a distribution network and the changing and expanding nature of the

logistics/distribution sector which is seeking greater connectivity. Clearly some of the existing sites in Swindon and Bristol could potentially meet some of the demand, however, this is not considered a sufficiently robust and defensible reason for refusal when such sites have been available for some time and have not come forward and whilst on-going demand is projected with supporting marketing information and the SWLEP demonstrating interest in and some support for growth at J17 M4 in Wiltshire.

Similarly it is considered that the details provided to date as to the marketing of the site do demonstrate a significant level of interest and demand for this form of development in this location. Officers are given greater confidence in this respect by a number of factors including the meeting with one proposed occupier; and by the applicant's request to progress preparation of a S106 agreement, including local labour agreement and commitments to addressing highways related impacts. In addition the applicant team has made officers aware of an intention to submit a full planning application for approval of the site wide landscaping in order to secure the development of the site and initial site preparation work at the earliest possible stage during prime construction period in the coming 12 months. It is considered that this approach does demonstrate a significant commitment to the site. Similarly the applicant's stated intentions to manage the site in the long term as site owner are also considered to provide some degree of comfort as to a commitment to the development proposals as submitted.

It must be acknowledged that the marketing outputs do not identify confirmed occupants for all of the 5 proposed buildings with lease agreements signed and in place. However, this is not specifically a requirement of the WCS and in particular CP34 and it is considered to be a relatively normal position given the outline status of the planning application and the lack of certainty as to planning permission coming forward at the time of site marketing. The marketing outputs do however identify significant expressions of interests in this site from 17 operators or their representatives, which can be given some weight. There is also interest from 9 other operators or their representatives expressing interest in a wider search area that would include J17 M4. Overall this is considered to represent a significant level of demand given the employment nature of the development proposed and the Outline status of the application.

In this context it is also noteworthy that the initial outputs from the Council's Economic Land Review, which is currently being undertaken by consultants to inform preparation of the Wiltshire Core Strategy Review, does acknowledge the development potential of locations at J17 M4, particularly in high value sectors of strategic importance to Wiltshire as set out in the Swindon & Wiltshire Strategic Economic Plan including advanced manufacturing, business services, biosciences, digital security, environmental technologies, food and drink, health, ICT, and life sciences. Possibly also Artificial Intelligence & Data, Clean Growth, Mobility, Ageing, R&D, electric vehicles, life sciences, and construction. This does not include the B8 Storage and Distribution Sector which is the subject of the application albeit the Swindon and Wiltshire Strategic Economic Plan does also state:-

Our economic challenge: Our strategic location and connectivity is a weakness. It is no coincidence that the peaks in our historic economic growth coincided with the arrival of the Great Western Railway in 19th century and the M4 five decades ago. Our focus here is on the regeneration of Swindon town centre, the delivery of major housing developments as well as employment sites at Junctions 15 and 16 (Swindon) and 17 (Chippenham). These locations have greatest potential for growth and have the added benefit of easy links to surplus public sector land.

The plan thereby indicates support for economic growth at this location without excluding such uses. It is also noteworthy that the Swindon & Wiltshire Local Enterprise Partnership has specifically supported the application proposals subject to the proviso that development

focuses on new business take-up and will not lead to displacement or detriment to existing business and strategic land allocation. The WCS review and the related supporting assessments are at the earliest stages of plan preparation. On this basis it is not considered sound or defensible to refuse the current planning application as premature to that process.

It is also noteworthy that the nature of the B8 Warehousing and Distribution Sector involves strategic level movement of goods with linkages across sectors and across regions indeed in some instances of much wider national, European and even international areas. In this context it can be argued that there is a strategic element to the proposals, as required by CP34 (iv), which is intrinsic to their nature and indeed more so than in some other sectors. In addition some of these preferred high value sectors may also be developing as smaller scale localised starter/start up facilities in the first instances. Where such uses are potentially employment generators it is arguably more appropriate for such sectors to be more closely related to urban locations and larger settlements such as Chippenham making use of the allocated sites such as Showell Farm. Certainly in the context of the alternative which would be very large scale B8 units with attendant HGV vehicular traffic movements.

In these respects it is also considered by officers that the applicant's submissions relating to impact to alternative allocated sites are reasonable. The allocated and permitted sites in and around Chippenham are for various reasons not considered to be ideally suited to the delivery of the application proposals (large scale B8 uses) and indeed are more suited to a mix of employment uses of a range of scales particularly in the B1 and B2 use classes. Officers are in receipt of market evidence from other sources indicating that demand in the Chippenham areas is primarily centred on a range of sized units, including starter units but allowing for employer growth and expansion, in the B1 Light industrial and B2 manufacturing sectors. In addition the agents for the developers/owners of Showell Farm have made representations themselves in relation to this application identifying that its approval will not undermine delivery of the Showell Farm site. It is also important to note that the allocated sites in and around Chippenham benefit from planning permissions or resolutions to grant consents for employment related developments in use classes outside of the application proposals submitted at J17 M4 and so are not a like for like comparison and would require revised application proposals to come forward on those sites to support a totality of large scale B8 uses. It is also questionable given the known constraints affecting several of these sites whether or not they would support and allow for the development of B8 proposals of the scale submitted with this application. Given the scale and nature of proposals they are considered to complement rather than compete with the allocated sites as no permitted sites could accommodate this type of development. Overall it is not considered that the grant of permission does directly and clearly undermine employment development on allocated sites at Chippenham and the proposals do not conflict with CP34 (viii).

The site is however adjacent to the strategic road network and a major junction on that network. The proposed land use of B8 warehouse and distribution is ideally suited to such a location in access and operational terms. The proposals are also of a scale and nature that would not lend themselves to locations directly adjoining residential areas/existing settlements where it would potentially be necessary to utilise the local residential road network. Indeed previous proposals of this nature adjacent to Chippenham have been the subject of very significant objection with strong and very clear recommendations that the application site at J17 M4 be considered in preference. This is reflected in some of the consultation responses as summarised above, which are not supportive of B8 development which impacts on the local / residential road network in and around Chippenham and the surrounding settlements. In this context it is considered that there are material considerations that would indicate a degree of flexibility in the implementation of this criterion of the policy is in this instance appropriate. This assessment is also set within the context of wider material considerations such as the national policy support contained in the NPPF for economic development where it is expressly identified that proposals should not be unduly

burdened by unrealistic policy expectations. Weighing in favour of a flexible approach are the other benefits of development which are addressed in more detail below and in the planning balance exercise set out in the conclusion to this report. Given the nature and scale of the proposals including intended employment use it is considered that they are broadly appropriate for the location, albeit with localised site specific impacts as is discussed further in the report below, and as such there is a degree of compliance with criteria (vi) & (ix) of CP34 WCS. The lack of objection from Highways England and the council's Highways Engineers also supports the conclusion that adequate infrastructure supports the proposals.

