

**WILTSHIRE COUNCIL  
STRATEGIC PLANNING COMMITTEE**

<b>Date of Meeting</b>	<b>30th July 2013</b>		
<b>Application Number</b>	<b>N.13.00308.OUT</b>		
<b>Site Address</b>	<b>Land at Showell Farm, Patterdown Road, Chippenham</b>		
<b>Proposal</b>	<b>Outline Application for Employment Development Comprising 50,000sqm, Incorporating Class B1(b), Class B1 (c), B2 with Ancillary B1 (a), B8 and Ancillary B1 (a) Uses Including Means of Access, Car Parking, Servicing, Associated Landscaping and Works.</b>		
<b>Applicant</b>	<b>Crest Strategic Projects Ltd</b>		
<b>Town/Parish Council</b>	<b>Lacock/Corsham</b>		
<b>Electoral Division</b>		<b>Unitary Member</b>	<b>Councillor Tonge</b>
<b>Grid Ref</b>	<b>390778 171115</b>		
<b>Type of application</b>	<b>Outline</b>		
<b>Case Officer</b>	<b>Charmian Burkey</b>	<b>01249 706 667</b>	<b>Charmian.burkey@wiltshire.gov.uk</b>

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

Under the Scheme of Delegation Specific to Planning, this application falls to be considered by the Strategic Planning Committee by reason of it being a large-scale major application which, by its nature would raise issues of more than local importance.

**1. Purpose of report**

To consider the above application and to recommend that planning permission be Delegated to Officers to allow the signing of an appropriately worded S106 agreement.

**2. Report summary**

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

- Principle of development/policy setting.
- Access & Highways.
- Effect on landscape setting of area.
- Effect on listed buildings on site and the Heritage Asset.
- Ecology
- Design, appearance and layout
- Amenity of local residents.
- Sustainability.
- Other matters.

The application has generated 14 letters of comment from local residents – 13 raising objections and 1 in support. Lacock Parish Council strongly objects. Corsham Town Council supports the application.

### **3. Site Description**

The application site lies south west of Chippenham about 2 miles from its centre and 6.5 miles from J17 of the M4 motorway. The site is 18ha owned by Crest Nicholson and is mainly open fields and hedgerows with the A350 bounding the site to the south west, the B4528 (Patterdown Road) to the north east and the railway line to the north west. The grade II listed complex of buildings of Showell Farm lie to the south.

### **4. Relevant planning history**

98/02692/OUT – Construction of a business park incorporating B1, B2 & B8 uses, on site facilities, park and ride and means of access – Dismissed at Appeal.

99/00450/OUT – Construction of a food processing factory with ancillary storage/staff welfare and office accommodation plus loading and car parking. – Dismissed at Appeal.

12/00710/SCO – Screening and scoping opinion – No EIA required.

### **5. Proposal**

The proposal for consideration is in outline and is for 50,000sqm of employment development incorporating Class B1 (b ie research and development), Class B1 (c ie industrial process), B2 with ancillary B1 (a ie office other than financial or professional services), B8 & ancillary B1 (a) together with associated access, servicing, landscaping and car parking.

The access arrangements are for a new roundabout onto the A350 and pedestrian/cycle access onto the Patterdown Road.

Additional planting (including a bund along the southern boundary) is proposed.

A revised parameters plan has been negotiated, which reduces the heights of the buildings from 12-15m in height down to 10-12m in height on 3 out of the four plots and 8.5m on the 4<sup>th</sup>. A revised plan is awaited. There is also an agreement to reduce the bunding height whilst maintaining sufficient height in the landscaping.

### **6. Planning Policy**

North Wiltshire Local Plan 2011: Policy C3 (general development control criteria), Policy NE15 (landscape character of countryside), HE4 (Development or alteration affecting a listed buildings); Policy BD3 (Business Development on Unallocated Sites).

Wiltshire Core Strategy policy CP10 identify the site as an employment allocation.

