

REPORT FOR NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	4 th June 2025
Application Number	PL/2025/02610
Site Address	Land north of Chelworth Road, Cricklade Industrial Estate, Cricklade, SN6 6HE
Proposal	Retention of hardstanding as car parking, link pedestrian access to adjacent commercial site, landscaping and biodiversity net gain
Applicant	Big Van World
Town/Parish Council	Cricklade Town Council
Electoral Division	Cricklade and Latton ED (Cllr Nick Dye)
Type of application	Full Planning Application
Case Officer	David Millinship

REASON FOR THE APPLICATION BEING CONSIDERED BY COMMITTEE

The application is brought before the planning committee at the request of the local division member, Councillor Dye, for the following reasons:

- Visual impact;
- Highways and Environmental impacts.

1. PURPOSE OF REPORT

The purpose of this report is to assess the merits of the proposed development against the policies of the development plan and other material considerations.

Having considered these, the report **recommends that planning permission be GRANTED** subject to the planning conditions recommended below.

2. MAIN ISSUES

- The principle of the development;
- Transport and highways;
- Design, including landscape impacts;
- Residential amenity;
- Ecology and biodiversity.

3. SITE DESCRIPTION

The application site relates to approximately 0.2ha of land located in the open countryside adjacent to the Chelworth Industrial Estate boundary, as defined by policy B5 of the Cricklade Neighbourhood Plan (CNP) and outside any settlement boundaries, as defined by Wiltshire Core Strategy (WCS) Core Policies 1 (Settlement Strategy), 2 (Delivery Strategy) and 19 (Spatial Strategy for the Cricklade & Royal Wootton Bassett Community Area).

The site is located on the northern side of Bradon Lane in the crook of the crossroads of Braydon Lane and the Class C highway leading to Upper Chelworth. The site is associated with Pear Tree Farm and has historically been an agricultural field. A previous tenant converted the area to macadamized stone without planning permission.

4. PROPOSAL

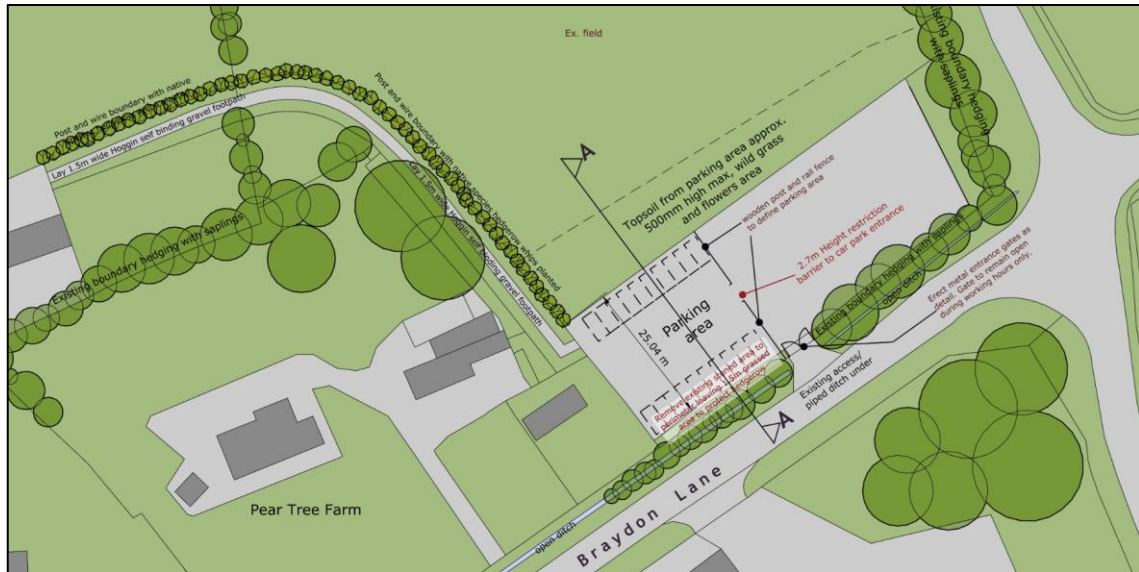
The application seeks full planning permission for the retention of a hard-surfaced area and use as a car park in association with the existing Big Van World business.

