

REPORT FOR STRATEGIC PLANNING COMMITTEE

| | |
|----------------------------|---|
| Date of Meeting | 13 November 2019 |
| Application Number | 19/03329/DP3 |
| Site Address | Melksham House, 27 Market Place, Melksham, Wiltshire SN12 6ES |
| Proposal | Construction of Community Campus Building, including Demolition of Curtilage Listed Outbuildings of Melksham House (amended scheme) |
| Applicant | Wiltshire Council |
| Town/Parish Council | MELKSHAM (TOWN) |
| Electoral Division | Councillor Hubbard |
| Grid Ref | 390280 163592 |
| Type of application | Full Planning |
| Case Officer | Jemma Foster |

Reason for the application being considered by Committee

This application is for a Community Campus Building at Melksham by Wiltshire Council which is a large-scale major development which has wider strategic implications and raises issues of more than local importance. It is presented to the committee as representations have been received from members of the public and as this is a Wiltshire Council application there is a requirement that the proposal be considered by the committee and not dealt with under delegated powers.

1. Purpose of Report

To consider the application against the policies of the Development Plan and other material considerations and to recommend that planning permission be granted.

2. Report Summary

The main issues to consider are:

- Principle
- Impact upon the character and appearance of the area

- Impact upon heritage assets including listed buildings and the conservation area
- Landscaping
- Flooding and Drainage
- Archaeology
- Ecology
- Impact upon Neighbouring Amenity
- Impact upon the Highway
- Other

3. Site Description

The site is located within the settlement boundary of the town and is allocated as recreational space. It measures 5.96 hectares and includes an existing building known as Melksham House alongside other ancillary buildings and recreation facilities such as Melksham Cricket Club, the Blue Pool, a Bowls Club, and a Tennis Club. To the rear of Melksham House are tennis courts and beyond the public footpath known as MELK 20 there are grassed pitches.

The site itself is relatively flat and lies within the Conservation Area and has several public footpaths running through it (MELK 20, MELK 21 & MELK 101). Vehicular access is via the Market Place which is located to the east of Melksham House.

Melksham House is a Grade II listed building, as are the pillars on the access road leading to it. There is a Tree Preservation Order on some of the trees to the front of the building.

To the north of the site lies St Michaels Church which is a Grade II* Listed Building and some residential properties. To the east lies the Assembly Hall, the Blue Pool, the vehicular access and a residential retirement home. To the south lies residential properties and to the west lies the cemetery. Beyond this cemetery is the A350.

4. Planning History

14/00726/FUL - Demolition of modern extensions to Melksham House, removal of existing swimming pool, internal alterations and extensions to Melksham House to provide a new community campus including leisure facilities (2 swimming pools, sports hall, fitness suite, activity studio, indoor bowls, climbing wall) public services (library, multipurpose rooms, offices, cafe) health facility and associated car parking and landscaping. – Approved by Strategic Planning Committee 14th May 2014.

14/02425/LBC – Proposed Campus Building (alterations to Melksham House) – Approved 2nd September 2014.

Neither of these associated permissions were implemented and they have both now lapsed.

5. The Proposal

This application is for a new leisure centre in the centre of Melksham located south of Melksham House on the former football pitch. The leisure centre will provide the following facilities at ground floor level: reception, sports hall, library, café, admin office, learner pool, pool, changing facilities (female, male and family). At first floor level a fitness suite and a studio room will be provided alongside further meeting rooms.

Proposed as part of this application are associated alterations to the access and car parking arrangements.

An associated listed building consent application is proposed for the demolition of former outbuildings to Melksham House, including the former stable block and remnants of the garden walls and outbuildings associated with the kitchen garden. Alterations to the entrance onto the Market Place is also proposed via the demolition and relocation of one of the separately listed gate piers.

Amended plans have been received as part of the application which reduce the

height of the proposed campus building by 1 metre and move the building further away from residential properties by 4 metres. Lighting has been significantly reduced, and tall boundary treatments have been removed, the access road layout has been amended and the proposed MUGA (Multi Use Games Area) and associated flood lights behind the campus building have been removed from the scheme (to protect the amenities of nearby residents). Sun path diagrams have also been submitted.

This application differs from the previously approved application as it is significantly smaller and does not include the nearby Grade II listed Melksham House, which in the previous scheme was integrated into the proposed new community campus building.

