

**REPORT TO THE NORTHERN AREA  
PLANNING COMMITTEE**

Report No.

<b>Date of Meeting</b>	<b>14 December 2011</b>		
<b>Application Number</b>	<b>N/10/04602/FUL</b>		
<b>Site Address</b>	<b>Sainsbury's Supermarket, Bath Rd, Chippenham, SN14 0BJ</b>		
<b>Proposal</b>	<b>Proposed improvements including extensions to the foodstore, car parking decking and associated works</b>		
<b>Applicant</b>	<b>Sainsburys Supermarket Ltd</b>		
<b>Town/Parish Council</b>	<b>Chippenham</b>		
<b>Electoral Division</b>	<b>Chippenham Cepen Park &amp; Derriads</b>	<b>Unitary Member</b>	<b>Councillor Peter Hutton</b>
<b>Grid Ref</b>	<b>389842 172033</b>		
<b>Type of application</b>	<b>Full</b>		
<b>Case Officer</b>	<b>Charmian Burkey</b>	<b>01249 706667</b>	<b>Charmian.burkey@wiltshire.gov.uk</b>

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

Cllr Peter Hutton has requested the application be considered by Committee to assess visual impact on the surrounding area, relationship to adjoining properties, environmental/highways impact and car parking.

This application was deferred from planning committee on 23<sup>rd</sup> November 2011 to enable the Committee to consider further the information contained within the Roger Tym and Partners report. Officers are working on a briefing note to cover the issues raised and this will be presented as additional information and sent out to Committee Members beforehand.

**1. Purpose of report**

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

**2. Report summary**

The main issues in the consideration of this application are as follows:

- Principle of development
- Impact upon highway safety and convenience.
- Impact on the vitality and viability of both Chippenham and Corsham town centres
- Impact upon visual amenity, distant views, TPOd trees and landscaping in general.
- Impact upon neighbour amenity and surrounding area.

The application has generated objections from both Chippenham and Corsham Town Councils, 68 local residents and 1 letter of support.

**3. Site Description**

The application relates to the existing Sainsbury's store at Bath Road, Chippenham. This store has been in operation since the 1990s and was extended under applications 95/02275/F and 01/02614/F.

The current proposal is for extensions to the store; a "facelift" to give new elevational treatments to the majority of the store's elevations; a car parking deck and associated works.

The existing store is of traditional supermarket design comprising a series of peripheral mansard roofs incorporating a series of small gables. The mansard roofs conceal a large flat roof. The elevational materials are a combination of red clay tiles to the sloping mansard roofs, with a large gable marking the store entrance finished in buff facing bricks with cream and red feature banding. External walls are similarly finished in buff facing bricks with red brick feature. Canopies have oversailing mansards to form covered walkways. There is an existing petrol filling station (PFS) with carwash to the west of the store.

### **Documents submitted with the application**

- Design and Access statement.
- Planning statement (revised)
- Retail assessment (revised)
- Statement of Community Involvement
- Lighting Assessment.
- Air Quality assessment
- Noise assessment
- Transport assessment
- Tree survey schedule
- Supporting appeal decisions.

### **Amount of development**

The originally proposed development on the ground floor added a total of 2522sqm to the gross internal floor space and added 1685sqm at first floor mezzanine level - a total of 4207sqm (excluding the atrium). The sales area would increase from 4629sm to 7600sqm. (435sqm has already been approved under 08/02601/FUL).

However, following concerns about impact upon the trees, the western extension has been reduced by 3.7m so that the recently TPOd trees are unaffected. This has meant a reduction in gross floorspace to 4076 sqm (a reduction of 131 sqm.). This means that the proposed development on the ground floor will add a total of 2150sqm to the gross internal area and add 1926sqm at first floor level, a total of 4076sqm (excluding the atrium). The sales area would increase from the existing store 4629sqm to 7600sqm, an increase of 2971sqm. However 435sqm has already been approved under 08/02601/FUL.

The back up area will increase at ground floor level by 557sqm, and at first floor a decrease of 135sqm ie a total increase of 422sqm to allow for additional storage space in connection with the extended sales area.

There will be an increase in customer parking spaces from 500 to 647, with the ground floor layout reconfigured to improve circulation, improved access to the petrol filling station, a decked area and the required car ramp. Of the 647 spaces 34 are designated disabled and 32 parent and child.

The staff car park of 44 spaces originally approved under 08/02601/FUL is also shown on the application plan.