An application for the retention of the use across a larger area was previously considered by Planning Committee and was refused. This resubmission has reduced the area of the site proposed to be retained (the red line site area was reduced in size to avoid any ambiguity over the use of the remainder of the site should planning permission be granted).

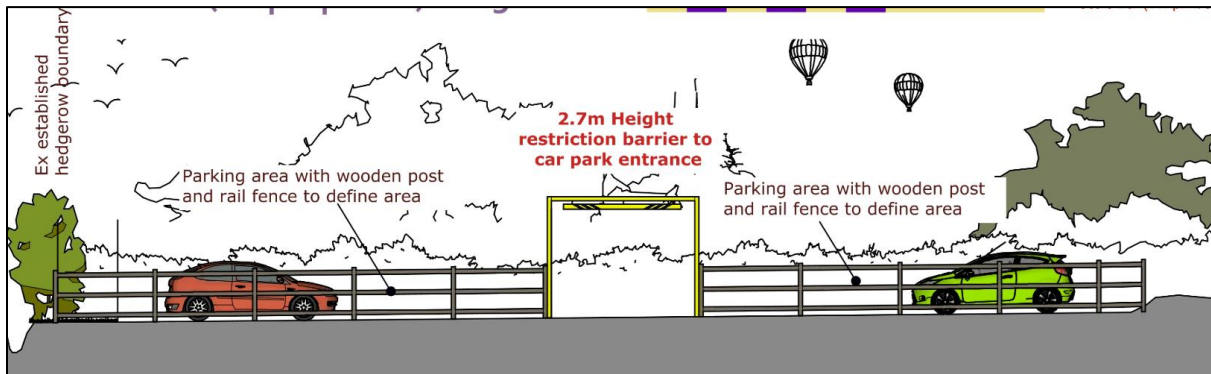
In addition to the reduced size of the development site, the application also proposes the erection of fencing and a height restrictor and the implementation of a site planting scheme. The fencing and height restrictor are proposed to in response to suggestions made by Planning Committee Members during discussion of the previous application.



