

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	13 th September 2023
Application Number	PL/2022/01975
Site Address	Hawthorn Works, Westwells, Corsham, SN13 9RD
Proposal	Erection of a new data centre, plant, highways works, vehicle access, infrastructure, enclosures, landscaping and other associated works.
Applicant	Ark Data Centres Ltd
Town/Parish Council	Corsham
Electoral Division	Corsham Without (Councillor Derek Walters)
Type of Application	Full planning permission
Case Officer	Simon Smith

Reason for the application being considered by Committee

The application has been called into committee at the request of Councillor Walters to consider the massing and scale of development in the context of its location and surrounding residential properties.

1. Purpose of Report

To consider the above application and to recommend that planning permission be GRANTED, subject to the imposition of planning conditions.

Corsham Town Council support the application but would like to encourage sufficient planting to help screen the building from residential properties.

No third-party representations have been received.

2. Report Summary

The application is for the extension of an existing employment building as well as the erection of a new employment building within the site. The planning issues arising for consideration are as follows:

- Principle of expanding and extending an existing employment site
- Scale, design and visual impact of the new buildings
- The potential for impacts upon the amenities of surrounding residential occupiers
- Highways impacts, access and parking
- Landscaping

Corsham Town Council do not object to the proposals.

3. Proposal

The proposed development is for one additional data centre building, complete with ancillary office space, external roof plant and associated access and service yard. The use class of the proposed building is generally accepted to fall into the B8 use class. Its general form, appearance and function is to generally follow the characteristics of the existing data centres on the Spring Park complex. The submission sets out the scale and nature of the proposed development as:

- 6,020m² GEA footprint
- 3-storey c.12m high flat roof design, with first floor bridge link to adjacent data centre
- Profile sheet cladding external elevations to match that of the adjacent Spring Park complex
- Landscaped “buffer” to boundaries to Rowan Lane and Westwells Road, including bund to Westwells Road
- Two access to Rowan Lane to be created but used as an exit and service yard entrance only. Main access and parking to be via the existing Spring Park complex to the north
- 2no. parking spaces

The submission documents confirm the erection of a security fence around the site. Although it could be inferred that the fencing would be of c similar height and construction to that of the adjacent Spring park site (c.4.0m), no details have been supplied within the application.

The proposed development will result in the demolition of two brick/stall cladded existing commercial buildings along with a change to their existing access arrangements from Rowan Lane.

During the life of the application, additional cross sections were submitted so as to better illustrate the development’s presentation to Rowan Lane and Westwells Road. Also submitted were revised landscaping scheme plans. Addition ecology information and plans were also submitted during the application process.

4. Application site

Situated on a corner junction and extending to a little over 1.0Ha, the “Hawthorn Works” site presents as potentially the most publicly visible portion of the southernmost part of Westwells Road, with frontages to both Westwells Road itself as well as Rowan Lane, which leads to the Royal Arthur retirement housing complex. Public Footpath CORM135 follows the route of Rowan Lane.

At present the site is occupied by two brick/cladded commercial buildings, the taller of the two being relatively recently constructed under planning permission 16/05856/FUL, the larger, but lower profile, of the two being older and possibly being a remnant of the previous MoD ownership and use of the site. A service yard and access onto Rowan Lane is positioned between the two existing buildings. A c.2.5m tall security fence surrounds the site.

The “Hawthorn Works” site itself has been subject to two relatively recent permissions for the replacement of the previous commercial building at the site:

- 15/012404/FUL - Erection of New Building (B1/B8 Use), Creation of New Parking & Turning Area and the Relocation of Existing Boundary Fence. Approved.
- 16/05856/FUL - Erection of new building (Class B1/B8 Use), creation of new parking & turning area and the relocation of existing boundary fence (Resubmission of 15/12404/FUL). Approved.

To the south of the application site on the opposite side of Rowan Lane is an area of scrub/vegetated land that is currently undeveloped, but on which planning permission was granted at appeal for residential development, under reference 18/09884/OUT. It is unclear whether that permission is likely to be undertaken, with the permission expiring April 2024 unless a Reserved Matters application has been submitted. The nearest residential properties are those found on the immediately opposite side of Westwells Road. A large retirement housing complex is accessed via Rowan Lane, but with no immediate intervisibility with the application site due to the geometry of Rowan Lane.

To the immediate north and west of the site is the Spring Park data centre complex, into which the new development would be integrated, should permission be granted. The relevance of the Spring Park site set out below.

5. Relevant planning history

Formally a series of ex. military buildings converted to employment uses, the adjoining Spring Park data centre site has been built out over the past 15 years. The substantive grant of planning permission for that development being N/07/03214/OUT.

That 2007 permission allowed for a mix of office, research and data facilities, data storage and processing centres of up to some 60,000 sqm of floorspace. The indicative masterplans originally envisaged that the front of the site (the part closest to Westwells Road) would be used for offices. However, detailed proposals for this use on this part of the site have not come forward because there is no longer a business need for Ark to develop any additional office space on the Spring Park Campus.

Development at Spring Park (P1, P2, P3 and P4) has been developed under a series of reserved matters permissions, new full permissions and has been subject to a number of applications seeking minor material, and non-material, amendments.

The Spring Park site is within the locality identified by the Swindon and Wiltshire Local Enterprise Partnership: Strategic Economic Plan (March 2014), as being an important centre for in the information and communications industries within Wiltshire. The plan is considered to be a material consideration of moderate weight in favour of the proposal.

The intended integration of the application site into the Spring Park complex shown in below extract from submission documents.



6. Consultation

Corsham Town Council – No objection:

“Agreed: to support the application. The Town Council would like to encourage sufficient planting to help screen the building from residential properties.”

Council Landscape Officer – No objection, subject to conditions:

As you know I think the scale of the proposed building is oppressive to Rowan Lane, in terms of its bulk and height. However, this is not technically a landscaping matter, more an issue of design, scale etc. but it will impact on the local character of the area. While the existing and extant data centre buildings alongside the MoD complex does excerpt an industrial modern build character adjoining and further north, these buildings tend to have generous landscaped standoffs to adjacent roads. I acknowledge that the site’s landscape and visual baseline is an existing employment site/facility which has little or no value in terms of character/appearance/materials etc.

All things considered, I suggest we are on the realms of acceptability given the revised landscape proposals, which will provide an instant 2m high evergreen Yew hedge screening the perimeter and security fences and will help screen lower building levels. The larger ‘Liquidambar’ trees will help to break up views of the building during summer, but oppressive building massing from Rowan Lane / public footpath CORM 135 & 139 will remain.