6. Planning Policy

Wiltshire Core Strategy

CP1 – Settlement Strategy

CP2 – Delivery Strategy

CP15 – Spatial Strategy Melksham Community Area

CP50 – Biodiversity and Geodiversity

CP51 - Landscape

CP52 – Green Infrastructure

CP57 – Ensuring High Quality Design and Place Shaping

CP58 – Ensuring the Conservation of the Historic Environment

CP60 – Sustainable Transport

CP61 – Transport and New Development

CP67 – Flood Risk

Saved Policies for the West Wiltshire District Local Plan (1st Alteration)

U1a Foul Water Disposal

U2 Surface Water Disposal

Wiltshire Leisure Services Strategy – Indoor Facilities Action Plan 2011 – 2025

adopted April 2012

Leisure and Recreation Development Plan Document (DPD)

National Planning Policy Framework 2019

Planning Practice Guidance

Wiltshire Car Parking Strategy

Circular 06/2005 – Biodiversity and Geological Conservation

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990
(preserving a Listed Building and its Setting)

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990
(Conservation areas)

7. Consultations

Melksham Town Council – No objections

Melksham Without Parish Council – they would like to comment on the recent press release which reported that the MUGA (Multi Use Games Area) was to be removed. The Parish Council deplore the proposal to remove the MUGA and feel extremely strongly that it should be relocated within the Campus site for the use of all sports. It additionally wishes to query what is happening to the two tennis courts which are currently being used as a construction compound and suggest this could be explored as a possible MUGA location.

Previously requested the following clarification:

- *Is the parking provision exclusively for users of the Campus, or will it be open for parking in general for users of the Town?*
- *Will the parking be free for Staff, Tenants, and those visiting Tenants or attending meetings held by Tenants?*
- *Will the parking be free for users?*
- *If parking charges are to be applicable, will users of the Campus be able to get a refund when using the facilities?*

Wiltshire Council Public Protection Officer – No objection

Wiltshire Council Highways – No objections subject to conditions

Wiltshire Council Conservation Officer – Support subject to a condition limiting the occupation of the Campus until works to Melksham House have been approved.

Wiltshire Council Drainage Officer – Support

Wiltshire Council Rights of Way Officer – Support

Wiltshire Council Landscape Officer – Support subject to conditions

Wiltshire Council Urban Design Officer – The proposal could be improved and additional information should be submitted.

Wiltshire Council Archaeologist - recommends that a programme of archaeological investigation be made a condition of planning approval. Details about the most appropriate form will need to be discussed with this office but will likely include areas of strip, map and recording and monitoring of demolition works and other areas of belowground works

Historic England – Support subject to a condition limiting the occupation of the Campus until works to Melksham House have been approved.

Sport England – No objection

Wessex Water – No objection subject to conditions and informatives

Wiltshire Council Art Development Officer – Support

Melksham Town Council Tree Warden – The two trees to be removed are not in good condition and therefore welcome their replacement. We examined the area where the large drain is to be located which is running clear.

Society for the Protection of Ancient Buildings (SPAB) – Object – the scale and proximity of the new building will harm the setting of the grade II listed house. Furthermore, the proposed landscaping and extent of new car parking around the house will have a detrimental impact to the setting of the house

8. Publicity

The amended proposal was advertised via several site notices around and on the site and through newspaper advertisement. The consultation period expired on 27th September 2019. An initial consultation process was also carried out at the beginning of the application process.

No letters from the public have been received on the amended plans. However, 11 letters were received on the plans initially consulted on by the Local Planning Authority which raised the following comments:

Impact on Area

- What is happening to the listed pillars?
- Should we not be trying to preserve the conservation area instead of building a tin box in them?
- Bats are known to fly around in the evening
- Cladding is for industrial buildings and not sympathetic to the conservation area.
- Our gardens are prone to flooding – the proposed campus will exacerbate this
- Existing trees and shrubs should remain
- The wall bordering Place Rd has been left to deteriorate – repairs should be a priority
- The access from Place Rd should have a permanent bollard to prevent cars using it

Impact on Neighbour Amenity

- 12 metre high and 15 metres from the boundary will result in overshadowing, overlooking, overbearing loss of daylight, loss of privacy, light pollution and

noise

- Sport England guidance is clear that badminton courts should have a ceiling height of 7.5 metres so should not be higher than 10 metres high
- Loss of visual amenity
- Trees should be planted at least 5 metres away from neighbouring boundaries
- Chlorine fumes from the pool
- Noise will be loud from the MUGA, shouting from players, fire doors being open, air conditioning units

Impact on Highways

- Increase in traffic in town centre will cause pollution and concerns with highway safety
- Pedestrians in Market Place will be impacted due to the high volume of traffic
- Cars will park in nearby residential streets

Other

- No adjacency study or shadow/sun path
- Noise survey undertaken is completely inadequate
- No document is has been submitted as to how many people will actually use the sports facilities
- We would like assurance that the site will have 24hr security

9. Planning Considerations

9.1 Principle

The site is located within the limits of development of Melksham, which is defined as a market town in the settlement strategy of the WCS. In this location, there is a presumption in favour of sustainable development in accordance with policies CP1,

CP2 and CP15 of the Wiltshire Core Strategy.