It is also noteworthy that the applicant has made submissions in relation to proposals aimed at ensuring a significant proportion of the jobs arising from the development are open to those trained and resident in the locality. These are framed as a local labour agreement and at the moment focus on a training relationship with Wiltshire College. The proposal is to secure these provisions through a S106 agreement. At the time of writing these proposals are still in the development stage and require further work and input from the applicant team, local training and education organisations/providers and the Council's Skills and Training team. However it is considered that the proposals are of sufficient significance and certainty through inclusion in the S106 agreement currently being drafted as to be given weight in the determination of the application as a local economic benefit in accord with WCS CP34 (iv & vii) requirements.

As such it is considered that there are economic benefits arising from the scheme proposals and there is some degree of policy support for the proposed development in this location. It is acknowledged that potentially there are other higher value employment sectors that could be preferable but at this stage and the time of writing there are no such proposals in and before the Council at this site. There are other sites around J17 being promoted for development that could potentially deliver such uses if they were to come forward in the future. It is also not considered reasonable or defensible to refuse the application solely on the grounds that the development delivering employment uses would not be in the preferred strategic employment sectors. Given the support at national level for employment growth and indeed in the Council's WCS and the S&W Strategic Economic Plan and the other economic benefits of development it is considered unrealistic and unreasonable to take such an approach.

9.2 Highways Impacts/J17 M4

Given the nature of the proposals involving extensive vehicular movement and their location in close proximity to the strategic road network and a principle motorway junction significant concerns have been raised as to the potential impacts on road congestion and functioning of the J17 M4 from a wide range of interested parties. This is set within the context of planned and committed development at Chippenham and surrounding areas and projected development in locations to the north of the junction alongside known issues at the junction regarding existing queuing and the works now being implemented aimed at mitigating current and projected issues.

In addition other local interested parties have raised concerns as to the impact of projected vehicular movements on the local road networks in and around the site leading to and from Chippenham itself both in terms of HGV movements and employee traffic.

In this respect Highways England initially issued several holding objections to the determination of the application whilst seeking additional information and detail as to assessed impacts on J17. The Council's Highways Officers similarly sought additional information in this respect and additional proposals and information to address localised issues such as site access by employees, conflicting vehicular movements on the B4122 in the context of the household recycling centre, site access revisions etc. Following extensive

liaison between Highways England, Highways Officers and the applicant's highways consultants it is considered that the assessments and proposed mitigation measures demonstrate acceptable and manageable impacts. No objections are now raised on highway grounds by either Highways England or the Council as Highways Authority subject to the use of conditions and S106 provisions to address various requirements. In this context the proposed mitigation will include:-

J17 M4:-

- Signalisation of the A350 approach;
- Signalisation and widening of the B4122 approach. This includes widening of the current single lane approach to two lanes at the stop-line, which would continue for 36 metres before tapering back into a single lane;
- The circulating carriageway at the A350 to be widened to three lanes;
- The circulating lane at the B4122 to be widened to three lanes;
- Increasing the carriageway flare length by approximately 20 metres on the A429 as well as minor widening in vicinity of the give-way line.

On this basis Highways England identify that:-

LinSig modelling (Linsig is a longstanding industry standard traffic modelling tool) for a 2019 'opening year' scenario shows that the mitigation scheme is able to off-set development traffic impacts at M4 J17 in both weekday peak hours. Particular focus is given to the queues generated on the M4 off-slips, which are shown to be contained on the slip roads available.

Following an 'in principle' agreement on the mitigation scheme from Highways England, PBA (Applicant's Highways consultants) commissioned TMS to undertake a Stage 1 Road Safety Audit' (RSA) on the design. This is a mandatory requirement in accordance with Design Manual for roads and Bridges DMRB guidance set out in HD 19/15 "Road Safety Audit" (Standards for Highways Technical Guidance volume's attached to DMRB). No significant areas of concern were raised in the audit. A Designers Response has also been prepared by PBA to address the minor recommendations, which largely include matters relating to road markings and signage. Highways England accepts the results.

In addition to a Stage 1 RSA, a 'Walking, Cycling and Horse-Riding Assessment and Review' (WCHAR) has been prepared in accordance with DMRB HD 42/17. Highways England's review of the WCHAR concludes that the improvement scheme will not have an adverse impact on these users.

In addition Highways England goes onto identify that:-

Regarding mitigation phasing, PBA have presented evidence to amend the trigger point for the delivery of the proposed mitigation scheme. LinSig modelling has been presented to show that up to 350,000ft² of development can be occupied in advance of the mitigation scheme, without risk to the operation and safety of the SRN (Strategic Road Network). Capacity assessments have included incremental Local Plan housing traffic growth per annum, based on Wiltshire Councils housing trajectories.

Highways England accepts that a proportion of development can be sustained on the site prior to mitigation being required and accepts the 350,000ft² GFA trigger for the scheme. Highways England's recommendation is set out below.

As such a condition is recommended, and this has been considered by Council's highways officers who are also in support, which states that:-

No more than 350,000ft2 of development (B8 use class) hereby approved shall be brought into use, unless or until the improvement scheme identified for M4 Junction 17, as shown in the Peter Brett Associates Drawing ref: 37813/5502/001 Rev E, titled 'Chippenham Gateway M4 J17 Amended Mitigation Scheme', has been completed and approved in writing by the Local Planning Authority (in consultation with Highways England) and is open to traffic Reason: To ensure the safe and efficient operation of the SRN i.e. M4 J17

Subject to minor amendments the condition is considered to meet the six tests on the use of conditions contained in the Planning Practice Guidance and is proposed in the list of conditions below.

Other identified mitigation measures include:-

- Requirement to provide survey data for peak period use of SSQHRC site, including traffic numbers directional flows, U-turners at M4 J17 and queue lengths on B4122 in both directions. Agreement to contribute £100k towards mitigation works within SSQHRC if queue problem is reasonably (in consideration of future traffic growth at SSQHRC) deemed to have potential to adversely affect road safety at roundabout site access.
- Financial contribution of £15k towards safety and/or capacity measures at B4069/B4122 junction.
- Financial contribution of £6k towards legal and administrative costs of weight limit on B4122 and agreement to meet all signing and implementation costs if successful outcome to order-making process.
- Provision of a site travel plan, to include provisions for the delivery of a supported bus service which will be guaranteed to run for at least three years following final building occupation; and adequate provision to facilitate cycling to the site.
- Various conditions seeking details for submission and approval re: site access, on site manoeuvring, parking, vehicular infrastructure provision and delivery phasing, access restrictions to HGVs on the B4122, and a construction management plan.