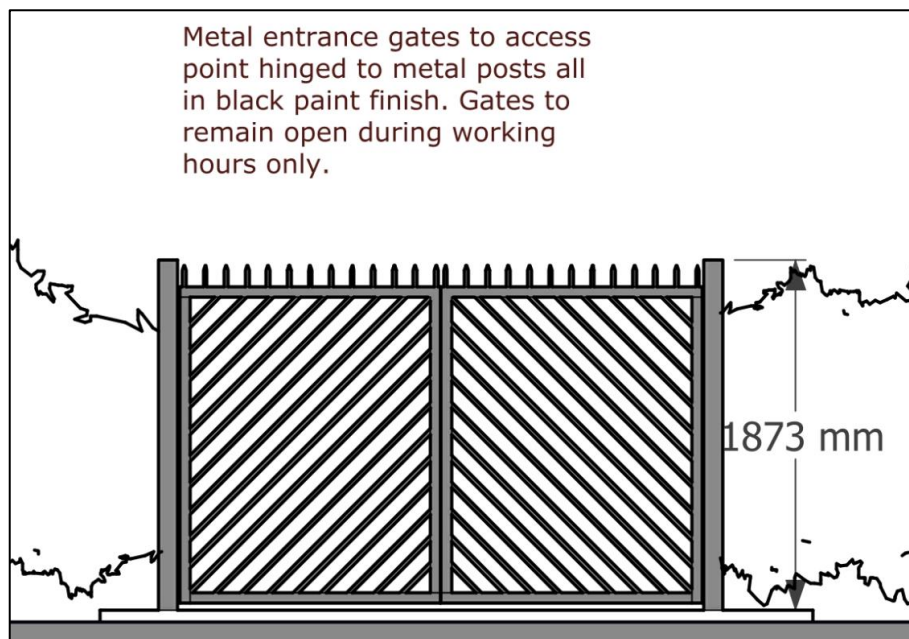
Existing site



Proposed use



Site cross section



Main access gates

5. RELEVANT SITE HISTORY

APPLICATION REFERENCE: PL/2024/06709

SITE ADDRESS: Land north of Chelworth Road, Cricklade Industrial Estate, Cricklade, SN6 6HE

DEVELOPMENT PROPOSAL: Retention of hardstanding as car parking, link pedestrian access to adjacent commercial site, landscaping and biodiversity net gain.

DECISION: REFUSED BY PLANNING COMMITTEE

REASON FOR REFUSAL:

The proposed change of use of agricultural land outside the defined boundary of Chelworth Industrial Estate represents development in the open countryside without sufficient justification. This is contrary to the development strategy, the aims and objectives of the Cricklade Neighbourhood Plan, and the principles of sustainable development. As such, the proposal fails to comply with Policy B5 of the Cricklade Neighbourhood Plan.

Enforcement

In addition to the previous refusal there remains an open enforcement case relating to the laying of the hard-standing and use of the larger area of the site. Should planning permission be granted for the current scheme it remains open to the LPA to consider the expediency of pursuing formal action against any remaining unauthorised development or use(s).

6. PLANNING POLICY

Cricklade Neighbourhood Plan (CNP) – made in March 2018

B5 – Chelworth Industrial Area

TT1 – Traffic Impact

Wiltshire Core Strategy:

Core Policy 1 – Settlement Strategy

Core Policy 2 – Delivery Strategy

Core Policy 19 – Spatial Strategy: Royal Wootton Bassett and Cricklade Community Area

Core Policy 34 – Additional Employment Land

Core Policy 35 – Existing Employment Sites

Core Policy 50 – Biodiversity and Geodiversity

Core Policy 51 – Landscape

Core Policy 57 – Ensuring high quality design and place-shaping

Core Policy 58 – Ensuring the conservation of the historic environment

Core Policy 60 – Sustainable transport

Core Policy 61 – Transport and New Development

Core Policy 62 – Development impacts on the transport network

Core Policy 64 – Demand Management

Core Policy 67 – Flood Risk

Supplementary Design Guidance

Wiltshire Design Guide (adopted April 2024)

National Policy and Guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (PPG)

7. CONSULTATIONS

Responses from statutory and technical consultees have been summarised by the case officer as follows:

Cricklade Parish Council – Objection

The proposal does not comply with the aims of policy B5 of the Cricklade Neighbourhood Plan (CNP).

The new proposal is not different to that previously refused, the grass boundaries around the periphery will be reinstated to a certain extent, slightly reducing the area of hardstanding to help prevent vehicles hitting the hedge and to create some more green space. The area on the left will become the parking area but there is concern that the area to the right could still be used for HGV parking.

Some of the previous concerns have been partly addressed by including the installation of a height and width barrier at the entrance to the designated car parking area (at the lefthand end) to prevent lorries using that part of the site. Some of the hard standing that has been laid will be removed around the perimeter.

The changes are marginal and do not address the fundamental problem which is the neighbourhood plan requirement that the industrial estate is not extend into the adjacent countryside (this site is not even directly adjacent to the Ind. Est. boundary).

Drainage Consultant – No objection

The proposed works are minor in nature and will not result in a significant increase in impermeable area or corresponding flood risk when compared to the existing baseline scenario.

Local Highway Authority (Wiltshire Council) – No objection subject to a condition

A condition is required to ensure the land is only used for car parking in association with the applicant's business and that no HGVs are permitted to access the site.