<b>4. Relevant Planning History</b>		
<b>Application Number</b>	<b>Proposal</b>	<b>Decision</b>
95/2275/F	Extension and relocation of coffee shop/refurbishment of petrol station store.	Permission
01/02614/FUL	Extension to foodstore	Permission
08/02601/FUL	Car park reconfiguration, new staff car park, store extension and alteration	Permission

## **5. Proposal**

The proposal is for a 2 storey extension to the southern principle elevation to straighten the shopfront line to give additional sales area whilst providing an atrium area containing travelators and lift access to the expanded mezzanine areas.

The displaced ground floor restaurant will be relocated to the new mezzanine and customer services within the new atrium.

A 2 storey extension to the eastern facade of the store will provide additional sales at ground floor, additional back up area plus a new unloading bay and Goods On Line facility. Within the upper floor a new expanded mezzanine is created to house the relocated restaurant and customer facilities. The existing staff facilities and back up area will be pushed to the northern extremity. The current plant room is relocated to the extended mezzanine.

A single storey extension on the western facade will provide additional ground floor sales area with a back up area to the north and small Explore Learning facility to the south.

The existing car parking to the south and partially to the east has been reconfigured to both improve access to the car park and petrol filling station, whilst providing for the incorporation of an upper deck of car parking to the south of the store.

The recycling facility is to be upgraded, locally re-located and rationalised.

In terms of style the changes are designed to create a more contemporary supermarket environment. Glazed elements are used to break down the elevations into a more regular scale and rhythm. The glazing will also add visual interest. The remaining altered elevations are dark grey (revised from white) composite panels. The north elevation (facing landscaping/housing) will partially remain as existing.

## **6. Planning Policy**

North Wiltshire Local Plan: Policies C3, R4 and NE18 of NWLP 2011.

Central government planning policy PPS4 Policies EC15 and EC16 in particular

## **7. Consultations**

### Urban Design

Object for the following reasons (comments refer to original submission):

- Non-use of locally appropriate materials - result is a taller, simplified box with no attempt to break down the form. Gives examples in Greenwich, Plymouth, Gloucester and Dartmouth where this has been done.
- Close to residential area. Existing building has articulated skyline and brings eaves down to a single storey.
- Proposed is equal sized textureless, white panels and south facing un-protected glazing.
- Now flat facade at 2 storeys.
- Appears as utilitarian factory.
- Whole site is higher than the A4 and building can be seen from positions well beyond the site.
- Only the lit Sainsburys sign would identify the building as what it is – the design should be incorporated into the building.
- Car deck is alien form at the edge of town.
- Car deck would remove the opportunity for mature tree planting within the site.
- The existing store is already a storey above the A4 - the deck would create an unpleasant entrance into Chippenham.
- From views from the west and north part of the existing building will still be visible which will be incongruous with the new development materials.

### Environmental Health

Are happy that the 2m and 3m acoustic barriers are either brick wall or close boarded lapped timber (minimum surface density 20kg/m<sup>2</sup>); recommend imposition of a condition requiring compliance with Yard Management Plan. No objections to Air Quality Report nor Lighting Report.

### Landscape Officer on Original Plans

- Significant removal of existing trees, including Category A ones to enable car park reconfiguration and expansion.
- Removal of vegetation in Tree Group 85 weakens the physical width and effectiveness of the visual buffer to residential area. Also effects screen from the countryside beyond, including Corsham Park which is a scheduled 18th Century Historic Park and Garden.
- Recommends TPOing G86 (6 oaks) owned by the Council.
- Removal of planting at north west boundary was originally strategic planting - additional mitigation is required.
- White colour of building in landscape is significant.
- Must retain existing planting and replace that which is to be lost.

### On amended plans

States that:

- 1) The Council must satisfy itself that the loss of trees is justified to facilitate necessary development.
- 2) The long term viability of the trees on adjacent land is a planning consideration.
- 3) The matter of protecting existing trees can be secured by way of a planning condition and the Council must ensure that the most important are preserved.
- 4) The loss of some of the protective tree belt is a matter for the Council to consider and the proposal should provide additional mitigation rather than less due to the proposed store expansion resulting in increased activity.
- 5) Still has concerns over the prominence of the development when viewed from the public footpath of the historic park over adjoining open countryside.
- 6) Welcomes the removal of the signage.

### Chippenham Civic Society

Strongly object on the grounds of size and scale, failure to meet criteria in PPS4, insufficient public consultation, approach of developer.