Recommended conditions are included in the proposed list below. As noted subject to these mitigation provisions the impacts of the scheme proposals are considered to be acceptable in highway terms and do not result in a sound and defensible basis for refusal.

Rights of Way officers raised initial concerns as to the available information and advancement of proposals for the diversion of existing Rights of Way. Officers provided recommendations as to the most appropriate way forward re: such applications and their timing. Following submissions by the applicant direct to the Rights of Way team to divert affect footpaths and Officers have removed previous objections and now raise no objections to the scheme proposals. Whilst existing routes will be affected alternative proposals are being advanced which are considered deliverable and acceptable. As such it is not considered that the proposals result in significant harm such that the consent should be refused on this basis.

9.3 Landscape & Visual Impacts

The Council's Senior Landscape Officer has provided detailed input and advice throughout that pre-application enquiry process and the determination of the application. Significant additional information and detail in terms of the submitted Landscape and Visual Impact Assessment and mitigation measures through landscaping proposals with related details as to sections, montages and layouts have been sought. Throughout this process the Landscape Officer has consistently identified that the proposed development is of a scale and form that will inevitably result in a significant magnitude of change. This impact is now identified as permanent, major adverse at the site given its rural open agricultural

characteristics and the limited scale and form of existing development in the locality. Consequently there is landscape harm and objections arising from the development proposals in this respect and this is succinctly identified by the landscape officer in the most recent consultation response as follows:-

The implementation of a development proposal of this scale and nature will generate a number of resulting harmful impacts upon landscape character contrary to the requirements of Wiltshire Core Strategy, Core Policy 51: Landscape. Of particular concern is the creation of a large new continuous urban ridgeline on the existing rural skyline, illustrated within LVIA Photomontage 01 (looking south) and Photomontages 3 & 4 (looking north). These photomontages illustrate development 15 years after landscape planting. Views looking south towards development are likely to be permanent (i.e. unaffected by planting proposals). Views looking north would improve over the longer term past 15 years, but the new urban ridgeline is unlikely to be ever completely screened, due to the height of the proposed development.

It is these concerns that have prompted the consistent recommendation for significant structural planting and landscaping in and around the site to reduce impacts. In addition recommendations for reduced built form were also made. Even with such measures the Landscape officer maintains that the development would never truly assimilate and integrate into the landscape given its scale & form and the characteristics of the immediate locality. Given this position and the provisions of the WCS CP34 (vi), CP51 & CP57 (i & ii) it is to be anticipated that an objection on landscape grounds would be raised.

It is therefore important to note that the Landscape Officer also identifies a number of positive elements of the scheme as demonstrated in the final round of submissions; and certain counter balancing factors that require consideration. These are most easily identified as extracts from the most recent officer consultation response:-

I note and welcome the inclusion and illustration of the originally missing 8 metre wide 'illustrative' minimum strip of strategic landscaping along two thirds of the sites southern boundary (on land above the proposed cutting slope) within the revised submitted illustrative boundary sections contained within the 'Design & Access Statement – Addendum - Section G' (4th October 2017 – Rev:B)

I note within the LVIA – Addendum the creation of approximately 3 hectares (30,000 square metres) of new peripheral woodland planting, which represents 30,000 square metres of new native woodland. I have roughly scaled this on the submitted plans and find this figure to be broadly accurate. This is not an insignificant amount of new woodland planting, and while this is welcomed in landscape terms, the long term effectiveness and success of this planting, including predicted growth rates may be lower on the new inward facing cutting slopes in comparison with undisturbed upper flat field areas, however the planting is likely to help reduce inter-visibility between the new urban development and surrounding countryside over the longer term (i.e. 25-30 years). In my opinion it will take in excess of 30 years before the views of the massing of buildings and the continuous new ridgeline begins to soften. It may be worth consideration of including taller much faster growing nurse species within any final proposed tree planting mix, just to break up the continuous solid ridgeline resulting from the massing of these buildings.

If the Council views this proposal for large scale B8 and logistics use satisfies the requirements of CP34, then from a landscape perspective I would prefer to see Regional Distribution uses, located close to strategic road networks (where there is less tranquillity) and away from the periphery of major housing areas (where typically the adjoining rural public rights of way network is used more regularly by greater numbers of people for informal recreation).

I accept that this harm is largely localised to the site itself, and to its adjoining local visual context.

On this basis it is considered that whilst there is a landscape objection due to the significant permanent change to the rural character of the locality this location is potentially one of the most appropriate for this type of development if such proposals are supported by the Council as in compliance with CP34 and other policy objectives. Furthermore the large scale planting proposals are noted and after a significant period of time it is also agreed that visual impacts will be, to a certain extent, mitigated and will largely be localised to the application site rather than affecting a wider area or any designated and protected landscapes. It is therefore necessary to weigh the identified landscape harm as assessed in the planning balance against the benefits of development. This matter is addressed further below in the conclusion section.

It should be noted that the Landscape officer recommends a number of matters to be addressed via conditions both in phasing of landscaping proposals as it relates to the whole site and in terms of additional details for the specific landscaping to be provided. In the latter respect some degree of flexibility as to approach and types of planting to be pursued is recommended. Additionally it is noted that a number of matters raised are most appropriately addressed through future reserved matters applications and potential use of conditions at that stage.

In support of this position the Council's Trees Officer has also assessed the scheme proposals given the presence on site of veteran & category A high status and value native trees and related important hedgerows. Indeed important trees and hedgerows exist within the central areas of the site. The scheme proposals as a consequence of the scale of development proposed and its layout affecting the majority of the site area and requiring significant site landscaping to level much of the site will result in the loss of these trees and hedgerows. This is a negative impact of development and the proposed mitigation through replacement tree planting as referenced above and hedgerow translocation is considered to be of a reduced significance given the projected timespan for such replacement planting to mature of in the region of 30 years. This is a substantial period over which the harmful impact of the loss of these trees to the character and appearance occurs. Irrespective the Tree officer consider that the replacement will not be of the same status and value as the veteran category A trees and associated mature hedgerow field boundaries that have matured and developed of a much longer period in excess of 100 years. On this basis Officers placed a Tree Preservation Order upon the trees at the site during 2017.

Officers go on to raise concerns as to why the orientation and layout of units proposed for the site could not be configured to retain the trees and hedgerows and / or, at least in part, utilise land to the north of the B4086 for the location of a proportion of the development proposal.

The loss of the trees and hedgerows contribute to the permanent significant landscape character harm at the site and immediate locality.