REPRESENTATIONS

Two responses to the public consultation were received. Matters raised have been summarised by the case officer as follows:

OBJECTIONS

- This area was a paddock/field and was turned into part hardstanding without any planning permission. There is concern the site will be used as vehicle storage/sales and the buffer between the industrial estate and road will be lost;
- Previous refusal to an application for the retention of the hardstanding clarifies that this development outside the boundary of the commercial area defined in the Neighbourhood Plan is not justified. This application will extend uses in the commercial area into the surrounding countryside contrary to NP policy B5;
- The positioning of the vehicle height restriction however is proposed within the site of the hardstanding to offer height restriction to the c20 car spaces, rather than at the entrance onto the site from Baydon Lane; there is no means of control of the size (or number) of vehicles accessing for 'occasional access and manoeuvring'. There is no definition of 'occasional access and manoeuvring';
- Surrounding deciduous hedgerows provide some screening of the hardstanding and its use during the summer months only.

8. PLANNING ASSESSMENT

8.1. Principle of Development

Core Policy 1 of the WCS sets out the settlement strategy for the County. It identifies a hierarchy of settlements to which development will be directed with the aim of achieving sustainable development. Core Policy 2 provides a more detailed delivery strategy for the provision of employment land and housing. It states that, within the limits of development as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages. It continues that, other than in specified circumstances (including additional employment land - Core Policy 34) development will not be permitted outside the limits of development as, defined on the policies map.

Core Policy 19 identifies the settlements in the Royal Wootton Bassett and Cricklade Community Area and the category in which they appear in the hierarchy. Cricklade is categorised as a 'Local Service Centre'. The application site lies outside the settlement framework for Cricklade as defined on the policies map.

Core Policy 34 states that, outside the principal settlements, market towns and local service centres, developments will be supported that *"...are for new and existing rural-based businesses within or adjacent to Large and Small Villages"* where, among other matters, they *"b. are consistent in scale with their location, do not adversely affect nearby buildings and the surrounding area or detract from residential amenity"* and *"e. are supported by adequate infrastructure"*. The application site is not within or adjacent to a Large or Small Village nor is it listed as a Principal Employment Area within Core Policy 35 and Core Policy 19.

Para. 88 of the NPPF states that LPA's should support *"the sustainable growth and expansion of all types of business in rural areas"* with para. 89 advising that *"decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport"*.

Policy B5 of the CNP states that within the Chelworth Commercial Area (see figure 14 from the CNP below) *“proposals to extend the uses in the Commercial Area into the surrounding countryside will not be supported”*.