I suggest further expansion south for any further applications for large data centre buildings or other large modern industrial shed builds to the south of Rowan Lane on the ‘Donkey Field’ site with extant/old housing consent, will in my opinion, conflict with the character of existing housing areas south of Westwells, and potentially the transition with / setting to Neston Conservation Area.

I’m minded to remove my recommended landscape objection for this current application, with a clear landscape planning steer that further applications for further large industrialising data centre/shed insertions south of Rowan Lane, beyond and breaching the TPO woodland strip (running along the southern edge of Rowan Lane, will result in landscape reasons to recommend objection, based on the resulting harm to the local character of the area and will conflict with the existing Public Rights of Way Network which clusters through a clearly identifiable green corridor extending into countryside and the Cotswolds AONB beyond.

I note the Councils ecologist has already requested that a LEMP (Landscape and ecological management plan) be conditioned. Please also include the standard model Wiltshire Planning Condition W2, requiring maintenance of soft landscaping with an annual plant failure replacement clause for 5 yrs following planting etc.

Council Highway Engineer – No objection.

I refer to the Technical Note dated July 2022 produced by IMA in response to the highway consultation response dated 26th April 2022.

The Technical Note provides detail of delivery vehicle movements on Rowan Lane advising that “Articulated delivery vehicles will exit the P5 North service yard as previously agreed for the P5 north application via the existing internal access road adjacent to the main car park and it is proposed that other delivery vehicles will exit the P5 North service yard via the service road and gate onto Rowan Lane.”

The internal access road also provides for emergency access for both the P5 North and P5 South buildings.

The delivery vehicles (OGV and LGV) expected to use the service road and exit onto Rowan Lane is understood to be low, as there would still be the option for such vehicles to exit through the main site access roundabout.

The survey data used to inform the number of delivery vehicles to the P5 North and P5 South site suggests 5 HGV departures via Rowan Lane in both the am and pm peak periods. This has been compared to the former use of the site which could have generated 14 and 4 movements in the am and pm peak periods respectively.

The smaller P5 South service yard is proposed for use by maintenance vehicles and emergency access.

Having regard to the previous use of the site, where exclusive access and egress was via Rowan Lane, and the proposed level of vehicle movements associated with the proposal, I am happy that there would be a reduction in vehicle movements, and this is therefore considered acceptable.

With regard to the location of the two access points onto Rowan Lane, these are proposed to be amended from their current positions, with the existing points of access to be taken out of use and permanently abandoned.

The swept path analysis for the P5 South service yard is considered acceptable for a fire appliance, but it is noted that a note on the Drawing states "Vehicular Site Exit Only" where it should read "Access and Exit".

With regard to the Firing Range access, it is understood that it is currently accessed through the P5 North application site from Westwells Road. Due to the proposed P5 South Building as alternative access is being proposed via Rowan Lane.

This access shown on the submitted plan IMA-21-154-012 A shows an access to the west of the existing sub-station to join the current route to the firing range. The route is proposed as 4m in width with a gate set back to ensure a vehicle can pull clear of Rowan Lane whilst the gate is opened. Visibility spays of 2.4m by 22m are proposed.

In response to concerns raised over the potential for conflicting movements along the access route, it is advised, in Appendix 3, that no more than two vehicles would access the firing range on any one occasion, with access only being required approximately 7 times per month.

These number of movements would not be likely to cause any concerns regarding conflicting movements which would impact on the users of Rowan Lane.

Having regard to the above, I would recommend that the following conditions be attached to any permission granted:-

The development hereby permitted shall not be first brought into use until the whole of the parking area/turning areas for the accesses off Rowan Lane have been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

The development hereby permitted shall not be first brought into use until at least the first 5m of the Firing Range access, measured from the Rowan Lane edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

No part of the development shall be first brought into use, until the visibility splays shown on the approved plans for the Firing Range access have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall always be maintained free of obstruction thereafter.

Reason: In the interests of highway safety.

No development shall commence on site until details of the stopping up of all existing accesses onto Rowan Lane, both pedestrian and vehicular, have been submitted to and approved in writing by the Local Planning Authority. That stopping up shall take place in accordance with the approved details within one month of the first occupation of the development. No later than one month after the first occupation of the development, the sole means of vehicular and pedestrian access to the development shall be as shown on the plans hereby approved.

Reason: In the interests of highway safety.

No development shall commence on site until details of the stopping up of the existing vehicular access on Westwells Road (located approximately 60 metres north-west of the Rowan Lane junction accesses onto Rowan Lane) and the reinstatement of full height kerbs have been submitted to and approved in writing by the Local Planning Authority. That stopping up shall take place in accordance with the approved details within one month of the first occupation of the development.

Reason: In the interests of highway safety.

The Travel Plan Statement (within the Transport Assessment dated March 2022) shall be implemented on first occupation of the P5 South data centre building.

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

Council Drainage Engineer – No objection subject to conditions:

“Documents Reviewed:

- Flood Risk Assessment (WIE17837-107-R-1-2-2-FRA, January 2022, Waterman Infrastructure & Environment Limited)*
- Sustainable Drainage Strategy (WIE17837-107-R-5-1-1-DRA, January 2022, Waterman Infrastructure & Environment Limited)*
- Proposed Drainage Layout (17831-WIE-92-ZZ-DR-C-00001, Rev. P02, January 2022, Waterman Infrastructure & Environment Limited)*
- Proposed Levels Layout (17831-WIE-95-ZZ-DR-C-00001, January 2022, Waterman Infrastructure & Environment Limited)*
- Proposed Site Plan (PL-1021, hale architecture)*

The application has been supported with a Flood Risk Assessment and a Sustainable Drainage Strategy. It should be noted that our comments below are reliant on the accuracy and completeness of the Sustainable Drainage Strategy and we do not take any responsibility for incorrect data or interpretation made by the authors.

The applicant has proposed to manage surface water through use of a detention basin and rainwater harvesting, based upon a controlled discharge rate of 1.0l/s for all storm events up to and including the 1 in 100yr + 40% rainfall event. Discharge is proposed to a private surface water sewer (some flows already discharge freely to the surface water sewer).

The proposed rate is significantly lower than the existing runoff rates to the surface water sewer and thus complies with Wilshire Council betterment policy. The applicant is to provide approximately 288m³ of storage based upon the calculated required attenuation volumes for the 1 in 100 year storm event plus 40% climate change allowance.