The National Planning Policy Framework (hereafter referred to as NPPF) supports sustainable development in relation to building strong and competitive economy states that “*significant weight should be placed on the need to support economic growth through the planning system*” (para 19). There are no explicit policy considerations provided in relation to determining planning applications for economic growth in the rural areas.

In determining planning applications, the NPPF requires local planning authorities to take account of the desirability of sustaining and enhancing the significant heritage assets, with greater weight given to the asset’s conservation. It recognises that significance can be harmed or lost through development within the setting of the historic asset and requires that any harm or loss has clear and convincing justification (Paras 131-132).

### **7. The Application Process.**

The application was submitted in 21<sup>st</sup> February 2013 following significant pre-application discussions with officers.

In support of the application the applicants have submitted the following documents:

- Plans – parameters plan; illustrative masterplan; site access roundabout.
- Planning report.
- Design and access statement
- Economic and property market case.
- Archaeological assessments.
- Statement of Community Engagement.
- Landscape and Visual Impact Assessment.
- Heritage Statement.
- Phase 1 Ecological Appraisal.
- Ecological Summary Report.
- Badger Report.
- Tree Inspection for Barn Owls report.
- Wintering Birds Survey.
- Invertebrate Site Evaluation Report.
- Reptile Survey Report.
- Great Crested Newt Survey.
- Bat Survey Report.
- Breeding Bird Survey.
- Dormouse Survey.
- Hedgerow Assessment.
- Transport Assessment.
- Flood Risk and Drainage Report.
- Utilities Report.
- Acoustic Report.
- Ground Conditions Report.
- Lighting Strategy.
- Sustainability Strategy.
- Framework Travel Plan.

All documents are available on the file and inform many of the consultation responses.

## **8. Consultation**

Corsham Town Council state that the site has good transport links and provide needed employment land.

Lacock Parish Council strongly object and comment on the relevance of the planning history of the site where there are 2 called in applications. One relates to an outline planning application in 1998 for the construction of a business park, the other to the construction of a food processing factory. In refusing the applications the secretary of State referred to a number of reasons but the ones most relevant to this application are:

- i) The site is regarded as open countryside being on the far side of the railway embankment, which defines the urban boundary of Chippenham. Development would represent a harmful encroachment in this area which makes a significant contribution to the rural gap between Chippenham and Lacock.
- ii) The site is not well served by public transport, access by foot is ruled out and cycling is unattractive along the Melksham Rd and potentially hazardous.
- iii) The proposals conflict with the setting of the Grade II listed buildings at Showell farm.

The contention by the applicants is that the proposal is significantly different as it is now allocated. The parish council cannot accept that the site should be allocated and has lodged an objection. It

maintains that development of Showell would lead to a harmful encroachment into the open countryside. The railway marks the south boundary of the urban edge of Chippenham and as the embankment is such a huge physical feature, nothing can change this demarcation.

Whilst the area covered by this application is slightly smaller, it will still have an adverse effect on the listed buildings.

Planning policy – the Council's plan 2011 confirms the Inspector's view that the land is in the open countryside. The Core Strategy is an emerging plan which is subject to Examination in Public.

They consider it premature to determine the present planning application in advance of the Inspector's findings.

The issue of the site being poorly served by public transport and being unattractive to alternative means of transport cannot be overcome by the current application which requires other potential applications for housing to provide and/or contribute to the infrastructure. As there is no guarantee that this will be delivered, this is a further reason to justify refusing this application. The planning report makes a comment on p39 at para 5.69 that there are justified reasons to refuse the application on transportation grounds. Presumably this refers to not only their comments but that it could be regarded that the positioning of a new roundabout on the A350 so close to Lackham roundabout is unsatisfactory.

The Council is concerned about deficiencies in the scope of the visual impact assessment in that there is a lack of photomontages at the time the proposed development is completed. In particular, there is no photomontage from Viewpoint 1 from the B4528.

Whilst appreciating that the application is in outline, there is concern about potentially unimaginative design for the development. There is also concern for plot 300 with the potential for development of the area having a particularly damaging effect on the visual amenity of the surrounding area.