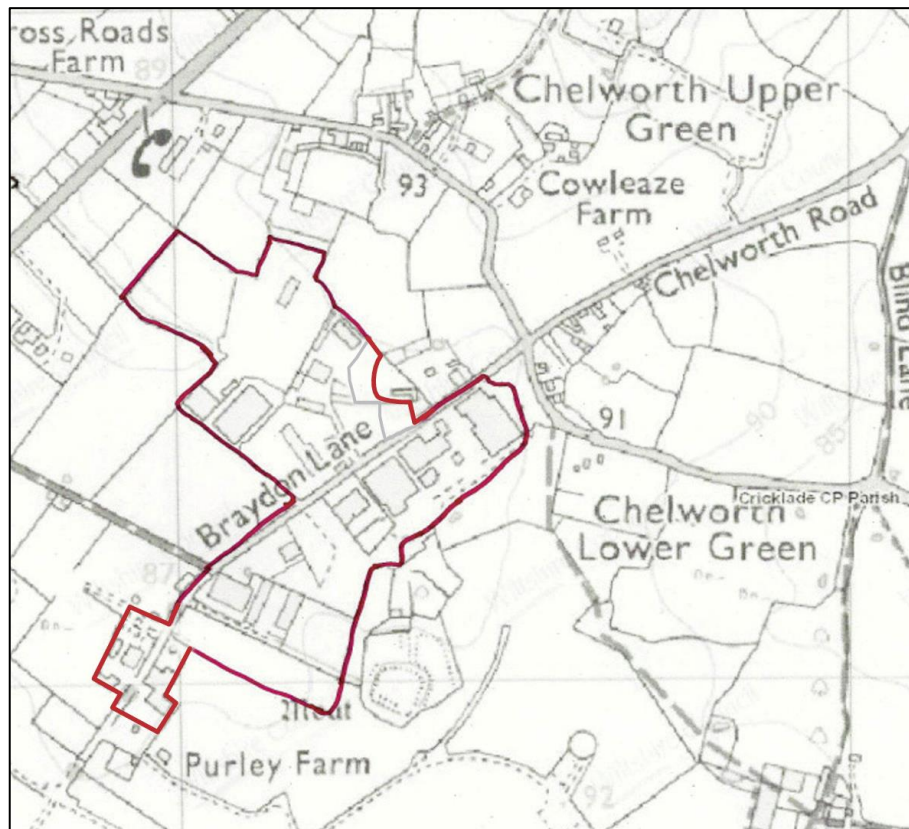


Figure 14 from the Cricklade Neighbourhood Plan

Whilst this appears to be fairly clear, the reasoning for this policy is described within the supporting text as:

The area at Chelworth lies inside Cricklade parish but about one mile outside the town and is home to significant industrial development on more than one industrial estate. The existence of these estates is viewed with mixed feelings by the community. Although the firms there provide considerable local employment, they are also responsible for much of the HGV movement that passes through the town centre. There is also the adverse visual impact of the existing haulage yards on the countryside, as well as the noise and traffic pollution they cause to residents in the vicinity of Chelworth as well as Cricklade. As discussed in the Transport section, HGV traffic through Cricklade is a problem recognized by the Local Planning Authority in the Wiltshire Core Strategy (WCS) where in Policy CP19...

The supporting text of Core Policy 19 of the WCS states that a key issue to be addressed within the community area is the *“recognised local concerns regarding the impacts of HGV traffic on the local road network”*.

While the explanatory text is a material consideration that may assist with interpreting the policy, it is not itself policy. It also states the Chelworth Commercial Area is:

...near a locally important Wildlife Site and within the designated Great Western Community Forest area. Development of existing commercial undertakings within the Commercial Area should pay due regard to this and other environmental protection policies in the Core Strategy, particularly CP50 and CP52.

Significant weight should be applied to the planning policy, that was clearly created to preserve the rural buffer and to prevent landscape harm whilst also seeking to maintain or reduce highway impacts via increased movements, especially those of heavy goods vehicles. However, conflicts with policy can be outweighed should there be sufficient benefits. These benefits could include reduced landscape impact, the more efficient use of land and the enhancement of biodiversity.

Key considerations to make before a firm conclusion on the acceptability of the development can be made are the possible highways impacts of the development (assessed within the Transport and Highway section of the report below), possible adverse impacts on the landscape character of the area (assessed in the Design and Landscape section of the report below) and impacts on the residential amenities of nearby domestic properties (assessed in the Residential Amenities section of the report below) and whether there are any other benefits.

8.2. Transport and Highways

Paras. 115 of the NPPF seeks to ensure that new development prioritises sustainable transport modes, safe and suitable access to the site can be achieved for all users, the design of a development reflects current national guidance and any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated. Para. 116 states that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.

Many of the development plan policies in effect in the area and concerns raised in relation to the application and the industrial estate (in general) relate to increased commercial traffic and the consequent impacts on local villages especially the impact of HGV's on the minor country road network. In this case, the proposed parking area will be for the use of employees of a current and well established business located within the estate and would formalise a safe pedestrian route to the business away from vehicular traffic.

