

## REPORT FOR STRATEGIC PLANNING COMMITTEE

<b>Date of Meeting</b>	6 October 2021
<b>Application Number</b>	16/00547/FUL
<b>Site Address</b>	Land to the west of Drynham Lane and to the east of Eagle Park, Southview Farm, Drynham Lane, Trowbridge, Wiltshire
<b>Proposal</b>	Provision for 91 dwellings, ecological mitigation and associated infrastructure including roads/footpaths, bridge, cycleway, garages and sub-station
<b>Applicant</b>	Wainhomes (South West) Holdings Ltd
<b>Town/Parish Council</b>	Trowbridge Town Council
<b>Electoral Division</b>	Trowbridge Park ED (Cllr Daniel Cave)
<b>Grid Ref</b>	
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Andrew Guest

### Reason for the application being considered by Committee

The application is before the Committee at the request of the then local member Cllr Horace Prickett in view of the proposal's visual impact upon the surrounding area, relationship to adjoining properties, and environmental or highway impact. More specifically Cllr Prickett states the following:

*The site for both construction and residency will not have adequate access through the existing roads such as Toucan Way. Development of this site should not be permitted until access is available from the C49, West Ashton Road / Leapgate roundabout.*

### 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 is refused planning permission.

### 2. Report Summary

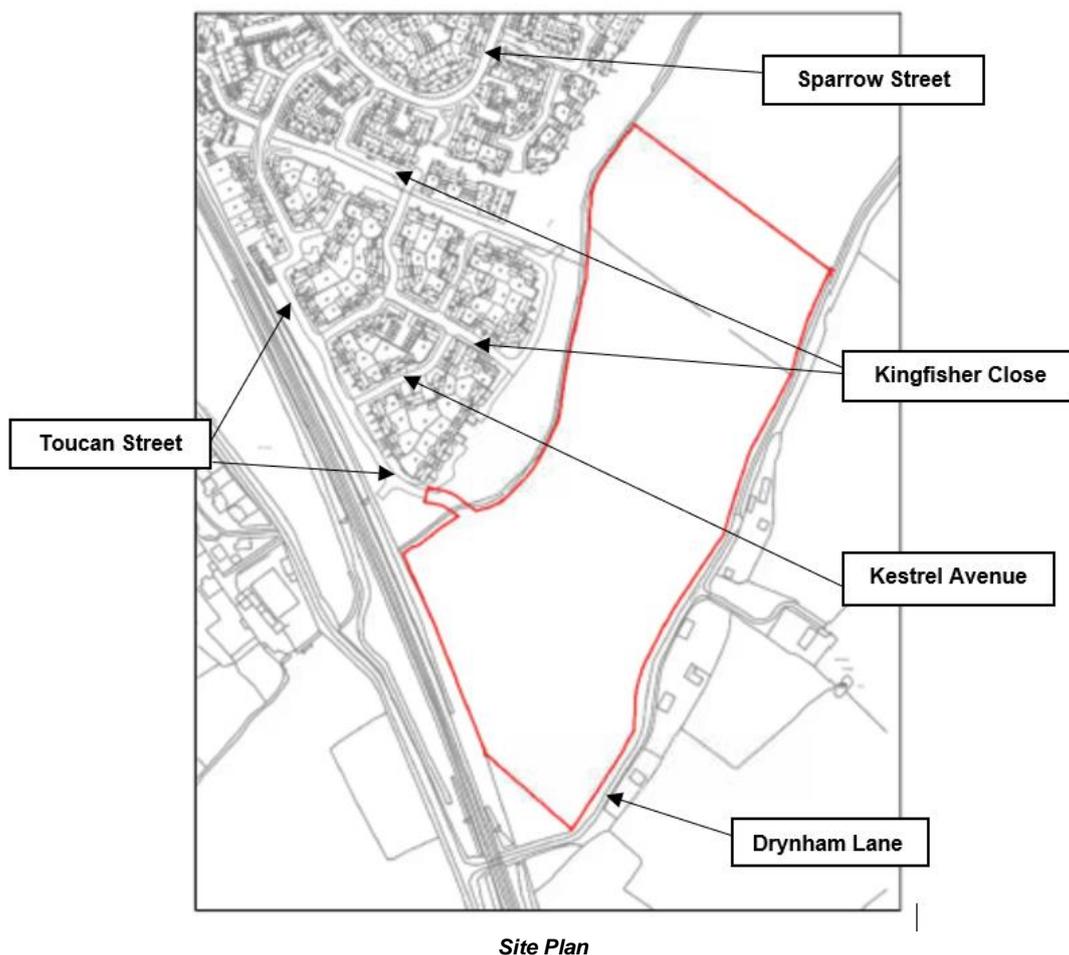
The key issues in the consideration of this planning application are as follows –

- Principle
- Highway safety
- Residential amenity
- Ecology
- Drainage
- Infrastructure provision

Trowbridge Town Council raises objection. North Bradley Parish Council (nearby) objects. The last round of public consultations generated in excess of 85 objections (including a petition (303 signatures)) and 0 supports.

### 3. Site Description

The c. 4.4 ha application site comprises agricultural land located just beyond the present south-east edge of Trowbridge. The site is bounded by hedgerows. Immediately to the north-west side is a small stream (tributary of the River Biss); beyond this are the residential suburbs of Trowbridge at Lower Studley. To the south-west side is the Westbury-Trowbridge railway, which is on an embankment at this point. To the south-east side is Drynham Lane; the Lane supports a handful of residential properties and low-key commercial uses. To the north-east is further open, agricultural land. The site has a slight fall from south-east side to north-west side, towards the stream.



For planning purposes, the application site forms part of the much wider 'Ashton Park Urban Extension' allocated site. This allocation is for c. 2,600 dwellings, employment land and related infrastructure. Planning application 15/04736/OUT – which is for up to 2,500 dwellings, employment uses, the Yarnbrook & West Ashton Relief Road and related infrastructure on all land forming the allocation with the exception of the current application site – has a resolution to approve, subject to completion of legal agreements. Further details (and plan) relating to the allocation are set out below.

#### 4. Relevant Planning History

In October 2015 planning permission was refused to erect 120 dwellings on the application site (ref. 15/01805/FUL). The reasons for refusal related to highway safety (inadequate layout and capacity for refuse vehicles), ecology (insufficient information), sustainability, drainage (insufficient information), and housing mix; plus inadequate provision for essential infrastructure made necessary by the planned development, and inadequate 'master-planning' with the Ashton Park allocation as a whole.

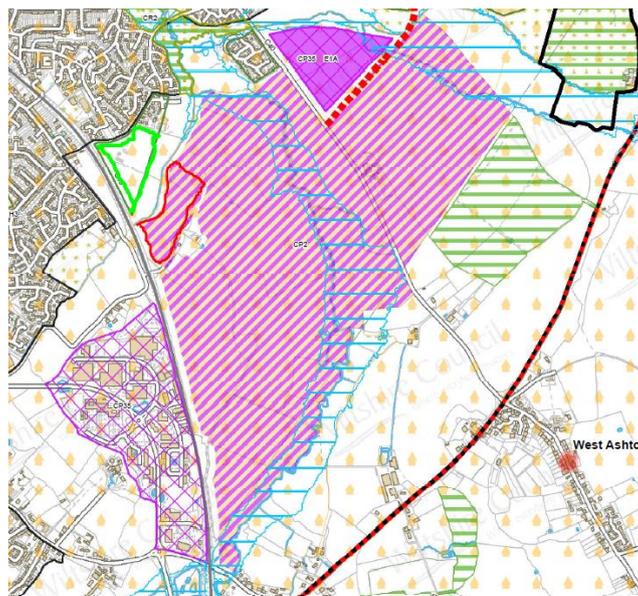
The current planning application (16/00547/FUL) was made in January 2016. In August 2018 it was recommended for approval under 'delegated powers' subject to completion of a legal agreement (S106). By June 2020 the legal process had stalled due to disagreement between the applicant and the local planning authority on viability and for other technical reasons, notably relating to ecology and drainage. More recently – in 2020 and 2021 – the applicant submitted additional information to address the technical reasons, and these have been the subject of re-consultations.

A further application for 113 units on the site (17/12509/FUL) was made in December 2017. This application has not progressed and remains undetermined.

The now established residential suburbs to the north-west of the application site were granted planning permission between c. 2006 and 2008 ('Southview Farm'). As a significant development, their completion and final full occupation – specifically those parts close to the current planning application site – has only happened relatively recently.

As referred to in the Site Description section, the application site forms part of the much wider 'Ashton Park Urban Extension' allocated site.

The application site and context are illustrated in the following extract from the Wiltshire Core Strategy policy maps.

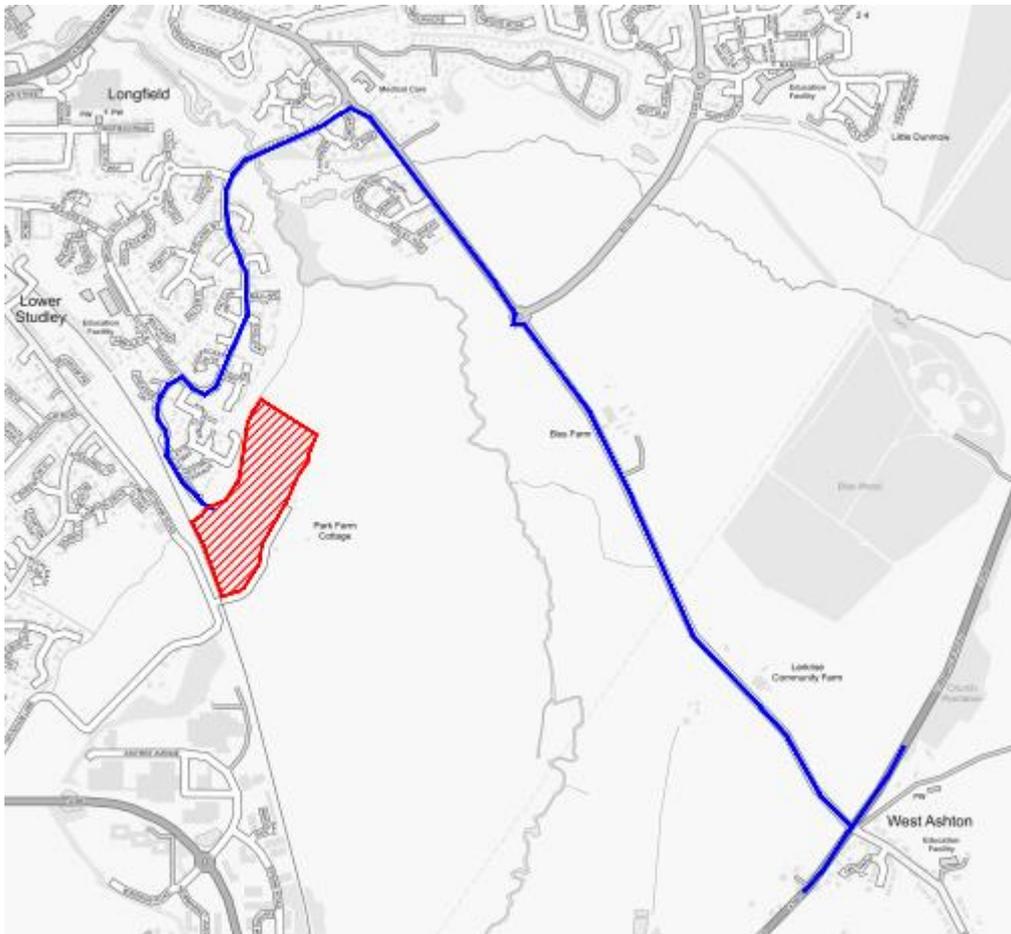


*Extract from Wiltshire Core Strategy policy map  
(Red-edged area: application site for 16/00547/FUL;  
Green-edged area: now housing (part of Southview Farm [see Site Plan, above]);  
Purple-orange shaded area: Ashton Park Urban Extension allocated site)*



The principal vehicular access to the site for operational purposes (that is, after the development is completed) is proposed to be from the north-west, through the Southview Farm development / Lower Studley. An existing cul-de-sac in the Southview Farm development – at Toucan Street – would be extended at its present point of termination to provide the new access road into the development, this requiring a bridge to be constructed over the stream. The new road would pass through the centre of the planned development, eventually reaching the north-eastern edge of the site where a future connection with Ashton Park would be allowed for. Cul-de-sacs would lead off from the centre road to provide access to the larger part of the residential development.

For construction purposes the proposed vehicular access is also proposed to be from the north-west via the extension to Toucan Street. The application is accompanied by a 'Construction Traffic Management Plan' (July 2021 version) which states that a specific route through the Southview Farm development would be followed, this via Sparrow Street and then Toucan Street, as illustrated on the following plan taken from the Plan–



The full Construction Traffic Management Plan is attached as an annex (annex 1) to this report.

The application is also accompanied by other technical reports, notably relating to highways, drainage and ecology. There is also a comprehensive Design and Access Statement.

## 6. Planning Policy

Wiltshire Core Strategy –

CP1 – Settlement Strategy  
CP2 – Delivery Strategy  
CP3 – Infrastructure Requirements  
CP29 – Spatial Strategy for the Trowbridge Community Area  
CP43 – Providing Affordable Homes  
CP50 – Biodiversity and Geodiversity  
CP52 – Green Infrastructure  
CP55 – Air Quality  
CP57 – Ensuring High Quality Design and Place Shaping  
CP60 – Sustainable Transport  
CP61 – Transport and New Development  
CP62 – Development Impacts on the Transport Network  
CP64 – Demand Management  
CP67 – Flood Risk

West Wilts Local Plan ('saved' policies) –

U1a – Foul Water Disposal  
I2 – The Arts  
West Wilts Leisure and Recreation DPD

NPPF/PPG

## 7. Consultations

Trowbridge Town Council: Objection

- 1. The proposal is for a level of development which would be so significant as to have a detrimental impact upon the residents of Southview Park, such that it would be unacceptable. Toucan Street/Kingfisher Close is designed to serve as a residential street and not a distributor road and is wholly inadequate for an additional 91 dwellings to be accessed from it. The potential knock-on impact on the other roads in Southview Park would also be unacceptable without measures to limit through traffic. The site should provide for vehicular access only via the proposed alternative link to the north of the site into the main Ashton Park development site, eliminating the need for a road bridge to access the site from Southview Park.*
- 2. Core Policy 60 of the Core Strategy requires Wiltshire Council to use its planning and transport powers to help reduce the need to travel particularly by private car, and support and encourage the sustainable, safe and efficient movement of people and goods within and through Wiltshire. The proposed development fails to provide a comprehensive 3-metre-wide segregated pedestrian and cycle route around the development, serving the proposed dwellings, and connecting to adjacent sites and potential sites and therefore fails to deliver the level of sustainability which could be achieved without significant additional cost. The proposed cycle/pedestrian access at the south of the site into Drynham Lane and the improvement of Drynham Lane through the railway bridge are welcomed, but there should also be a cycle/pedestrian*

*link through the field gate into Drynham Lane towards the north east of the site, providing for cycle/pedestrian access to by-way NBRA43 and in future to an improved route along or to replace footpaths NBRA 31 and TROW 130 thus providing a through route from Castle Mead to White Horse Business Park. Additionally, the opportunity for a through route via this site to the main Ashton Park site is contrary to Core Policy 60 and the proposal for Ashton Park to be accessible by motor vehicles only via the roads constructed as part of Ashton Park.*

- 3. Core Policy 2 (Delivery Strategy) of the Wiltshire Core Strategy states that Masterplans will be developed for each strategically important site in partnership between the local community, local planning authority and the developer, to be approved by the council as part of the planning application process. Core Policy 29 (Spatial Strategy for the Trowbridge Community Area) states that the strategic allocation will be brought forward through a master planning process agreed between the community, local planning authority and the developer. The plans do not provide for integration with a Masterplan for the Ashton Park Urban Extension and are therefore contrary to Core Policies 2 and 29 of the WCS. No consultation has taken place with the local community and no evidence has been provided of joint master-planning with the other developer. Such vehicular access and pedestrian/cycle access would be included in such a Masterplan. The lack of Masterplan for the whole Ashton Park site means that this application is premature and should be dismissed until such a Masterplan is agreed.*
- 4. No provision has been made for a safe off-road link from the development to the LEAP in Southview Park either through a pedestrian route from the proposed road access bridge to the LEAP on the west side or a footbridge to the north of the development across the brook. This would be detrimental to the safety of residents wishing to access the most local play area. Residents would be tempted to provide un-safe ad-hoc crossings of the brook resulting in potential accidents and harm to wildlife. There is an existing informal pedestrian route opposite 41 Kingfisher Close and this should be upgraded to a formal pedestrian/cycle route, thus affording access to the LEAP and to the cycle route linking to Pheasant Drive and the wider local network.*

*And:*

- If Wiltshire Council is minded to approve this application, then Trowbridge Town Council would request that a condition is imposed which requires that; All construction traffic to access the site via the proposed alternative access to the main Ashton Park site on the basis that the proposed access via Kingfisher Close is unsuitable and inadequate. No swept path drawings showing how delivery vehicles will traverse the bends on Kingfisher Close have been provided by the applicant.*
- Trowbridge Town Council opposes the suggestion from Highways that a Management arrangement should be established to manage all public areas. The Town Council considers that any open space, play areas, benches, litter bins etc. should be transferred to the Town Council.*
- Wain Homes have a history of failure to complete the existing development as proposed and permitted and cannot be trusted.*

North Bradley Parish Council (nearby parish): *Objection*

*North Bradley Parish Council continues to strongly object to this application and fully endorses Trowbridge Town Council's objections.*

*There should be a master plan that takes both this site and the Ashton Park developments into consideration.*

*Developers' have not addressed the issue of unsuitable and inadequate access via Kingfisher Close and Toucan Street. Construction traffic should be accessing the site from the main Ashton Park area, Leap Gate.*

*Access this way to 91 new dwellings is totally inappropriate.*

Wiltshire Council Arts: no objection, subject to developer contribution towards the provision of public art.

Wiltshire Council Drainage: No objection subject to condition requiring surface water drainage strategy to be implemented prior to occupation.

Wiltshire Council Ecology: no objection, subject to conditions

The application has been subjected to 'Appropriate Assessment' by Wiltshire Council as required by Regulation 63 of the Habitats Regulations 2017 (as amended). The reason for this is because the 'project' (proposed development) has been assessed as likely to have significant effects on one or more European protected sites and is not directly connected to or required for the management of these sites. The outcome of the Appropriate Assessment is that the project will not lead to adverse effects on the integrity of the Bath and Bradford-on-Avon Bats SAC alone or in combination with other plans and projects provided that conditions and a S106 agreement are secured.

There are no other ecology comments.

Wiltshire Council Education: no objection, subject to developer contributions towards the expansion of early years, primary and secondary school places.

Wiltshire Council Highways: Objection

*I note that this is a 2016 application and that the access circumstances have changed since the application was first registered. I have reviewed the considerable number of objection responses that have been received from members of the public referring to the recent revised plans and information. I have noted the three petitions that have been received from persons opposed to the use of Southview estate as the vehicular access route to this development. I have particularly noted the objections received to the development being accessed both by construction traffic and in a permanent way from:-*

*North Bradley Parish Council,  
Trowbridge Town Council,  
Councillor Daniel Cave,  
Andrew Murrison MP*

*The revised information has not addressed my objection that permanent access to this development should be taken from the strategic site of Ashton Park of which this site forms part. There is adequate policy that a strategic site should be comprehensively masterplanned – which has not happened with regard to this development. The Ashton Park masterplan which is included at electronic page 32 of the CTMP only has this area of the site in greyscale, although it is noticeable that access is shown to Ashton Park and not through the Southview*

estate (Toucan Street). No effective modelling has taken place to analyse the amount of Ashton Park traffic that would distribute through Southview.

Turning to construction access the CTMP seeks to address my concerns by the following:-

1. Defining the route as being A350, West Ashton Road, Broadcloth Lane, Sparrow Street, Toucan Street.
2. Limiting hours for use of the route by HGV construction traffic to 9.15 – 15.00.
3. A pre-condition survey.
4. Limiting construction vehicles to 10m long rigid lorries (no artics).
5. Suggesting that there could be temporary waiting restrictions to remove parked cars from the route if desired by the HA.
6. Inclusion of a parking beat survey of Toucan Street to record the amount of on-street parking.
7. A vehicle tracking plan to show a lorry purportedly negotiating the route with some indication of areas of on-street car parking.
8. Defining the construction period as being likely to be three and a half years.

The CTMP states at 1.5 that the route through Toucan Street has been “verbally agreed with Wiltshire Council highway officers as the most suitable route”. That is incorrect: I agreed that the route via Toucan Street is better than the previous route suggestion of Kingfisher Close – which is not the same as agreeing that a route through Southview is more suitable compared to routeing via Ashton Park.

Toucan and Sparrow Streets are residential roads, traffic calmed, subject to a 20mph Zone and with considerable on-street parking stemming from the fact that the estate was planned at the time of maximum residential parking standards. Some properties therefore do not have sufficient curtilage parking to accommodate the normal number of vehicles owned and vehicles therefore must park on the roads. It is inappropriate for an estate which was designed with the intention that that some resident parking would occur on-road, to penalise those residents by temporarily removing their daytime parking facility for a period of three and a half years, when the development proposed is part of a strategic site with its planned satisfactory, separate and appropriate access provisions.

The tracking plan shows the small rigid HGV vehicle overrunning areas that are at times used for on-street parking. There will therefore be conflicts.

It is difficult / impossible for contractors to limit deliveries to certain size vehicles throughout a long running construction project. You are aware that there is plenty of photographic evidence, that despite Toucan Street being of the same limitation now as it will be in future, no effort has been made by the developer to limit the size of delivery vehicles to-date. The notorious photograph of a long low loader within the Southview streets occurred while a cycleway was under construction rather than a large residential development.

It is difficult / impossible over the length of a long contract to insist that construction deliveries all arrive after 9.15am. It is in fact more usual for construction deliveries to occur more in the time period 7-9am – when residents’ cars will be more likely to be in place.

Access to this development for both construction and permanent traffic should be via the strategic site roads, with the link to Toucan Street being a bollarded access for emergency use, cycles and pedestrians only.

*I recommend that this application is refused on highway grounds for the following reason:-*

*The proposed development of 91 dwellings as part of the Ashton Park strategic housing allocation has not been master-planned in a comprehensive way across the whole allocation which is contrary to policies CP2 and CP29. The minor residential road Toucan Street proposed to access this development is unsuitable by reason of its residential nature, heavy on-street parking, road alignment with sharp horizontal traffic calming bends, and areas of shared surface where pedestrians including children are often in the carriageways, to safely and conveniently cater for the traffic including construction traffic which would be generated by the proposed development of 91 dwellings. The development is contrary to NPPF sections 8, 92, 110, 111 and to CS policies CP2, CP29, CP57 and CP61.*

Wiltshire Council Housing: no objection

Wiltshire Council Landscape: no objection

Wiltshire Council Open spaces: No objection. The Council will not adopt the open spaces/LAP. It will, however, expect the open spaces and LAP to be provided to WC standards, and then provided/equipped and retained/maintained in perpetuity.

Wiltshire Council Public Protection: no objection subject to conditions (air quality related).

Wiltshire Council Rights of Way: comments. Preference for links between site and Drynham Lane.

Wiltshire Council Waste: no objection, subject to developer contributions towards waste collection containers/bins.

Environment Agency: no objection, subject to conditions/informatives (CEMP).

Natural England: no comments

Network Rail: no objection, subject to informatives.

Wessex Water: no objection, subject to condition (waste water related)

## **8. Representations**

The application has been publicised by way of site notice, press advert and neighbour notifications. A number of consultation rounds have taken place as the proposal has evolved to address matters raised.

Initial consultation rounds generated 74 objections, raising the following issues -

- Harm to trees, hedges and wildlife;
- Loss of privacy due to removal of vegetation;
- Outside of development limits;
- Road network cannot cope;
- Site subject to flooding;
- Inadequate open space provision;
- Residents of Drynham Lane ignored;

- Unimaginative scheme;
- Transport assessment inaccurate;
- Previous refusal should be final;
- Proposal doesn't meet policy in terms of improving transport infrastructure;
- Council must ensure that appropriate off-site contributions are sought from the applicant in relation to the improvement of off-site pedestrian and cycle links to improve non-car access;
- Concern about how Sparrow Street, Toucan Street, Kingfisher Close, Kyte Way and Kestrel Avenue (Southview Park) will be able to deal with the traffic for extra homes and construction traffic;
- Inadequate width of access roads and problems with parking;
- Hazards to children and other residents of Southview Park due to traffic (Note: Objectors commissioned their own Traffic Assessment and submitted it for consideration by the Highway Officer)
- Drynham Lane would be a better option for access;
- Disruption during development;
- Wainhomes misled (sic) owners in Southview Park and has also not engaged with them;
- Inadequate access for emergency vehicles;
- Ecology report inadequate;
- Harm to Air Quality;
- Two separate applications on this site is unacceptable and should not be allowed;
- Secondary School Contributions: Application 15/04736 is required to provide a site for a new secondary school plus contributions towards the cost of the school based on pupil yields from the development and the standard cost multiplier;
- No Health/Dental Care contribution appears to have been required of application 16/00547 and therefore a proportionate contribution should be made to this overall cost;
- Ecological Mitigation contributions including funding of a Steering Group to oversee Biodiversity Management Plan, funding of full-time warden, funding of an Ecological Visitors facility, financial contribution towards cost of monitoring, implementation and maintenance of mitigation and
- Partial funding of YWARR and a commuted sum for structure maintenance should be included in S106.

More recent consultation rounds (since 2020) have generated further objections from in excess of 85 third parties, including from the Residents South View Park Committee, Trowbridge Civic Society and Dr Andrew Murrison MP. A petition with 303 electronic signatures has also been presented. Additional matters raised in the representations are summarised as follows –

- Already insufficient parking in Southview Park including on the roads that are proposed as access for the proposed development including Toucan Street, Kyte Way, Kingfisher Close, Kestrel Avenue & Sparrow Street; this meaning there is much on-street parking. Due to the estate not having been designed for buses or construction traffic, it has many sharp bends and narrow streets. Some streets already have pavement parking due to the narrow widths of the roads;
- There is nowhere for HGV's or buses to turn;.
- Noise and disturbance from Construction Traffic is unsustainable, and is unreasonable and unfair;

- Potential for damage from construction traffic and other vehicles accessing the new development to the areas that existing homeowners maintain and pay. Residents have seen the damage that construction traffic has caused in the past;
- If access via Southview Park was granted this would cause even more congestion on an already busy housing estate. It could cause parking problems for current residents and there is potential risk to cars parked on the roads;
- Applicant should use an alternative access from Ashton Road. This is detailed in the Wiltshire Core Strategy.

Dr Andrew Murrison MP states the following –

*I do accept that the application is for a site within the Core Plan and within the Ashton Park urban extension. However, I have conducted a site visit and noted the severe access constraints on and around Toucan Street. There are no credible plans to mitigate disruption to the lives of my constituents living in and around Toucan Street whose neighbourhood will be the sole access corridor during the construction and occupation phases of the project, a purpose for which it was not intended or equipped for.*

*In my view, the application should be refused pending receipt of acceptable plans for access from West Ashton Road.*

The petition states the following –

*Please ensure Wainhomes are made to use an alternative access for building their new development. Southview Park is not a reasonable access route for Buses; Construction Traffic or traffic from 91 or more homes. The noise, Mess, risk to health and safety cars and pets is serious and not necessary. Don't allow them to take a short cut. They have caused us nothing but stress for the last 8 years plus. They are in my opinion an irresponsible Developer.*

## **9. Planning Issues**

The issues relevant to the consideration of this application are, firstly, the principle of residential development at the site; and then, and notwithstanding the conclusion in respect of the principle, matters of detail including highway safety, ecological impact, drainage provision, visual impact and residential amenity. Also relevant are the proposed measures to ensure the development makes adequate provision for infrastructure – notably in terms of affordable housing provision, education provision, waste collection facilities, highway infrastructure and open space.

### **9.1 Principle**

In land use planning terms, the principle of residential development at the site is established by its designation as part of the 'Ashton Park Urban Extension' allocated site, this in the Wiltshire Core Strategy. The allocation is for, amongst other things, 2,600 dwellings. The proposal is for 91 dwellings which, in combination with the 'up to 2,500' dwellings proposed on the remainder of the allocation (ref. 15/04736/OUT), largely satisfies this quantitative housing requirement of WCS Core Policy 29 ('Spatial Strategy: Trowbridge Community Area').

However, WCS Core Policy 2 ('Delivery Strategy') expects "Masterplans to be developed for each strategically important site in partnership with the local community, local planning authority and the developer, to be approved as part of the planning application process"; Core Policy 29 has a similar expectation. Although a 'master-planned' approach has been applied

to the rest of the Ashton Park allocation through application no. 15/04736/OUT (which includes provision for access to the application site at its north-east side), there is no overall integrated master plan for the two sites taken together, considering matters such as overall access and phasing. The consequences of this are discussed below.

## **9.2 Detailed considerations –**

### **9.2.1 Layout and general design considerations**

The planning application is accompanied by a Design and Access Statement. This has evolved during the life of the application, with the latest version being an Addendum dated July 2021. For the application site in isolation the Addendum provides all necessary parameter plans information (notably, relating to site constraints, and the density, mix, layout, building heights, design concepts, movement, open space provision, etc.) for the proposed development.

On density, mix, site layout, and building heights, these are all acceptable being similar to the recent residential developments to the north. A balanced mix of 1, 2, 3, 4 and 5 bedroom houses is proposed, with 30% of these being affordable. Building heights range between 2 and 2.5 stories (with single storey garages). The designs of buildings are traditional, utilising a variety of bricks and tiles; and on-site residential privacy standards are satisfied. Play space provision is in accordance with Council requirements; and internal road layouts satisfy standards. Ecology is considered in greater detail below, but the proposal satisfactorily addresses this matter, subject to conditions and S106 requirements.

The ‘Design’ aspects of the proposal, therefore, comply with points (i), (ii), (iii), (v), (viii), (xi) and (xii) of WCS Core Policy 57 (‘Ensuring high quality design and place shaping’); (points (iv) and (x) of the policy (relating to historic buildings/landscapes and advertisements respectively) are not relevant to the proposal; points (vi), (vii), (ix), (xiii) and (xiv) are considered below).

### **9.2.2 Highway safety and wider residential amenity**

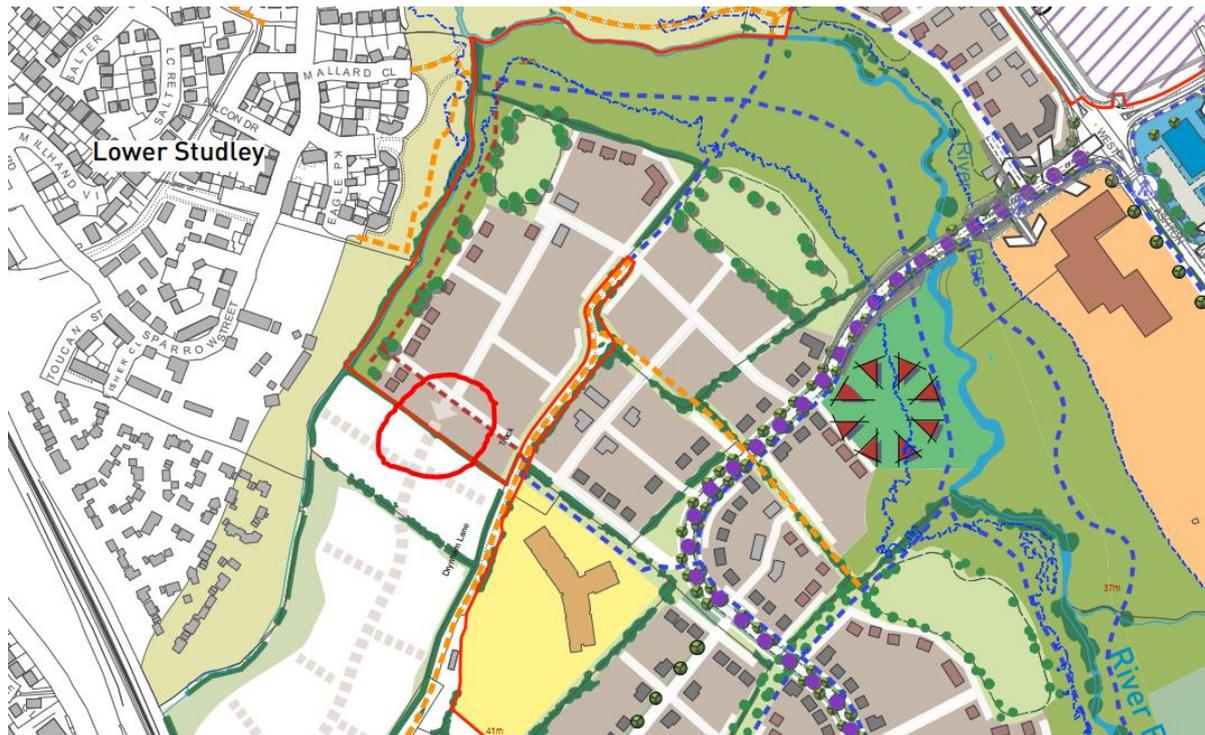
Point (vi) of Core Policy 57 requires new development to take account of the characteristics of the site and the local context to deliver appropriate development which relates effectively to the immediate setting and to the wider character of the area. Point (vii) requires new development to have regard to the compatibility of adjoining buildings and uses and the impact on the amenities of existing occupants. Point (ix) requires new development to ensure that the public realm, including new roads and other rights of way, are designed to create places which are legible, safe and accessible. In the case of major developments, point (xiii) requires planning applications to be accompanied by detailed design statements and masterplans. Point (xiv) requires new development to meet the requirements of Core Policy 61. Core Policy 61 (‘Transport and new development’) requires Transport Assessments accompanying planning applications to demonstrate that the proposal is capable of being served by safe access to the highway network.

On layout and ‘movement’, the final rendition of the layout plan and the ‘Access’ element of the Design and Access Statement Addendum show three immediately deliverable points of access to the application site, and one future potentially deliverable point of access. The three specific points of access comprise two pedestrian/cycle accesses (from Drynham Lane) and one vehicular access (from the Southview Farm / Lower Studley residential development (where an existing cul-de-sac (Toucan Street) would be extended into the site at its present point of termination)). The potential future point of access is at the north-east end of the site where the new estate road within the site is shown to terminate at the boundary with the adjacent field. This adjacent field forms part of the land covered by planning application

15/04736/OUT, and its master plan indicates an access (indicative position only) from the field to the site (in the opposing direction).



**Design & Access Statement 'Movement Plan'**  
showing points of access to/from the site



**Extract from 15/04736/OUT 'Master Plan'  
showing indicative point of access to 16/00547/FUL site (circled red)**

The planning application is accompanied by a Transport Assessment. This considers the traffic generation of the development and the potential impact of this on the surrounding transport network. It focuses principally on operational traffic (that is, the traffic which would be generated by the occupiers of the development). It also considers the availability of alternative means of transport to the motor car, this to inform a future Travel Plan.

Separately there is also a Construction Traffic Management Plan. This focuses on how construction traffic would be routed and managed during the period of construction.

Using recognised methodology, the Transport Assessment draws the following conclusions –

#### *Existing Conditions*

*8.2 The site is conveniently located in terms of access to the local and strategic highway network. The main distributor road in the area is the C49 West Ashton Road, which connects the A350 to the south of the site with the A361 to the north, providing access to the town centre and the strategic highway network.*

*8.3 The site has adequate pedestrian access to the main facilities within Trowbridge, with a number of services and facilities located within 1km and with the town centre located less than 25 minutes away.*

*8.4 There are a number of bus stops located within 800 metres from the site that provide access to the local facilities in Trowbridge and the main town and cities in the surrounding area, including Bath, Salisbury and Warminster.*

*8.5 The peak hour traffic flows are accommodated on the local highway network without any major queues and delays forming at the West Ashton Road roundabout junction with Broadcloth Lane East and is therefore 'fit for purpose'.*

## *Accident Data*

*8.6 Records of personal injury collisions have been recorded in the vicinities of the site for the 3-year period between 2011 to 2013. This information shows that despite a low number of isolated accidents happening within the study area, there is no traffic accident pattern identified in the surrounding area.*

## *Policy Review*

*8.7 The proposed development meets the objectives of national policy, as set out in the NPPG and NPPF, and supports the aims of current government planning guidance on the integration of land use planning and transport for a number of reasons, inter alia:*

- it encourages walking through the existing footways that will link with the network of local footpaths provided within Trowbridge, Land North of Drynham Lane, Trowbridge Transport Assessment.*
- at the local level, Wiltshire County Council transport policy aspirations build upon national policy by seeking to reduce reliance on the car and encourage the use of non-car modes of transport.*

*8.8 The development proposals accord with the objectives of [Wiltshire Council] in that they seek to promote travel on foot, cycle and by public transport for residents and the provision of sufficient on-site parking spaces.*

*8.9 Manual for Streets supports developments for cul-de-sacs on sites constrained by the topography or boundaries and where through routes are not considered practical.*

*8.10 Cul-de-sac developments are also supported by Manual for Streets 2 where good quality public transport access is provided as it happens with the proposed development, and with bus stops located within close proximity and providing regular access to Trowbridge, Bath and other nearby towns in the area.*

*8.11 The site is located on a dynamic area within Trowbridge, with a number of residential and employment developments planned for the near future, and where transport improvements related to new infrastructure and services will also be provided. The proposed development will be able to take advantage of the transport improvements and proposed facilities in the area to achieve high sustainability credentials as part of the scheme.*

## *Proposed Development*

*8.12 The proposed development end use for the site proposals will comprise a residential development comprising up to 120 dwellings (NB – officer note that this has now been revised to 91 in terms of this application) that will be accessed from a new link road onto the new Southview Park development, which bounds the development site to the north.*

*8.13 Visibility splays from the site access junctions will comply with the guidance provided within the Manual for Streets, and based on the 20mph proposed speed limit that will apply within the site.*

*8.14 Networks of footways, footpaths and cycle paths are included throughout the site connecting and integrating various elements of the development. The proposed routes*

*will connect to the existing footpaths and cycle ways on the periphery of the site providing safe routes to the main facilities within Trowbridge.*

*8.15 Parking will be provided in accordance with current standards as indicated by Wiltshire County Council.*

#### *Traffic Generation, Distribution and Assignment*

*8.16 It is expected that the proposed development, which will be designed to encourage the use of sustainable modes of transport, will generate a low volume of vehicle flows, and with a total of only 57 and 67 vehicle trips in and out of the site during the busiest AM and PM peak scenarios respectively.*

*8.17 It is clear from this analysis that the proposed development will not generate a significant amount of traffic flows on the local highway network during the busiest peak hour time.*

*8.18 Trip distribution estimated from the site shows that only 2/3 of the traffic generated by the site will travel via the roundabout junction with West Ashton Road, while the remaining 1/3 of the traffic will travel via alternative ways, mainly through the local roads to the A361. The impact on the operation of the junction will therefore be limited with only 38 new vehicle trips during the AM peak period and 45 during the PM peak.*

#### *Impact on the Local Highway Network*

*8.19 The likely impact of the development proposals on the local highway network has been assessed.*

*8.20 Junction capacity analyses have been undertaken for the roundabout junction of West Ashton Road with Broadcloth Lane East, which provides access to the proposed development via the new Southview Park development, and where a significant percentage of the development traffic will be travelling through.*

*8.21 The junction capacity assessments have concluded that the West Ashton Road / Broadcloth Lane East roundabout junction can satisfactorily accommodate the predicted traffic flows under the base and future scenarios with and without the development being operational for the AM and PM peak periods. The impact caused by the proposed development is limited in all cases.*

*8.22 The Outline Business Case prepared for the A350 Yarnbrook and West Ashton Relief Road has shown that the main junctions surrounding the proposed development site on the local and strategic highway network will operate satisfactorily under the 2026 future scenario including the Ashton Park development and the proposed Relief Road.*

*8.23 This is confirmed by the Outline Business Case for the Relief Road.*

The Construction Traffic Management Plan focuses on construction traffic. It states that during the construction phase, traffic would be generated by delivery/collection vehicles and journey to work trips associated with the workforce. The construction programme itself is expected to take place for c. 3.5 years, with maximum deliveries per day to be between 8 and 10 two-way movements (based on data obtained from similar sites). At the peak of the construction between 30 and 50 sub-contractors would be expected. The proposed working hours for all construction activities would be restricted between 0800–1800 Monday to Friday and 0800–1300 on Saturdays. The site would be closed on Sundays and Bank Holidays.

The full Construction Management Plan (with additional detail to that summarised above) is attached as Annex 1 to this report. Its full conclusion is re-produced below –

*8.1 This CTMP concludes that the best route for the construction traffic is via the A350, West Ashton Road, Broadcloth Lane East, Sparrow Street and onto Toucan Street. This is considered to be the most appropriate route as it avoids routing through residential areas as much as possible.*

*8.2 Wainhomes has confirmed that it is agreeable to limiting the size of vehicles used for deliveries to the site to those similar to existing 11.3 metre refuse vehicle that services the local highway network.*

*8.3 It is considered that there is appropriate enforcement to seek to move vehicles if they prevent access for construction vehicles, as well as other emergency blue light / service vehicles that may require access to Toucan Street. If considered absolutely necessary by highway officers at Wiltshire Council, Wainhomes are willing to consider the implementation of temporary traffic regulation orders (TTROs).*

*8.4 HGV deliveries/movements will be restricted so that they only take place between 0915 and 1500 to avoid school traffic peaks during term-times.*

*8.5 Delivery vehicles will be advised to not access the site or wait on the local residential roads before 0915 or after 1500. Furthermore, during busy delivery periods the delivery suppliers will be asked to contact the Site Manager 20–30 minutes prior to the agreed delivery time to ascertain the set down area is clear.*

*8.6 Delivery vehicles that are travelling on the local highway network before 0915 or those that are asked to wait until the set down area is clear will be asked to wait in a suitable laydown until the site manager advises that these vehicles can access the site. A possible location could be the layby located on the eastern side of the A350 situated approximately 1.5 kilometres to the north of the A350 signalised junction with West Ashton Road.*

*8.7 A pre-commencement walk-over Condition Survey on the local highway network will be carried out to assess the baseline condition of the adopted highway before construction activities commence. At this stage it is envisaged that the extent of the survey will be Toucan Street only.*

At each stage of consultation and re-consultation the planning application has generated significant numbers of objections from residents of the now largely fully occupied housing estates to the north of the site through which it is proposed to solely, at least initially, access the site for both construction and operational traffic. Concerns raised relate to (in summary) the alleged inadequacies of the residential roads within these estates to accommodate additional traffic, and in particular construction traffic, leading to potential safety and amenity issues.

These concerns are shared by the Council's Highways Officer who raises objections to the application for these reasons. The Highways Officer's final full response is set out in the 'Consultations' section of the report.

The conclusions of the Council's Highways Officer are agreed. Although the quantitative outcomes of the Transport Assessment covering matters including traffic generation levels from the site, the capacity of the wider road network, accident records, etc., are accepted, this does not take account of the actual suitability of the residential streets closest to the site to take the planned additional traffic, this in terms of the affects the traffic would have on the character of these streets and the manner in which they are now used, and the potential for

conflict between different traffic types. These nearby streets, although not 'home zones' as such, are to all intents and purposes local roads at the very lower end of the streets hierarchy, and so where residents can reasonably expect to go about their daily business without this being affected by higher levels of and/or uncharacteristic forms of traffic (even if there is, at least technically, capacity for such traffic. On this, only the impact of traffic from the site itself has been assessed by the applicant; the potential eventual through traffic from Ashton Park has not been considered). This is particularly the case for Toucan Street which is presently a lightly trafficked cul-de-sac, designed and operating as such. The proposal would change this road's status to a secondary /through road serving the planned development, with significant consequences for how it would then be used and appreciated by its residents, and with knock on consequences for both residential amenity and, potentially, safety. For these reasons the proposal is considered to fail against points (vi), (vii), (ix) and (xiv) of WCS Core Policy 57.

The alternative option for vehicular access to the site is via the proposed north-east link to the adjoining land within the wider Ashton Park Urban Extension allocation. WCS Policies CP2, CP29 and CP57 expect masterplans to be developed for the strategically important allocated sites. Had an overall masterplan been prepared for Ashton Park it is reasonable to conclude that the application site would have been shown as being accessed via a secondary street from the land to the north-east, linking then, via a hierarchy of streets, to West Ashton Road and/or the A350 – a master-planned design rather than the contrived solution presented in the planning application. Such an alternative may pose complications in terms of the timings for the development of the application site as a phasing plan is yet to be agreed for the wider Ashton Park (and such a phasing plan may put the application site in a later phase anyway). However, this is not considered to be a sound reason to permit a compromised development at the application site in terms of its access in the meantime. In the context of the requirement for an overall masterplan such a decision on the current planning application would be premature, and lead to the adverse consequences discussed above and in the Highways Officer's objection.

The sustainability credentials of the application site as set out in the Transport Assessment are agreed, this in terms of its proximity and accessibility to services, bus routes and footpaths and cycleways.

Some third-party representations suggest that Drynham Lane should provide the vehicular access to the site. This is not agreed by the Council's Highways Officer in view of the narrow width of the lane and the roads approaching it, which pass under a narrow and low railway bridge. The intention is for the bridge to be closed to vehicular traffic, this as part of the overall development of the Ashton Park Urban Extension.

### 9.2.3 Ecology

Core Policy 50 ('Biodiversity and geodiversity') requires development proposals to demonstrate how they will protect features of nature conservation and geological value as part of the design rationale. Any development that would have an adverse effect on the integrity of a European nature conservation site will not be in accordance with the Core Strategy.

The application site is situated approximately 1km to the north-east of Green Lane Wood, which is a known location for bats (notably Bechstein bats) associated with the Bath and Bradford-on-Avon SAC. The Council's Ecologists have, therefore, identified the proposed development as having the potential to lead to significant effects on the SAC, and accordingly have determined that the application must be subject to an 'Appropriate Assessment' under Regulation 63 of the Habitats Regulations 2017.

Following various amendments to the application since initial submission, the WC Ecologist's have been able to conclude positively on the Appropriate Assessment – specifically stating that the proposal will not lead to adverse effects on the integrity of the Bath and Bradford-on-

Avon Bats SAC alone or in combination with other plans and projects, but subject to conditions and a S106 agreement. This conclusion has been reached in view of planned mitigation, which includes retained dark corridors alongside Drynham Lane and the railway embankment (where bats commute), the creation of a c. 1ha area of new woodland within the site, and appropriate low-intensity street lighting. Recreation off-setting would be delivered via CIL contributions. Conditions / S106 requirements would ensure that this mitigation is implemented and monitored.

The full Appropriate Assessment is attached at Annex 2 to the report.

#### 9.2.4 Drainage

The application is accompanied by a Drainage Strategy which has been amended during its course to meet the requirements of the Council's Drainage Officer. No objections are raised to the final strategy from the Council's Drainage Officer and Wessex Water, subject to conditions.

#### 9.2.5 Infrastructure requirements

WCS Core Policy 3 ('Infrastructure requirements') requires all new development to provide for the necessary on-site, and where appropriate, off-site infrastructure requirements arising from the proposal.

In this case the infrastructure requirements are as follows –

- Affordable housing – 30% on-site provision;
- Education – financial contribution towards 'early years', primary and secondary education provision;
- Waste collection – financial contributions towards the cost of waste collection containers;
- Public art – financial contribution;
- Highways – a proportionate financial contribution towards The Yarnbrook and West Ashton Relief Road (YWARR) and a commuted sum for structure maintenance;
- Highways – financial contribution towards the cost of the upgrading of the cycle/pedestrian route from Drynham Lane to the White Horse Business Park to a wider, shared use cycleway;
- Open space – open spaces and LAP to be provided to WC standards, management company to be set up or open spaces transferred to Trowbridge TC for future management, and the open spaces to be retained/maintained in perpetuity;
- Ecology – bat mitigation measures to be implemented and financial contribution towards compliance officer for monitoring of this implementation.

Notwithstanding the earlier stalled negotiations on a legal agreement, the applicant is now accepting of these requirements and agreeable to enter into a legal agreement for their delivery. This said, as the application is recommended for refusal for the highway safety and related amenity reason referred to earlier, a third reason for refusal concerning non-delivery of the infrastructure is also necessary. This third reason would fall away in the event of a satisfactory legal agreement being entered into later on (for example, in the further consideration of the application in the event of an appeal).

#### 9.2.6 Other matters

A play area is proposed on the west side of the site, close to the proposed road bridge. No additional bridges are considered necessary to link the site to the residential areas, and other play areas, to the north.

A fully segregated pedestrian/cycle route around the perimeter of the site is not considered necessary having regard to the extent of planned roads/pavements and pathways anyway. Pedestrian/cycle links are proposed to Drynham Lane (which is a 'quiet' no through road), and pathways/cycleways are proposed around the larger part of the development in any event.

At the present time Wiltshire Council is unable to demonstrate a five-year land supply. In these circumstances, and in accordance with the National Planning Policy Framework (NPPF), the policies of the Wiltshire Core Strategy which are relevant to housing supply must be treated as being out of date, and the presumption in favour of granting sustainable development 'bites' – that is, unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole (NPPF, para. 14).

In this case, and for the reasons set out already, the proposal conflicts with policies of the Core Strategy which are relevant to design, amenity and safety (CP57 and CP61). The proposal also conflicts with those parts of the supply policies which relate to design (CP2 and CP29). These policies are not out of date in the context of the NPPF, para. 14. The proposal also conflicts with the NPPF taken as a whole – specifically those parts concerned with design, amenity and safety (paras. 8, 92, 110, 111, 126 & 130). These paragraphs provide clear reasons for refusing planning permission which significantly and demonstrably outweigh any benefits of granting planning permission.

### 9.3 Conclusion

Although this application site lies within a wider parcel of land allocated for housing, and although in isolation the housing layout, mix, etc. elements of the design are acceptable, the overall proposal is unacceptable in view of its failure to fully demonstrate how and when it would integrate with the wider allocation. As a standalone site with an independent vehicular access via the adjacent suburbs, the proposal is not acceptable. Those parts of these suburbs closest to the site are served by a network of minor residential streets which do not lend themselves to becoming through roads for the proposed development. The resulting additional traffic – both temporary construction traffic and the permanent traffic of future residents – would change the character of these suburbs and the dynamics of their communities, to the detriment of residential amenity and, potentially, highway safety.

### **RECOMMENDATION**

**That the planning application be refused for the following reasons –**

- 1. The application site forms part of the wider 'Ashton Park Urban Extension' strategically important site, as defined by Core Policy 2 (Delivery Strategy) and Core Policy 29 (Spatial Strategy for the Trowbridge Community Area) of the Wiltshire Core Strategy. These policies state that the strategically important sites will be brought forward through a master-planning process agreed between the community, local planning authority and the developer.**

**In isolation a masterplan has been prepared for the wider part of the Ashton Park Urban Extension strategically important site. Also in isolation, a comprehensive Design and Access Statement incorporating parameter plans has been prepared as part of this planning application for the application site. Together the Ashton Park Urban Extension masterplan and this planning**

application's Design and Access Statement 'Movement' parameter plan make provision for a road connection between the two sites.

However, the plans, and in particular the Design and Access Statement for the application site, are silent on related considerations which are critical to this road connection and the comprehensive development of the Ashton Park Urban Extension – specifically, the timing of when, and the method of how, the connection between the two sites would be achieved. Without these matters being addressed – in the form of an integrated master plan, or as an addendum to the existing Ashton Park Urban Extension masterplan – the planning application is considered to be both incomplete and premature.

This is contrary to the intentions Core Policy 2 and Core Policy 29 of the Wiltshire Core Strategy and paragraph 8 of the National Planning Policy Framework.

2. To enable the proposed development to function in isolation of the wider Ashton Park Urban Extension, a second vehicular connection is proposed between the application site and the now established residential suburbs of Trowbridge to its north side, at Lower Studley. The connection would be to an existing residential cul-de-sac, Toucan Street, with access beyond this via lower key secondary roads. Toucan Street in particular is a minor highway serving low numbers of residential properties. Its design and layout, and the way in which it functions and is used by its residents, reflects its intended purpose.

In view of the minor status of these residential roads, the proposal to connect the application site to Toucan Street to create an access 'through-road' for the vehicles of the owners of the 91 proposed dwellings and for, at least in the short term (c. 3.5 yrs), the construction traffic associated with the build of the proposed development, would have a detrimental impact on the character of these roads and the neighbourhoods through which they pass. The additional traffic would change the dynamics of these neighbourhoods, to the detriment of the amenities of the residents, and potentially to the detriment of highway safety.

This is contrary to Core Policy 57 (points (vi), (vii), (ix) and (xiv)) ('Ensuring high quality design and place shaping') and Core Policy 61 ('Transport and new development') of the Wiltshire Core Strategy, and paras. 8, 92, 110, 111, 126 and 130 of the National Planning Policy Framework.

3. The proposal does not make provision for essential infrastructure made necessary by the planned development – specifically, affordable housing, education facilities, open space, essential highway works, waste collection facilities, ecology mitigation and public art. This is contrary to Core Policy 3 ('Infrastructure Requirements'), Core Policy 43 ('Providing affordable homes'), Core Policy 50 ('Biodiversity and geodiversity') and Core Policy 61 ('Transport and new development').
4. **INFORMATIVE:**  
Reason for refusal no. 3 may be addressed by the completion of a legal agreement (a 'S106 agreement'), in the event of an appeal.