### Archaeology

No comment

### Corsham Town Council

Concerns over impact that extending the store and parking would have on a busy road. It was also felt that thought should be given to access and egress.

### Chippenham Town Council

Object on grounds that the proposal would have a detrimental effect on the vitality and viability of Chippenham Town Centre contrary to policy R5(iv) of NWLP 2011.

### Corsham Civic Society

The effect on vitality and viability of Corsham Town Centre and surrounding businesses, which is not referred to in the Impact Statement.

### Chippenham Without Parish Council

Concern about noise from the plant room; already landscaping has been removed; question amount of public support claimed; concern about removing internal roundabout; pedestrian convenience; litter; need pedestrian crossings; highway visibility.

### Highways

Do not object to the transport assessment subject to completion of off site works there is no highway objection.

### Spatial Plans

Whilst it is recognised that the proposal will address some of the retail leakage of comparison goods to other towns such as Bath and Swindon, there is concern that such a scale of proposal will undermine the vitality and viability of Chippenham Town Centre and is therefore not in accordance with criteria (ii) of Policy R4 of NWLP 2011.

The Council subsequently employed the services of a retail specialist to give advice on the application.

### Environment Agency

No objections subject to conditions.

### Corsham Chamber of Commerce

Object because it would have an adverse effect on the vitality and viability of Corsham Town Centre. Corsham is in the primary catchment area. Nearly every shop in Corsham would be affected particularly in relation to kitchen/cookware/tableware; domestic electrical goods; books; homeware; soft furnishings; children's toys; stationery; clothing and health/beauty products. Parking is free at Sainsbury's but not in either Corsham or Chippenham. In Corsham the car park adjacent to the supermarket has higher charges than other town centre car parks.

## **8. Publicity**

The application was advertised by site notice, press advert and neighbour consultation.

68 letters of objection received.

## Summary of key relevant points raised:

- The building is too big for the site and a market town.
- Lorry traffic
- The car deck is an eyesore so close to residential development and the open countryside
- Pedestrian links are confusing especially to the PFS side.
- Increase in delivery traffic from Home Delivery Service.
- Insufficient highways information to demonstrate that impact is acceptable - traffic assessment accepts a 20% increase in traffic volume together with increase in sales area of 59.1%.
- Study overestimates those that will walk/cycle.
- Blockage of access to store when tankers deliver to PFS - increase in customers to store will exacerbate this.
- Increase in 50 jobs does not balance effect on town centre.
- Domination by expansion.
- Effect on minority interests
- Effect on delivery vehicles late at night - not possible to condition due to existing store being unrestricted.
- Pollution from car deck.
- Previously extended in 2003
- Only 35 neighbours consulted.
- Effect on landscape.
- Trees would take a long time to mature and therefore screen.
- Base data for highways is 2006 and thus too long ago.
- There is still more of Methuen Park to develop increasing traffic onto the roundabout.
- Control of litter
- Effect on Town Centre of Corsham

ING (who have an interest in the Bath Road/Bridge Centre site), Redcliffe Homes, Chippenham Vision and Ashtenne all object to the application on non compliance with the requirements of the sequential test, insufficient evidence to demonstrate that the proposal will not lead to significant adverse effects on the town centre, job creation does not outweigh impact and failure to comply with policy in PPS4.

The Council employed the services of Roger Tym and Partners to assess the application against Policies EC15 and EC16 of PPS4, which relate to 'Sequential Approach' and 'impacts' respectively. A copy of their report on the original application is available on file but in summary in relation to the sequential assessment, they accepted that the Bridge Centre/Bath Road Carpark site was too small to accommodate a superstore with 13, 642sqm of floorspace, but maintained that the sequentially preferable site was capable of accommodating most, if not all, of the proposed comparison retail floorspace. They therefore did not consider that the proposed development satisfied the sequential test.

In terms of Impact Assessment, the originally proposed development would represent a substantial increase in the size of an existing out-of-centre superstore. They considered that there was clear potential for the scheme to undermine town centre vitality and in their own assessment the trade impact on the town centre - of 12% using WYG own figures, rather than the 4.3% figure suggested by WYG - is a significant cause for concern. They concluded that proposed development did not satisfy criteria b) and d) of PPS4 Policy EC16.1. The development could also undermine the prospects of securing a retail scheme at the Bridge Centre/Bath Road Car Park site, so they also had concerns in relation to criterion a) of Policy EC16.1.