Since the previously approved application, Wiltshire Council have approved application 13/06739/FUL and relocated Melksham Town Football Club and Rugby Club to Woolmore Farm from Melksham House in 2017. Due to these uses having other locations, there would be no loss of sports facilities as a result of this application and therefore Sport England raised no objection as it complies with policies contained in the Leisure and Recreation DPD and paragraph 97 of the NPPF.

9.2 Impact upon the character and appearance of the area

A landscape and visual impact assessment has been submitted with the application and confirms that the site is visually degraded due to the lack of management over the last few years. There are also a number of areas that are already lit on the site and these include the footpath known as MELK 20, the public car park, the amenity space located near the bar/skittle alley, outside of the existing pool. There are also flood lights on the bowls green, near the rugby pitch, on the tennis courts and there were also flood lights serving the football and rugby pitches.

The parkland setting at the front of the existing Grade II Listed Building is to be retained and reinforced with additional trees with some trees in poor health being removed. The historic pond is also proposed to be retained.

The majority of the proposed parking is to be on land previously used as tennis courts and by the football club and as such it is considered that the provision of parking would not have an adverse impact upon the immediate area.

Lighting on the proposed building and within the immediate area has been significantly reduced in the amended plans which will only improve the impact the proposal will have on the area. It also has to be taken into consideration that the former tennis courts and football club where parking and lighting is now proposed both had the use of floodlights which have since been removed. The proposed lighting is therefore considered not to be significantly different in impact to the

previous uses and would not warrant a refusal reason.

The proposed campus building is a large standalone building measuring approximately 11 metres tall (at the highest point) and 77 metres in length (at the longest point) 51 metres wide (at the widest point) and is to be built with a mixture of materials which include metal cladding, buff brickwork, coarse rubble stone, render panels and aluminium windows and doors. The differing materials and heights are considered to reduce the overall bulk of the building and add interest and although the materials are not taken from the immediate area, by its very nature and use as a community facility the materials are considered to be appropriate. However, due to the historic setting in which the proposed building sits it is considered appropriate to request samples of the materials for the proposed building and the access and parking areas to ensure that the development harmonises with the immediate area. It is also considered appropriate to condition that the proposed landscaping is carried out in accordance with the approved plans.

9.3 Archaeology

An archaeology report has been submitted with the application which covers a condition put on the previously approved application. The Council's Archaeologist on the previous application confirmed the following: The Wiltshire and Swindon Historic Environment Record indicates that the proposed development site is of archaeological interest. The site contains a known heritage asset which is a Grade II Listed Building (national ref. 1285783) which dates back to the 18th century. It is situated at the edge of the main area of medieval settlement and to the south of the Grade II* Listed Building of St. Michaels church (National ref. 1021707) which dates back to the Norman period. Archaeological discoveries just 100m to the north of the development site are highlighting the potential for prehistoric remains to lie within the area of the River Avon.

This department has provided advice prior to the planning application submission and the site has undergone an archaeological desk-based assessment, geophysical survey and trial trench evaluation. The investigations to date have established that the site contains a number of archaeological features mostly indicative of domestic

and agricultural activity from the 12th to 14th century. Evaluation has been limited due to access restrictions; nonetheless it has confirmed that heritage assets with archaeological interest lie within the site.

More recently, further evaluation in 2018 revealed features dating to the Late Bronze Age/Early Iron Age and Romano-British period. Based on the Desk Based Assessment, geophysical survey and trial trench evaluation undertaken at the site, archaeological interest has been shown to be present for activity relating to the prehistoric and medieval periods and post-medieval kitchen garden buildings and landscaped grounds relating to Grove/Melksham House.

Due to the impact of the development (all options) on heritage assets with archaeological interest, it is recommended that a programme of archaeological investigation be made a condition of planning approval. Details about the most appropriate form will need to be discussed with this office but will likely include areas of strip, map and recording and monitoring of demolition works and other areas of belowground works.