The Council considers the application to be premature as there is no need for the employment space due to the large number of vacant premises in Chippenham.

#### Spatial Planning Officer's comments are summarised below.

The National Planning Policy Framework 2012 is a material consideration and the proposal is in accordance with the economic aspect of sustainable development as it will be promoting economic growth and will contribute to improving people's quality of life in Chippenham and Wiltshire by providing land to create jobs. The Wiltshire Core Strategy is at an advanced stage and carries weight. Chippenham is identified as a Principal Settlement with a strategic importance and a focus for development. The proposed Delivery Strategy set out in Core Policy 2 recognises that in some settlements new jobs have not necessarily been delivered alongside new homes. It therefore seeks to strengthen communities by allowing appropriate growth to provide for the most sustainable pattern of development. It goes on to say that it is a requirement that employment land will be delivered in the early stages of mixed use development proposals. The proposed strategy for Chippenham is based on delivering significant job growth, which will help improve self containment of the town by providing more jobs for local people – *'new employment provision in Chippenham is a priority and will help to redress the existing levels of net out-commuting'* (para 5.48).

In Core Policy 10, Showell Farm is identified as a strategic employment site to provide 18ha employment land. The Workplace and Employment land review 2011, which is part of the evidence base for the Core Strategy, re-assessed the commercial viability of proposed employment sites and concluded that Showell Farm is suitable for B8 uses, has good access to M4 and no identified major constraints and is deliverable in the short term (Table 6.2 page 71). The proposal will deliver flexible and affordable work space which will help reduce out commuting. Showell farm forms part of a mixed use urban extension called South West Chippenham strategic site, which will also provide 800 houses and community facilities. The application is in advance of the housing and community facilities application. The applicants have included a plan from the Green Infrastructure Strategy which shows the full extent of the South west Chippenham Strategic site and gives an indication of linkages between Showell farm the housing and Chippenham Town. The application would need to show how it meets the requirements as set out in the Wiltshire Core Strategy Appendix A development templates and the applicants have submitted a range of documentation to show this.

Core Strategy Core Policy 2 states that masterplans should be being developed for each site ' in partnership with the local community, local planning authority and the developer, to be subsequently approved by the council as part of the planning application process'. A masterplan has been submitted together with a Statement of Community Engagement which demonstrates that the proposals have been the subject of local consultation.

Highway Officer 's comments are available in full on the file but the key points are contained below: *He originally commented on the Sustainability Statement as follows:*

There are no details submitted with the planning application to illustrate how pedestrian and cycle provision between the site and the town centre will be provided. Drawings have been submitted showing that the eastern verge of Patterdown road will be converted to facilitate provision for pedestrians and cyclists. However, no details are provided to show linkages to the site or how the junction at Queens's Bridge will be addressed.

The Transport Assessment does not clarify how the temporary pedestrian/cycle arrangements on Patterdown Road will operate until such time as the Strategic Housing site has been developed to upgrade facilities. The Transport Assessment, design and Access Statement and Sustainability Statement all acknowledge the shortcomings of the Patterdown Road arrangement by highlighting its temporary nature pending development of the Strategic SW Housing site.

The proposal is for a safety strip leaving the existing roadside verge, which would need to be paved and retained by kerbing. The available widths are modest, and there are several signs, the posts of which obstruct width even further. Drawing 20399-008-SK016 shows in diagrammatic form how a possible 1m pedestrian safety strip might be provided. The arrangement is said to be temporary, pending provision of full standard pedestrian and cycling provision within the strategic housing site. However, there is no certainty as to when this might come forward.

In the previous appeal on the site, the Inspector made reference to the fact that the site is not well served by public transport and that pedestrian and cycle access along Patterdown was neither attractive nor safe. The mitigation works proposed are too vague insofar as they are undefined, and no reasonable conclusion as to their acceptability can be reached.

Existing bus services on Patterdown Road are not sufficient to provide a real sustainable and an upgrade on services would be required.

Saved policy T4 (Cycling, Walking and Public Transport) is not met and nor is the equivalent policy in the Emerging Core Strategy (Policy 61).