As the business already exists, employing circa 60 staff, the site would not increase traffic levels within the wider area as that traffic already exists within the local highway network. What also exists within the industrial estate, as with many other similar estates, are parking conflicts with limited spaces available for the multiple businesses and the associated deliveries, couriers and customers. With limited parking areas available, staff often resort to parking on the estate roads and Bradon Lane itself. This on-road parking obstructs the road network, is

considered to be visually intrusive and also offers a level of danger to pedestrians as they attempt to negotiate the estate on the way to their destinations from their roadside parked vehicles. It is, therefore, considered that removing the staff parking of these employees from the highway can only improve the safety and operation of the highway network in the locality as well as improving visual amenities.

Concerns have been raised regarding HGV's using the site and consequently increased HGV traffic through the local area. The site is not proposed to offer HGV parking and the reduced development site area (over and above that of the previous proposal) allows the LPA the ability to take more effective enforcement action should any future unauthorised use of the site occur. The car parking area sought to be retained can be secured by condition to only be used for car parking in association with the Big Van World unit (or any other business subsequently occupying that unit).

The installation of the height restrictor and fencing can be reasonably secured within a suitable time frame (eg. three months from the date of the decision) and required to be maintained to ensure a physical barrier against HGV access is provided. This would ensure no HGVs could use the permitted car parking area. A condition can also ensure no overnight parking is permitted. The Local Highway Authority (LHA) has offered no objection to the proposal confirming it would be a more effective use of the land and subject to a condition to ensure the car parking is ancillary to the Applicant's business and that no HGVs are permitted to be parked on the land. The above recommended conditions will achieve the requirements of the LHA.

It is therefore considered the concerns raised by the Parish Council, Ward Member and third-parties can be allayed by the suggested conditions and that the proposals are of significant benefits to the industrial estate employees, customers and residents of the wider community travelling through the area.

Subject to the recommended conditions, no conflict with the aims of Core Policies 62 or 64 of the WCS or B5 of the CNP is identified.

8.3. Design and Landscape

Policy B5 of the CNP looks to preserve the rural landscape of the immediate and surrounding area of the Chelworth Ind Est. As the application is retrospective the assessment of landscape impact is easily conducted. WCS policies 51 and 57 also aim to ensure that new development protects the landscape character and natural landscape features across the county.

The site is immediately adjacent to Bradon Lane with Gate 1 (of the Industrial Estate) a few meters further along on the southern side of the road. The crossroads is the demarcation where Chelworth Road becomes Bradon Lane, at its entrance there are highway signs on both sides of the lane noting Chelworth Industrial Estate. To the southern side of the road, there is limited natural screening and obvious timber "stock" fencing with clear views through to the existing industrial estate (the industrial buildings and associated yards). To the north of the lane, where the application site lies, there is a mature and large verdant hedge concealing the majority of the site from public views.

It is considered that with the appropriate use of conditions (to protect the existing hedge and secure a scheme of site planting via the Biodiversity Gain Plan), the proposed site could be maintained, to all intents and purposes, as having a neutral impact on the landscape and street scene. The existing hedge is detailed to be retained, reinforced with some additional planting and with a grass buffer strip created inside the site adjacent to it (not included within the previous proposal) to ensure it has room to grow into the future. The access is the pre-existing field access but would be gated. The proposed car park fence and height restrictor would only be visible within glimpsed views from the public highway via the site access and only when the gates were open.

There was some previous concern over the use of the land closer to the crossroads junction. The hard-surfaced area to the east of the site entrance could be used to park additional vehicles and had been sought as overflow parking. However, by removing this land from the development site, the LPA retains the ability to take enforcement action should any unauthorised use occur (and if expedient to do so). Removing this land from the development site also removes any ambiguity over the use of the land and also removes the need for restrictive conditions that may not be able to be enforced effectively. The reduced car parking area now sought for retention would sit broadly in line with the area of the Industrial Estate that extends to the south of the site, albeit the application site would be much less visible due to the dense natural screening of the hedge.