Roger Tym and Partners have re-assessed the proposal following the revisions made by Sainsburys (3<sup>rd</sup> October 2011) and make the following comments (which represent the latest conclusions on the sequential approach and impact on town centres):

- WYG has supplied additional commentary on the availability, suitability and viability of the Bath Rd Car Park/Bridge Centre site (BRBC) and sets out in greater detail the applicant's scope for flexibility and disaggregation of the application proposals.
- In terms of flexibility and scope for disaggregation, the applicant's main argument is that the proposed development will address a location specific need for additional floorspace to remedy the deficiencies of the existing store which is over trading. WYG asserts that the design on a multi level represents a sub-optimal solution for Sainsburys and, whilst they do not agree that this represents a degree of flexibility in terms of the sequential test, they recognise that it adds weight to the applicant's argument.
- WYG argue that disaggregation would not provide genuine choice and competition and an alternative provision at the Bath Road / Bridge Centre site would not be capable of competing with the existing Sainsbury and Morrisons. Whilst such a scenario may reduce over trading at the current store, it would not in certainty provide the choice the current proposal offers or improve the environment for shopping. Taking into account this and the "Chesterfield appeal", they consider the argument for disaggregation has been dealt with. Taking on board the additional evidence in respect of availability, suitability and viability of the sequentially preferable Bath Road / Bridge Centre site, they conclude that the applicant has satisfied the sequential test of PPS4 Policy EC15.
- The key concern raised previously regarding the applicant's assessment of impact was that it did not adequately consider the impacts of the proposed development on ING's planned investment at the Bath Road / Bridge Centre site. In accordance with para 7.19 of PPS4, WYG has now considered the impact of the application in terms of the status and progress of the proposed investment and the impact of the application scheme on current and forecast turnovers, operator demand and investor confidence.
- They consider it difficult to assess impact on operator demand and interest prior to the specifics of ING's scheme being made public. It is; however, fair to assume that if the ING scheme includes a large foodstore then interest from potential operators could be weakened by this proposal. This in turn could have a negative impact on developer/investor confidence. ING's proposals are at a critical juncture, but they have not stated that they won't proceed if Sainsbury's proposal is approved.
- The checklist for assessing impact on planned investment shown after para 7.21 of the Practice Guidance also suggests that the level of risk to planned investment and its significance will depend on whether there is sufficient need for both. They had asked for information on future expenditure capacity to support its own proposals and the development of its own proposals and the development of convenience goods floorspace at the Bath Road / Bridge Centre site. WYG has not provided any evidence. Nevertheless, on balance, the applicant has carried out a more appropriate assessment of the application scheme on planned investment. They accept that there may be some negative impacts on the planned investment at the Bath Road / Bridge Centre site, but are unable to conclude that it is significant. They also accept that, in view of their conclusions in relation to the PPS4 Policy EC15 sequential assessment, the location specific Sainsbury's proposal would not be wholly competing for the same market opportunity as the planned investment. There would be no demonstrably significant adverse impacts under criteria a) of PPS4 Policy EC16.

## **Planning Considerations:**

### **Retail Impact**

The Council's retail consultants originally analysed the application and concluded that there was a case for refusal on the grounds of undermining the vitality and viability of the town centre and therefore not satisfying the criteria b) and d) of PPS4 Policy EC16.1. There were also concerns about the impact of the development on securing a retail scheme at the Bridge Centre/Bath Road Car Park site in relation to criterion a) of Policy EC16.1 and that site represented the best opportunity for significantly expanding the retail offer in the town centre.

Additionally they advised that reflecting the advice in Policy EC17.1 of PPS4, the development should be refused as there is a sequentially preferable site that could accommodate the proposed retail floorspace and because the proposed scheme was likely to result in significant adverse impact on Chippenham Town Centre. Even should the Council conclude that the impacts were not significant, then it would be necessary to weigh up the positive and negative impacts of the proposed foodstore as per policy EC17.2 of PPS4. Their conclusion was still one of refusal because the employment benefits associated with the proposal - ie creation of 50-60 jobs- would not outweigh the harm.

However, the applicant's agents (WYG) have undertaken further work to allay these fears and have actually reduced the floor area by 131 m<sup>2</sup>. The Council's consultants have assessed this and have concluded that whilst they still have some outstanding concerns, the additional information provided by the applicant reassures them that the sequential test in PPS4 has been adequately addressed and it would be unlikely that the proposed development would have significant adverse impacts on planned town centre investment.