*Following a meeting out on site and topographical surveys , he is now satisfied that a reasonable route for pedestrians can be provided within the controlled land (highway verge), providing for a serviced path, the majority of which could be 2m in width. There are limited lengths of road where a reduced width of circa 1m is all that can be achieved. He is now of the opinion that the provision of a surfaced route that connects with the existing paved footway of Patterdown Road would be sufficient to render an objection on the grounds of sustainability indefensible, and a matter that could, in the absence of any other objection be dealt with by way of a planning obligation.*

However, the proposal makes a presumption that a southern link road for Chippenham is required to connect to the A350 via the site. This is not planned and would provide the least important link as a route to Patterdown Road would achieve the objective. The Southern Link Road is not included in the Infrastructure Delivery plan for Chippenham.

The proposed access off the A350 is contrary to Policy 62 of the Draft Core Strategy. The need for the access has not been demonstrated to be overriding of the policy. There is already a superfluous number of roundabouts between Malmesbury Road and Lackham roundabout. Another roundabout would adversely affect the efficiency of the route, contrary to CP66, which seeks selective improvements.

The Emerging Chippenham Transport Strategy states "*It is considered essential that the strategic role of the A350 be protected*". Although the A350 link between Chequers and Lackham roundabout is not the busiest, its Strategic role must be protected. He considers that protection includes strictly observing CP62 so that journey times are not increased unnecessarily, as the cumulative impact over time will be severe.

He comments on the applicant's rationale to overcome CS policy 62 as follows:

- The economic case to override the policy is not independent, and there is no justification to support the view that the marketing advantages of a site junction on the A350 should subjugate the policy

- The argument that Showell Farm and the adjacent housing site in this section of the A350 is not accepted. The built-up reference is as much to do with the physical attributes of the road and the prevailing conditions on it eg The speed limit. The logical extension of this would extend to any development proposal involving buildings, on any non built up length of the Primary Road Network (PRN) outside of the built up area.
- The agent argues that the access off the A350 allows a gateway site which can compete in the sub-regional market (with Swindon in particular). However, without the access the site is viewed as secondary which puts it in a much larger pool for a still limited number of occupiers. These occupiers are unlikely to meet the lending criteria in this economic climate to make the development viable or to meet the funds required for a new build when there is an ample supply of second hand property. With access on the A350, deliverability is approx. 5 years. Without it, there is no time limit if it is deliverable at all. Highways comment that the report which states this is not independent and the nature of the development is that it won't attract passing trade. It is also noted that the master plan does not show buildings with direct access off the A350, but from roads leading off the principal internal road.
- The agent comments about the proposal delivering a twin roundabout system replicating the 3 other junction arrangements along the A350, adjacent to the built up/urban area of Chippenham. Highways state that the reference to twin roundabouts is misleading as although there are junctions close together, those junctions which don't serve the main radial routes for Chippenham were necessary to serve major development (which in a large part funded the western bypass) as there was no other reasonable alternative.
- The agent states that Patterdown Road is unsuitable for HGVs as it is a rural route with listed buildings fronting it. However, highways consider that as the road was formerly part of the PRN, its structure is sufficient to accommodate the proposed development.
- The agent writes that there will be no delays at the proposed junction and therefore there will be minimal impact on proposed journey times. However, Highways respond by saying that whilst delays for individual vehicles may be described as minimal, there will nevertheless be delays, caused by traffic having to slow down to 30mph throughout the roundabout (a design prerequisite), and by some traffic having to yield. The effect at the Lackham roundabout, should the site access from the B4528, would involve only the yield element of delay to A350 traffic.

In summary the site is identified as a strategic site in the emerging Core Strategy. The access proposals as submitted do not comply with policies, saving and emerging, relating to the protection of the A350 Primary Route, or for the provision of acceptable sustainable transport options to provide for a real choice of transport for future trips generated by the proposed development. He recommends refusal.