Conditions:

The drainage team have the following conditions which need to be addressed by the applicant:

- Provision of details of the proposed rainwater harvesting scheme.*
- It is noted that the applicant has provided Source Control calculations to demonstrate that attenuation will likely be appropriately sized on site. In order to confirm that surface water will be managed fully without increasing flood risk to people or property, the applicant is required to provide detailed hydraulic modelling results covering:*
 - o Calculations and drawings for the drainage system design showing conveyance routes are designed to convey without flooding the critical 1 in 30 year rainfall event.*
 - o Calculations and drawings for the drainage system design showing attenuation features are designed to attenuate without flooding the critical 1 in 100 year rainfall event + climate change.*
 - o Hydraulic Models should set the MADD factor / additional storage volume factor to 0m³ / ha in order to prevent an overestimation of storage capacity in the proposed drainage network.*
- Provision of a construction management plan, which shall include monitoring of, and measures to retain, the existing vegetation across the site, together with details of drainage arrangements during the construction phase, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.*

Council Arboriculturalist – No comment received.

Council Ecologist – No objection, subject to conditions:

“Thank you for consulting me on the above application in relation to ecology. I have reviewed the submitted information (below) against mapping (OS and aerial) along with photographs of the site and surrounding area, together with GIS layers of statutory and non-statutory designated sites and existing records of protected species:

- Preliminary Ecological Appraisal of Building 5 (Daniel Ahern, December 2021).*
- Bat Activity Survey Report (Daniel Ahern Ecology, May 2022).*
- Habitat Regulations Assessment Stage 1 Screening (Daniel Ahern Ecology, May 2022).*
- Biodiversity Net Gain Assessment (Daniel Ahern Ecology, February 2022).*
- External Lighting Report Rev. D (Waterman Building Services, 10th November 2021).*

The proposed application site is located approx.. 600m away from Box Mine SSSI which is a component of the Bath & Bradford on Avon Bats SAC. Box Mines SSSI is one of a group of sites used by greater horseshoe, lesser horseshoe and Bechstein’s bats. Due to the location of this application site, within the core sustenance areas for these Annex II species and there are records of horseshoe species close to the application site, the application must be considered under the Habitat Regulations.

While the applicant has submitted a Biodiversity Net Gain Assessment, we request that the unlocked spreadsheet is submitted with the application please.

With respect to the HRA Stage 1 Screening Assessment which concludes that application can be

screened out of Appropriate Assessment taking into consideration the submitted mitigation measures.

As the HRA report correctly points out in Section 2.2.2 Defining Likely Significant Effect (LSE): The 'People Over Wind'⁷ judgement established that a Competent Authority cannot take account of any "measures that are intended to avoid or reduce the harmful effects of the envisaged project on the site concerned", at Screening Stage (Stage 1) of the HRA. The effect of this is that the screening stage must be undertaken on a precautionary basis with no regard to any proposed integrated or additional avoidance or reduction measures.

As such the LPA as the Competent Authority cannot consider the mitigation measures put forward and the application must be screened into Appropriate Assessment.

Final Comments

All requested information has been submitted and the Appropriate Assessment has been signed off by Natural England.

Therefore, I have no objection subject to the following conditions:

1. The development hereby approved shall be carried out in strict accordance with:

- The Preliminary Ecological Appraisal (Daniel Ahern Ecology, 19th December 2021).
- Bat Activity Survey Report (Daniel Ahern Ecology, May 2022).
- Biodiversity Net Gain Assessment (Daniel Ahern Ecology, February 2022).

REASON: To ensure adequate protection and mitigation for protected species.

8. Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- 8) Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.
- b) Working method statements for protected/priority species, such as nesting birds and reptiles.
 - c) Mitigation strategies already agreed with the local planning authority prior to determination, such as for great crested newts, dormice or bats; this should comprise the pre-construction/construction related elements of strategies only.
 - d) Details and locations of any temporary construction lighting required.
 - e) Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (EcoW) shall be present on site.
 - f) Key personnel, responsibilities and contact details (including Site Manager and ecologist/EcoW).
 - g) Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/EcoW and to include photographic evidence.

Development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and

during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable

8. All lighting shall be installed and maintained in accordance with the approved details as set out the External Lighting Report Rev. D (Waterman Building Services, 10th November 2021) and no other lighting shall be installed.

REASON: To ensure the boundary features to the west and south are maintained as dark corridors for bats.

4. Prior to the start of construction, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development. The LEMP will provide a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.

The LEMP shall also include details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured. The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

5. There will be no night-time working which will ensure there are no additional vehicles/people/machinery outside daylight hours.

REASON: The introduction of artificial light/noise disturbance may mean that qualifying bat species are disturbed and/or discouraged from using established flyways or foraging areas. Such disturbance will constitute an offence under relevant wildlife legislation.

Natural England – No objection subject to mitigation.

Public Protection team – No objection:

The Noise Impact Assessment demonstrates that with specific attenuation, the plant associated with the data centre will not be detrimental to the amenity of neighbours of the site.

Please could the noise attenuation details in S. 5.4 of the Noise Impact Assessment, and the noise reduction values they provide to specific items of equipment, form a condition to be added to any approval.

Wessex Water – Confirms that infrastructure within the application site:

Existing Services –

There is a 300mm diameter reducing to 225mm diameter public foul sewer along the boundary with Westwells Road, In accordance with Wessex Water Policy, there must be no buildings within a minimum of 3m either side of the public foul sewer and no tree planting within a minimum of 6m. This includes no surface water attenuation features and associated earthworks in the easement strip. Wessex Water require unrestricted access to maintain and

repair our apparatus. Measurements are given for a pipeline depth of between 900mm and 2000mm. The stand-off distance may increase for a strategic water main due to material, size, depth and pressure.

The applicant will need to agree protection arrangements for the existing 300mm reducing to 225mm diameter public foul sewer which crosses the site (6m easement). Any damage to our apparatus by third parties will result in a compensation claim.

All apparatus must be accurately located on site and marked on deposited drawings.

A map showing all known Wessex Water Assets within the area of the proposed site is attached at the bottom of this response. Additional maps can be obtained from our website Mapping enquiries (wessexwater.co.uk)

Foul Drainage –

There is capacity in the foul sewer network to accommodate foul only flows from this development. We can agree a foul only connection to the existing public foul sewer running along the Westwells Road boundary.