The agents submitted two relevant appeal decisions (which are available on file) at Brimington, Chesterfield (APP/A1015/A/10/2120496) and Mill Lane, Alton (APP/M1710/A/10/2143427), both of which support their case against disaggregation of the store and the effect that the extension would have on planned investment in the town centre (in the Chesterfield case) and effect on the town centre vitality and viability and alternative provision in the Alton case

They strongly advise conditions which restrict the total amount of sales floorspace available for both convenience and comparison goods and which would prevent any future subdivision of the extended superstore. This would help limit and control the potential impacts of the proposed development, ensure that the permitted comparison goods floorspace could only be traded in association with convenience goods floorspace and prevent the creation of smaller retail units that could compete more effectively with existing and proposed in-centre provision.

#### Car Deck

In terms of visual impact the car deck could potentially be seen from: The Scheduled C18th Historic Park and Garden of Corsham Park, all 3 junctions of the A350/A4 roundabout and the Methuen Park business estate/A4 junction. At the A4/A350 roundabout location the car deck will be approximately 4.2m above the car park level and therefore approx. 6m above road level with its own lighting and parked cars. The railings would take the height to a further 5.6m above the car park and therefore over 7m (see above) above the road. Further along the A4 the existing car park grows from 1.8m to about 3.5m above road level with commensurate increases in height of the car deck.

Officers have negotiated with the agent and have agreed the principle of substantial mature planting of both evergreen and deciduous trees to effectively screen the decking from these vantage points. The planting will be the subject of a legal agreement to ensure that it is maintained in perpetuity.

Whilst the proposed landscape screening will, it is considered, give an effective visual buffer to the proposal, the car deck will have more limited visual impact than might first be imagined due to the topography of the approach roads and landscaping on the A350/A4 junction. From the Methuen Park estate roundabout views will be more significant, but it is considered that this is within the built up area and would not create a discordant feature.

The proposal involves the removal of all the existing trees where the deck will go and almost all those within the car park area in general.

#### Highways Issues

Concern has been raised about the level of traffic already using the junction with Sainsburys and congestion and highway danger caused at peak times. The information submitted with the



application suggests that the am peak will only generate and increase of 71 movements, the pm peak 269 movements and Saturday peak 274 movements. Our Highways engineer is satisfied with these figures and the capacity of the junction to cope with them.

The staff car parking was approved under 08/023601/FUL and circumstances have not changed since.

To the west of the proposed store extension are a group of early mature oaks, with a TPO upon them. As a group they contribute significantly to the character of the area and are possibly trees left over from when the land was undeveloped. The store extension to the west involves the removal of part of the belt of trees which buffers up against these TPOd trees and forms an important break between the housing development and the store. The extension has been reduced in scale by 3.6m to ensure that the trees' health is not negatively affected.

### Appearance of the Store

A significant part of the proposal is to give the current store a "facelift" by extending the store and using the modern materials of composite panels and glazing. The agents have submitted further details which demonstrate that the store will be no higher overall than the existing building, the removal of the signage and artists impressions of what the building will look like. They have also amended the colour of the composite panels from white to dark grey. Up to half the building will be partially obscured by the car deck, which is covered elsewhere in this report.

The front (south) elevation incorporates a significant amount of glazing with areas such as the cafe facing out this way.

The surrounding area is an extended residential area to the north and east and new office development to the south. Materials used in these areas are, in the majority, a mixture of stone, brick and render. The existing store complements this both in scale and materials. The design of the existing store is of a "soft" appearance having sloping tiled roofs visible, but the proposal will ensure that it looks very modern. Whilst there is no other building close by of such design, it is considered that given the scale of the development on the edge of Methuen Park, it will not be so significantly alien as to warrant a refusal on design grounds.

From the Corsham Park (Scheduled C18th Historic Park and Garden) and the surrounding road network the current store is visible within an overall impression of being absorbed into the backdrop of the residential estate behind. The new store design will appear more dominant, but from many vantage points will be hidden behind the significant landscaping proposed.

The comments of the local residents have been noted, but given the responses from Environmental Health and Highways, in particular, and previous permissions on the site it is not considered that any reasons for refusal can be justified.

### **10. Conclusion**

The proposal, as amended, will add a gross internal floorspace of 2522sqm with a 4629sqm at first floor making a total of 4207sqm (excluding the atrium). The sales area would increase from 2629sqm to 7600sqm (435sqm has already been approved under 08/02601/FUL). The information has been assessed by the Council's retail consultants and in conclusion they state that they consider the proposal now satisfies the sequential test of PPS4 Policy EC15. They accept that there may be some negative impacts on the planned investment at Bath Road car park, but are unable to conclude that it is significant. They also accept that, in view of their conclusions in relation to PPS4 Policy EC15 sequential assessment, the location specific Sainsbury's proposal would not wholly be competing for the same market opportunity as the planned investment. There would be no demonstrably significant adverse impacts under criteria a) of PPS4 Policy EC16.