Senior Conservation Officer – The tallest buildings at 15m have been kept furthest away from the listed farm buildings, still leaving a 12m block nearest to the farm. The combination of solid blocks of buildings, bunds of 4 m and contrived landscaping will cause significant harm to the setting of the listed building. A development comprising those scale buildings shown in plot 300 (8.5m) would be far less harmful. The trees shown as screening the railway at the far end of the site may have to be removed as part of the scheme for electrification of the railways. The proposed development would be contrary to the NPPF (2012) as it would cause significant harm to the setting of the listed buildings.

*The Council's Conservation Officer believes that the proposed revision reducing the buildings' height parameters will lessen the degree of harm to the setting of the heritage assets and considers the proposal is now not sufficiently at odds with the requirements of s66 of the Town and Country (Listed Buildings and Conservation Areas) Act 1990 and section 12 of the National Planning Policy Framework to warrant refusal.*

Council Landscape Officer – A full response is available on file but is summarised below:

- The site is indicative employment in the preferred "South west Chippenham Strategic site " allocation within Wiltshire's emerging core strategy.

- The Wiltshire Pre-submission Core Strategy document in appendix A contains; development templates for strategic allocations, landscape infrastructure requirements:
  1. Site to be well screened with native tree and shrub planting.
  2. The very open rural character at Lackham roundabout will need to be respected in the design of any commercial development.
  3. Bunds should be avoided to create screening, while landscape features such as stone walling on Showell Road should be retained.
  4. Development should consider views from PROW and the high visual sensitivity of the Lacock to Lyneham limestone ridge. Development should maintain the visual integrity, open views and characteristics to the east and avoid harsh urban edges fronting open countryside.
- The Wiltshire Core Strategy Consultation – topic paper 12 high lights the following Landscape and Visual considerations for the Showell Farm site: relevant Management objectives; Brief description of local character; Capacity to accommodate change.
- In conclusion the Landscape Officer says that there is no in principle objection , but considers the scale of some of the buildings, promoting B8 warehouse and distribution use, to be detrimental to the identified landscape sensitivities and ultimately the capacity for the site and adjoining landscape to accommodate change sensitively. The submitted landscape and visual impact tables confirm this. The proposed landscaping along the eastern and southern boundary will not be sufficient to effectively screen the scale of building promoted. The development will introduce harsh urban blocks and elevated building edges and skyline features for many years to come which will not be successfully assimilated into the local landscape. He appreciates the attempt to use cladding and colour to break up the large building elevations and that the buildings and landscaping are indicative, but in the short term (1-15 years) the impact of such huge buildings will be adverse and damaging to the local landscape character. The silhouette of the buildings at 12-15m will be highly visible from the countryside facing the river corridor and from further locations. The effect will be more acute in winter.
- The principle concerns are in relation to the 12-15 metre height of the buildings in this location and the effectiveness of the proposed landscape buffer treatment to provide effective screening to avoid the creation of harsh new building lines and exposed upper elevations fronting open countryside. A reduction of proposed building heights and massing of large buildings in combination with more effective buffer planting would help minimise the landscape and visual effects of the expansion of Chippenham.

*On the revised parameters plan, which is expected, the Council's landscape officer is more comfortable with the proposals.*

Council's Environmental Health Officer comments that the lighting report is thorough and aims to achieve a high standard of protection to the surrounding environment, in that it is designed to minimise sky glow, glare and light intrusion. Having said this it is acknowledged that bringing new development into an agricultural landscape will introduce new light sources. The applicant has submitted a higher standard than required in ILP E1 zoning which would be expected in AONBs and National Parks. Whilst targeting this higher standard the cumulative effect is likely to lead to an ILP E2 zoning criteria. This should be conditioned.

There is unlikely to be any contamination on site but a condition requiring a desk top investigation is required. Also conditions about what to do if contamination is found, is required.

The Noise from vehicles information is based on sound methodology and vehicle noise would not be considered to impact unacceptably on the residential properties nearby.

