

**REPORT OUTLINE FOR AREA PLANNING COMMITTEES****Report No.**

<b>Date of Meeting</b>	25 June 2020
<b>Application Number</b>	19/06605/FUL
<b>Site Address</b>	Land adjacent The Bowman Centre, Shears Drive, Amesbury, Salisbury, Wiltshire, SP4 7XT
<b>Proposal</b>	Erect new church with day nursery
<b>Applicant</b>	Ms Nataliee Stoner
<b>Town/Parish Council</b>	AMESBURY
<b>Electoral Division</b>	Amesbury East - Cllr Yuill
<b>Grid Ref</b>	416556 140496
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Georgina Wright

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

This application is brought to committee at the request of Councillor Yuill, for the following reasons:

- Visual impact on surrounding area;
- Relationship to adjoining properties;
- Environmental or highway impact; and
- Car Parking

**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 which are considered to be material in the determination of this application are listed below:

- Principle
- Character & Design
- Neighbouring Amenities
- Highway Safety
- Waste Management
- Archaeology

The application has generated an Objection from Amesbury Town Council; and 65 letters of objection from third parties.

### 3. Site Description

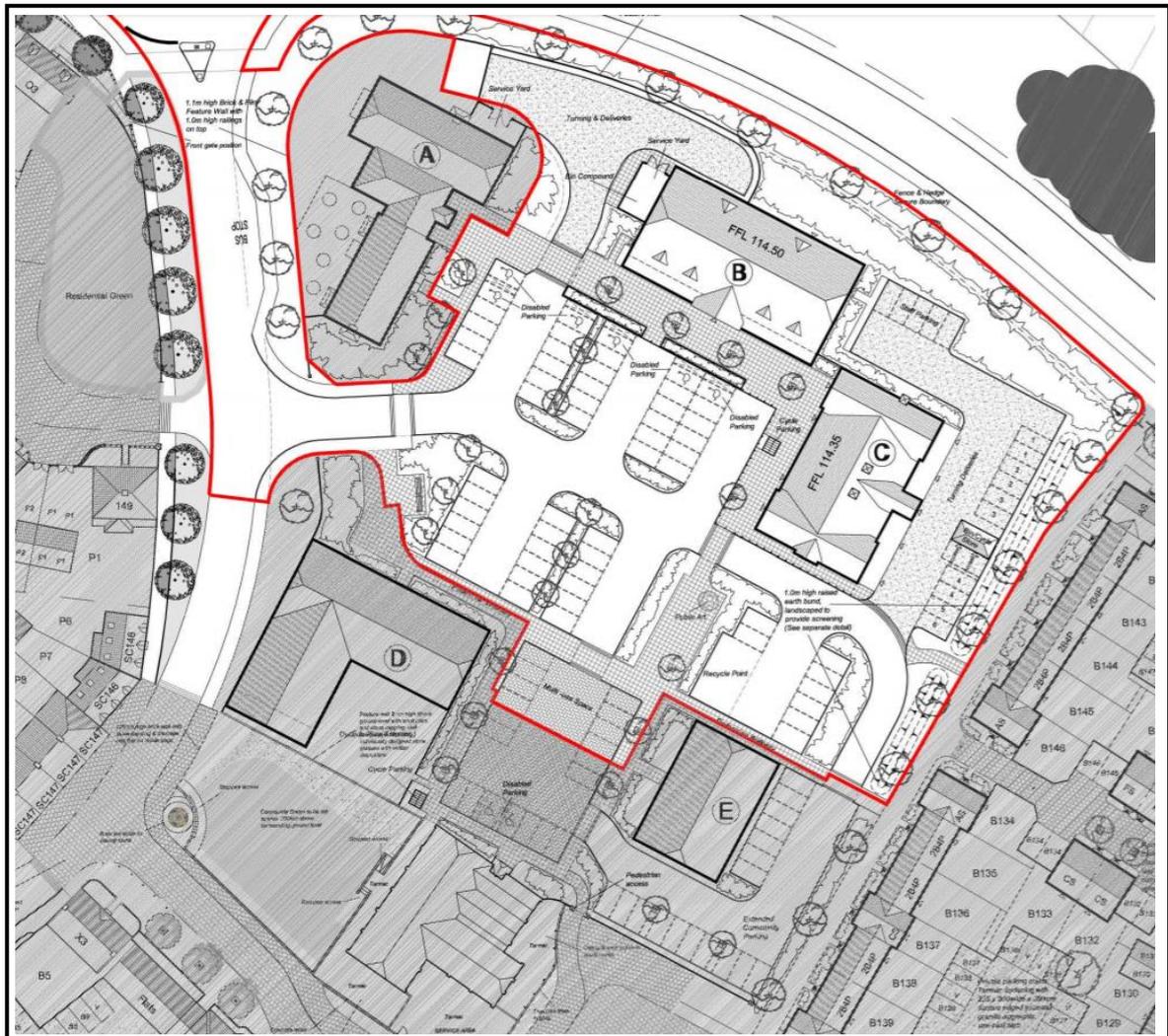
The site is one parcel within the local centre at the Kings Gate development, which was secured in line with the strategic allocation of the wider site as an urban extension to the Market Town of Amesbury; and defined by Wiltshire Core Strategy (WCS) policies CP1 (Settlement Strategy), CP2 (Delivery Strategy), CP4 (Amesbury Community Area) and Appendix A – Development Templates for Strategic Allocations. The final phases of the housing development are currently being built out under various outline and reserved matter permissions. The local centre was however granted outline permission as part of one of the earlier phases of the wider housing estate (under ref: S/2002/1075). This in detail secured 550 residential dwellings and its associated parking/affordable housing/landscaping/junctions and roads; a local centre comprising retail facilities, local services and a community building; a primary school; a cemetery; playing fields; tennis courts; and a sports pavilion across the whole site. A Section 106 Legal Agreement was also secured as part of this permission which secured various community infrastructure improvements as well as detailing the requirements and services that the local centre was to provide.

The local centre was subsequently subdivided into a number of parcels and applications have been approved and, in most cases, built out for various uses on these parcels. These are outlined below and shown on PLAN A as follows:

- A: A parcel adjacent to one of the main roundabouts off the Stockport Road link road into the wider housing estate. It is also adjacent to the main entrance into the local centre off Archer's Way. It gained permission in 2011 (under ref: S/2010/1821) for its redevelopment as a public house/restaurant (use class: A3) and has since been built out. It is currently in use as a pub and pizza restaurant.
- B: A large plot immediately adjacent to parcel A. It gained planning permission in 2010 (under ref: S/2010/1043) to be redeveloped for a large retail convenience store (use class: A1) and is currently in use as The Co-operative store.
- C: A smaller plot that was granted permission in 2010 (also under ref: S/2010/1043) for its redevelopment with 4 smaller retail units and residential flats above. This has subsequently been built and provides a charity shop (use class: A1); 2 take away uses (use class: A5); and a beauty salon (use class: sui generis)
- D: This parcel consists of 0.14 hectares and recently received planning permission for its redevelopment with a church, community hall and 25 space children's nursery (use class: D1) (under ref: 16/02899/FUL), all within a building of 209 square metres in size. This permission has not been implemented and this parcel therefore currently remains vacant. It currently provides an area of grassland at the main entrance to the local centre from Archer's Way and is adjacent to the local community centre (The Bowman Centre) and its community garden.
- E: This parcel is situated in the south eastern corner of the local centre and was originally used as overspill car parking for The Bowman Centre. Planning permission was granted in 2016 (under ref: 16/04684/FUL) for this parcel's redevelopment with a new building to be used as a children's nursery (use class: D1). This has since been built out and provides 326 square metres of ground floor space for this purpose.

Between parcels D and E, the reserved matter details for the Bowman Centre were agreed (under refs: S/2006/1690 & S/2007/0823). This gave permission for a community building and community green to its immediate west. This has since been

built out and is used by the Town Council as their office/base. It is accessed through the local centre to the north as well as sharing a boundary with Shears Drive to the south. It has a small, dedicated parking area to its north.



**PLAN A: A plan submitted for application S/2010/1043 showing the different parcels within the Local Centre as outlined above, including The Bowman Centre site, and this application site (Parcel D), both shaded in grey**

This particular application concerns parcel D within the local centre.

#### 4. Planning History

S/2002/1075	O/L: Up to 550 residential dwellings inc affordable housing, the southern section of the Amesbury Link Road and 4 associated junctions between underwood drive and Stock Bottom. A local centre comprising retail facilities, local services, a community building and associated car parking facilities, a primary school, a cemetery, 2 infiltration basins and ancillary surface water drainage facilities. Formal open space comprising playing fields, tennis courts and ancillary pavilion, informal open space, associated landscape planting (ES submitted). (Archers Gate, Phase 2)	Permission – 01.03.2005
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S/2006/1690	Construction of community building and community green (Reserved Matters approval sought for siting, design, external appearance and means of access)	Permission – 04.10.2006
S/2007/0823	Reserved Matters application for hard and soft landscaping for community building and green (pursuant to outline S/2002/1075)	Permission – 14.06.2007
S/2009/0789	Development of part of the local centre to include the provision of a convenience store, 4 no retail units with 6 no residential units above and associated service yards, parking, landscaping and refuse/recycling provision	Permission – 22.10.2009
S/2009/1577	O/L: Construction of 170 residential dwellings, informal open space, parking provision, equipped play area, ancillary road infrastructure, landscape planting and temporary infiltration basin and temporary foul pump station (All matters reserved). (Archers Gate, Phase 2)	Permission – 10.12.2010
S/2010/1043	Development of part of proposed local centre to include the provision of a convenience store (Use Class A1), 4 no retail units with 6 no residential units above and associated service yards, parking provision, landscaping and refuse/recycling provision (revised scheme to planning permission S/2009/0789)	Permission – 15.10.2010
S/2010/1821	Proposed public house/restaurant and associated works.	Permission – 03.03.2011
S/2012/0497	O/L: Demolition of former agricultural barns and removal of up to 26 protected trees and construction of 460 dwellings (including a 60 bed extra care facility) and associated community infrastructure including the first phase of a country park, children's play areas, landscape planting, an infiltration basin and three temporary water pumping stations (amended description). (Kings Gate Phase 1, Phase 3)	Permission – 20.05.2013
13/06181/OUT	O/L: Removal of the existing temporary infiltration basin and construction of 143 dwellings with associated infrastructure including landscape planting, an electricity substation, a temporary sewage pumping station and a new temporary infiltration basin. (Kings Gate Phase 2, Phase 4)	Permission – 26.10.2015
15/02530/OUT	O/L: Removal of up to 26 protected trees and construction of 515 dwellings and associated community infrastructure, including access roads, the second phase of a country park, a primary school with playing fields, children's play area, natural play areas, landscape planting and an infiltration basin. (Kings Gate Phase 3, Phase 5).	Permission – 14.02.2017

16/02899/FUL	Erection of community hall to be used for a day nursery and church meeting place	Permission – 09.08.2016
16/04684/FUL	Proposed construction of children's nursery, with associated works.	Permission – 13.07.2016
19/00416/FUL	Erect new church with day nursery.	Withdrawn
19/04220/VAR	Variation of condition 4 of 15/02530/OUT to allow revision to the overall market housing mix.	Permission – 04.10.2019

The development of the local centre, including parcel D, with A, B1 or D uses, was granted in outline as part of the 2002 permission (Ref: S/2002/1075). This permission remains a valid consideration for this application. The principle of the subdivision of the local centre into parcels was also established by the first few developments in the local centre in 2009 and 2010 (under refs: S/2009/0789 and S/2010/1043), which as per the plan provided in PLAN A above, identified parcel D with an indicative L shaped building on it, although that permission did not give any permissions for the redevelopment of parcel D.

This application is a revised scheme to one that was approved in 2016 (ref: 16/02899/FUL). That permission has now expired and was not implemented but remains a material consideration for this application. That application also involved the development of parcel D with a new community hall and day nursery, but in a much smaller footprint. The building was of a very different design and massing to the current proposals. The approved plans are provided below in PLAN B.



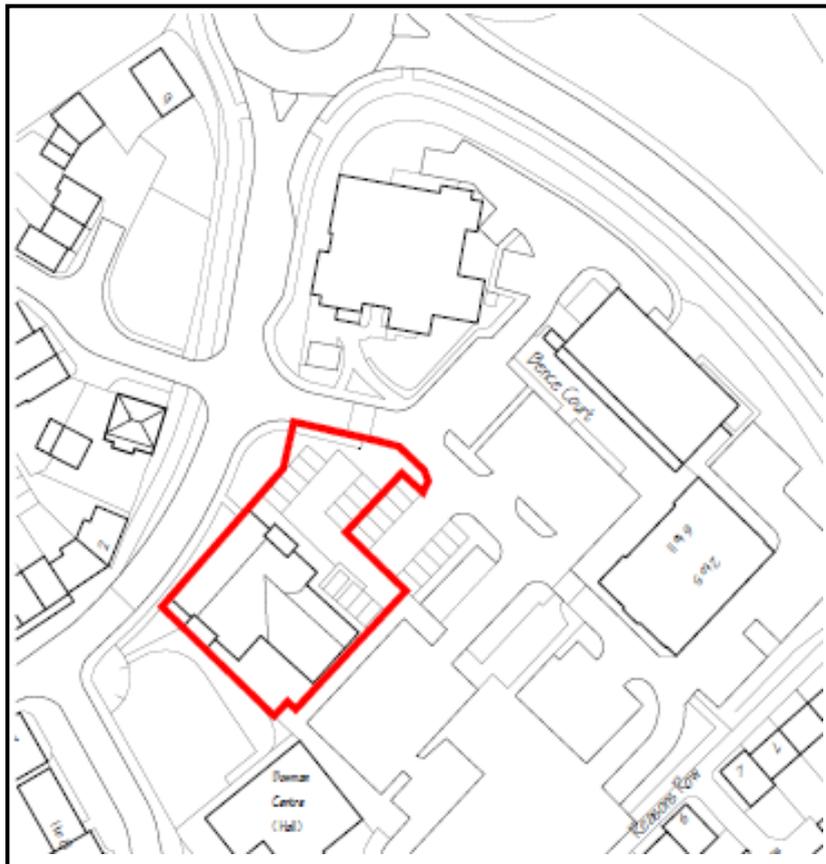
**PLAN B: Approved Plans for 16/02899/FUL on Parcel D**

## 5. The Proposal

This is a full application proposing the redevelopment of the last vacant parcel in the local centre, parcel D, with a new church and further day nursery (use class: D1). This is effectively a revised scheme to one which was allowed in 2016 (under ref: 16/02899/FUL and as shown in PLAN B above) but also follows a withdrawn scheme that was heading for refusal because of the size and design of the proposed building (considered under ref: 19/00416/FUL). The supporting documentation confirms that the church is to cater for a congregation of up to 150 people, which is to relocate from Bulford. The children's nursery is to provide 25 nursery spaces.

The scheme involves a building providing 538 square metres of D1 floor space over two floors, 440 square metres of which is to be at ground floor. At ground floor, this will consist of the main entrance; the main church hall; church office; kitchen and toilet facilities within a principal rectangular part of the building. A smaller rectangular extension is then to extend from the south eastern elevation of this principal part of the building. The extension is to provide the proposed children's nursery use. This element is to have a separate entrance to the church.

Only the principal part of the overall building is to benefit from first floor accommodation. In the main, this first floor space will form a seated gallery overlooking the double height main hall below. At first floor, further office and storage space is also identified.



**PLAN C: Proposed Site Layout**

Access to the site is to be gained through the adjacent local centre from Archers Way to the north west of the site. A total of 13 onsite parking spaces are identified, which are to be provided to the front of the building (adjacent its northern elevation). It is

however envisaged that the visitors to the site will also make use of the public car park that currently serves the remainder of the local centre. Cycle parking is also identified.

The building is to be a mix of brick and render with two stone towers on its northern and southern ends. The church element will essentially be a linear building with a gable roof culminating in the stone towers on either end. The nursery element will extend out from the principle church building at a right angle. It is to have two mono pitched roofs with a celestial window detail at their disjointed apex. The overall effect is fairly modern but is also functional and civic in its design. The supporting documentation confirms that since withdrawing the previous application, the design has evolved and *'The overall footprint has been altered...The overall mass and bulk of the building has been much reduced, with the eaves line resembling the similarly low slung public buildings within the vicinity'*. The layout and materials have also been chosen in order to create *'...a focal point building for the greater community as well as the worshipping community'* and the *'...overall form provides coherence to the design. At either end of the main church wing a stone faced contemporary tower defines the extent of the building, as well as acoustically attenuated passive ventilation system. The larger south facing areas of roof slope best benefit from p.v. provision, while the generous eaves of the building provide character as well as reduce over-heating from solar gain'*. The detailed designs are provided in PLANS C and D below.



**PLAN D: Proposed NE, SW and SE Elevations**



**PLAN E: Proposed NW Elevations**

The application is accompanied by a Design & Planning Statement; and a Mission Statement. During the course of the application, a Technical Transport Note; and A Noise Assessment have been submitted. The former has also been updated. Marketing evidence for this parcel has also been submitted.

**6. Local Planning Policy**

*National Planning Policy Framework (NPPF)*  
*National Planning Practice Guidance (NPPG)*

*Salisbury District Local Plan policies (Saved by Wiltshire Core Strategy):*  
 PS6 – Playgroups/Nurseries

*Wiltshire Core Strategy:*

- CP1 (Settlement Strategy)
- CP2 (Delivery Strategy)
- CP3 (Infrastructure Requirements)
- CP4 (Amesbury Community Area)
- CP43 (Providing Affordable Housing)
- CP45 (Meeting Wiltshire's Housing Needs)
- CP50 (Biodiversity and Geodiversity)
- CP57 (Ensuring High Quality Design & Space Shaping)
- CP58 (Ensuring the Conservation of the Historic Environment)
- CP60 (Sustainable Transport)
- CP61 (Transport & Development)
- CP62 (Development Impacts on the Transport Network)
- CP64 (Demand Management)

*Supplementary Planning Documents:*

- Creating Places Design Guide SPG (April 2006)
- Achieving Sustainable Development SPG (April 2005)
- Wiltshire Local Transport Plan – Car Parking Strategy
- Wiltshire Planning Obligations Supplementary Planning Document (SPD)
- Approved Development Brief, Land South of Boscombe Road (February 2001)
- Approved Design Code – Urban Design Strategy

**7. Summary of consultation responses**

**Amesbury Town Council – Objection**

- The drawings provided are not the clearest, especially in its relationship to housing and the Bowman Centre which are affected by the build
- There are two towers one of which provides a lift and staircase also provide ventilation and heating to the building. The nursery building appears to be a semi

lean too style (one half being higher) Overall it appears the building is both larger and higher than those surrounding it and higher than the Bowman Centre

- The children's outdoor play area is butting up to Bowman Centre garden wall and it is possible that noise from the play area could disturb users of the Bowman Centre facility
- There is no indication as to the height of the fence but it may cause an overshadowing of the Bowman Centre Garden
- The height and design of the building is not in keeping with the area and it contrasts not only with buildings in the local centre but with residential properties close by
- This is 157% larger than the previous application
- It is clear the bulk and mass of this building will be out of character with the surrounding area.
- The Town Council accepts the Hayes McKenzie report para 3.1 that reverberation could be mitigated by the use of an acoustically absorptive ceiling and soft carpets. This must therefore be conditioned
- It is noted that both windows to the South West and South East in the main hall, these are a potential source of noise unless triple glazed and cannot be opened
- There appears to be an assumption that all the car parking spaces are for general use. Of the total of the 76 spaces, 20 spaces belong to Amesbury Town Council and are designated for use by users of A further 56 are owned by the Management Company responsible for other businesses at this location, these spaces are primarily for customers of the retail outlets and the public house the Bowman Centre and staff working in the Centre
- The figure quoted by "awp" in their technical notes 3.2, of 73 spaces appears to be a miscalculation, as they have not taken in to account those spaces owned by an used by Amesbury Town Council or its customers
- since the previous application was considered, additional houses have been built thus exacerbating the parking situation (including 19/07304 for a further 299 houses to be built in the estate)
- according to the Planning Portal, the church which will accommodate 186 seats should provide a minimum of 62 car parking spaces (for the church alone)
- the proposed nursery use will require all of the 13 spaces proposed so there is a shortfall of 62 spaces
- with the additional dwellings that have been built on the estate the use of the local centre has materially altered both in terms of retail and of parking needs.
- All 62 spaces should therefore be provided as a minimum otherwise, the current recognised parking problems in the area will greatly increase.
- Overdevelopment of the site by size of the proposed building.
- The design and height of the building will not harmonise with other buildings and residential houses in the area.

#### **Highways – No Objection subject to conditions**

- I have considered the additional information, along with the raft of information that has been provided with regards to the highway impacts, most notably car parking
- The proposal seeks to construct a new church, with a worshipping floor area of 400m<sup>2</sup> and capable of accommodating up to 150 worshippers at one time.
- The proposals also include the provision of a day nurse for up to 25 infants aged up to 4 years old.
- The site is adjacent to the existing Archers Gate Local Centre and would be served by the same means of access, which is considered adequate in form and capacity to accommodate the development of this plot.

- I am also aware that an extant planning permission exists (16/02899/FUL) for a church and associated nursery on this site, albeit, with a worshiping floor area of only 209m<sup>2</sup>.
- This previous permission therefore establishes the principle of such a development on this plot.
- Whilst the principle is established, these latest proposals do represent a significant increase in the intensification of the site within the same use class.
- Therefore, it is important that all the potential highway implications of this proposed development are robustly assessed to ensure no highway safety issue will be created as a result.
- The means of access to the site is established and is acceptable
- I am also content that the traffic generated by the proposed development is unlikely to create any severe capacity issues at nearby junctions within the surrounding highway network.
- The primary highway consideration is the availability of car parking.
- The submission includes 13 on site car parking spaces, 2 of which will be allocated as disabled spaces.
- The submission openly admits that any parking demand over and above this number will be reliant upon the existing car parking areas within the local centre.
- In principle, this is accepted, as I understand that the local centre was designed with the future development of this plot in mind.
- However, no specific use class was determined for this plot that I am aware of and as such, every proposal must therefore be assessed on its own merits and must demonstrate that adequate car parking will exist to accommodate the use.
- Wiltshire's Maximum Car Parking Standards suggests that places of worship should provide parking provision based upon 1 space per 5m<sup>2</sup> of floor area.
- This equates to a total of 80 car parking spaces
- However, it must be noted that these standards are maximum standards and I would consider that providing 80 spaces for this development to be excessive and unnecessary.
- In terms of parking provision for a church in this location a precedent does exist in the form of the extant permission, which provided a total of 15 car parking spaces for 209m<sup>2</sup> of worship space.
- Using the same ratio for this proposal would require 39 car parking spaces to be provided
- To determine the level of car parking provision required for any development, it is important to understand the likely trip generation of the proposed development and the submission has included a TRICS analysis, as well as details of the existing temporary church in Bulford to understand how the congregation currently travel.
- The TRICS data has been adjusted from the original submission and it is this latter data that is more representative in my view.
- It should be noted that the TRICS database is an industry standard tool used for this exact purpose and is generally considered robust and reliable due to the data being based upon actual survey data from representative sites.
- To ensure the site and categories selected are representative, I have analysed the sites that the TRICS database has used to produce the data and I am content the methodology used is robust.
- The Sunday peak period suggests that 16 two-way trips would be generated in the first hour and 14 in the second hour, a total of 30 two-way trips across this period.
- This however is not likely to require parking provision for 30 vehicles all at once, as some of these vehicles are counted on arrival and departure.

- The weekday evening period suggests that a total of 12 two-way vehicle trips will be generated across the two hour peak period.
- The TRICS analysis therefore suggests that at peak times, significantly less than 30 car parking spaces would be required to accommodate users of the church.
- To help understand the patterns and habits of the existing congregation who are to move to this proposed church, transport details of recent services held at the existing temporary church in Bulford have been provided.
- This shows that of 96 attendees, a total of 23 vehicles were used, which averages at 4.2 people per vehicle. This can easily be scaled up to the proposed church, which is intended to accommodate a maximum of 150 worshippers and equating to a maximum total of 36 vehicles.
- When taking in to consideration that Amesbury is a larger settlement and thus has greater opportunities for attracting more locally based users, as well as better opportunities for all users to travel by alternative means to the private car, the TRICS analysis and the existing Bulford church data are generally supportive of each other, which does provide assurance.
- A parking survey has been undertaken in the local centre car park, which contains a total of 76 car parking spaces and I am generally content with the methodology of data collection.
- I am also satisfied that the factual data presented is likely to be representative of the use of this existing car park on an average week.
- The church peak operating times are stated as 11:30-13:30 on a Sunday and three evenings per week 19:00-21:00 and these are thus the critical periods that should be used in conjunction with the car parking capacity study.
- My expectation is that the church will be likely to attract a greater number of attendees during the Sunday service than the weekday evening periods (as supported by the TRICS data) and thus a greater level of parking demand.
- The survey data suggests that on average, 21 car parking spaces would be available in the local centre car park, in addition to the 13 provided on site.
- The Bowman Centre car park is included in the car park capacity study, despite it being privately owned by the Town Council. Despite this, it is not possible with the information available to determine what number of spaces were vacant/occupied in the Bowman Centre car park during the survey period and so it is difficult to discount the stated availability on this basis.
- Whilst the Town Council would be within their rights to restrict parking to users of the Bowman Centre only, I am not aware of any formal restrictions existing of this nature.
- The parking survey data therefore suggests that, along with the proposed on-site parking, up to a maximum of 34 parking spaces would potentially be available for church goers.
- Even if a representative discount could be applied as a result of the inclusion of the Bowman Centre car park (not full 20 space discount), this would appear to be an adequate level of parking provision when compared to the TRICS data for the Sunday peak period if the church was at full capacity, which as mentioned, is considered to be the most critical period.
- However, the scaled up parking demand from the existing Bulford church congregation would suggest that the available car parking may not quite meet demand and may, as a result, cause parking on the public highway when the church is at full capacity.
- The submission has committed to developing a Travel Plan for the church and the church being located in Amesbury, closer to a much larger population and with a better range of sustainable travel alternatives, would help to bring the parking demand down further.

- I also note that the church does offer a mini bus service currently and although this is of significant benefit, it is difficult to rely upon in the context of planning.
- It must be noted that the above and submitted assessment and data is based upon the church being at full capacity, with 150 worshipers in attendance and therefore presents the worst case scenario.
- Despite this, the assessment suggests that the majority of the time, adequate car parking would be available within the site/local centre car park
- Natural variation and busy church periods such as at Christmas and Easter, will cause discrepancies and at these busy periods this may result in demand exceeding provision, although these are likely to be few and in small numbers.
- The result of this could lead to a small number of vehicles parking on the public highway, most likely on Archers Way.
- Bearing this in mind, the NPPF states at para 109 that “*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*”.
- There is no evidence to suggest there would be a severe capacity issue, so my judgement is based upon whether a small amount of occasional on street car parking would result in unacceptable highway safety issues.
- The Sunday service period is the most critical period and there may, on busy church occasions, be an overspill of a small amount of car parking on to the adjacent highway.
- This however is also possible with the extant permission at busy times and there is a finite amount of on-street provision.
- Therefore, having assessed all the data, considered the extant consent, local representations and the potential implications in detail, I am content that these proposals will not represent an unacceptable impact on highway safety
- In summary, I think it is unlikely that there will be much on street parking the majority of the time, as the church is probably going to be rarely full to capacity.
- Some users may choose to park on street for convenience and to save looking around the car park for a space, but this would be the same with the existing permission.
- Because of the infrequency of this potential and it not being significantly different to the approved decision I cannot sustain an objection because the potential impact would not be significant.
- Wiltshire’s Non-Residential Car Parking Standards are Maximum standards and a lower provision is considered acceptable subject to sufficient justification, which I believe we have in this case.
- No Highway objection is raised, subject to conditions

**Public Protection – No Objection subject to conditions**

- The proposed centre is surrounded by residential properties; therefore, we would recommend that conditions are attached to any planning permission granted to minimise disturbance to these residents during construction.
- The acoustic report submitted doesn't indicate any adverse impact on the amenity from the potential choral music emanating from the proposed construction.
- Noise from the nursery has also been considered within the acoustic report
- I have no public protection objections regarding the operating times of the nursery being weekdays 8am-6pm, with no opening at weekends
- Please condition the hours and children numbers

### **Archaeology – No Objection**

- This site has previously been subject to archaeological excavation.

### **Waste Management – No Comment**

### **MOD DIO Safeguarding – No Objection**

- I can confirm the MOD has no safeguarding objections to this proposal.

## **8. Publicity**

This application was advertised through the use of site notices; an advert in the local press; and letters of consultation. The application has also been subject to amended plans which have also been renotified.

**Letters** – 65 letters of objection received from the residents of 2, 10, 12, 14, 34, 36, 70 & 102 Archer's Way; 12 Goldie Drive; 17 & 23 Matthews Road; 40, 48 & 72 Haragon Drive; 5, 12, 14, 15, 20 & 84 Shears Drive; Margarets Close; 4 & 25 Beyer Road; 9 Leonard Cheshire Close; 2, 4, 25 & 48 Holloway Close; 3 & 11 Pouncette Close; 34 & 38 Great Amber Way; 1, 4 & 49 Rushworth Row; 4, 21 & 19 Lancelot Way; 2 Loveridge Lane; 18 Millennium Drive; 1 Raleigh Crescent; 2, 16 & 39 Conyger Road; 1 & 11 Princess Way; 42 Denton Drive; 50 & 64 Kilford Close; 25 Muggleton Road; 21 Banting Close; 43 Barnard Field; 27 Westland Close; 44 Durnford Close; 1 Eleanor Drive; 3 & 21 Evergreen Court; 18 Sarsen Street; 4 & 92 Redworth Drive; 1 BDE & 4Bn REME, Tidworth; and Pickton Barracks. The following comments made:

- A nursery has just been built on parcel E, is this at capacity?
- There is no need for another one directly opposite
- There are 5 churches in the area. Do we really need more?
- The existing churches in the area are already mostly empty
- The people most affected by the development are going to benefit least it
- The congregation are not part of the Archers Gate community
- the church should commission a pharmacy or surgery as part of their plans
- We need doctors and dentists more!
- The congregation are from Bulford, Larkhill and Tidworth, build it there
- A site for this should have been found as part of the army rebasing programme
- we don't need a church, we need more open space
- The Archers Gate area has developed considerably over the past few years but services in the area have not matched that growth
- This will be in direct competition with The Bowman Centre. We don't need another community centre
- as a non-believer I don't want such a focal point inflicted on me
- We have already lost open space in this centre to the newly developed nursery
- This is the last piece of green space at the local centre
- The amount of green space on Archer's Gate is already limited and this proposal will lead to the loss of more precious play areas and an increased feeling of enclosure from buildings
- On an already too crowded estate this green space should be preserved
- this site is not designed or big enough for such a purpose
- such a use in such close proximity to houses is unreasonable
- the entrance to the estate is enhanced by the green space. This development would detract from it
- The building will block natural light and cause over shadowing
- we will also be affected by noise on a daily basis
- During the week there will be noise during the day from the Nursery and in the evenings there will be noise from the church with singing and music

- The sound assessment is flawed as it does not take into account a 150 strong congregation singing and clapping
- Question the quality of the noise report as it appears to be based on unsound assumptions
- the car parks used for the pub and retail units are already busy in the evenings and weekends
- 13 car park spaces for 150/160 worshippers is not enough.
- cars will be parked all down the sides of pavements and roads leading into the estate down Archers Way and round to Shears Drive which will be unsafe
- the parking survey is flawed as it assumes that all of the existing parking spaces are freely available to all and was conducted in summer months when people use their car less
- the estate roads are already full of parking
- a lot of residents already park in the street in front of their houses
- The curvature of the road means that just a few extra parked cars will result in chaos with passing cars being unable to see
- This will impact the safety of pedestrians and cyclists
- Concerned about the impact for emergency access into the estate
- The church should find an alternative place for parking and provide a shuttle bus facility to bring worshippers to church
- The parking and traffic around archer's gate is already atrocious. We do not need 150 potential more vehicles blocking up the roads
- this area cannot take another public building especially one that has prioritised floor area over sufficient parking spaces.
- The local centre is a hot spot for accidents and near misses due to heavy parking around the junction on both sides of the road
- This will impact directly on the route to and from the existing and new infant schools putting young children in real danger
- The mission statement says that 'As a church the building should not be restricted to limits in its hours of operation as it needs to be open to all at all times of the day and evening whilst clearly normal services would take place during social hours in the normal way'. This is at odds with the traffic survey argument which centres on existing peak usage being out of phase with planned sessions.
- The application's parking survey is evidence that unconstrained session times should not be approved.
- The proposed minibus should not be considered as mitigation as it may be removed at any time.
- No consideration has been given to traffic surges in prior to and following usage of the facility
- The Parking Technical Note calculations assume that the 150 people in the church will only require 11 cumulative car parking spaces, a figure that is not justified and calls into question the entire Parking survey and its conclusions
- The parking calculations make no accommodation for the impact of the use of the church as a community space i.e., if this facility is hired out at other times
- 13 spaces 9 for staff leaves 4 for 150 people to use
- The building will be a landmark building in full view as an 'entrance' to the estate. Its architectural expression is not good enough or appropriate as such
- Aesthetically, the proposed design will dominate this residential/retail area
- This will be an eyesore
- It should be reduced to single storey.
- This looks like a crematorium, but not a church