It is noted that the applicant is proposing to remove existing surface water drainage connection for the public foul sewer, any existing surface water connections to the existing foul water system must be redirected upon re-development and redundant drains and laterals must be sealed at the point of connection to the public sewer. We will not accept connections to the public foul sewer from below ground level (basement level) any foul flows must be pumped to ground level prior to connection to the public foul sewer.

The point of connection to the public network is by application and agreement with Wessex Water and subject to satisfactory engineering proposals constructed to current adoptable standards. The developer should contact the local development team development.north@wessexwater.co.uk to agree proposals for the Section 104 adoption or and submit details for technical review prior to construction.

Surface Water Drainage –

It is noted that the applicant is proposing to discharge surface water runoff from the site via a connection to an existing private surface water drainage to the south of the site, as this is not a Wessex Water asset permission will need to be sought from the owner of the surface water system and discharge rates and volumes will need to be approved by the Lead Local Flood Authority.

Supply –

A connection can be made for domestic type flows only from the existing distribution network on Westwells Road from which there is an existing spur into the site. Should the applicant require flows greater than those deemed as domestic they will need to reconsult Wessex Water.

7. Publicity

No representations received.

8. Planning considerations

Principle

The application site is previously developed land and is already in use for employment purposes. The site is immediately adjacent to existing development used for similar purposes and of a similar scale. Policy CP34 to the Wiltshire Core Strategy confirms that proposals for employment development will be supported in settlements such as Corsham. Policy BE3 to the Corsham Neighbourhood Plan confirms, inter alia, that the expansion of business development to the west of Corsham is to be supported.

The application site is also within the locality identified by the Swindon and Wiltshire Local Enterprise Partnership: Strategic Economic Plan (March 2014), as being an important centre for in the information and communications industries within Wiltshire. The plan is considered to be a material consideration of moderate weight in favour of the proposal, with data centre development being a recognised part of the digital economy.

In the above context, the principle of development is considered to be acceptable. The detail of the proposal, however, must also be considered against other policies within the development plan.

Design, appearance, massing, scale and impact on urban form and landscape

The proposed data centre building is to be of a utilitarian appearance – coloured profile cladding, regular fenestration, external emergency staircases and flat roof. The application confirms that the new buildings will match the aesthetic and material palette of the existing buildings on the adjoining Spring Park site, in an effort to create visual coherence within the complex and views from the public realm. All plant and air conditioning units are to be positioned on the roof, a proportion of which behind a similarly roof mounted “acoustic screen”. A linking pedestrian bridge feature at first floor level is also proposed, linking to the nearest existing data centre building on the adjoining Spring Park site. The bridge is similarly clad, interspersed with glazed windows.

The general appearance, design and materials used for the external finish of the building is considered to be reflective of those buildings on the adjoining Spring Park site on the western side of Westwells, with the design retaining a reasonably “active frontage” to Westwells, as is advocated by Policy BE3 to the Corsham Neighbourhood Plan. To this extent, the design and external appearance of the building is considered to be appropriate. The character on the immediately opposite, eastern side of Westwells is residential, with no substantive overlap in feel and appearance.

With regard to scall and massing, at some c.12m – 14m in height (once the roof mounted plant and screening is taken into account – albeit being mounted some distance back from the edge of the roof), the proposed building is of unquestionably substantial height with a largely unarticulated elevation treatment presenting to both road frontages. Indeed, since the submitted cross-sections suggesting the building up of ground levels closest to Rowan Lane (c.2.0m), it is reasonable to expect that the presentation, and therefore perceived height and mass, of the flank wall of the building in particular will increase when experienced from Rowan Lane (a reasonably heavily used public right of way and access to the retirement housing at the Royal Arthur site), to which the building will have a very close relationship. Whilst the applicant suggests the existing buildings on the site sit at a similar finished floor level to that proposed and that the new buildings would sit somewhat deeper inside the site than at present, there remains no doubt that the development will be highly prominent in the street scene and it is for these reasons that the Council’s Landscape Officer has remained concerned about the proposals.

As is noted in the Landscape Officers commentary, while the existing and extant data centre buildings alongside the MoD complex does exert a somewhat industrial build character, with substantial buildings and perimeter fencing, in contrast to the proposal/application site, those existing buildings tend to have generous, landscaped standoffs to their road frontages. Indeed, whilst the applicant points to the application site’s visual *baseline* as an existing employment site/facility which has little or no value in terms of character/appearance/materials etc., the proposal does represent a significant intensification of built form and increase of building height/massing closer to the road frontages.

In response to initial concerns over the visual effect of the development on Westwells and Rowan Lane, revised landscaping plans were submitted. In addition to the bunding and planting already shown for the Westwells frontage of the site, these plans propose additional planting along the Rowan Lane frontage, including a 2m tall evergreen hedge screening the perimeter and security fences. As is noted within the

Landscape Officers comment, this evergreen hedge will provide instant screening at lower levels with the larger 'Liquidambar' trees helping to break up views of the building during summer.

Nevertheless, whilst there is no doubt there is no doubt that the character of Rowan Lane and the public footpaths CORM 135 & 139 will still be significantly altered as a result of the development, the Council's Landscape Officer is mindful of the revised landscaping scheme and confirms in their final comments that, subject to the imposition of conditions which compel the management of the planting, the impact is not so great that they would raise an objection. However, they do note concerns over the possibility of further large industrialising datacentre/shed development on the land south of Rowan Lane and the cumulative impacts that could result to the character of the area and the experience when using the Public Rights of Way Network, which clusters through a clearly identifiable green corridor extending into countryside and the Cotswolds AONB beyond. Of course, until such proposals for that adjacent site (known as Sands Quarry) come forward, it is not possible to assess that cumulative impact and there it is not a material consideration in the determination of this planning application.

Turning to longer distance views, the Spring Park site is thought to be reasonably self-contained, being somewhat enclosed by existing built form and mature woodland in combination with local rising topography etc. which restricts potential for impact upon the Cotswolds AoONB (the boundary to which is some 10km to the West) and wider countryside inter-visibility and rural rights of way network, which spreads to the South and West.

For reasons connected to both the minimisation of ecological impacts (considered in a separate section below) and visual impacts in the locality, it is considered important that any new security lighting should be designed so as to reduce upward light spill and light polluting glare as far as possible, in accordance with latest government guidelines and recommendations and designed in line with Institute of Lighting Professionals etc.

With regard to the security and boundary fencing of the site where it fronts Westwells Road and Rowan Lane, the locality is very much defined by its security fencing (from both military and sensitive commercial ventures), as well as the site already being surrounded by fencing and in that context is not considered to be unacceptable. However, since the submission does not appear to contain full details of the fencing, it is considered necessary and reasonable to impose a planning condition which requires full details to be supplied prior to their installation.