Reduced red line site area



Original larger site area

Overall it is considered that given the low level of “development” contained within the application, the impact upon the rural landscape is minor and will have no adverse effect on the street scene.

Subject to the recommended conditions, no conflict with the aims of WCS Core Policies 51 and 57 or CNP policy B5 (with regards to landscape impacts) is identified.

8.4. Ecology

Wiltshire Core Strategy requires that developments show no net loss in habitat and biodiversity, these policies have effectively been superseded by the introduction of Biodiversity Net Gain (BNG) which requires most developments to provide a minimum of 10% net gain. As the application is retrospective the deemed BNG condition cannot be applied (as it is a pre-commencement condition).

However, the application has been supported by ecology reports showing that the works carried out to the site by the previous tenant had caused little loss in ecological terms, and that measures proposed as part of this application will then lead to a 59% net gain in habitat units and a near 17% gain in hedgerows, these increases clearly go beyond the minimum required by current policies and legislation and are given significant positive weight when considering their effect on enhancing the biodiversity value of the site in this rural location.

A condition can ensure the BNG scheme is implemented to secure the benefits associated with it.

The site is located within the Zone of Influence of the North Meadow and Clattinger Farm Special Areas of Conservation (SAC). However, only new residential development is required to secure mitigation against recreational activities that could damage the integrity of the SAC areas so no further planning control is reasonable nor required in this case.

The proposal complies with the aims of Core Policy 50 of the WCS and policy

8.5. Residential Amenity

The closest residential properties to the application site are located to the west of the site with the farmhouse at Pear Tree Farm being approximately 40 metres from the site boundary (excluding the footpath link). The footpath link would edge the treelined northern boundary of the Pear Tree Farm site. The use would not be expected to generate any notable noise or disturbance (certainly not above that of the industrial estate) and external lighting can be controlled.

Subject to the conditions recommended throughout the report, it is not expected that any harm to the residential amenities of Pear Tree Farm or any other nearby residential properties would occur.

No conflict with the aims of Core Policy 57(vii) is identified.

8.6. Archaeology

One of the responses from the public consultation relating to the previous application, identified the site as a designated historic monument relating to a medieval chapel that was mentioned as ruined in a grant of 1361.

The council's conservation officer was consulted in relation to this information and concluded that the site is not a scheduled monument, the nearest one being circa 450m south of the site Ref 1013353 "Moated site and surrounding earthworks – 100 m south of Chelworth Farm".

The mediaeval chapel does have an archaeological place marker on mapping services, but this is located outside of the site next to the road and given that the scaping works to an arable field have already been completed and no further ground penetration works are proposed, an archaeological watching brief is not possible to implement or required.

9. CONCLUSION

The proposed development would increase the amount of car parking available to an existing business, helping to reduce congestion and parking problems within the business park, without causing any harm to the landscape character of the area or neighbouring residential amenities. Support to a local business and the contribution towards improvements to the safety and operation of highways in the locality are given moderate positive weight.

A scheme of biodiversity gains can be secured by condition to secure a benefit that is given significant positive weight.

Conditions to ensure the use remains ancillary to the established Big Van World business (to prevent any increase in commercial traffic to the nearby highways) and to ensure the proposed fencing and height restriction barrier are installed (to prevent any possible future increase in HGV movements to and from the site) are reasonable and necessary to prevent any harm to the safety or operation of the public highway in the vicinity of the site and within nearby Cricklade.

Conditions to secure a site landscaping scheme and control of external lighting can ensure mitigation is secured against possible harm to nearby habitat.

There remains a conflict with policy B5 of the CNP, but it is considered the benefits of the outweigh this harm. Sufficient controls can also be put in place to address the previous reason for refusal.

On balance, the development is considered to possess greater benefits than it would be harmful, subject to the recommended conditions, complies with the aims of Core Policies 19, 50, 51, 57, 62 and 64 of the Wiltshire Core Strategy, policy TT1 of the Cricklade Neighbourhood Plan and the relevant planning policy advice of the National Planning Policy Framework (as referenced within this report).