- The previous permission is 3 years old and has not been implemented. It is not therefore applicable
- Another nursery has already opened since the last permission was granted
- this has already been rejected twice. Listen to the local residents and business owners
- The photographs and aerial photos contained in the application are misleading
- This should be built elsewhere, perhaps next to the cemetery

## 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 Principle of Development

As is identified above, the site is situated within an existing housing estate that has been developed as an urban extension to Amesbury in accordance with WCS policies CP1 (Settlement Strategy), CP2 (Delivery Strategy), CP4 (Amesbury Community Area) and Appendix A – Development Templates for Strategic Allocations. The local centre was granted outline permission in 2002 (under ref: S/2002/1075) as part of a wider application dealing with one of the first housing phases at the estate. It identified the whole site for local centre purposes and none of the land contained within it was earmarked for public open space provision. The fact that the existing parcel is therefore vacant, grassed and is used by surrounding residents to play on, is not secured in planning terms. The 2002 permission was implemented and thus remains a valid material consideration for this site.

In addition, in 2010 planning permission was granted for the development of parcels B and C with a mixed retail and residential development (under ref: S/2010/1043). As per PLAN A, this particular application site was illustrated as parcel D and was indicatively drawn with a large L shaped building on it. That approved scheme also secured parking for the whole local centre, both for the development on parcels B and C but also for the future developments on parcels A, D and E.

Subsequent to this and more recently, planning permission was granted for a new community hall and children's nursery on this site (under ref: 16/02899/FUL). Whilst this permission has now expired and the scheme has not been implemented, there are no material changes in the policy context for this site and thus this also remains a material consideration for the current proposals.

In addition to this material planning history, Amesbury is designated as a Market Town and has a defined settlement boundary within which WCS policies CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP4 (Amesbury Community Area) support sustainable new development. The site is situated within this boundary.

In addition, saved SDLP policy PS6 allows for the provision of new childcare facilities provided that

- (i) *access and services are satisfactory;*
- (ii) *the proposal will not create a highway danger to other road users;*
- (iii) *where the use of all or part of a residential dwelling is proposed, the house must be of a sufficient size for the proposal not to cause disturbance to neighbours:*  
*and*
- (iv) *there is adequate space available for outdoor play.*

### Legal Agreement:

In addition to the above planning history and policy context; the original outline permission (ref: S/2002/1075) for this local centre was subject to a S106 agreement, part VI of which set out the constraints for the local centre. This firstly set a trigger and ensured that at least part of the centre would be developed before that particular phase of housing was completed. It also restricted the uses and secured certain infrastructure at the local centre as summarised below:

1. Not less than 300 square meters had to be built for A1 Retail purposes;
2. A total of 2,100 square metres of floor space could be built in the local centre;
3. The uses within the local centre were restricted to A, B1 and D uses only;
4. No more than 33% of the ground floor floorspace could be used for non A1 retail uses;
5. No ground floor floorspace could be used for C residential uses;
6. No one retail unit could exceed 700 square metres in footprint;
7. no more than one retail unit could be used for A3: Public House/Restaurant purposes;
8. The A3 uses at the site would not contribute or be included in the calculations set out in caveats 1, 2, 3 or 6 above;
9. CCTV at the local centre was secured;
10. Marketing instructions for the site were set out;
11. It ensured that the parking at the local centre would be available for public use in perpetuity without partitioning/fencing; and
12. It secured its long term maintenance and management of the local centre.

Caveats 1, 7, 8, 9, 10 and 12 have been satisfied by other permissions and development at this centre as set out in the planning history section above. The Bowman Centre was not included in this centre and was permitted separately under a different part of the permission and S106 agreement. The most pertinent caveats that are relevant for the development of parcel D (this site) are caveats 2, 3, 4 and 11 which are therefore assessed below.

To date the following units/developments/uses have been built at the local centre:

- A public house (use class: A3) on parcel A
- Unit 1 which is currently used as the Cooperative store (use class: A1) measuring 342.13 square metres in size and positioned on parcel B
- Unit 2 which is currently used as a beauty salon (use class: sui generis) measuring 105.33 square metres in size and positioned on parcel C
- Unit 3 which is currently used as a fish and chip shop (use class: A5) measuring 91.20 square metres in size and positioned on parcel C
- Unit 4 which is currently used as a Chinese takeaway (use class: A5) measuring 90.40 square metres in size and positioned on parcel C
- Unit 5 which is currently used as a charity shop (use class: A1) measuring 107.22 square metres in size and positioned on parcel C
- A nursery has been built on Parcel E (use class: D1) measuring 326 square metres in size.

To date therefore a total of 1062.28 square metres of floor space has been built at the local centre. However, only 449.35 square metres of this floor space has been provided as A1 uses, meaning that 57.7% of the ground floor floorspace at the centre is currently in non A1 use. Therefore, whilst the overall floorspace that has been built to date is well within the amount of floor space allowed by caveat 2, the percentage of non A1 uses currently exceeds the 33% allowance set out in caveat 4.

The previous 2016 permission on parcel D would have further exacerbated this situation. It allowed a further 209 square metres of floor space at the centre (150.7 of which was at ground floor), which was to be used as a community hall/church and children's nursery (use class: D1). Whilst this permission again did not exceed the 2,100 square metre allowance for overall development at the local centre, it would therefore have taken the percentage of non A1 uses up to 63%.

The current scheme proposes a larger church/nursery on parcel D than the 2016 permission. Overall it proposed 538 square metres of additional floorspace on this parcel, which will take the overall floor space provision at the local centre to 1600.28 square metres (well within the S106 allowance). However, a total of 440 square metres of this is to be provided at ground floor for D1 purposes. If allowed this permission would therefore take the non A1 uses at ground floor up to 70.1%.

It is clear that the S106 caveat summarised in point 4 above has never been satisfied as even without the development of parcel E with a children's nursery, the percentage of non A1 uses at the centre was already at 39%. It is also clear that the previous permission on parcel D would have taken the percentage of non A1 uses well above the 33% threshold to a total of 63%. However, the current scheme will also serve to exacerbate this issue and is technically therefore in contravention of the associated S106 for the site.