Ultimately, whilst it is undeniable that the proposed building is substantial and will have a significant effect upon the character of the Westwells Rowan Lane junction and the public rights of way, it is also the case that the development will take place in the context of existing substantial development at the adjoining Spring Park complex. Subject to the imposition of planning conditions, particularly in respect of the delivery and maintenance of the landscaping to Rowan Lane, lighting and perimeter fencing, the impact on that character is not considered to rise to an unacceptable level and would comply with the relevant requirements of policies CP51 and CP57 of the Wiltshire Core Strategy as well as the general design criteria with Policy HE1 and relevant criteria to policy BE3 of the Corsham Neighbourhood Plan.

Highways, traffic generation, parking

The Hawthorn Works site currently accommodates two factory units (including offices), with access gained via two points of access from Rowan Lane, which is a private road and the route of Public Footpath CORM135. The proposal will see the demolition of those building and the erection of a new data centre of c. 6,021m² floorspace, which would comprise 3,220m² of data centre, 1,733m² of plant area and a 1,068m² ancillary block. New accessed are to be created into Rowan Lane, with internal access from the adjoining Spring Park. A Transport Assessment was submitted within the application (reference IMA-21/-154, prepared by IMA Transport Planning, dated March 2022).

Access

Within the submitted TA, the intention of the applicant to access the site, for all modes of travel,

via the existing site access roundabout off Westwells Road. However, the TA also comments that articulated delivery vehicles will exit the P5 North service yard as previously agreed for the P5 north application via the existing internal access road adjacent to the main car park. Other delivery vehicles will exit the P5 North service yard via the service road and gate onto Rowan Lane and that a smaller service yard, accessed from Rowan Lane, will provide secondary service access and emergency access for P5 South.

Within their initial comments to the application, the Council Highway Engineer observes that no detail of the types and numbers of the delivery vehicles expected to exit onto Rowan Lane, nor has there been any detail to elaborate on the statement that "The existing access route to the MoD firing range would be rerouted along Rowan Lane as part of the proposed P5 South development."

In response, the applicant provided additional information in the form of a Technical Note (reference IMA-21-154, prepared by IMA Transport Planning, dated July 2022). This note confirms that the delivery vehicles (OGV and LGV) expected to use the service road and exit onto Rowan Lane is understood to be low, as there would still be the option for such vehicles to exit through the main site access roundabout, with a comparison with the potential use of the existing buildings on the Hawthorn use suggesting a lower traffic movements. The Council Highway Engineer is content to accept that proposition.

With regard to the submitted drawings of the new access, the technical note confirms that the smaller P5 South service yard is proposed for use by maintenance vehicles and emergency access only with the also submitted swept path analysis confirming satisfactory space for a fire appliance. It is also confirmed that the submitted layout drawing incorrectly states "vehicular site exit only" for this service entrance, where in fact it should be "access and exit".

With regard to the Firing Range access, it is understood that it is currently accessed through the P5 North application site from Westwells Road. Due to the proposed P5 South Building as alternative access is being proposed via Rowan Lane. This access shown on the submitted plan IMA-21-154-012 A shows an access to the west of the existing sub-station to join the current route to the firing range. The route is proposed as 4m in width with a gate set back to ensure a vehicle can pull clear of Rowan Lane whilst the gate is opened. Visibility spays of 2.4m by 22m are proposed. Indeed, in response to concerns raised over the potential for conflicting movements along the access route, it is advised, in Appendix 3 to the technical note (comprising email communication from the MoD), that no more than two vehicles would access the firing range on any one occasion, with access only being required approximately 7 times per month. In response, the Council's Highway Engineer confirms that these number of movements would not be likely to cause any concerns regarding conflicting movements which would impact on the users of Rowan Lane.

Traffic generation and accessibility

Having regard to the data provided within the submitted TA, the Council's Highway Engineer observes that the additional traffic generated by the proposed new data centre would be minimal with a predicted additional 17 two-way trips in the AM peak and 11 two-way trips in the PM, which can be adequately accommodated by the existing highway network.

With regard to accessibility, this has been considered as part of the earlier phases of development of Spring Park, the Council Highway Engineer considers there to be good provision for pedestrians, cyclists and public transport users, such that there would be sustainable travel choices for staff and visitors. The TA has included a Travel Plan Statement which details the provision for sustainable modes of travel, with route and timetable information to be provided to staff. The details of this Travel Plan Statement will need to be conditioned as part of any approval.

Parking

Due to the nature of the use of the site as a data centre, it is understood that it requires minimal levels of staffing, with day-time staff being advised as 2 Engineers, 1 contract administrator, 1 security manager and 1 security staff, and night-time staff being 1 engineer and 1 security staff.

With regard to the existing parking provision of the Spring Park campus, it is understood that the main car park provides 146 car parking spaces, including 4 for blue badge holders. It is proposed that an additional 2 disabled spaces will be provided close to the entrance to the building. The parking for the P5 South data centre will be proposed to be served by the existing main car park.

The submitted TA confirms that a survey of parking on the site was undertaken (September 2019) which indicated parking within the main car park was at 62% of its capacity, and it is considered by the applicant that the existing parking levels are suitable to cater for the existing built development, and for the P5 North and South sites. In their commentary, the Council's Highway Engineer has regard to the operation of the facility, with all parking fully contained within the gated site, and agrees that no additional parking provision is necessary.

Conclusion

Ultimately, the Council's Highway Engineer raises no objection to the proposal subject to the imposition of planning conditions. There is no reason to conclude differently and as such the proposed development is considered to comply with policies CP60 and 61 of the Wiltshire Core Strategy.

Ecology

The Spring Park complex is located some 600m away from Box Mine Site of Special Scientific Interest (SSSI) which is a component of the Bath & Bradford on Avon Bats Special Area for Conservation (SAC). Box Mines SSSI is one of a group of sites used by greater horseshoe, lesser horseshoe and Bechstein's bats. Due to the location of this application site, within one of the core sustenance areas for these Annex II species associated with the Bath & Bradford on Avon Bats SAC and there are records of horseshoe species close to the application site. In their comments, the Council's Ecologist confirms that the location of this application site within one of the core sustenance areas for bat species associated with the Bath & Bradford-on-Avon SAC.