9.4 Flooding and Drainage

The site is located within Flood Zone 1 and is therefore not at risk of flooding. Due to the size of the application, a flood risk assessment was submitted with the application and the application form confirms that foul drainage will go to the main sewer and storm water will be via a sustainable drainage system. The Drainage Officer has raised no objections to the proposal subject to a condition regarding surface water discharge which is considered to be appropriate. Wessex Water have confirmed that they can agree for some surface areas to drain to the public surface water sewer but are not wholly satisfied with all of the details submitted at present for the surface water strategy and as such would recommend an informative to be added to any approval. Wessex Water also supported the surface water conditions recommended by the Wiltshire Council Drainage Engineer.

9.5 Ecology

An ecology report has been submitted with the application. The main habitats within the site boundary have been confirmed as close mown amenity grassland, mature trees, stone boundary walls, a pond and the existing buildings. Specific attention has been paid to the defunct water feature which is now a walled pond supporting

some domestic geese and ducks, and to the potential for bats to access and roost within trees and within parts of the existing buildings that will be affected by the works. The Ecologist on the previously supported the application and as such there are no concerns raised with regards to Ecology on this current application.

9.6 Public Art

The design and access statement includes the integration of public art into the scheme which is welcomed. The Arts Service have requested to work closely with and support the design team to define and approve the final public art scheme.

9.7 Impact upon Heritage Assets and Conservation Area

A primary consideration from an historic environment perspective is the requirement placed on the Council under section 66 (2) of the Planning (Listed Building and Conservation Areas) Act 1990, to have special regard to the desirability of preserving designated buildings, their settings and any features of special architectural or historic interest which they possess.

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 also requires the Council to pay special attention to the desirability of preserving or enhancing the character or appearance of designated Conservation Areas.

The Council's Core Strategy 'Core Policy 58: Ensuring the conservation of the historic environment' requires that designated heritage assets and their settings will be conserved and where possible enhanced. It also requires that distinctive elements of Wiltshire's historic environment, including non-designated heritage assets, which contribute to a sense of local character and identity will be conserved, and where possible enhanced.

The Council's Core Strategy 'Core Policy 57: Ensuring high quality design and place shaping' requires a high standard of design in all new developments. The policy requires that new development should be sympathetic to and conserve historic buildings and landscapes.

The **NPPF** outlines government policy, including its policy in respect of the historic environment. Section 16 of the NPPF 'Conserving and enhancing the historic environment' sets out the Government's high-level policies concerning heritage and sustainable development. Paragraph 196 of the NPPF requires a balanced approach with any harm which would be caused being weighed against the potential public benefits which might be achieved.

Paragraph 189 requires that applicants should describe the significance of heritage assets affected, including the contribution made by their setting. In this case a Heritage Appraisal has been submitted and has been used to inform the development. This is thorough in describing the site and its historic development and identifying the heritage assets affected by the development. It also provides useful background historical information and an analysis of the significance of the assets.

Paragraph 193 of the NPPF requires that in considering the impact of a proposed development on the significance of a designated heritage asset "great weight should be given to the asset's conservationirrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

Paragraph 194 requires that any "harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification".

Paragraph 196 of the NPPF requires that where a development proposal will "lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use". In explanation the National Planning Policy Guidance advises that "Harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused, provided the harm is minimised".

Melksham House is a Grade II Listed building and incorporates the remnants of a

former three bay house of early-mid C17th which became the service core of an C18th house which turned its main elevation towards the church.

After the First World War, Melksham House and the grounds were acquired by Avon Tyres (later Cooper) in order to create a sports and social club and the site has been used for leisure purposes since. In 1920, Melksham House was badly damaged by fire and subsequently partially rebuilt and extended. Throughout the latter half of the 20th century the building was subject to further extensions with ancillary buildings constructed in the vicinity.

Melksham House is surrounded by lands which were once laid out as formal gardens and parkland and now have a mixed recreational and garden use. The gate piers associated with the house are independently Grade II listed.

The house dates to the early 18th century, although sits on the site of an earlier dwelling. It has undergone significant phases of alteration, including those in the 19th century and the substantial rebuild following the fire in the 20th century when it was in use as a social club.

Melksham House is significant as a high-status house with clear evidence of at least three phases of major remodelling in the 17th, 18th and 19th centuries. Further significance derives from the 20th century conversion and remodelling after fire as the sports and social club for Avon/Cooper Tyres. Remaining evidence and elements of the high status designed landscape to the 19th century house are of particular interest although eroded through the 20th century by the development of the sports facilities. The communal value of the site as a whole is high given many years of public involvement with the site.

Affected heritage assets when assessing the campus application include the listed Melksham House and its curtilage listed outbuildings and boundary walls; the separately listed gates and piers from the Market Place and from Place Road and attached walls. Outside the site, buildings to either side of the entrance from the Market Place are included upon the statutory List. Similarly, to the north of the site,

St Michael's Church (II*) and a number of associated churchyard monuments and St Michael's Court are also included upon the List. The whole site lies within the designated conservation area.

The Council's Conservation Officer has confirmed that the proposals are for a significant large stand-alone development within a sensitive setting that has no connection to Melksham House.

The previously approved application integrated Melksham House within the proposal and the view at that time was that the harm that would result from the development would be offset by the public benefits which would have accrued from a comprehensive and holistic scheme for the site and which would have secured the repair and viable use of Melksham House in its 'optimum viable use'. There are some benefits of the current scheme to the Grade II Listed building when compared to the previously approved application which include the omission of large extensions to the listed building and that the proposed campus building is now set further away and further back within the site than previously approved, which will reduce its visual impact from the areas around the house. The retention of the kitchen garden is also considered to be of benefit.

As the current application no longer integrates the Grade II Listed Building into the development, the Conservation Officer confirmed that the proposal would result in harm via the loss of historic fabric (some of the former outbuildings) and impinge on its setting, potentially significantly increasing the difficulty of securing a viable future for Melksham House. To deal with this issue, there is a need, confirmed by Historic England, to secure a firm commitment towards a scheme for the re-use of Melksham House to overcome these objections that would otherwise leave the proposal in conflict with national and local planning policy aimed at protecting designated heritage assets.

Following the recommendations from the Conservation Officer and Historic England, a report was sent to Wiltshire Council Cabinet on Tuesday 8th October requesting funding to ensure a viable end use for Melksham House. The proposed use for

Melksham House is by the Council's Care Commissioners for Children's and Adult Services which would meet established needs for children and young adults and would include the following:

- Residential care facility to support children and young people aged 10–18 years – Conversion of the main house
- Community Resource Centre – Refurbishment and use of dance hall to the rear.
- 16 Supported Living units – New build on land to rear of listed building

The minutes of this Cabinet meeting confirms:

b) Agree in principle, subject to a business case, to progress the scoping of development of Melksham House; to provide 16 units of supported living accommodation, a residential care facility to support children and young people aged 10–18 years and a community resource centre.

c) Note the estimated additional capital budget required for Melksham house of £5.000 million taking the total capital budget to £7.000 million.

d) Agree to receive a further report to Cabinet in January, with a full business case giving detailed capital breakdown and the revenue consequences of the agreed form of development, taking into account potential cost avoidance due to the provision of services from Melksham House.

As a result of these minutes, the Conservation Officer and Historic England have removed their objections subject to limiting the first use of the campus building until a further planning application and listed building consent application has been approved for Melksham House and a timetable for its implementation. This to ensure that the listed Melksham House would not be at risk of decay and left abandoned.

In these circumstances, with this commitment, whilst the proposed campus building is considered to harm the listed building and its setting, this harm is assessed as less than substantial harm to the Grade II Listed Building and its setting and also the wider setting (Grade II* Listed Church, Conservation Area etc), but the public benefits which include the provision of a large and much needed community facility together with the refurbishment and re-use of Melksham House would outweigh this less than substantial harm. Weighed in the balance, the proposal is therefore considered to comply with CP57, CP58 of the WCS and the relevant policies in the NPPF and the Planning (Listed Building and Conservation Areas) Act 1990.

9.8 Impact upon neighbouring amenity

The site has residential properties to the north east, south and south west of the site. It is considered that the residential properties to the south will not be affected by the proposal in terms of overlooking or overshadowing as the landscaped area adjacent to their properties remains alongside the high wall.

1, 2 and 3 Cedar Close are considered to be the most affected neighbours. They previously had Melksham Town Football Club to the rear of their properties which has since been relocated from the site. The area immediately to the rear of 1 -3 Cedar Close will not be opened to the public and a condition ensuring that the boundary treatment limiting this area is installed prior to occupation can be added to any approval.

In the amended plans, the rear boundary of these properties lies approximately 15 (closest point) to 20 metres (furthest point) to the proposed campus building which measures 11 metres in height. This is closer and taller than the previously approved application. It is acknowledged that the Campus building will be visible from these properties and others within the immediate vicinity and could be considered as overbearing to those properties in Cedar Close but due to the distance and the fact that the residential properties lie south of the proposed development it is considered that the proposed development would not result in a significant loss of light or amenity that would warrant refusal of the development.

There are first floor windows serving the fitness suite on the southern elevation of the proposed development which are not immediately opposite to 1-3 Cedar Close. These windows are to be fixed shut and glazed with obscure glass which can be conditioned to ensure that there is no overlooking of residential properties. If any additional windows were to be inserted on this elevation they would require further planning permission which would be determined on its own merits using the appropriate legislation.

The proposed eastern elevation measures approximately 11 metres in height and is approximately 21 metres from the residential boundary of 30 and 32 Orchard Gardens which are south east of the proposed Campus building. These properties are bungalows and do not have any particular boundary treatment. It is therefore considered that these two dwellings (particularly number 30) would experience some loss of light from the proposed development towards the end of the day but this would not be significant and would be no worse than would occur from a two-metre-high fence that could be erected on the boundary under their own permitted development rights. There are no first-floor windows on this elevation that would overlook these two properties.

An Acoustic report was submitted with the application which concludes that the proposal would not lead to a significant change in noise levels from sporting activities than previously existed. Any plant noise is also classed as "very low" at the site boundary. The Public Protection Officer has considered that the report has been carried out appropriately and has advised several conditions regarding noise levels to protect nearby residential properties which are considered to be appropriate.

The MUGA and associated floodlights which were considered to have a negative impact on neighbouring amenity have been removed from the proposal. Lighting on the building and around the site have also been significantly reduced in the revised plans and therefore are considered not to impact neighbouring amenity.

A concern has been raised regarding the smell of chlorine from the proposed swimming pool. There is an existing swimming pool on the site (Blue Pool) and

therefore the principle of a swimming pool on this site is considered to be appropriate. It is acknowledged that the swimming pool will be closer to properties at Cedar Close and Orchard Gardens but the Public Protection Team have confirmed that this is not a matter that can be dealt with under planning regulations but would be dealt with by the swimming pool management team and can be remedied by adjusting chlorine and PH levels within the water.

In conclusion it is considered that the Campus building would have a small overbearing impact upon the properties in Cedar Close but this is not considered significant in impact to warrant a refusal reason. There are also no other concerns regarding amenity resulting from this application. The proposal is therefore considered to comply with the relevant criteria of CP57.

9.9 Highway Impact

The site is located within the settlement boundary of Melksham and close to the town centre where there are parking and public transport facilities. By being located within the town centre, the proposed development should be easily accessible to residents from a wide area.

The site is accessed by vehicle traffic via a relatively narrow and constricted access between shops and the Old Town Hall. This is also the main pedestrian access, although other pedestrian accesses via Public Footpaths MELK20 and MELK 101 also exist. There is also a limited access onto the A350 in the south west corner of the site which is used by tractor mowers, emergency vehicles etc.

As part of the application the access road from the town centre will be widened and re-aligned, the junction between the internal access road and Melksham House is also be widened. A new footpath link will be provided from the site through to Orchard Gardens. The proposals also see the provision of 201 car parking spaces (including disabled and family parking) and 2 coach parking spaces.

The construction traffic is as per previously approved which uses the rear access to the A350 which will avoid use of The Market Place. This access will need upgrading

which is essential for safety reasons and to avoid undue delays on the A350. Also required is enforceable signs preventing right turn movements in and out of this access which will require a Traffic Order. Following completion of the campus, the constructed access must be removed, and the verge reinstated at the end of the construction period. Demolition and its associated vehicular movements will be via The Market Place.

A Transport Assessment has been submitted with the application which demonstrate that the traffic impact of this development will be similar to the previously approved application and the Highways Officer has confirmed that the development would not lead to a significant traffic impact on local junctions that would warrant a refusal reason.

Footpath MELK21 is unaffected by the proposals. Footpath MELK20 would be diverted onto the current tarmac route through the site – this seems reasonable rather than retaining the current situation. However, a footpath diversion order would need to be requested which is separate from the planning process.

The Highways Officer requested the cycle storage located near to the entrance of the site campus to be covered which can be achieved via an appropriate condition. The Highways Officer also requested additional covered cycle stores around the site (cricket pavilion, tennis courts etc) but as these are existing uses it is not considered reasonable to request this detail. Furthermore, they would also impact upon the setting of the nearby heritage assets.

In conclusion, the Highways Officer has raised no objections to the proposed scheme as subject to conditions would comply with CP60 and CP61 of the WCS.

Concerns have been raised regarding cars being parked in nearby residential streets. When compared to the previous uses on the site (football, rugby etc), the proposal provides substantial additional parking would be considered to be an improvement and as such would not warrant a refusal reason.

9.10 Other

A concern has been raised regarding whether the site will have 24hr security. This is not a material planning consideration when assessing this application.

10. Conclusion

The proposed development will result in a large standalone building that will be used for much needed community facilities in the centre of the town of Melksham. The large building will have some overbearing impact upon properties in Cedar Close and the application by reason of it not including Melksham House would result in less than substantial harm to the Grade II Listed Building and the setting of historic elements around it, however by including a condition requiring the applicant to achieve an approval for a final use for Melksham House prior to the occupation of the campus building, the less than substantial harm is considered to be sufficiently outweighed by the noted public benefits. As such the application is recommended for approval as the proposal is considered to comply with the relevant policies of the development plan and national guidance in the NPPF.

RECOMMENDATION: Approve with 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 approved shall not be first brought into use until proposals for the re-use and refurbishment of Melksham House have been submitted to and approved in writing by the Local Planning Authority. The proposals shall include a timetable for their implementation and the approved use and any necessary associated works. The development shall then be carried out in accordance with the approve details.

REASON: To secure a viable future for the main listed building within the

curtilage of which the campus works are proposed, to ensure that the designated heritage asset is not adversely affected by the proposed works

- 3 No demolition, site clearance or development shall commence on site until a Construction Management Plan has been submitted to and approved by the Local Planning Authority. The Construction Management Plan shall include:

The laying out and construction of the construction access including the surfacing of at least the first 20 metres of the access in a well bound consolidated material (not loose stone or gravel).

The cutting back of vegetation at the construction access to achieve visibility splays of 2.4 x 160 metres in each direction to the nearside road edge.

Measures to prevent excessive deliveries occurring at peak hour traffic times.

A scheme of Traffic Sign Regulation and General Direction chapter 8 roadwork signing to warn of the construction access.

Signing and measures to achieve safe use of footpath MELK21 where the end of it coincides with the construction access.

Measures to prevent excessive mud being carried onto the highway and a scheme for regular road sweeping of the highway to clean any mud deposits that do occur.

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

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

an acceptable manner and in the interest of highway safety

- 4 No development shall commence on site other than demolitions until details of any temporary hoardings required during the construction phase on the site alongside provisions for their removal have been submitted to and approved in writing by the Local Planning Authority.

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 without harm to the historic buildings.

- 5 No demolition, site clearance or development shall commence on site until an Environmental Management Plan for both the demolition and construction phases have been submitted to and approved in writing. The plan shall include how dust and noise will be controlled, hours of demolition and construction activity and the location of noisy equipment (generators etc) to ensure minimal disturbance to local residents. The development shall then be carried out in accordance with the approved details.

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

- 6 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 together with all third party approvals to permit crossing third party land and discharges plus removal of storm water from foul drainage systems, has been submitted to and approved in writing by the Local Planning Authority. The development shall then not be first occupied until the surface water

drainage 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, in the interests of ensuring that the development can be adequately drained.

- 7 No development shall commence on site until details of the raised landscaped mound identified on drawing annotated as proposed site plan has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

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

- 8 No development shall commence until a written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority;

The approved programme of archaeological work shall be carried out in accordance with the agreed programme, and in accordance with the timetable agreed as part of the written programme of investigation.

REASON: To enable the recording of any matters of archaeological interest

- 9 Prior to the construction access being brought into use, a temporary traffic order to prohibit right turning vehicle movements into and out from the access shall have been made and implemented. The order shall remain in use for the duration of the use of the construction access.

REASON: In the interest of highway safety and to ensure minimal disruption on the A350.

- 10 There shall be no development above slab level of the new campus building hereby approved until details and samples of the materials to be used for the external walls, roofs, windows and doors have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the Conservation Area and the Listed Buildings.

- 11 There shall be no development above slab level of the campus building hereby approved until a hard and soft landscaping scheme and implementation programme has been submitted to and approved in writing by the Local Planning Authority, details of which shall include:

- indications of all existing trees and hedgerows on the land;
- details of any to be retained, together with measures for their protection in the course of development;
- all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- finished levels and contours of the land;
- means of enclosure;
- car parking layouts;
- other vehicle and pedestrian access and circulation areas;
- hard surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and

other storage units, signs, lighting etc);

All hard and soft landscape works shall be carried out in accordance with the approved details and shall be completed prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the Local Planning Authority. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

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

- 12 The development hereby approved shall not be first brought into use until details of the noise levels of all plant and equipment associated with the campus building hereby approved has been submitted to and approved in writing by the Local Planning Authority. The submitted information should demonstrate that all plant and equipment is below 5dB below the background at the nearest residential properties. The development shall then be carried out in accordance with the approved details.

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

- 13 No work to the footpaths, access roads, parking and pedestrian areas shall commence on site until details and samples of the materials to be used for these have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the Conservation Area and the Listed Buildings

- 14 No external lighting shall be installed on the car park serving 52 spaces adjoining the boundary of 30 and 32 Orchard gardens until plans showing the type of light appliance, the height and position of fitting, cowls, 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)”, and details of how the light will impact on the neighbouring properties has 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 adjoining neighbours and to minimise unnecessary light spillage above and outside the development site.

- 15 The 24 cycle spaces allocated on the proposed site plan shall not be installed until details of how they will be covered (including materials and colour) have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: In the interest of future users and highway safety

- 16 The development hereby approved shall not be first brought into use until a car parking management plan has been submitted to and approved in writing by the Local Planning Authority and implemented in full in accordance with the approved details.

REASON: In the interests of achieving reasonable availability of on-site car parking spaces for users of the proposed development.

- 17 The development hereby approved shall not be first brought into use until the public footpath (MELK 20) running pass the campus building has been widened, resurfaced with tarmacadam and new lighting installed all in accordance with the approved details.

REASON: In the interests of safe and convenient pedestrian access to the proposed development.

- 18 The development hereby approved shall not be first brought into use until the vehicle parking and turning areas and cycle areas have been provided in accordance with the approved details. The areas shall then be maintained and kept available for the parking and turning of vehicles and cycles in perpetuity.

REASON: In the interest of safe and convenient operation of the development and to promote sustainable patterns of travel to and from the development.

- 19 The development hereby approved shall not be first brought into use 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.

- 20 The development hereby approved shall not be first brought into use until the first floor windows in the southern elevation serving the fitness suite shall be non opening and glazed with obscure glass only (to an obscurity

level of no less than level 4) and shall be permanently maintained as such in perpetuity.

REASON: In the interests of residential amenity and privacy.

- 21 The development hereby approved shall not be first brought into use until a scheme for public art within the site alongside a timetable for its implementation has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure a satisfactory environment for future users

- 22 The development hereby approved shall not be first brought into use until the boundary treatment between Cedar Close and the Southern elevation of the campus building hereby approved and the boundary treatment adjacent to 30-32 Orchard Gardens have been installed in accordance with the approved details.

REASON: In the interest of neighbouring amenity

- 23 Within 3 months of the development hereby approved first being put into use the construction access shall be fully and permanently closed to all vehicle movements associated with the construction of the campus building hereby approved, with the grass verge of the A350 being reinstated and the roadside full height kerbs being reinstated across the access position.

REASON: In the interests of highway safety, and the appearance of the area.

- 24 Within 6 months of first use of the development hereby approved a full travel plan shall be submitted based on the framework travel plan. The full travel plan when approved shall be implemented including the appointment of a travel plan co-ordinator for three years from the date of first appointment, provision of wayfinding signs to and from the town centre and rail station, and a contribution towards reprinting of the town

cycle map showing details of the new facility.

REASON: In the interests of promoting sustainable patterns of travel to and from the development.

- 25 During the construction phase no machinery shall be operated, no process shall be carried out and no delivery shall be taken or dispatched from the site outside of the following hours; Mon-Fri 07:30 to 18:00, Saturday 08:00 to 13:00, nor anytime on Sundays or public holidays.

REASON: In the interest of neighbouring amenity

- 26 The use hereby permitted shall only take place between the hours of 06:00 and 22:00 Mondays to Saturdays and between 07:00 and 22:00 on Sundays and Bank Holidays.

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.

- 27 The development hereby approved shall be carried out in accordance with Part 4: Interpretation and Recommendations of the Ecological Appraisal Rev 2 by Clarke Webb Ecology Limited dated 4th July - 26th July 2018.

REASON: In the interest of Ecology

- 28 There shall be no burning of any materials on site.

REASON: In the interest of neighbouring amenity

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

Received by the Local Planning Authority on 11th April 2019

site plan building demolitions, site location plan, basement floor plan, site plan - existing, site elevations/sections - existing, building A - existing/demolition social club, building B - existing /demolitions store,

building G - existing/demolition, gate posts

Received by the Local Planning Authority on 27th August 2019

southern boundary context studies, proposed site elevations, proposed elevations south and west, proposed elevations north and east, section A-A B-B, proposed site plan, proposed roof plan, proposed first floor, proposed ground floor, Appendix G - External lighting

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

- 1 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.

- 2 INFORMATIVE TO APPLICANT: The applicant is reminded of the need to obtain separate listed building consent for the development hereby approved in addition to this planning permission before works commence on site.

- 3 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.

- 4 INFORMATIVE TO APPLICANT: The Applicant should note the details contained in the consultation response from Wessex Water dated 14th October 2019.

- 5 INFORMATIVE TO APPLICANT: Historic England would like to be kept informed of progress on the Melksham House project following the January 2020 Cabinet meeting