In response to this the applicants have submitted marketing evidence for this parcel. This confirms that parcel D was first advertised by Wolley Wallsi Agents in 2012. It was actively and robustly marketed at a reasonable price for 12 months. The only offer that was received in that time was from Wind in the Willows Nursery which has since moved into the new nursery building on parcel E. Due to lack of market interest, active marketing of the parcel ceased but it was still on the market and available for purchase. The applicant purchased the site for Living Grace Church in 2015 and have been pursuing planning applications for a new church on this site ever since.

This evidence demonstrates that there is limited demand for A1 retail uses at this site. In addition, since 2002 the retail market has changed considerably with internet shopping becoming more popular and traditional high street retail uses struggling. Given this and the fact that the non A1 caveat has never been complied with, it is considered that the continued trend towards non A1 uses in this local centre should be allowed. This recommendation is therefore made on the basis of a deed of variation to the original S106 being completed which alters this particular caveat of Part VI of the S106. Although it is considered that the existing A1 uses at this centre should be protected and therefore a new ratio of A1 to non A1 uses will be secured.

On this matter, much local concern has been made about whether there is a need for additional churches, community halls and children's nurseries on this site, or in Amesbury at all, especially given that parcel D is adjacent to the Bowman Centre and Parcel E has recently been developed and opened as a children's nursery. However, whilst restrictions can be imposed on uses within a local centre, as per the S106 in this case, it is not for the planning system to control the market. Market forces will decide whether the proposed use will be a viable proposition. In this instance, the application includes a defined end user that has purchased the site making a significant financial investment into the site in that regard. This is not therefore a speculative application. The existing church goes currently congregates in a church in Bulford but their existing site does not have the capacity to meet the growing demand hence the alleged need to relocate to a bigger site

within their catchment. There is nothing to suggest that the proposals will not be for this purpose and/or that it will not therefore be a successful enterprise. The assessment of this planning application therefore needs to focus on the merits of the scheme before us, rather than whether alternative uses would be more successful on this site. However local representation has suggested that a doctor's surgery would be better received. On this point, it should be noted that this permission would be for a D1 use only and planning permission would not be required to change the use of the building (or part of the building) at a later date to alternative D1 uses, which include doctors' surgeries and health centres.

Overall it is considered that the planning history and marketing evidence summarised above establishes the principle acceptability for the proposals. This principle acceptability is however subject to the detail in terms of its implications for the character of the area; highway safety; and neighbouring amenities. These matters will therefore be addressed in more detail below.

## **9.2 Character of the Area & Design:**

The NPPF sets out Central Government's planning policies. It states the purpose of the planning system is to contribute to the achievement of sustainable development. It defines core planning principles which include that planning should be genuinely planned, and should always seek to secure high quality design.

WCS policy CP57 (Ensuring High Quality Design & Place Shaping) further requires a high standard of design in all new developments through, in particular, enhancing local distinctiveness, retaining and enhancing existing important features, being sympathetic to and conserving historic buildings and landscapes, making efficient use of land, and ensuring compatibility of uses. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality and applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire. Development is expected to meet a number of related place shaping and design criteria in the policy and new development should enhance/bring a sense of character to the area as a whole.

Following the approval of the outline planning permission in 2002, a detailed design code and master plan was adopted that established an overall design concept and set a clear framework and benchmark of quality for subsequent applications within this phase of King's Gate to be appraised against. This document is intended to provide a guide to the development with regards to the scale and form of design, the creation of particular character areas and key buildings/groupings, the use of detailed building components that reflect the local context, and the design approach to hard and soft landscaping and the design of the public realm to deliver a scheme of high quality and one that is locally relevant to the context of Amesbury. The approved design code subdivides the overall development area into three distinct neighbourhood character areas including a high density urban core centred around the local centre.

In relation to the design of the local centre, the approved design code sets out general design criteria concerning the form of development and architectural detail. The design code stipulates that as a central community space the local centre should reflect a 'civic scale' to set it apart from the surrounding development which can be achieved through the use of 2 ½ and 3 storey built form and with regard to architectural detail, the code acknowledged that the local centre is a location within the overall development where the design approach can be a modern interpretation of the local vernacular.

The existing community building (The Bowman Centre) is a dominant feature building and has been designed with influence of a tithe barn built mainly of brick under a dominant slate roof (which is considered to be the main feature of the building with its long overhanging eaves). The single storey convenience retail unit in the local centre is also considered to be reflective of this general former farm building character of buildings within the local centre and being designed with a raised eaves height, the visual scale and massing of the building is increased.

Much local concern has been raised about the height and massing of the proposed church building on this site, in relation to surrounding buildings as it is feared that the overall size will be overwhelming and overbearing for the character of the area and street scene. However, the current proposals involve a 1.5 storey building of contemporary design. Whilst the building is significantly larger than the church/community building that was proposed on the site in 2016, and will have a sense of civic scale in its size; the height, bulk and massing of that permission was significantly larger than the building now before us. That building involved a full two storey massing in a barn like, top heavy building more akin to the agrarian character and barn like aesthetic that has been interpreted with The Bowman Centre next door.

The current proposals however have tried to create more articulation in the design and bulk of the roof by creating varied roof heights and forms. The tower features not only create a sense of height and function befitting its ecclesiastical use but will also serve to effectively heat and ventilate the building for its users. The main ridge height of the building will actually be kept relatively low and will culminate in sweeping eaves matching those of adjacent buildings allowing for the installation of PV panels for solar gain. This reduction in bulk/height has however been achieved at the expense of footprint which has instead comparatively sprawled to fill the plot. Overall it is considered that the design, finish and appearance of the building will be far more pleasing and better from an aesthetic point of view than the previous scheme. It will also create a striking focal point and landmark of interest at this prominent point within the estate and when seen from one of the main external entrances into the residential estate. It is therefore considered that this current scheme represents an improvement to the previous permission on this site but continues to accord with the design ideology for this local centre that was set out in the agreed design code.

#### **9.4 Neighbouring Amenities:**

WCS policy CP57 (Ensuring High Quality Design & Place Shaping) also requires new development to have *'regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration and pollution'*. The NPPF also confirms that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Much local concern has also been raised about the potential noise; shadow; and dominance that the proposals will cause for neighbouring amenities. However, the building has been designed with the main entrances on the northern and north eastern elevations of the building, fronting onto the local centre/car park and on the opposite side of Archer's Way to the residential dwellings to the west. Openings have also been kept to a minimum to the south.

In addition, the application has been accompanied by a noise assessment which has set out design measures such as glazing and carpets that can be internally fitted to reduce reverberation and noise spill. Hours of operation for the children's nursery can be conditioned to limit its impact for neighbouring amenities during unsociable hours;

and generally, it is considered that the potential for harm, in terms of noise or disturbance, will be little different to that which was accepted in 2016 as part of the previous permission. The Council's Public Protection Team has therefore raised no objection accordingly.