Council Ecologist states that the site is predominantly arable fields of relatively low ecological value. However, these are bounded by a network of predominantly species-rich hedgerows, with the exception of a species poor hedgerow in the north of the site which support several mature standard trees. All hedgerows are ecologically valuable and all qualify as BAP habitat. All species rich hedgerows would be removed by the proposals and all species poor ones retained. As mitigation it is proposed to provide a buffer for retained trees and hedgerows, while the proposed landscaping would comprise mainly native species on the southern and eastern margins of the site

and the management, creation and enhancement of hedgerows are proposed in order to improve their ecological value. Other recommendations for habitat creation and enhancement within the ecology report include green roofs, Sustainable Urban Drainage Systems and 'wildlife corridors'.

Protected species : -

- Great Crested Newt – A breeding population is present to the north east of the site although the breeding pond is 400m away. A pond to the north-west could not be surveyed. Proposed mitigation includes retention and enhancement of the hedgerows network and creation of wildlife corridors through the site.
- Dormice – hedgerows provide a suitable habitat but there is no evidence of use. The site will be enhanced by planting of berry bearing shrubs.
- Breeding birds- 29 species were recorded including red and amber listed birds. Mitigation includes removing species rich hedging outside the breeding season and the retention and creation and favourable management of all other hedgerows; the creation of wetland features.
- Wintering birds – 26 species were recorded including 3 amber and 4 red listed species and large flocks of field fare and redwing, predominantly using hedgerow habitats. Proposed mitigation includes the retention, creation and favourable management of hedgerows.
- Reptiles – populations of slow worm and grass snake were recorded on the site. Mitigation includes the creation of new hedgerows with a wildflower grassland margin on either side.
- Invertebrates – Potentially valuable habitats are limited to hedgerows. It is proposed that part of the hedgerow network would be retained and new hedgerow planting would be created/enhanced for invertebrates.

Surveys did not reveal any roosts for bats although some trees have the potential to support roosts as do the nearby Showell Farm and Showell Cottages (not surveyed). Activity surveys recorded 12 species of bat foraging and commuting through hedgerows including the rare Bechenstein and Greater Horseshoe Bats; this is notable given the location of the site and the habitats present and it has been assessed as being of regional significance for this species assemblage. Leisler's bat has also been recorded, which is very rare in Wiltshire.

The current proposals will involve the removal of most of the existing hedge network and this is likely to have an adverse effect upon the bats' use of the site and also make most of the site unsuitable for light sensitive species. It is proposed to mitigate this by the planting of new hedgerows/woodland belts around the southern and eastern margins of the site, which should provide alternative foraging habitats and commuting routes around the site once matured, although routes through the site would be lost for all species except pipistrelle, noctule, serotine and Leisler's bats. The bats are considered to be most likely to enter/leave the site to the east and south. The route to the east would be retained, but the route to the south would be lost as a roundabout has been located on this commuting route. The proposals would have a negative effect upon the gap and light sensitive bats.

Consideration of the Statutory tests in relation to bats concludes that although the development will have negative effects on some species of bats, the effects upon these species at a population level would not be likely to constitute a disturbance under Article 12 of the Habitats Directive and that there would be no likely significant effects upon the Bath and Bradford Bats SAC which might require appropriate assessment under Article 6.

The main impact of the development is clearly the loss of the mature species rich hedgerow network and the effects its loss would have on the species associated with it. The layout removes most of the hedgerows and it may take up to 10 years for the hedges to reach sufficient maturity to support the current assemblages of species. For some the disturbance would be experienced for several generations. It is therefore recommended that the existing mature species-rich hedgerow network be translocated to the margins of the plots. This would significantly reduce the ecological impacts of the development in the short term.

The retained and replacement hedgerows will also require a buffer in order for it to function properly as a wildlife corridor. This is shown in most areas but must be extended across the site. It is recommended that a 5m ecological buffer is established between all hedgerow/woodland areas and all hardstanding/buildings; this ecological buffer should comprise of predominantly wildflower grassland/SUDS features with scattered woody specimens. The site is easily large enough to accommodate these features which can be secured by way of a planning condition.

The success of the mitigation strategy will be reliant upon securing favourable management of the ecological features across the site at an early stage and throughout the life of the development. An



ecological Monitoring and Management Plan should set out the parameters for the creation of ecological features to be addressed through reserved matters applications and landscaping schemes, and set out a mitigation and monitoring scheme to be implemented alongside the development, ensuring the effective delivery of the proposed compensation and enhancement measures.

Suggested conditions to relate to:

1. Implementation of all recommendations of the submitted ecological reports.
2. Translocation of the existing species rich hedgerow network to landscaped areas within the site.
3. A 5m ecological buffer between all hedgerow/woodland habitat and hard development.
4. A lighting scheme and lux plan.
5. An ecological monitoring and management plan.

Environment Agency has no objection in principle due to its location in Flood Zone 1. However, due to the scale of the development failure to maintain surface water drainage schemes could result in flood risk elsewhere. They consider that the management and maintenance of surface water drainage scheme may be more appropriately addressed in a S106 agreement.

#### Wessex Water

Does not object, but indicates key issues to consider.

#### Archaeology

Recommend that a programme of archaeological works is carried out in advance of construction as investigations in 2004 uncovered the remains of a pre-historic settlement in the northern area of the site. However, not all the redline area has been subject to archaeological investigation.. Conditions are recommended.

#### Wiltshire Fire and Rescue

Request a contribution of £24k towards their services. However, this is not supported by full policy backing and is not being pursued.

### **8. Publicity**

The application was advertised by site notice and neighbour consultation. Because of the recommendation, the application has been advertised as a Departure with the consultation period expiring on 8<sup>th</sup> August 2013.

14 letters of objection have been received (including the Showell Protection Group and one from a planning consultant. All letters are available in full on the file and the web) and 1 letter of support. Summary of objectors' key relevant points raised:

- Premature.
- Unsustainable. Poor bus service. Will encourage car journeys.
- Does not comply with NPPF especially sections 2 & 4.
- Undeliverable due to access.
- Undeliverable due to lack of local demand for the unit sizes being promoted.
- Contrary to the Inspector's decision of 14 years ago.
- Coalescence with Lacock.
- Congestion already and the number of roundabouts between here and junction 17 of the M4.
- Effect on landscape quality of the area.
- The Inspector at the EiP was presented with arguments for the spatial allocations to the south west of Chippenham fundamentally undermine the Plan and are in themselves

unsound. The proposed development at Showell Farm will not fulfil the strategic objectives of the Core Strategy but will frustrate them.

- The creation of a new employment only zone outside the settlement boundary will create jobs in a remote location causing more out commuting and cause inevitable decline in the town centre due to pressure to develop a new local centre.
- The spatial site allocation is based upon a wholly unsound premise that it is a mixed use site with functional land linkages between the two. The application is premature and should demonstrate genuine mixed use credentials.
- The proposal will inevitably include a B1 element and this will make the sequential assessment near impossible and will lead to a negative impact on the town centre.
- The site is allocated in the Wiltshire and Swindon Minerals Waste Development Framework Proposals Map (2009), which suggests the land is within a mineral safeguarding area.

## 9. Planning Considerations

### Principle of development & policy setting

#### *Policy weighting*

The National Planning Policy Framework (NPPF) is the relevant national planning policy document and locally the North Wiltshire Local Plan 2011, where its policies are not in conflict with those of the NPPF.

The Wiltshire Core Strategy has now been submitted to the Secretary of State. This is an advanced stage in its production and undergoing its Examination in Public and, therefore, considerable weight should be given to the emerging policies within core strategy where there are no significant outstanding objections to that policy.

#### *Application of policy*

- Principle of development/policy setting.

In planning policy terms, the application site is located in the open countryside, but is allocated through the Core Strategy as an employment site through Core Policy 10 which allocates 18ha employment together with 800 new homes.