Given the requirements for circulation and internal vehicular movements alongside internal building level floorplates for the proposed use there is requirement at the site for major landscaping and earth movement works to provide a consistent site level. These works will affect the whole site area and will result in the removal of the trees and hedgerows particularly within the central areas of the site. The concerns and proposals of the trees officers were put to the applicant team including their consultant team for consideration and it was confirmed as unfeasible to develop the site with the trees and hedgerows retained in situ, particularly within the central areas of the site. It is considered that this would be true if

a portion of the floorspace was located to the northern site area. It is therefore necessary to weigh the identified landscape harm alongside the specific harm caused by the loss of veteran & category A trees and important hedgerows as assessed in the planning balance against the benefits of development. This matter is addressed further below in the conclusion section.

9.4 Drainage

The application submissions are of a scale and form that will significantly reduce the permeable area of land and affect existing water courses in and adjacent to the site. The area is a locality where there are known surface water drainage issues especially further to the east in locations in and around Sutton Bengier and the site and locality are subject to flood risk designations. The proposals also introduce requirements for water supply and foul drainage where existing provision is identified as limited.

The Council's Drainage Engineers have consequently carefully examined the scheme proposals and supporting submissions which included Geo-environmental Surveys and Floor Risk Assessment and Drainage Strategy. Initial responses identified objections and sought additional supporting information and details. Particular concerns were raised in relation to the drainage to a realigned water course for the site and the consistency and level of detail of the submissions in terms of proposal drawings and the FRA. The additional detail sought particularly focussed on detailed Hydraulic analysis embracing the catchment of the proposed development site to the Seagry Bridge to confirm that flood risk would not be increased downstream. Extensive additional submissions were prepared and made by the applicant's consulting engineers. These have been reviewed and Drainage Engineers confirm that they provide sufficient detail and mitigation to address potential impacts and in particular that the off-site drainage impacts will not result in additional flood risk. Standard conditions are considered to be necessary by Drainage Officers. The proposed development will incorporate the following flood risk management measures:

- Finished floor levels shall be at least 0.15m above adjacent external ground levels.
- External ground profiles shall, where possible, fall away from buildings.
- A positive surface water drainage system shall be implemented.
-

In addition the FRA and drainage strategy identifies that the proposed development will incorporate features that will facilitate infiltration wherever possible, whilst also having a positive surface water outfall into the Bushes Leaze watercourse at a rate equivalent to greenfield run-off for the site. The Environment Agency has confirmed that an outfall into the Bushes Leaze watercourse is acceptable in principle. The route by which the Bushes Leaze watercourse will be diverted is subject to discussions and agreement with Wiltshire Council as the Lead Local Flood Authority (LLFA) which is a requirement dealt with under a separate consenting process.

Furthermore the surface water drainage strategy comprises of four primary storage areas consisting of two attenuation ponds, one linear attenuation feature and one underground storage facility. These will discharge to the watercourse at two points. The proposed discharge rate from Unit D underground storage is 4.7l/s. The proposed discharge rate for the other units and access road from the attenuation pond to the north of Unit E is 43.8l/s.

The required storage volumes needed to achieve the discharge limits without causing flooding are 6,879m³, 2,288m³, 5,252m³ and 1,422m³ for the attenuation pond to the south of Unit A, linear attenuation feature, attenuation pond to the north of Unit E and the Unit D underground storage facility respectively. Both attenuation ponds and the linear attenuation feature have been modelled to achieve a minimum freeboard of 0.3m.

The Environment Agency was also consulted, including in respect of revised and additional detail submissions, and has at no point raised objection to the scheme proposals and does not recommend the inclusion of conditions. Two Informative notes are recommended as to licencing and consenting requirements and these are included in the recommendation below.

Wessex Water raises no objection to the proposed development but identified that water services in the locality will require upscaling and an informative is proposed in this respect.

In relation to Foul Drainage the submitted strategy proposes that:

Foul water from each of the 5 units to be drained to the wet well of a foul water pumping station to the east of the site where the proposed levels are lower. A gravity drainage network, with sewers sized for peak flows and to achieve self-cleansing velocities, will be used to convey foul water to this pumping station. The proposed site layout includes an area allowance for a foul water pumping station to be constructed following detailed design. A review of the public sewers in the local area and consultation with Wessex Water shows that there is no foul gravity network close to the site. The closest public sewerage infrastructure is the existing 14188 Lower Stanton St Quintin SPS rising main. This runs 4,414m to the Sutton Benger Sewage Treatment Works to the east of the site.

The Foul Drainage Strategy goes onto to identify that:-

a pumped connection to the Sutton Benger Sewage Treatment Works is proposed. The proposed 3.6km long rising main will run parallel to the existing Lower Stanton St Quintin SPS rising main laid within the same easement. Due to uncertainties associated with performance of the existing rising main, a connection into this rising main connection is not currently proposed. When more detailed information becomes available, a connection may be possible to this rising main, reducing the length of the proposed connection.

No objections from any of the statutory consultees have been raised in this respect. Given the proposals set out in the submission and the identified site circumstances and infrastructure capacity it is necessary to impose standard conditions in respect of Foul drainage requiring submission and approval of full details prior to the commencement of development.

9.5 Ecological Impacts

The application site featuring mature veteran & category A trees, mature important hedgerows, watercourses and arable farmland has been identified as having significant potential to support a range of protected species of flora and fauna with related protected habitats. As such the site has been subject of significant ecological survey and assessment work and the application is supported by a desk study, Extended Phase 1 Habitat survey and protected species surveys for reptiles, bats, great crested newt, breeding birds, invertebrates and dormice were undertaken in 2015 and 2016 to provide baseline data for the site and assess the ecological implications of the development.

In summary the assessment work undertaken concluded the following as to site features and characteristics:-

The Site is 27.2 hectares (ha) and comprises arable and cattle-grazed improved grassland with very limited botanical diversity, species-rich hedgerows, veteran trees, broadleaved woodland, scrub and tall ruderal vegetation. A small stream runs through the centre of the Site and several ditches are present. All hedgerows were considered to meet the criteria of Section 41 Habitats of Principal Importance/ local BAP priority habitats and eleven

hedgerows were identified as 'Important' under the Hedgerow Regulations 1997. Mature trees may also meet the criteria of local BAP priority habitats. The Site was found to have evidence of a range of protected and notable species, including breeding birds, badger, commuting/ foraging bats (including Annex II species), roosting bats and notable deadwood invertebrates.

Consequently the assessment proposed a mitigation strategy which has been incorporated into the scheme proposals and related supporting document submissions as amended. The strategy can be summarised as follows:-

- A Construction Environmental Management Plan (CEMP) and Landscape and Ecology Management Plan (EMMP) produced prior to each detailed application and adhered to;
- Planting/ translocation of an equivalent or greater length of lost hedgerows to maintain/ enhance connectivity. 10m wide species-rich/ tussocky grassland buffer strips adjacent to boundaries;
- Creation of strips of annual arable weeds;
- Creation of wildlife friendly SUDS features, including the diversion of the existing stream, surrounded by a range of structurally diverse habitats;
- Tree planting as long-term compensation for the loss of trees. Protection of retained standard trees in Site's outer boundaries;
- European Protected Species (EPS) licence for tree removal where bat roosts are present;
- Natural England licence for partial closure of badger sett;
- Dark corridors for bats around Site peripheries and the provision of bat boxes;
- Provision of bird boxes and landscape schedules that provide nuts, nectar seeds and berries.
- It is considered that the residual impact on the majority of ecological receptors will be neutral, however there will be a residual adverse impact on veteran trees and deadwood invertebrates which could be mitigated for in the long-term.

The Council's Ecologist has reviewed submissions throughout the pre-application and application process including revisions and additions and conclude that the amended plans for this application will deliver sufficient mitigation for ecology within the site. They include recreation of some arable weed habitat, replacement tree planting and use of dead and old wood from current veteran trees to be placed around the base of new(er) trees within the site, providing habitat for a range of invertebrates. It is acknowledged that the site is constrained but Officers welcome some replacement planting in the adjacent arable field to compensate for loss of biodiversity within the site. The Council's Ecologist is therefore happy to support the application with conditions attached to secure and agree a Landscape & Ecological Management Plan to detail all prescriptions for management of key ecological features within the site and the species they support, as set out in the agreed Landscape Strategy; also that a Construction Ecological Management Plan should be submitted which should be based upon Section 7.1 of the Ecological Appraisal by Green Ecology. These conditions are considered necessary and reasonable and are proposed in the list of conditions below.

Natural England and the Environment Agency raise no objections to the application proposals and seek no conditions over and above those recommended by the Council's Ecologists.

On this basis the proposals are considered to accord with national and local planning policies in relation to ecological matters.

9.6 Residential Amenities

The proposed development is of a significant scale and the individual units will be large and the Design & Access Statement as amended confirms the following:-

Scale & Finished Floor Level:

The finished floor level of future phases of development will be subject to confirmation during detailed design development of individual buildings to suit the specific requirement of future end users. Notwithstanding this fact it is anticipated that indicative development plots and buildings will fall within the following criteria:

Unit A: FFL circa 89.5m AoD.
Maximum height to ridge 18.5m (108m AoD)

Unit B: FFL circa 86.5m AoD.
Maximum height to ridge 18.5m (105m AoD)

Unit C: FFL circa 86.5m AoD.
Maximum height to ridge 18.5m (105m AoD)

Unit D: FFL circa 86.0m AoD.
Maximum height to ridge 14.5m (100.5m AoD)

Unit E: FFL circa 85.5m AoD.
Maximum height to ridge 14.5m (100m AoD)

The submitted parameters plan corresponds with this maximum heights framework. In addition given the nature of the proposed development involving significant goods and vehicular movement the development will require and incorporate provision of external lighting. Details in this latter respect will be required for submission and approval via condition.

The site as noted above is in not located in especially close proximity to existing residential areas and is in the open countryside. As such it is considered that much of the potential impact to existing residential amenity that could arise from a development of this form and nature, associated infrastructure and the related vehicular movement is minimised and largely avoided. However, there are some existing residential properties in this broad locality including for example Lower Swinley Farm, Westbrook Farm, Hunters Lodge Farm, Whiteland Farm, South Sea Farm, South Sea Cottage, Hill View, Henleys etc. and so there is some potential for impacts in respect of existing amenities.

Many of these properties are located to the south of the site with the proposed significant planting and landscaping along the southern site boundary intervening. The nearest property here is separated by a distance of some 277 metres approximately. To the west Lower Swinley Farm is separated from the site by the A350 dual carriageway, a distance of approximately 290 metres and significant boundary planting and landscaping. To the east properties are separated by a distance of approximately 490 metres and some limited intervening development at the site including the Pit Stop/Truck Stop.

Given these site specific circumstances and the considerable distances involved alongside existing features such as roads, built development and landform with the M4 as backdrop to the north and the extensive landscaping and planting proposed it is not considered that the development proposals will result in significant harm to existing residential amenities by virtue of overbearing impact, loss of privacy, loss of daylighting and / or disturbance through noise or light intrusion. In addition whilst it is acknowledged that there will be an impact on

the local road network via increased vehicular movement the proposals and related S106 agreement include mitigation provisions that will address this impact such that it is not considered that there would be significant harm to residential amenity through disturbance or inconvenience.

Whilst the scale of development is large and alongside ancillary infrastructure will be visible in the immediate locality the fact that development can be seen from public and private viewpoints does not automatically equate to significant harm to and loss of residential amenity such that a proposal ought to be refused consent on that basis. That is considered to be the case in this instance and as such the proposal is considered to meet the policy requirements of the NPPF and WCS in this respect.

9.7 Other Matters

Heritage Assets / Archaeology

The applicant has at the request of officers provided a full archaeological investigation and evaluation of the site including trial trenching given known potential in this locality. The evaluation concluded there is low potential for archaeological remains within the site and the Council's Archaeologist concurs with these findings. Consequently the Council's Archaeologist advises that no mitigation is required and does not have any objection to the development. There is therefore no conflict with any development plan policy or national guidance in this respect.

The application is supported by a Heritage Statement reflecting previously identified concerns as to the potential for impacts given the scale and form of development. The assessment adopts an appropriate and policy compliant assessment methodology and appropriate study area. The report identifies the following designated heritage assets within the study area:-

Four Grade II Listed buildings are located within the Study Area. These comprise a post-medieval farmhouse and barn at South Sea Farm, some 600 m to the south, and a further post-medieval farmhouse and barn with attached range of stalls at Upper Swinley Farm situated c. 930 m to the west of the Site. The Stanton St. Quintin Conservation Area, centred on the historic core of the village, is located approximately 930 m north-west of the Site (Wiltshire County Council 2005).

The field formation of the site including hedgerows identified as of some historic interest. The assessment concludes that due to the natural topography of the site, in combination with intervening development and vegetation, meaningful intervisibility could not be identified between any of the heritage assets identified within the study area and the Site.

Consequently the proposed development was assessed as unlikely to result in an adverse impact to the settings of any of these designated heritage assets. To further minimise any potential for impact the retention and enhancement of the existing hedgerow screening at the boundaries along with careful consideration of the scale, material and design of the buildings was recommended. This assessment is considered to be accurate and reasonable and as a consequence no harm to designated heritage assets is identified and therefore no conflict with WCS CP57, CP58 or NPPF section 12.

Design Character

The application is submitted in outline with matters relating to and affecting detailed design reserved, consequently the Council's Urban design Officer has similarly reserved detailed comment at this stage. It is considered that the submitted Design and Access Statement provides sufficient information in terms of design parameters to appropriately guide the

determination of reserved matters application and secure an appropriate and acceptable development.