The Town Council has raised concern about the proposed nursery garden and its proximity to the Bowman Centre. However, the site is situated within a busy local centre on a busy junction/main road into the residential estate and is already in the vicinity of an existing children's nursery and primary school. It is not considered that any noise potential is going to be significantly greater or different to the existing ambient noise of this centre. The nursery element, as set out above is also to be restricted in terms of its hours of operation which should reduce any potential conflict in this regard.

### 9.5 Highway Safety:

Parcel D is accessed through the local centre off Archer's Way. The scheme also identifies 13 on site car parking spaces on this parcel with the congregation also having access to the existing parking provision within the local centre, as was envisaged both by the S106 for the outline permission for the local centre in 2002; but also by the application proposing the development of the first parcels and the car parking areas in this centre in 2010. The application is also accompanied by a Transport Statement and TRICS data which establishes the existing needs and travel patterns of the congregation.

As is summarised above in the consultation section, the Highway Authority has weighed up the evidence; third party comments; and proposals and has on balance raised no objection to the proposals. They have confirmed that the means of access to the site is established and is acceptable. They are also content that the traffic generated by the proposed development is unlikely to create any severe capacity issues at nearby junctions within the surrounding highway network

The primary highway consideration with regards to the acceptability of this proposed development is in respect of the available car parking to serve the development. The Highway Authority acknowledges that the latest proposals do represent a significant increase in the intensification of the site and it is noted that only 13 on site spaces are identified to provide for a church with potentially a 150 strong congregation as well as a 25 space children's nursery and associated staff. It is also noted that for the floor area proposed, the Council's adopted **maximum** standards would require 80 parking spaces to be provided for this proposal. However, it is considered that this provision would be excessive and unnecessary in this context and the previous scheme in 2016 did not secure such a ratio. It should also be noted that these standards are maximum standards, not minimum standards.

Considering all of the evidence submitted, the Highway Authority has confirmed that on occasions the use of the proposed building will result in overspill parking on the adjacent highway (Archer's Way etc). However, it is considered that with the trip evidence; existing characteristics and travel patterns of the existing congregation; the timings of all uses proposed; likely popularity of each service; and the location of the proposed church in a far more sustainable and accessible location than the existing church, the occurrences of this overspill parking will be infrequent. Bearing this in mind, the NPPF states that "*Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*". The Highway Authority is satisfied that there would not be a severe capacity issue caused by the

proposals, so their judgement is based upon whether a small amount of occasional on street car parking would result in an unacceptable highway safety issue.

On balance, the Highway Authority has confirmed that the Sunday service period is the most critical period and there may, on busy church occasions such as Christmas and Easter, be an overspill of a small amount of car parking on to the adjacent highway. This however is also possible with the extant permission at busy times and there is a finite amount of on-street provision. Overall it is not therefore considered that the proposals would represent a significant or thus unacceptable impact for highway safety in this local vicinity. The local concerns on this matter cannot therefore be sustained in this instance.

#### **9.6 Waste:**

The Council does not seek S106 financial contributions from non-residential developments, as occupiers of non-residential premises pay to have their waste collected to cover the cost of service delivery. The Council's Waste Management Team has made no comments accordingly.

#### **9.7 Archaeology:**

The Council's Archaeologist has advised that the site has been the subject of archaeological mitigation in the earlier stages of development and considers that the site has been fully mitigated with regard to archaeological remains. No further archaeological works are therefore unnecessary and no objection has been raised in this regard.

#### **10. Conclusion**

It is considered that comparative to the previously approved scheme on this site, the proposals represent an improved design and will result in an attractive focal landmark in this prominent local centre setting. Whilst significantly larger than the previous scheme, it is considered that the proposals better reflect the surrounding area and vernacular; will not result in any significant implications for neighbouring amenities; archaeology; or waste management. It is also considered that on balance, the implications for highway safety would not be significant or severe to warrant a defensible reason for refusal of the scheme. Subject to a variation to the S106 being secured to better reflect the ratio of A1 to non A1 uses in the local centre, the proposals are recommended for permission accordingly.

### **RECOMMENDATION**

APPROVE subject to a S106 Legal Agreement being completed to secure a change to the ratio of A1 to non A1 uses in the local centre; and then subject to the following conditions and notes

1. **WA1** 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. **WM13** The development hereby permitted shall be carried out in accordance with the following approved plans:

Ref: D220 – Proposed Site Plan. Received – 10.07.2019

Ref: D221 – Proposed Ground Floor Plan. Received – 10.07.2019

Ref: D222 – Proposed First Floor Plan. Received – 10.07.2019

Ref: D223 – Proposed NE & SE Elevations. Received – 10.07.2019

Ref: D224 - Proposed NW & SW Elevations. Received – 10.07.2019

Ref: D225 - Proposed Sketch Views. Received – 10.07.2019

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

3. **WB1** No development shall commence above slab level until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

4. **WC1** No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities
  - finished levels and contours;
  - means of enclosure & boundary treatments;
  - car park layouts;
  - other vehicle and pedestrian access and circulation areas;
  - all hard and soft surfacing materials;

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

5. **WC2** All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

6. No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being brought into use.

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

7. No development shall commence on site until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:
- i. The movement of construction vehicles;
  - ii. The cutting or other processing of building materials on site;
  - iii. Wheel washing and vehicle wash down facilities;
  - iv. The transportation and storage of waste and building materials;
  - v. The recycling of waste materials (if any)
  - vi. The loading and unloading of equipment and materials
  - vii. The location and use of generators and temporary site accommodation
- The construction/demolition phase of the development will be carried out fully in accordance with the construction management plan at all times.

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

8. **WD12** No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

9. **WD25** The development hereby permitted shall not be first brought into use until the cycle parking facilities shown on the approved plans have been provided in full and made available for use. The cycle parking facilities shall be retained for use in accordance with the approved details at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

10. **WD26** No development shall commence on site until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

REASON: 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 road safety and reducing vehicular traffic to the development.

11. No construction or demolition work shall take place on Sundays or Bank and Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: In the interests of neighbouring amenities

12. No burning of waste or other materials shall take place on the development site during the demolition/construction phase of the development.

REASON: In the interests of neighbouring amenities

13. The use of the Church/Worship part of the building hereby permitted shall only take place between the hours of 08:00 and 21:30 Monday to Friday and between the hours of 10:30 and 14:00 on Sundays.

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.

14. The use of the children's nursery part of the building hereby permitted shall only take place between the hours of 08:00 and 18:00 Mondays to Friday and not at all on Saturday and Sundays.

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.

15. Except for access and egress doors and windows to the main hall shall remain closed when live or recorded music is taking place.

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.

16. No external lighting shall be installed on site until a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, has been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall be designed so as to meet the criteria for Environmental Zone E3 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working order at all times thereafter.

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

## **INFORMATIVES**

- 1) 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](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy).

- 2) **WP8** This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated \*\*\*.