The car deck would extend from just east of the store to the western edge, but would be largely hidden from significant vantage points by new landscaping to be controlled by way of a legal agreement to ensure its effectiveness and longevity.

The design of the 'facelift' for the building gives it a very modern and airy look, which although not replicated elsewhere in the locality is considered to be appropriate for this location and use as a major supermarket.

The staff car park has been covered under application 08/02601/FUL previously and is unchanged.

There will be an increase in car parking spaces for customers from 500 to 647 and the associated information about increases in car movements has been assessed by the Council's Highways Engineer and considered to be acceptable.

Overall it is considered that the proposal satisfies policies C3, R4 and NE18 of NWLP 2011 and central government planning policies contained in PPS4 – EC15 and EC16 in particular.

## **11. Recommendation**

Planning Permission be DELEGATED to the Head of Development Control to allow completion of a legal agreement to control landscaping, management of the service yard (including control of refrigeration mechanisms), site security ( to include a 6 monthly anti-social behaviour review), litter management ( to include additional bins) and traffic management.

And subject to the following conditions:

1. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- (a) indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;

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

### **POLICY-C3**

2. 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.

### **POLICY-C3**

3. (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without

the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

#### POLICY- C3

4. No development shall commence on site until details of all earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, and the nature of the material, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.

REASON: To ensure a satisfactory landscaped setting for the development.

#### POLICY-C3

5. Construction works in association with this development shall only take place at the site between the hours of 07:00 and 22:00 Monday to Saturday inclusive and between 09:00 and 20:00 on Sunday and at no other time.

Reason: In the interests of the amenity of local residents in accordance with policy C3 of the North Wiltshire Local Plan 2011.

6. The improved pedestrian linkages shown on approved plan 31216-40\_P005 RevF shall be implemented concurrently with the first use or occupation of the extension hereby permitted.

Reason: To ensure that the store is accessible by a range of means in addition to the private car.

7. There shall be no subdivision of the development hereby approved.

Reason: To protect the vitality and viability of the town centres of Corsham and Chippenham.

8. Prior to the first use or occupation of the development hereby permitted the acoustic barrier shown on approved plan 31216-40\_P005 RevF shall be constructed in accordance with details to be submitted prior to development hereby permitted and shall be permanently maintained thereafter unless otherwise approved in writing by the local planning authority.

Reason: To protect residential amenity.

9. Prior to the commencement of the development hereby approved details of the method of restricting access to the whole site outside the hours of opening of the superstore, shall be submitted to and approved in writing, by the local planning authority. The approved method shall be implemented prior to the first use of the development hereby permitted and permanently maintained thereafter.

Reason: In the interests of residential amenity.

10. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

31216-40\_P005revF, 31216-40 P010RevA, 31215-40\_P011RevC, 31216-40\_P015, 31216-40\_P013RevC, 31216-40\_P009 RevJ, 31216-40\_P008RevB, 31216-40\_P007, P007 RevB, P012RevB, P015 (1<sup>st</sup> July 2011), 803-03 (1/09/11), 001A, 002A, 003A, 004A (16/12/10)

REASON: To ensure that the development is implemented as approved.

11. 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.

12. No development shall commence on site until details of the method of entry control to the staff car park has been submitted to and approved in writing by the local planning authority. The agreed methodology shall be implemented concurrently with the first use of the car park and permanently maintained thereafter.

Reason: To protect the amenity of local residents.

13. The staff car park hereby permitted shall only be used between the hours of 07:30 and 22:30 on weekdays and Saturdays and between 09:00 and 18:00 on Sundays.

Reason: To protect the residential amenity of nearby residents.

14. Prior to the commencement of the development hereby permitted, details of all lighting to be used externally on the site shall be submitted to and approved in writing by the local planning authority. The details shall include times when the lights may be in use. The development shall be carried out in accordance with the details which shall be permanently maintained thereafter unless otherwise approved in writing by the local planning authority.

Reason: In the interests of visual and residential amenity.

In addition, a condition that restricts the percentage of floorspace for comparison goods and convenience goods will be applied. Discussions with the Council's own retail consultants are

ongoing regarding the most effective way of actioning this and the specific wording of any condition.