Recognising the importance of the site, the following documents were submitted and considered by the Council's Ecologist:

- Preliminary Ecological Appraisal of Building 5 (Daniel Ahern, December 2021).
- Bat Activity Survey Report (Daniel Ahern Ecology, May 2022).
- Habitat Regulations Assessment Stage 1 Screening (Daniel Ahern Ecology, May 2022).
- Biodiversity Net Gain Assessment (Daniel Ahern Ecology, February 2022).
- External Lighting Report Rev. D (Waterman Building Services, 10th November 2021)

Habitats within the application site comprised mainly buildings/hard standing with no vegetative cover, interspersed with areas of amenity grassland, some ornamental shrubs and semi-mature native and ornamental trees. Habitats adjacent and further afield comprised woodland (to the south), mixed farmland (including cattle-grazed pasture) and including existing MoD sites and sites that are undergoing or have undergone re-development in recent years.

An artificial bat cave was constructed in the western part of the Ark Spring Park site in 2011, to compensate for the loss of a roost in a section of disused mine. Monitoring surveys of the bat cave (undertaken by the same ecologists that have completed the Ecological Impact Assessment for this application) completed between 2012 and 2018 revealed that it was used as a day and night roost by at least 5 bat species: lesser horseshoe, greater horseshoe bat, Daubenton's bat, whiskered bat and Natterer's bat. Lesser horseshoe bat also used the cave as a hibernation roost in winter. In addition, there are a number of records for horseshoe species and Bechstein's bats in adjacent habitats.

The site itself is considered to have relatively low ecological value, with a subsequent bat survey confirming no bats being present in the existing building. Following the initial objections of the Council's Ecologist, additional information was supplied by the applicant which allowed consultation with Natural England and the Council's Ecologist to conclude no objections be raised, subject to the imposition of

conditions (in respect of bat mitigation measures proposed in the submitted bat survey, CEMP, LEAMP and external lighting).

In light of the locational sensitivity of the site, the Council's Ecologist has also prepared an Appropriate Assessment under the Conservation of Species and Habitat Regulations 2017 (as amended). Prior to the determination of this application, Natural England were consulted on the AA and confirmation of their satisfaction with the proposal received.

A condition suggested by the Council Ecologist would have the effect of preventing all working and operations at the site outside of daylight hours. It is assumed such a condition should in fact make reference to the construction phase only, since a condition that prohibits working on a commercial site outside daylight hours would be unreasonable. Indeed, no such conditions were imposed on adjoining development which is positioned in a similarly sensitive location. The wording of this condition has been amended accordingly.

Accordingly, and based upon the comments of the Council's Ecologist, the LPA can be satisfied that the development is acceptable when assessed against the requirements of Policy CP50 to the Wiltshire Core Strategy, subject to the imposition of appropriate conditions.

Noise

The application has been submitted complete with a Noise Impact Assessment (reference: 65204497-SWE-ZZ-XX-RP-YA-0001 Revision: C03, prepared by SWECO, dated 9 December 2021), which concludes the development is likely to have a low impact on the nearest and most exposed residential properties along Westwells Road and the immediate environs.

Under previous permissions at the Spring Park site, the Council's EHO rightly sought the use of a strict maximum noise limit planning condition in respect of fixed plant at the site. The applicant agreed to the use of such a condition since it was anticipated that the plant would be substantially quieter. The previous permissions have always envisaged a significant amount of plant across the site and the proposal is no different.

In this particular instance, the nearest residential properties (on the opposite side of the Westwells road) are located in closer proximity to this part of the Spring Park complex than other elements other elements, rendering the need to ensure any installed plant would not result in unacceptable impacts on amenity.

Nevertheless, the roof mounted plant is to be predominantly positioned to the rear of the building, at the further point away from the residential properties and shielded by the bulk of the building, and is optimal so as to avoid noise impacts. The Council's Environmental Health Officer is broadly satisfied with the proposal in this respect and, in common with previous permissions at the adjoining Spring Park, the use of a planning condition which demands all plant achieve a noise Rating Level of at least 5dB below background level (LA90T) at the nearest noise sensitive receptor (ie. the dwellings) would secure amenities of those occupiers.

Following the comments of the Council's EHO and subject to the imposition of planning conditions, the proposal is considered to avoid unacceptable impacts on the amenities of surrounding residents and would comply with the relevant requirements of policy CP57 of the Wiltshire Core Strategy.

Drainage

The application site is located in an area of low flood risk (flood zone 1).

The application has been submitted complete with, *inter alia*, Flood Risk Assessment (WIE17837-107-R-1-2-2-FRA, January 2022, Waterman Infrastructure & Environment Limited), Sustainable Drainage Strategy (WIE17837-107-R-5-1-1-DRA, January 2022, Waterman Infrastructure & Environment Limited),

and Proposed Drainage Layout (17831-WIE-92-ZZ-DR-C-00001, Rev. P02, January 2022, Waterman Infrastructure & Environment Limited).

The proposed management arrangements for surface water is via a detention basin towards the Westwells Road frontage as well as rainwater harvesting, with the Council's Drainage Engineer observing a suggested controlled discharge rate of 1.0l/s for all storm events up to and including the 1 in 100yr + 40% rainfall event. Discharge is proposed to a private surface water sewer along We3stwells (which will require separate agreement with Wessex Water).

Within their commentary, the Drainage Engineer observes that the proposed rate is significantly lower than the existing runoff rates to the surface water sewer and thus complies with the Council's betterment policy. The applicant is to provide approximately 288m³ of storage based upon the calculated required attenuation volumes for the 1 in 100 year storm event plus 40% climate change allowance.

Ultimately, and subject to the imposition of conditions, the Council's Drainage Engineer raises no objections and there is considered to be no reason to conclude otherwise, with the proposed development considered to comply with policies CP67 and CP68 of the Wiltshire Core Strategy.

9. Conclusion

The application site is previously developed land and is already in use for employment purposes. The site is immediately adjacent to existing development used for similar purposes and of a similar scale. Policy CP34 to the Wiltshire Core Strategy confirms that proposals for employment development will be supported in settlements such as Corsham. Policy BE3 to the Corsham Neighbourhood Plan confirms, *inter alia*, that the expansion of business development to the west of Corsham is to be supported. The principle of development on the site is therefore considered to be acceptable.

The design and external appearance of the building is considered to be acceptable and will retain an active frontage to Westwells Road. Whilst it is undeniable that the proposed building is substantial and will have a significant effect upon the character of the Westwells Rowan Lane junction and the public rights of way, it is also the case that the development will take place in the context of existing substantial development at the adjoining Spring Park complex. Subject to the imposition of planning conditions, particularly in respect of the delivery and maintenance of the landscaping to Rowan Lane, lighting and perimeter fencing, the impact on that character is not considered to rise to an unacceptable level.

Subject to the imposition of planning conditions, it is not considered that the necessary fixed plant will cause unacceptable noise and disturbance to the amenities of the nearest residential properties, found at Westwells Road and the immediate surroundings. Similarly, the proposed foul and surface water drainage arrangements are considered to be acceptable. In all other respects, the proposed development is considered to be acceptable.

Subject to the imposition of conditions concerning, *inter alia*, highways and access, ecological and drainage matters, noise from plant and construction, in all other respects, the proposal is considered to comply with the requirements of Policies CP11, CP34, CP50, CP51, CP57, CP60, CP61 and CP62 of the Wiltshire Core Strategy 2015, policy HE1 and BE3 to the Corsham Neighbourhood Plan as well as relevant paragraphs to the NPPF.

10. RECOMMENDATION: That Planning Permission be GRANTED subject to the following conditions:

Limits of permission

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as

amended by the Planning and Compulsory Purchase Act 2004.

2. The floorspace created on this site shall be used for data storage and processing (together with any ancillary uses) only and for no other purpose, including any other uses that may fall within class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification.

REASON: For clarity and the avoidance of doubt and because of the location of the development and particular nature and conclusions of the transport assessment undertaken.

Construction

3. The building works required to implement this development shall only be carried out between the hours of 08:00 to 18:00 on Monday to Friday and 08:00 to 12:30 on Saturdays, and not at all on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of residential amenity.

4. No construction vehicles may arrive or depart, be loaded or unloaded at or from the site outside the hours of 08:00 to 18:00 Mondays to Fridays, and outside the hours of 08:00 and 12:30 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of residential amenity.

5. Prior to the commencement of any demolition works on the site, a Demolition Method Statement and Environmental Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the demolition phase, including but not necessarily limited to, the following:
 - a) the parking of vehicles of site operatives and visitors;
 - b) storage of plant and materials used in constructing the development;
 - c) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - d) wheel washing facilities;
 - e) measures to control noise and the emission of dust and dirt during construction so as to protect the amenity of surrounding residential occupiers;
 - f) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
 - g) measures for the protection of the natural environment and details of the arrangements to be made for the drainage during the construction phase.

Development shall be carried out in strict accordance with the approved Statement.

REASON: In the interests of residential amenity.

6. No development shall commence on site (excluding demolition works), until a Construction Method Statement, which shall include the following:
 - a) the parking of vehicles of site operatives and visitors;
 - b) loading and unloading of plant and materials;

- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- h) measures for the protection of the natural environment and details of the arrangements to be made for the drainage during the construction phase; and
- i) hours of construction, including deliveries;

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

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

Noise

- 7. The development and all operation of the data centre shall be carried out in accordance with the specifications and attenuation recommendations contained within the submitted Noise Impact Assessment (prepared by Sweco UK Ltd, document reference: 65204497-SWE-ZZ-XX-RP-YA-0001 REV.03, dated 9th December 2021).

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.

- 8. In accordance with the details hereby approved, all fixed and mobile plant to be installed on the site shall be enclosed. Any changes to the development which include proposals for external plant to be provided without enclosure shall be the subject of a separate planning application.

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.

- 9. During normal operational conditions, all plant (including generation plant, air conditioning units, extraction systems or other air handling plant etc.) shall be so sited and designed in order to achieve a Rating Level (BS4142:2014) of at least 5dB below the background noise level (LA90T) determined at the nearest noise sensitive receptor, when the plant is intended to operate.

At the request of the Local Planning Authority (LPA), the plant operator shall, at their own expense, employ a suitably competent and qualified person to measure and assess, whether noise from the plant meets the specified level. The assessment shall be commenced within 21 days of the notification, or such longer time as approved by the LPA. The consultant should use BS4142:2014 methodology to carry out the assessment and provide further details on the generators expected frequency of use and duration.

Good internal standards set out in BS8233:2014 and WHO will need to be achieved at the nearest sensitive receptors.

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.

Drainage

10. Notwithstanding the submitted Sustainable Drainage Strategy (prepared by Waterman Infrastructure & Environment Ltd, dated January 2022), no development (with the exception of demolition works) shall take place on site until the following details have been submitted to and agreed in writing by the Local Planning Authority:
- a) The proposed rainwater harvesting scheme.
 - b) Detailed hydraulic modelling results covering:
 - i. Calculations and drawings for the drainage system design showing conveyance routes are designed to convey without flooding the critical 1 in 30 year rainfall event.
 - ii. Calculations and drawings for the drainage system design showing attenuation features are designed to attenuate without flooding the critical 1 in 100 year rainfall event + climate change.
 - iii. Hydraulic Models should set the MADD factor / additional storage volume factor to 0m³ / ha in order to prevent an overestimation of storage capacity in the proposed drainage network.

The development shall be carried out in complete accordance with the drainage details so agreed.

REASON: To comply with Core Policy 67: Flood Risk within the Wiltshire Core Strategy (adopted January 2015) and to ensure that the development can be adequately drained without increasing flood risk to others.

Ecology and landscaping

11. The development hereby approved shall be carried out in strict accordance with:
- The Preliminary Ecological Appraisal (Daniel Ahern Ecology, 19th December 2021).
 - Bat Activity Survey Report (Daniel Ahern Ecology, May 2022).
 - Biodiversity Net Gain Assessment (Daniel Ahern Ecology, February 2022).

REASON: To ensure adequate protection and mitigation for protected species.

12. Prior to the commencement of development, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:
- a) Identification of ecological protection areas/buffer zones and tree root protection areas and
 - b) details of physical means of protection, e.g. exclusion fencing.
 - c) Working method statements for protected/priority species, such as nesting birds and reptiles.
 - d) Mitigation strategies already agreed with the local planning authority prior to determination,
 - e) such as for great crested newts, dormice or bats; this should comprise the pre-construction/construction related elements of strategies only.
 - f) Details and locations of any temporary construction lighting required.
 - g) Work schedules for activities with specific timing requirements in order to avoid/reduce
 - h) potential harm to ecological receptors; including details of when a licensed ecologist and/or
 - i) ecological clerk of works (ECoW) shall be present on site.
 - j) Key personnel, responsibilities and contact details (including Site Manager and
 - k) ecologist/ECoW).

- l) Timeframe for provision of compliance report to the local planning authority; to be completed
- m) by the ecologist/ECoW and to include photographic evidence.

Development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

- 13. All lighting shall be installed and maintained in accordance with the approved details as set out the External Lighting Report Rev. D (Waterman Building Services, 10th November 2021) and no other lighting shall be installed.

REASON: To ensure the boundary features to the west and south are maintained as dark corridors for bats.

- 14. Prior to the start of construction (excluding demolition works), a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development. The LEMP will provide a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.

The LEMP shall also include details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured. The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

- 15. 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.

- 16. At no time during the construction phase shall there be any working outside of daylight hours which results in vehicle movements, people or machinery being used on the site.

REASON: The introduction of artificial light/noise disturbance may mean that qualifying bat species are disturbed and/or discouraged from using established flyways or foraging areas. Such disturbance will constitute an offence under relevant wildlife legislation.

Highways

17. The development hereby permitted shall not be first brought into use until the whole of the parking area/turning areas for the accesses off Rowan Lane have been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

18. The development hereby permitted shall not be first brought into use until at least the first 5m of the Firing Range access, measured from the Rowan Lane edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

19. No part of the development shall be first brought into use, until the visibility splays shown on the approved plans for the Firing Range access have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall always be maintained free of obstruction thereafter.

REASON: In the interests of highway safety.

20. No development (with the exception of demolition works) shall commence on site until details of the stopping up of all existing accesses onto Rowan Lane, both pedestrian and vehicular, have been submitted to and approved in writing by the Local Planning Authority. That stopping up shall take place in accordance with the approved details within one month of the first occupation of the development. No later than one month after the first occupation of the development, the sole means of vehicular and pedestrian access to the development shall be as shown on the plans hereby approved.

REASON: In the interests of highway safety.

21. No development (with the exception of demolition works) shall commence on site until details of the stopping up of the existing vehicular access on Westwells Road (located approximately 60 metres north-west of the Rowan Lane junction accesses onto Rowan Lane) and the reinstatement of full height kerbs have been submitted to and approved in writing by the Local Planning Authority. That stopping up shall take place in accordance with the approved details within one month of the first occupation of the development.

REASON: In the interests of highway safety.

22. The submitted Travel Plan Statement (within the Transport Assessment dated March 2022) shall be implemented on first occupation of the development hereby granted planning permission and shall remain in operation thereafter.

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

Fencing, bunding and external storage

23. Prior to its creation and installation, full and complete details of all earth bunding and security/site

fencing to be created and installed at the site and, in particular, its relationship to the frontages to Rowan Lae and Westwells Road, shall have been submitted to and agreed in writing by the Local Planning Authority. Any bunding and fencing shall be created and installed in complete accordance with the details so agreed.

REASON: In the absence of details submitted within the application, so as to ensure the bunding and fencing and its relationship to the Rowan Lane and Westwells Road frontage takes an appropriate form.

24. No materials, goods, machinery, finished or unfinished products/parts of any description, skips, crates, containers, waste, or waste products shall be placed, stacked, deposited or stored on any area of the site outside the buildings, unless otherwise agreed in writing by the Local Planning Authority in the form of a separate planning permission in that regard.

REASON: In the interests of visual amenity and views across the site in this prominent junction location.

Approved plans

25. The development hereby permitted shall be carried out in accordance with the following approved plans listed in schedule:

- Proposed Drainage Layout – ref. 17831-WIE-92-ZZ-DR-C-000
- Final Ground Investigation Locations Existing Site Layout – ref. 16316-110-WIE-ZZ-XX-DR-V-80-001
- Sustainable Drainage Strategy – ref. WIE17837-107-R-5-1-1-DRA
- Utility Map Survey – ref. WIE17837-107-R-5-1-1-DRA
- Wiltshire Strategic Flood Risk Assessment North Wiltshire Other Sources of Flooding –
- Flood Risk Assessment – ref. WIE17837-107-R-1-2-2-FRA
- Final Ground Investigation Locations Existing Site Layout - 16316-110-WIE-ZZ-XX-DR-V-80-001
- Proposed West and South Elevations – PL – 2031
- Proposed Stret Elevation and Section – PI-3000
- Proposed Bridge – PL- 9000
- Proposed Masterplan – PL-1020
- Proposed Site Plan – PL – 1021
- Proposed Hard and Soft Landscaping Plan – PL- 1022
- Proposed Ground Floor GA Plan – PL-2010
- Proposed First Floor GA Plan – PL-2011
- Proposed Second Floor GA Plan – PL-2012
- Proposed East and North Elevations – PL – 2030
- Proposed Roof GA Plan – PL – 2013
- Site Location Plan – PL-1000
- Spring Park View – 02V01
- P5 South Soft Landscape Plan – 17873-WIE-114-XX-DR-L-74300
- Bat Activity Survey Report Ark Estates Spring Park Ltd – Job Number 4448
- Biodiversity Metric 3.0 – Calculation Tool Start Page – Project name: Building 5, Spring Park, Corsham
- Biodiversity Net Gain Assessment – Building 5, Spring Park, Corsham
- BREEAM Letter – Focus Environment Design Limited
- BREEAM Pre-Assessment Report ARK Data Centres, Spring Park P5 South – 2020-B07-P5S-PAR-01
- Community Infrastructure Levy (CIL) – Form 1: CIL Additional Information
- Design and Access Statement – Spring Park, Building South, Corsham
- Habitat Regulations Assessment Stage 1: Screening – Reference: 4425 P5 South

- Proposed Data Centre, P5 South, Spring Park – IMA-21-154
- External Lighting Report – 001saj211110
- Noise Impact Assessment - 5204497-SWE-ZZ-XX-RP-YA-0001
- Planning Statement –
- Preliminary Ecology Appraisal Building 5, Spring Park, Corsham –
- Preliminary Risk Assessment - WIE17837-113-R-1-2-3
- Proposed Site Section – PL-3010
- Sustainable Data Centre Design, Development and Operations – Sustainable Statement (incorporating Sustainable Energy Strategy)
- Transport Assessment – IMA-21-154

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

INFORMATIVES:

The proposal includes alteration to the public highway, consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact the vehicle access team on telephone 01225 713352 or email vehicleaccess@wiltshire.gov.uk for further details.

There is a low risk that bats may occur at the development site. Bats are a transient species and therefore move around; many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species Regulations 2017 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact the Bat Advice Service on **0845 1300 228**, email enquiries@bats.org.uk or visit the [Bat Conservation Trust](#) website.