Air Quality/Noise - Pollution

Given the Outline nature of the application the proposals are supported by provisional technical assessments in respect of Air Quality & Noise. These submissions have been assessed by the Council's Public Protection Officers (Environmental Health). Officers raise no objections to the proposals subject to the use of conditions to secure the recommendations set out in the assessments.

With respect to Air Quality the report concludes with the following proposals:-

Further consideration of air quality for the proposed development, once operational, will be undertaken once traffic data for the proposed development has been reviewed. This will identify the need or otherwise for further assessment, the scope of which will be agreed with the local planning authority. The assessment, if required, will compare future estimates of air pollutant concentrations with AQS objectives, and will identify the need for mitigation.

A construction dust assessment will be undertaken in order to identify appropriate management methods and mitigation measures, for inclusion within a CEMP.

It is considered necessary that these further assessments are undertaken prior to development becoming operational and indeed are completed within sufficient time to inform the reserved matters applications with any necessary mitigation provided prior to development becoming operational. Appropriate conditions are proposed below in this respect.

With respect to Noise the report concludes as follows:-

At this stage of the assessment no information on fixed plant was available, therefore this should be assessed when further details become available, and if it is still deemed necessary given the high background noise levels from road traffic noise sources and the distance between the site and sensitive residential receptors.

The construction methods of the proposed facility are currently not known, this should be assessed, or addressed within a Construction Management Plan, when further details become available.

This reflects the outline nature of the application and confirms that conditions seeking confirmed detail in these respects are required with any necessary mitigation measures informing development of the reserved matters proposals and implementation prior to development becoming operational. Appropriate conditions are proposed below in this respect.

9.8 Section 106 Agreement/Planning Obligation

The heads of terms as proposed to be addressed in the S106 are agreed by the applicant team and are set out in the body of the report with detailed requirements identified under specific subject headings, in particular in relation to Highways matters. There are two areas where additional detail is required to be developed and advanced between the Council and the applicant relating to the Bus Shuttle Service and the Local Labour Agreement. In this respect the applicant has also committed to addressing this proactively in the event of a positive committee resolution. The recommendation reflects this position in terms of the identified heads of terms and specifying a time limit for completion; with an alternative recommendation in the event of failure to address these requirements appropriately. This

reflects the Council's normal approach in respect of major residential development sites allowing certainty and weight in the planning balance to be given to agreed position.

10. Conclusion – the Planning Balance

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. This requirement is reflected and reiterated in paras 2, 11, 196 of the NPPF. The local component of the development plan is formed by the adopted Wiltshire Core Strategy (WCS) including saved policies of the North Wiltshire Local Plan (NWLP).

The site falls outside of any defined settlement or established employment area and is within the open countryside. The site is not allocated in any adopted or emerging development plan document for any form of development. In this context the development proposals are not in direct accord with WCS core policies CP1, CP2 and C10. However, the WCS has to be read as whole and in this respect it does make provision for development proposals of this nature to come forward on unallocated sites outside of defined settlements under the provisions of CP34, subject to the criteria contained within that policy.

It is considered that the proposals as amended and informed by supporting assessments do broadly accord with the criteria of this policy when all material circumstances and considerations are taken into account. Material considerations of significant weight in this context include the identified demand for the development proposals and the economic benefits identified, which are considered reasonable. It is the case that the Council's own assessment work and the provisions of CP34 are supportive of employment development in this location, albeit in other preferred high value sectors. This is not however considered to be of sufficient weight as a sound and defensible basis for refusal in and of itself, or when considered in the context of the impacts of development at the site. In the latter respect it has to be acknowledged that any large scale employment development in these preferred sectors will also have similar impacts to landscape character and trees. The development proposals will result in significant contributions to the local economy through jobs growth and financial expenditure, taxation and local sourcing and use of supply chains. The development itself can in certain respects be considered strategic in nature and contributing not only to the local economy in Wiltshire but the wider economy and at a time when concerns as to growth, investment and economic stability are heightened. In this respect it is not considered prudent nor defensible to refuse applications on the grounds that there is support for growth at this location but in respect of other employment sectors as a preference. In the context of national guidance, employment growth agenda and the regional SWLEP it is also not considered that such an approach would be defensible. Given the nature and scale of the development proposals and the form and status of allocations for employment development at Chippenham it is not considered to be clearly established that a grant of consent will undermine delivery of these allocated sites. It is also relevant to consider that commitments are made through S106 agreement to development of a Local Labour Agreement aimed at securing a proportion of the projected jobs growth for the local community.

It is relevant here to weigh in the balance the identified impacts of development in a site specific context. It is noteworthy that through the use of conditions and a s106 agreement, the heads of terms for which are agreed, much of the impact is effectively and appropriately mitigated. This is particular the case on a highways context where impacts to the local and national road network are addressed in this way and through submitted proposals subject to further development. Again these are commitments that are agreed and include works to J17 M4, Site Access, B4122/Stanton St Quinton Recycling Centre access;

B4069/B4122 junction enhancements; Traffic Regulation Orders; Travel Plan including Shuttle bus between site and Chippenham Commitments.

Conditions will also be used to address drainage, landscaping, design and lighting, Noise and Air Quality, Ecology and construction methodology all of which are necessary, appropriate and reasonable in the context of an Outline Planning Application. The scheme proposals will also be the subject of other application and consenting processes to address some site specific matters such as Rights of Way & water course diversion.

It is, however, unquestionable that development of this scale in this rural open countryside location and given the site characteristics will have a significant and permanent impact in terms of landscape character and appearance including through the loss of high status trees & hedgerows. The proposals do incorporate significant landscaping and planting proposals including hedgerow translocation. Undoubtedly this will take a substantial period of up to 30 years to mature and before the migratory effects will be fully incorporated into the site and development during that period and in the longer term harm does arise. However, officers do consider that this harm is localised and not impactful to a wider area or to a designated and protected landscape such as an AONB. The proposals are subject of significant mitigation in the form of extensive planting and landscape works. It is also noteworthy that this location is being promoted by various interested parties, including via the Swindon and Wiltshire Strategic Economic Plan, for employment related development. Initial outputs from the Council's own Economic Land Review which will inform the WCS review indicate some support for employment growth in this location. As such there is some potential for the identified site specific impact and harm to be realised at some point in the future.

Importantly and as already noted the proposals do result in significant economic benefits and accord with other development plan policies and objectives. It is therefore considered by officers that in this particular instance the benefits of development do outweigh the harmful impacts and taking into account all material considerations and circumstances the proposals do not conflict with the development plan or national policy such that consent ought not be refused.

As such permission subject to conditions and the proposed Section 106 agreement / planning obligation provisions is recommended.

RECOMMENDATION

To Delegate Authority to the Head of Development Management to Grant Outline Planning Permission, subject to the signing of a S106 agreement within 6 months of the date of the resolution of this Committee to address the following requirements:-

Contributions to Identified highways works
Travel Plan including Shuttle Bus Service provisions
Traffic Regulation Order Contributions
Local Labour Agreement

In the event that the parties do not agree to complete the S106 agreement within this timeframe to delegate authority to the head of development management services to REFUSE Outline Planning Permission for the following reason:-

The application proposal fails to provide and secure the necessary and required Services and infrastructure and community related requirements supporting the proposed employment development including Highways Improvements, Travel Plan including Shuttle Bus, Traffic Regulation Order and Local Labour Agreement and is therefore contrary to

Policies CP3, CP60, CP61 & CP62 of the Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

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 a phase of the approved development until details of the following matters (in respect of which approval is expressly reserved) for that phase and the layout of estate roads and footpaths to access that phase 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.

3. An application for the approval of all 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: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4. A Landscape & Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. This will detail all prescriptions for management of key ecological features within the site and the species they support, as set out in the agreed Landscape Strategy.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

5. Prior to the commencement of any development within the site, a Construction Ecological Management Plan will be submitted to and for approval by the Local Planning Authority's ecologists. Section 7.1 of the Ecological Appraisal by Green Ecology should provide the basis for the content of the CEMP.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

6. Prior to the earlier of either the occupation of more than 350,000 sq ft of floorspace on the site, or 5 years from the commencement of development, capacity improvements to M4 Junction 17 (mitigation works) shall have been completed in accordance with details which shall first have been agreed by the local planning authority, and generally be in accordance with the submitted sketch drawing 37813-5502-001 Rev E

REASON: To ensure the safe and efficient operation of the SRN i.e. M4 J17

7. Notwithstanding the site access arrangements submitted for approval, the site access junction, including a footway link between the roundabout and the Chippenham Pit Stop access, shall be completed in accordance with detailed drawings which shall first have been submitted to and approved by the Local Planning Authority. The roundabout junction shall be completed in accordance with a programme of works which shall first have been approved by the local planning authority; the programme of works shall specify that the site access junction shall be completed no later than 18 months after the commencement of development or prior to the first occupation of the second of the buildings hereby approved whichever is the sooner. The programme of works may provide for a temporary site construction access to the B4122, whilst the roundabout is under construction, subject to temporary access details (including wheel washing facilities on the site) having been first approved by the local planning authority. Any temporary access shall not be retained in use beyond a time when the roundabout access can be brought into use, and shall be used for no purpose other than for site construction traffic. The roadside verge affected by any temporary access shall be reinstated as soon as is reasonably practicable after the roundabout can provide safe access to the site.

REASON: To ensure that an adequate 4-arm roundabout is provided to serve the application site and the controlled land to the north of the B4122 before the main construction works commence, in the interests of highway safety

8. The internal site access infrastructure, for both motorised and non-motorised users, shall be provided in accordance with details and to a programme to be agreed prior to commencement of the development by the Local Planning Authority or as subsequently varied as to positioning & location within the site and timing of provision by the written agreement of the local authority.

REASON: To ensure that adequate access is provided at an appropriate time to all parts of the site.

9. The site shall be provided with adequate parking and manoeuvring space for the forecast numbers of commercial vehicles and staff and visitor vehicles expected to use the site. The forecast numbers to be provided for shall first have been agreed with the Local Planning Authority, and the provision of parking and manoeuvring space shall be provided in accordance with a programme of works which shall also have been approved by the Local Planning Authority. Car parking shall not be provided at below the maximum provision of parking set out in the Council's adopted car parking strategy, dated March 2015. The proposal for parking and manoeuvring space shall have been agreed with the Local planning Authority before commencement of the development.

REASON: In order to ensure that adequate provision is made, clear of the access roads, and at an appropriate time, for the manoeuvring and parking of operational and other vehicles using the site.

10. Prior to the commencement of the development a scheme shall be submitted to the Local Planning Authority setting out details of how operational goods vehicles (carrying goods received or goods delivered) in excess of 7.5 tonnes maximum authorised mass shall

be restricted from using the B4122 to the east of the site access roundabout. The scheme shall fully explain how it is proposed to communicate the restrictions to all employees, contractors out-going drivers and those involved in the delivery supply chains associated with lorry traffic visiting the site.

REASON: In order to minimise the adverse amenity consequences for residential properties on routes to the east of the site, and to help minimise the structural damage to local roads resulting from extraordinary traffic.

11. Prior to the commencement of the development a construction traffic management plan (CTMP) shall have been approved by the Local Planning Authority and the site thereafter operated in accordance with the approved plan. The CTMP shall include, inter alia, details of the method to be employed to ensure that detritus from the site is not transferred to the highway, and, if so, by what means it will be removed; details of any construction traffic signing measures to direct construction traffic to the site; and, arrangements to ensure that the routing of construction traffic lorries avoids or minimises using the B4122 and other routes in the vicinity of the town centre.

REASON To ensure that appropriate measures are in place to effectively control the local impacts of construction traffic.

12. Before the commencement of the development a carriageway condition survey shall have been undertaken and a report completed for that part of the B4122 between the roundabout of the M4 motorway junction, Junction 17, and the site access roundabout. The condition survey and report shall be undertaken in accordance with a scheme and format which shall first have been agreed by the local planning authority; the results of the survey and report shall be submitted to the local planning authority and copied to the highway authority within one month of the survey and report having been completed.

REASON: In order that a baseline condition survey and report of the B4122 (part) can be established as a reference document to enable anticipated road damage, attributable to extraordinary traffic on the B4122 associated with the development, to be identified.

13. 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), the site shall be used solely for purposes within Class(es) B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)(or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use, other than a use within the same class(es), having regard to the circumstances of the case.

14. The B8 Storage and Distribution uses hereby permitted shall be limited to a maximum of up to 1,000,000 sq ft and shall not exceed this amount.

REASON: For the avoidance of doubt and in the interest of proper planning

15. No development shall commence on a phase of the approved development until a scheme of hard and soft landscaping for that phase and the estate roads and footpaths to access that phase have been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- location and current canopy spread of all existing trees and hedgerows on the land;

- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;
- minor artefacts and structures (e.g. furniture, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- 3 hectares of land for tree(s)/woodland planting as shown on strategic landscape plan reference A097398 LS02v1 dated 21 October 2017, of a size and species to be agreed in writing with the Local Planning Authority, shall be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

16. No development shall commence on site until a scheme of phasing of landscaping has been approved in writing by the Local Planning Authority. All soft landscaping comprised in the approved details of landscaping pursuant to condition 2 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 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.

17. No development shall commence on site until details of all earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, and the nature and source of the material, showing the relationship of proposed mounding to existing vegetation and surrounding landform. The development shall not be [occupied/first brought into use] until such time as the earthworks have been carried out in accordance with the details approved under this condition.

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

18. No development shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure the proper management of the landscaped areas in the interests of visual amenity.

19. 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 mezzanine or other form of internal floor to create a first floor level shall be constructed in the development hereby permitted.

REASON: For the avoidance of doubt and in the interest of proper planning

20. 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 / external alterations to any building forming part of the development hereby permitted and no plant or machinery 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.

21. 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), the site shall be used solely for purposes within Class(es) B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)(or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use, other than a use within the same class(es), having regard to the circumstances of the case.

22. There shall be no areas of open storage in any phase of the approved development except in accordance with a plan for that phase and specifying a maximum height of open storage within such area(s) that has been submitted to and approved in writing by the Local Planning Authority. No materials, goods, plants, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored on the site outside the approved storage area, or above the height agreed as part of this condition.

REASON: In the interests of the appearance of the site and the amenities of the area.

23. Prior to the occupation of each building hereby permitted details of the hours of operation for each of the building shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

24. No part of the development shall be occupied until details showing ventilation and extraction equipment for that part of the development (including details of its position, appearance and details of measures to prevent noise emissions) have been submitted to and approved in writing by the Local Planning Authority, and the approved ventilation/extraction equipment has been installed in accordance with the approved details. The approved ventilation and extraction equipment shall thereafter be maintained in a serviceable condition in accordance with the approved details.

REASON: In the interests of the amenities of the area.

25. No part of the development shall be occupied until plans showing the external lighting to be installed for that part of the development and any related access and including the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

26. Prior to the commencement of development an Air Quality Assessment (AQA) shall be undertaken, submitted to and agreed by the LPA. This must quantify the effect of development on existing local authority air quality monitoring locations and sensitive receptors as well as the proposed development. Subject to the outcome of any assessment propose necessary mitigation to address identified impacts also to be agreed by the Local Planning Authority. Any works which form part of the scheme approved by the Local Planning Authority shall be completed before any permitted building is first occupied, unless an alternative period is agreed in writing by the Local Planning Authority.

REASON: In the interest of Air Quality, public and employee health and the amenities of the area in which the development is located.

27. Prior to the Commencement of Development a Noise Impact Assessment shall be submitted to and agreed by the Local Planning Authority. This must quantify the effect of development on noise sensitive receptors and propose any necessary mitigation to address identified impacts. Any works which form part of the scheme approved by the Local Planning Authority shall be completed before any permitted building is first occupied, unless an alternative period is agreed in writing by the Local Planning Authority.

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

28. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. No phase of the development shall be first brought into use until surface

water drainage provision serving that phase has been constructed in accordance with the approved scheme.

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

29. No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No building shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

30. Any facilities above ground for the storage of oils, fuels or chemicals shall be sited on an impervious base and surrounded by impervious walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work shall be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets shall be detailed to discharge into the bund. The detail of any such facilities shall be submitted to and approved by the Local Planning Authority, and not be first brought into use unless they have been constructed and completed in strict accordance with the approved details.

REASON: To prevent pollution of the water environment

31. No phase of development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels 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.

32. No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of any security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;

- g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- h) hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

33. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:-

Tree Survey 04686 08/06/2016 incorporating Drawing No. 04686 TCP Received 04/04/2017
Preliminary Noise Impact Assessment Received 04/04/2017
Preliminary Air Quality Appraisal Received 04/04/2017
Framework Travel Plan Received 04/04/2017
Construction Management Plan Received 04/04/2017
Preliminary Geo-environmental Report Received 04/04/2017
Transport Assessment 37813/5503/A including Drawing 37813/2001/710 Received 04/04/2017
Ecological Appraisal Ref. 0229-EA-FM 04/04/2017
Addendum to Ecology Survey 0229-EAdd1-180717 Received 11/08/2017
Archaeological Evaluation 11/08/2017
Flood Risk Assessment & Drainage Strategy REV 3 as informed by 5150100-ATK-CHI-ZZ-DR-C-0117 Rev P2 Received 11/08/2017
2502 S001-C Received 11/08/2017
2502 L 001-G Received 11/08/2017
AO97398 LA01 11/08/2017
Parameters Plan 5150110-AMA-17-XX-DR-A-PR01 Rev D Received 11/08/2017
Illustrative Masterplan 2502 F011-L & 2502-F011-L_colour Received 31/10/2017
LVIA Addendum & Appendices A097398 LA.06 – Rev B; A097398 LS01-2 v5; A097398 LS01-1 v5 Received 31/10/2017
A097398 LS01-2 v5 31/10/2017
A097398 LS01-1 v5 Received 31/10/2017
A097398 LS02 v1 Received 31/10/2017
PBA Technical Notes TN003 & TN004 Received 11/08/2017 & 31/10/2017
37813-2001-700-D Received 31/10/2017
37813-2001-720-A Received 31/10/2017
37813-2001-500-A Received 31/10/2017
Design and Access Statement REV C 11/08/2017 & Design and Access Statement Addendum REV B Received 31/10/2017
37813-5502-001 Rev E Received 18/01/2018
37813/5502/SK08 REV B Received 07/02/2018

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

INFORMATIVE TO APPLICANT:

The site falls within a groundwater Source Protection Zone 2 (SPZ 2). This is a zone of protection surrounding a nearby drinking water borehole, which is vulnerable to pollution. It therefore requires careful protection from contamination. The proposed package treatment plant may require an Environmental Permit to be granted by the Environment Agency. The applicant can find further details on applying at the following link - <https://www.gov.uk/topic/environmental-management/environmental-permits>

INFORMATIVE TO APPLICANT:

An Environmental Permit (from the Environment Agency) will be required for the foul drainage package treatment plant. Due to the sensitive groundwater beneath the site it cannot be guaranteed that this will be granted. Further details on requirements and applying for the Permit can be found here - <https://www.gov.uk/guidance/check-if-you-need-an-environmental-permit>

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.

INFORMATIVE TO APPLICANT:

This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the [INSERT].

INFORMATIVE TO APPLICANT:

Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses the site. You are advised to contact the PROW officer.

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.

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.

INFORMATIVE TO APPLICANT:

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this

consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

INFORMATIVE TO APPLICANT:

The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

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.

INFORMATIVE TO APPLICANT:

The applicant is requested to note the consultation response of Wessex Water particular in respect of Water Supply and potential infrastructure requirements. The consent issued should not be construed as authority to carry out any works to the service infrastructure of Wessex Water.