RECOMMENDATION

That planning permission is **GRANTED**, subject to the below conditions.

CONDITIONS

1. Approved plans

The development hereby approved shall be implemented in accordance with the details of the following plans and documents:

- Drawing No. 1028/CAM/2024/1 – Existing and Proposed Block Plans, Site Section, Gate elevations and Site Location Plan.

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

2. Biodiversity Gain Plan and site planting scheme

Within three months of the date of this decision full details of a Biodiversity Gain Plan (BGP), prepared in accordance with the submitted Biodiversity Net Gain Assessment (Author: Ellendale Environmental, Dated: 11th July 2024) shall be submitted to and approved in writing by the Local Planning Authority.

Where site planting is proposed, the BGP shall include details of the locations, species, numbers and sizes of all new planting.

Thereafter, the BGP shall be fully implemented with all site planting completed by the end of the first planting season following approval of the BGP details.

REASON: To secure the benefits of the Biodiversity Net Gain proposed, in accordance with the supplied assessments and to ensure the development complies with the aims of Core Policy 50 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

3. Habitat Management and Monitoring Plan

Within three months of the date of this decision full details of a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan shall be submitted to and approved in writing by the local planning authority. As a minimum, the HMMP shall include:

- a non-technical summary;
- the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

Thereafter, the development shall be maintained in accordance with the approved details.

REASON: To secure the long-term biodiversity net gains proposed within the application in accordance with the aims of Core Policy 50 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

4. Implementation of footpath link, car park fencing and height restrictor;

Within six months of the date of this planning permission, the car park fencing, height restrictor, main access gates, footpath link (to the industrial estate) and grass buffer strips shall be constructed/installed in accordance with the details of the approved plans. The development shall be maintained in that state for the lifetime of the development.

REASON: Reason: To ensure that the parking provision is used efficiently and sustainably, and to prevent the use of the car park by HGVs in accordance with the

principles set out in the National Planning Policy Framework (NPPF), paragraph 115 the aims of Core Policy 62 and 64 of the Wiltshire Core Strategy and the aims of policies B5 and TT1 of the Cricklade Neighbourhood Plan.

5. Use restriction (ancillary only to Big Van World);

The Car park hereby permitted shall only be used for the parking of vehicles ancillary to the business known as Big Van World (or any other business subsequently occupying that unit) and at no time shall the land be used for any other purpose, including the display of vehicles for sale.

REASON: To ensure the benefits associated with the use of the site as ancillary car parking are secured for the long-term and in the interests of highway safety in accordance with the aims of Core Policies 62 and 64 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

6. Hours of use

The carpark hereby permitted shall not be used for the parking of any vehicles between the hours of 22:00hrs and 06:00hrs the following day.

REASON: To protect the landscape character of the area and as the site is not permitted to be an overnight rest stop and is not considered to have sufficient facilities or be located within a sustainable location for said use in accordance with the aims of Core Policies 51, 57, 60, 61 and 62 of the Wiltshire Core Strategy, policies B5 and TT1 of the Cricklade Neighbourhood Plan and the planning policy advice of the National Planning Policy Framework.

7. External Lighting Restriction

No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2021)", have been submitted to and approved in writing by the Local Planning Authority.

The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed. (<https://theilp.org.uk/publication/guidance-note-1for-the-reduction-of-obtrusive-light-2021>)

REASON: In the interests of the visual and residential amenities of the area, to minimise unnecessary light spillage above and outside the development site and to prevent harm to foraging wildlife.

Informative Notes

Wiltshire Council is the land drainage authority under the Land Drainage Act 1991. Land drainage consent is required if a development proposes to discharge flow into an ordinary watercourse or carry out work within 8m of an ordinary watercourse.

An ordinary watercourse is a watercourse that does not form part of a main river. The term watercourse includes all rivers and streams and all ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows.