

Date of Meeting	26 th June 2019
Application Number	19/00614/FUL
Site Address	Leekes of Melksham, Beanacre Road, Melksham, SN12 8AG
Proposal	Erection of a hotel (Class C1) and restaurant (Class A3) including associated works comprising provision of parking spaces, service yard and landscaping.
Applicant	Leekes Group Property Developments Limited
Town/Parish Council	MELKSHAM (TOWN)
Electoral Division	Melksham North – Councillor Pat Aves
Grid Ref	390032 165031
Type of application	Full Planning
Case Officer	Nick Clark

Reason for the application being considered by Committee

The application has been called-in for consideration by the committee by Councillor Aves to consider:

- the scale of the development,
- its visual impact on the surrounding area,
- the relationship to adjoining properties,
- the design (bulk, height & general appearance),
- the environmental or highway impact,
- car parking; and,
- the effect on the quality of life of local residents.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved.

2. Report Summary

The main issues are considered to be:

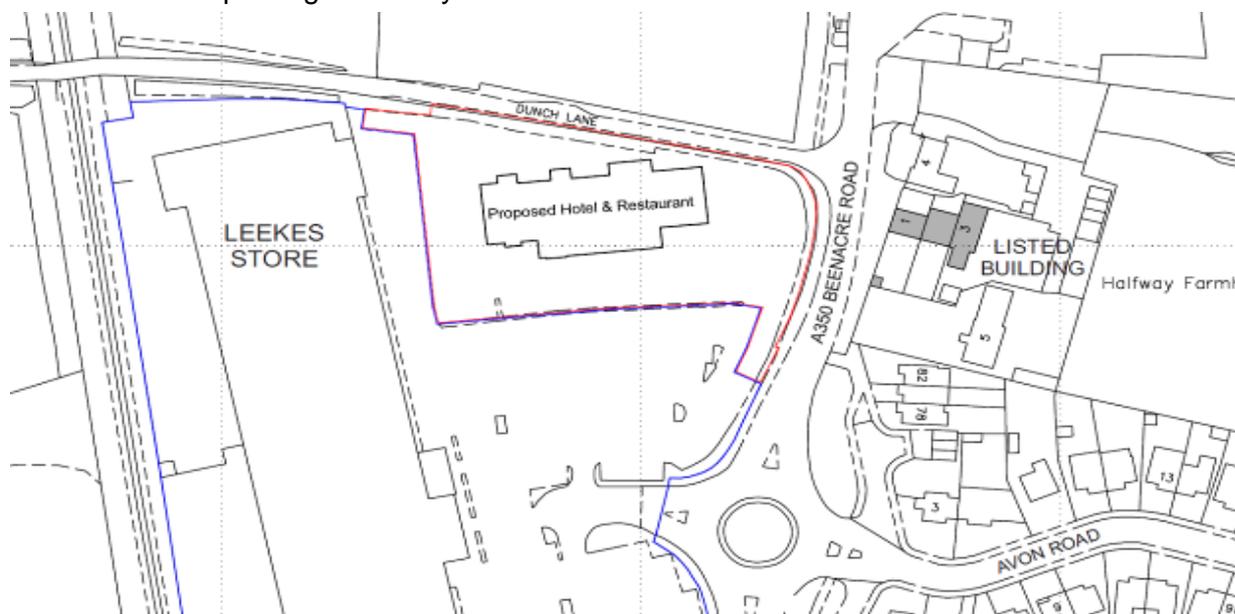
The Principle of Development; Town Centre Vitality and Viability; Impact on the Character of the Area; Impact on Neighbouring Interests; Access and Parking and Traffic Impacts; Impacts on the Setting of nearby Listed Buildings; Air Quality Considerations; Drainage and Flood Risk Matters and Ecological Interests.

3. Site Description

The application site comprises part of the car park for the Leekes department store, on the west side of the A350 on the northern outskirts of the town. As illustrated on the proposed site

plan insert below, Dunch Lane, the settlement boundary and farmland are located to the north of the application site. Leekes and the remainder of its car park lie to the west and south. Housing lies on the opposite side of the A350 to the east, including the grade 2 listed Halfway Farmhouse and Gazebo. The site is not at risk of fluvial flooding & is classed as flood zone 1.

As illustrated below, access into the site is off the A350 roundabout which serves the Leekes site with the car parking served by its own mini roundabout.



4. Planning History

W/75/00011/HIS	Erection of warehouse units	Refused
W/84/00486/FUL	Change of use to builders merchants	Withdrawn
W/88/01874/OUT	Residential development	Withdrawn
W/89/01284/OUT	Redevelopment of site for commercial (class B1 use) and residential purposes	Withdrawn
W/90/00966/OUT	Non-food retail store including parking and access	Withdrawn
W/90/00967/OUT	Petrol filling station including parking and access	Withdrawn
W/90/00968/OUT	General office/starter units including parking and access	Withdrawn
W/90/00969/OUT	Revises accesses and parking to serve existing industrial use	Approved
W/91/00252/OUT	Non-food retail store including parking and access	Withdrawn
W/91/01291/FUL	Out of town department store associated parking roundabout access change of use of existing buildings to retail floor space and storage	Approved
W/92/00019/FUL	Addition of car parking reduction of adjacent storage replacement of existing building re-organisation of entrance/garden centre/internal layout with subsequent elevational modifications	Approved
W/92/00588/ADV	Store name directional signs on site flags banners and temporary sign	Approved
W/93/00147/FUL	Repositioning of store on site reorganisation of store and car park	Approved

W/94/01403/FUL	Access improvements involving re-organisation of car park (part) and additional landscaping	Approved
W/07/00122/FUL	Planning to remove condition 2 on permission 91/01291	Refused
Pre-application advice given – reference 17/10414/PREAPP		

5. The Proposal

The application proposes the construction of a 3½ storey mixed-use building housing a 71-bedroom hotel (Premier Inn) with a ground floor 246-cover restaurant (Beefeater with operating hours of 06:00-00:00), with associated landscaping. The proposed development would result in the net loss of 100 car parking spaces from the existing Leekes department store. The reconfigured car park would have 407 parking spaces which would be shared between the hotel/ restaurant and the department store.



The 53m long building would be set perpendicularly to and 30m back from the A350. Its 14.4m height would be stepped down to 11.9m at its east end towards the A350, to break up the massing of the building and to reduce its scale in relation to the openness of the street and setting of opposite listed buildings. The following elevation inserts illustrate the above dimensions.





Alterations to traffic management within the wider car park are proposed to improve traffic flow into the Leekes site from the A350. Surface water discharge attenuation would be provided by way of a controlled discharge tank beneath the reconfigured car park.

The development would generate c. 45 full time equivalent jobs.

The application has been subject to a number of amendments during the course of consideration to address concerns raised, with:

- Additional tree planting included
- 3 new points of pedestrian access provided into the site
- Electric vehicle charging points included
- Cycle parking included
- Ecological enhancements
- Improved car park security

6. Local Planning Policy

Wiltshire Core Strategy - CP1 Settlement Strategy; CP2 Delivery Strategy; CP3 Infrastructure Delivery; CP15 Melksham Community Area Strategy; CP38 – Retail and Leisure; CP40 Hotels, Bed and Breakfasts, Guest Houses and Conference Facilities; CP50 Biodiversity and Geodiversity; CP51 Landscape; CP55 Air Quality; CP57 Ensuring High Quality Design and Place Shaping; CP58 Ensuring the Conservation of the Historic Environment; CP60 Sustainable Transport; CP61 Transport and Development; CP62 Development Impacts on the Transport Network; CP64 Demand Management; CP67 Flood Risk

Wiltshire and Swindon Waste Core Strategy (2009)

WCS6 Waste Reduction and Auditing

7. Summary of consultation responses

Melksham Town Council - Whilst supportive of the proposals for a hotel and restaurant on part of the Leekes car park, councillors had various concerns and therefore objected to this application in its current format on the following grounds:

- The height of the proposed building and lack of tree screening, particularly on the Eastern elevation and the visual impact this will have on adjacent residents.
- Impact on the local highway and how this development will exacerbate traffic flow on the A350.
- Access to the site, which is currently difficult at times.
- Lack of pedestrian access into the site.
- Lack of parking and the potential for visitors to park in nearby residential areas.
- Whilst not included in the application, Councillors raised a concern that any potential illuminated sign age, especially to the Eastern elevation would impact on nearby residents.

Wiltshire Council Highways – No objections subject to conditions. The initial highway concerns have been addressed by a revised car park layout.

Wiltshire Council Drainage – Foul Water: – No objection. Surface Water: – No in principle objection subject to revised details.

Wiltshire Council Public Protection - Noise: - No objection subject to conditions. Air quality: - No objection subject to conditions.

Wiltshire Council Waste Team – No objection.

Wiltshire Council Urban Design – Supportive in terms of design, position and scale.

Wiltshire Police Crime Prevention Officer – No objection following submission of additional information.

8. Publicity

The application was publicised by way of a site notice, advertisement in the Wiltshire Times, and letters sent to 58 nearby properties in addition to statutory consultees.

10 letters of representation have been received from members of the public raising the following summarised objections:

- Construction disturbance
- Height is out of keeping
- Additional traffic, congestion, pollution & noise
- Late night customer noise & litter
- Poor pedestrian/ disabled access
- Poorly landscaped
- Query about the restaurant opening hours
- Impact on bed & breakfast establishments elsewhere
- Biodiversity – particularly for swifts

2 public letters of support were also received arguing the following:

- The development would be a welcome addition offering affordable accommodation for visitors to Melksham

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.

9.1 The Principle of Development

The site comprises 'previously developed land' within the Market Town of Melksham, where the principle of development in general is broadly supported by both local and national planning policies and the principles of sustainable development.

Hotel and restaurant uses are 'town centre uses' however, for which the NPPF promotes a 'town centre first' approach, with sequential and impact tests to be applied to proposals outside town centres. The Melksham Area Strategy similarly notes as a priority the need to improve the town centre, with new growth needing to contribute towards town centre regeneration. At the same time Core Policy 39 and Core Policy 40 support the principle of hotel development within the town (and not just the town centre) for tourist and other purposes, particularly to meet an identified shortage of budget accommodation, subject to proposals not having a detrimental impact on the vitality of the town centre and not causing unacceptable traffic generation.

The principle of the development is thus broadly supportable, subject to impacts on town centre vitality, as well as other issues as considered in turn below.

9.2 Town centre Vitality and Viability Assessment

The application is supported by a 'Planning and Town Centre Uses Assessment'. The Assessment measures the health of the town centre against the indicators recommended in the National Planning Practice Guidance (NPPG) and draws together a number of conclusions:

- Comparison retailing represents the main town centre use.
- The proportion of convenience goods retailing is lower than average.
- Melksham benefits from a wide range and mix of high to low order, national and independent retailers which are capable of meeting day-to-day shopping needs.
- The town centre also benefits from a number of independent cafés, restaurants and public houses.
- Accommodation is currently only available in one town centre location (The King's Arms public house).
- The Melksham market acts a key attractor to the south of the centre each week.
- Town centre property vacancies are relatively dispersed and below average.
- The town centre is easily accessible by car and public transport.
- The shopping environment is of reasonable quality with some updating needed.
- Overall the town centre primarily acts as a comparison goods retail destination with an ancillary convenience goods and service role, with a pleasant shopping environment provided by pedestrianised courtyards and Listed Buildings.

The Assessment thus points to relatively good town centre 'vitality and viability' and goes on to consider the sequential and impact tests.

The Sequential Test The sequential test requires that available town centre sites are considered before an out-of-centre site can be supported. Section 6 of the Assessment relies and updates the assessment that was carried out in respect of the application at Commerce Way that was granted planning permission for a Travel Lodge hotel, drive-thru coffee shop and retail development on land adjacent to the Milk Churn and A350 (under reference 16/09559/FUL). The updated Assessment concludes that there are no available or looming alternative and suitable sites within or adjacent to the town centre. The sequential test has been undertaken in accordance with Government guidance and case law and its findings are accepted.

The Impact Test – hotel use - The impact test in section 7 of the Assessment draws on the assessment of existing town centre uses. The only town centre hotel accommodation identified is at the Kings Arms (with 13 rooms). The Conigre (offering 8 rooms) is located outside the town centre but is within walking distance and is likely to contribute towards town centre vitality.

The Assessment suggests that the Kings Arms is likely to serve more of a tourist market, whereas 60% of customers for the proposed Premier Inn would typically be an attractive option for business users.

A Premier Inn would overlap with the offer provided by the Kings Arms and The Conigre, but any impact on the town centre in the context of the relatively modest level of accommodation that they provide is unlikely to be significant, and the impacts would most likely be off-set by the additional economic benefits additional visitors including business clientele would bring into the area, some of whom in turn would likely make visits into the town centre.

The Impact Test – restaurant use - The Assessment notes 9 town centre pubs and restaurants that would compete for customers with the proposed Beefeater. The Assessment distinguishes the Beefeater offer in that it would cater largely for the hotel customers, and as it also offers breakfasts, it would substantively differ from the oriental foot offer of many of the town centre restaurants. There would doubtless however be some overlap with the food offered by the town's pubs as well as upon the town centre restaurant trade.

The NPPG however advises that the purpose of the impact test is to avoid any long term significant adverse impact. Considering the above, and the continuing growth of the town, it is concluded that the impact of the new restaurant (and the hotel also) would not demonstrably result in a long term significant impact on the town centre.

9.3 Impact on the Character of the Area

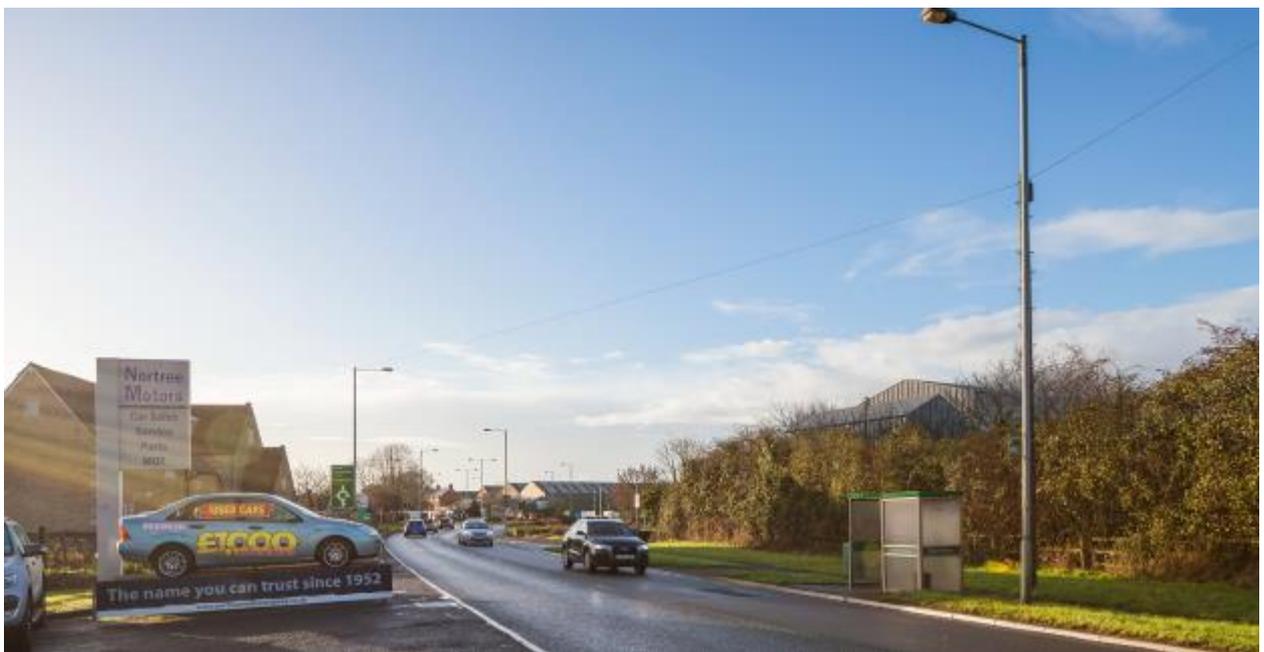
The building would be 14.4m in height with a 'core' length of 45m, and a full length of 53m including the reduced height element towards the A350. The impact of the four storey construction would be visually mitigated by the upper floor appearing as though contained within the roof, as well as by being stepped inside the outer walls and with the use of roof-style cladding. The lower walls would be faced with blockwork, with coloured render above. The service yard would be to the rear (on the north elevation) of the building alongside Dunch Lane.



Photographic mock-up facing north along A350



Photographic mock-up facing west from opposite Dunch Lane



Photographic mock-up facing south along A350

Whilst some raise concerns at the height of the building – particularly in relation to the height of housing along the opposite side of the A350, the nearest dwelling, Halfway Farmhouse, is c.9.85m in height. This is similar to the lowered 10m eaves height of the new building where it faces towards the A350. The full 14.6m height of the hotel/ restaurant would be set back 58m from Halfway Farmhouse, where it would not sit uncomfortably in relation to the building. The hotel is inevitably bulkier at height than the farmhouse, but given the commercial character of the Leekes site and given the physical and visual segregation from the residential area afforded by the A350, and the 30m set-back of the hotel from the road, it is concluded that the height and massing would not result in any material harm to the varied character and appearance of the street scene and entrance to the town along the A350.

9.4 Impact on Neighbouring Interests

The nearest residential properties are on the opposite side of the A350 at a minimum distance of 41m. At this distance there would be no direct impacts in terms of light loss, privacy or overbearing detriment.

The Council's environmental health officer is satisfied with additional information that was provided in respect of noise impacts, and raises no objection subject to the imposition of planning conditions to control the construction management processes and the noise output from fixed equipment within the development.

In response to the noise concern raised by some local respondents especially late at night from customers leaving the premises, as noted above, it is reported that the majority of the restaurant customers will likely be hotel guests, but notwithstanding this, there is nothing to suggest that restaurant customers would generate late night noise over and above the road traffic noise and to levels that would be sufficient to materially impact the amenities of residential properties.

The application does not include any proposals for external lighting and it is recommended that this should be controlled by way of a planning condition. Lighting associated with any subsequent signage proposal would be assessed under a separate application and would be controlled through advertisement consent.

9.5 Access and Parking

Vehicular access to the site would be via the roundabout that serves the Leekes department store. An internal roundabout within the car park would be removed and the car park layout would be reconfigured to ease the flow of traffic from the A350 into the site so as to prevent vehicles queuing along or from the A350. This follows pre-application advice and is supported by the Council's highway officer.

Pedestrian access into the Leekes site would be improved in response to comments received, with 2 new pedestrian/ disabled access routes into the car park from the A350: with one being adjacent to the A350 pelican crossing and the other located at the corner with Dunch Lane.

On site car parking would be shared between the Leekes department store and the proposed hotel and restaurant, with only a notional division in terms of tenure of the car park. The two uses are to a degree complementary in terms of their parking demand as the peak demand for parking for the hotel restaurant would be during the evenings when the demand for car parking for the Leekes store is substantially reduced.

The total number of parking spaces would be reduced from 507 to 407 – which would include 5 disabled bays adjacent to the proposed hotel building entrance. The submitted parking study identifies that the peak parking demand is at 14:45 on Saturdays, where the combined parking demand for Leekes and the hotel/ restaurant would typically be no more than 217 spaces.

The parking demand could however be increased in the event of the Leekes building being occupied by other retail uses. The submitted assessment considers this possibility with a number of alternative retail uses, using standard data. The assessment concludes that even applying a worse-case scenario of alternative uses, there would remain c. 36 vacant parking spaces within the car park.

The Highway Officer is satisfied with the methodology and conclusions of the assessment, and that the development would provide for an adequate level of car parking. Cycle parking for staff would be provided in the service yard to the rear of the hotel. Covered cycle parking for

customers would be provided in a cycle shelter adjacent to the main entrance into the building where it would be subject to a high level of natural surveillance.

The existing car park entrance gate would be removed as part of the development proposal. To prevent anti-social use of the southern part of the Leekes car park, bollards and a gate are proposed to allow it to be closed off after hours when it is not in use.

9.6 Traffic Impacts

The submitted Transport Assessment which supports this application identifies that the development is forecasted to generate the following trips where a trip is a one-way vehicular movement:-

- Weekday am peak hour 23 trips
- Weekday pm peak hour 51 trips
- Saturday pm peak hour 57 trips

The Assessment includes modelling of the traffic impacts and concludes that the development would not have a discernible impact upon the operation of the local highway network, including the Beanacre roundabout and the signalised junctions of serving the A350 and Asda food store and the A350 / A365 to the south of the site.

The application is also supported by a Travel Plan which sets out the measures to encourage walking and cycling to and from the site, including customer cycle parking and lockers and showers for staff and the availability of sustainable travel information for customers.

The Council's highway officer is satisfied with the methodology and conclusions of the Transport Assessment and is satisfied with the measures proposed in the Travel Plan, and agrees with the conclusions of the Transport Assessment that the development would not have a material impact on the local transport network. The application is therefore considered to be policy compliant.

9.7 Impacts on the Setting of Nearby Listed Buildings

The building would be 41m from the grade 2 listed Halfway Farmhouse and its grade 2 listed gazebo, with the A350 providing a clear visual divide between the listed buildings and the car park. The farmhouse relates principally to the farmland to the east, which is the key contributor to its heritage setting. The Leekes car park does not contribute towards the heritage significance of the listed buildings to any demonstrable degree. Whilst the new building would be visible from the farmhouse, in the context of the nearby car sales premises and the petrol station to the north and the busy A350 and the Leekes department store, officers are satisfied that the proposed building on the opposite side of the street would not harm the heritage value or setting of the local heritage assets. The application would accord with national and local plan policy.

9.8 Air Quality Considerations

The submitted Air Quality Assessment considers both construction and operational risks. The main construction risk is from dust and particulates. Recommended measures to control this can be secured by way of a Construction Management Plan – which can be secured via a planning condition.

The main operational risk is from additional vehicle movements. The Assessment concludes however that in the context of existing vehicle movements on the A350 the impact on air quality from the additional movements at the nearest sensitive receptors (i.e. the nearby housing) would be negligible. Notwithstanding this, the applicant proposes to install electric vehicle charging points for 2 vehicles. The findings and recommendations of the Assessment

are accepted and supported by the Council's environmental health officer and it is concluded that the impact on air quality would be in accordance with Core Policy 55.

9.9 Drainage and Flood Risk Matters

Surface water drainage from the tarmac car park currently runs directly to a surface water drain, resulting in a high rate of water run-off from the site into the South Brook. As part of the proposals, surface water drainage from the car park and building would be directed instead to a tank to be installed beneath the car park. This would have a controlled discharge rate into the same drain, resulting in a 20% reduction in the surface water run-off rate and deliver a substantive betterment compared to the existing circumstances. The drainage team have sought to reduce the run off rate to 'greenfield' levels, which is not considered reasonable. The attenuation proposed would result in a significant improvement on the existing situation and is considered to be acceptable and would comply with Core Policy 67 and the NPPF.

9.10 Ecology Interests

The site has no notable ecological value. Ecological/biodiversity betterment is proposed in accordance with Core Policy 50 and the NPPF comprising the installation of 2 bat boxes and 2 bat tubes for the building along with 4 swift bricks to be installed under the eaves. A condition to secure these features is recommended accordingly.

9.11 CIL

The proposed development would be CIL liable. Melksham is within Charging Zone 2 (Settlement Category 4) of the Wiltshire Council's adopted CIL Charging Schedule May 2015 and would be liable based on £70 per metre squared. The proposed retail element is CIL exempt. An Informative should be attached to any consent setting out the CIL liability.

10. Conclusion (The Planning Balance)

The proposed development would make an efficient use of a currently underused brownfield site and would be in accordance with the development plan and the National Planning Policy Framework. The application proposal would introduce various forms of betterment and with mitigation to be secured through planning conditions, the application is recommended for conditional approval.

RECOMMENDATION: Approval subject to the following conditions:

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved drawings and details:

Location Plan (AP8 Rev. A); Proposed Site Layout (AP1 Rev. E); Floor Layouts - Ground and First Floor (AP2 Rev. A); Floor Layouts - Second and Third Floors (AP3); Roof Plan (AP4); Proposed Elevations 1 (AP5); Proposed Elevations 2 (AP6 Rev. A); Site Plan as Existing (AP10); Planting Landscape Layout (AP10 Rev. B); Proposed Long Sections (AP11); Service Yard (AK12); Swept Path Analysis (2018/4301/006 Rev. C); Swept Path Analysis (2018/4301/007 Rev. C); Swept Path Analysis (2018/4301/008 Rev. C); Swept Path Analysis (2018/4301/010 Rev. C); Drainage Strategy (15005:SK02A); Ecological Appraisal (17/04/2019); Plant Noise Assessment (received 16th April 2019)

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

3. No development shall commence above ground floor slab level until full details of the following have been submitted to and approved in writing by the local planning authority:

- a) external roof and wall materials and finishes,
- b) details of window frame colours, and
- c) detailed sections through window openings showing depth of reveals.

The details to be submitted of materials and finishes shall include for example, product literature and photographic examples, and, if requested, samples to be made available for inspection on the site.

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

REASON: The application contained insufficient information of the detailing of the building, materials and finishes to allow these aspects to be considered in this decision. The details need to be approved in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area

4. Prior to first use of the development hereby permitted there shall have been submitted to and approved in writing by the local planning authority a scheme of hard and soft landscaping, the details of which shall include:

- a) a detailed planting specification in-line with the approved drawings and the Ecological Appraisal, showing all plant species, supply and planting sizes and planting densities;
- b) means of enclosure, including any existing fences to be retained;
- c) all surfacing materials, including demarcation of pedestrian routes;
- d) minor artefacts and structures (e.g. low walls, planters, bollards);

All soft landscaping as so-approved shall be carried out no later than the first planting season following the first occupation of the building or the substantial 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 (including those existing and shown to be retained on the approved drawings) 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 be carried out in accordance with the approved details prior to the first occupation of the development or in accordance with a programme first to have been approved in writing by the local planning authority.

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

5. No development shall commence on site until a Construction Method Statement, which shall include details of the following:

- a) the hours of construction, including deliveries (e.g. 07:30-18:00 Mon-Fri & 08:00-13:00 Sat),
- b) the positioning of noise-emitting plant equipment,
- c) a site dust management scheme,
- d) the procedures and processes for dealing with complaints,

- e) construction staff vehicle parking areas within the site,
- f) local road cleaning measures to be deployed, and
- g) the measures to prevent excessive mud and dust being deposited on the public highway and neighbouring properties.

has been submitted to, and approved in writing by, the local planning authority.

The so-approved Statement shall be complied with in full throughout the construction period and the development shall not be carried out otherwise than in accordance with the Statement.

REASON: In order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities and the amenities of the area in general, to minimise detriment to the natural environment through the risks of pollution during the construction phase and in the interests of highway safety and convenience.

6. Prior to the development hereby approved being brought into use, the ecological enhancements as set out within section 5.6 of the Ecological Appraisal (dated 17th April 2019) shall be implemented in full. The swift bricks and bat tubes as so-installed shall thereafter be retained and maintained for their respective purpose.

REASON: In the interests of delivering biodiversity betterment in accordance with the NPPF.

7. Prior to first occupation of the development hereby approved full details of the 2 electric vehicle charging points as indicated on the approved drawings shall be submitted to and approved in writing by the local planning authority

The so-approved facilities shall be provided prior to first occupation of the development and shall thereafter be retained and maintained.

REASON: To encourage the use of vehicles that do not increase air pollution in the area.

8. Prior to first occupation of the development hereby approved all the car parking spaces and the customer and staff cycle parking facilities shall be provided on site in full accordance with the approved plans.

The said spaces and facilities shall thereafter be so-maintained and used for no other purposes.

REASON: In the interests of highway safety, the amenities of the area and to facilitate the use of sustainable means of transport.

9. Refuse and recyclable materials shall not be stored on the site other than in the areas identified on the approved drawings.

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

10. Prior to first occupation of the development hereby approved the internal access road shall be reconfigured and the vehicle parking and turning areas for the new development shall be provided as detailed on approved site layout plan (drawing AP1 Rev E), with the individual parking spaces clearly demarcated.

The access, parking and turning areas shall thereafter be maintained and kept available for the parking and turning of vehicles, and shall be used for no other purposes.

REASON: In the interest of safe and convenient use of the development.

11. Prior to first occupation of the development hereby approved the 3 new points of step-free pedestrian access to the site from the A350 shall be provided in accordance with the approved drawings.

REASON: In the interests of pedestrian accessibility and the efficient movement of vehicles into the site to prevent congestion on the A350 in the interests of highway safety and convenience.

12. The restaurant use hereby permitted shall not operate between the hours of midnight and 06:00.

REASON: To define the terms of the permission and to ensure an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

13. Prior to first occupation of the development hereby approved the new drainage infrastructure and attenuation tank beneath the car park shall installed and completed in accordance with the approved Drainage Strategy plan and the submitted Flood Risk Assessment.

REASON: In the interests of controlling flood risk.

14. Prior to first occupation of the development hereby approved the noise control measures for associated plant areas 1, 2 and 3 shall be implemented in full accordance with the submitted Plant Noise Assessment (received 16 April 2019). The Control Measures shall thereafter be so-maintained. Moreover, no additional external plant shall be installed on the site unless it is sited, designed and maintained such that its noise output does not exceed 5dB below the existing background level as measured and assessed in accordance with BS4142 2014 at the nearest residential property.

REASON: To ensure an environment free of intrusive levels of noise, in the interests of the amenities of the area.

15. No external lighting shall be installed on the site until plans showing 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 Professions in their publication "*Guidance Notes for the Reduction of Obtrusive Light*" (sated 2011)", have been submitted to and approved in writing by the local planning authority.

Any such 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.

16. Prior to first occupation of the development hereby approved the existing gate across the access from the A350 shall be permanently removed and no gates along the access shall thereafter be installed.

REASON: In the interests of highway safety and convenience.

17. Prior to first occupation of the development hereby approved there shall have been an implemented scheme to secure the out of hours closure of the southern part of the Leekes car park, in accordance with details approved in writing by the local planning authority.

The car park shall thereafter be maintained and managed in accordance with the so-approved scheme.

REASON: To avoid anti-social use of the Leekes car park when the store is closed, in the interests of the amenities of the area.

18. Prior to first occupation of the development hereby approved the parts of the Travel Plan capable of being implemented prior to the hotel / restaurant use commencing shall be fully implemented. Those parts identified for implementation after the use commencing shall be implemented in accordance with the timetable contained therein, and shall continue to be implemented as long as any part of the development is occupied. The Travel Plan Co-ordinator shall be appointed and carry out the identified duties to implement the Travel Plan in full.

REASON: In the interests of reducing the amount of private car movements to and from the development.

INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.