The site has been mooted for some time as a potential employment site and applications were considered in the late 1990s for 2 applications for employment and food processing plant (98/02692/OUT & 99/00450/OUT). The application site was larger in these cases as the land extended down towards Lackham roundabout. Both applications were called in and refused by the Secretary of State because of their location in the open countryside, relationship to the grade II listed buildings at Showell Farm, the unsustainable location and whether there was an urgent and overriding need for the development. The Secretary of State concluded that there was no immediate overriding need and the issues raised were sufficient to justify refusing the application.

However, things have moved on and changed since these applications. The site is now allocated in the Core Strategy as part of the south west of Chippenham expansion to provide 18ha of employment together with 800 houses. The housing land will be associated with a large green space which will help provide links to the town centre and encourage alternative means of transport as well as potentially providing workers for the employment allocation. Chippenham suffers from considerable out-commuting to Swindon, Bath and Bristol and it is hoped that by providing high quality employment and housing, this can be significantly lessened.

Whilst the Core Strategy is going through its EIP at the moment, the Council has encouraged this employment to come forward ahead of time as the need to provide new

high quality employment opportunity is seen as a key factor to address the out-commuting that currently occurs. A Statement of Common Ground between The Council and the Applicants (Crest Strategic Projects) was prepared for the EiP for the whole of the strategic site (ie employment and housing). A planning application for the housing is stated to be coming forward in early 2014. The consortium (ie those with an interest in the land) has submitted a vision statement which includes an indicative masterplan for the entire site. Both parties agree that this site has been chosen because of its strategic nature, offering employment creation potential and significant housing numbers. The site can deliver employment land early in the plan period. The evidence submitted demonstrates that the South west Chippenham allocation is achievable and deliverable within the timescales proposed.

- Access & Highways.

The proposal is for access from the A350 bypass by way of a new roundabout. The roundabout can be designed to accommodate any future duelling of this road. The layout of the roundabout with the road as it is and the plans supplied are acceptable to the Highways officers.

The site lies between the A350 and Patterdown Road and it was expected that access would be off Patterdown Road at a junction which also serves the new housing site. However, the applicants have shown an access from the A350, citing that this is necessary from an economic point of view to attract the “primary” users who are both required to fund the site and also to be the calibre of occupiers that Chippenham needs to compete with other centres. The roundabout will be approximately 400m from the Lackham roundabout.

Core Strategy Policy 62, which continues the tenor of policy T8 of the Wiltshire and Swindon Structure Plan 2016 (originally saved although now revoked), states that: *proposals for new development should not be accessed directly from the national primary route network outside built-up areas, unless an overriding need can be demonstrated.* In the supporting text the exceptions will only be made where the type of development is such that it requires primary route location, such as a roadside service facility.

The roundabout junction is therefore contrary to this policy and whilst Highways acknowledge that apart from the inevitable slowing of traffic, the fact that the section of road is not the busiest, there is an overriding need to protect the strategic role of the primary network. The provision of a another roundabout where there is already a superfluous amount (between Malmesbury Road and Lackham roundabout) would adversely affect the efficiency of the route, contrary to Core policy 66 which seeks improvements. They do not accept the economic argument put forward, which they consider not to be independent.

Whilst it is therefore clear that a highways reason for refusal could be generated and justified, this must be weighed against the very strong need for economic growth in Chippenham and the deliverability of this site to meet this need. There is no highways danger issue to be resolved. The location of the roundabout is contrary to policy, but given its location in the less busy section of the A350, the impact is likely to be less than in other sections.

Additionally, Core Strategy Policy 62 does not specify what “overriding” need is limited to; just suggesting that it is for such things as road side facilities. It could be argued that the economic need for new employment is an overriding need and since the applicants are unwilling to provide a main access off Patterdown Road, allowing the new roundabout is the only practical way to deliver the site.

It has been suggested by officers that a condition which precludes development of the roundabout commencing until a contract is signed for a “primary” type user, would ensure

that the applicants stick to their argument that such a user is not possible without the access.

- Sustainability.

The NPPF makes a presumption in favour of sustainable development. The site is not well served by public transport or other means of transport at the current time. The delivery of the associated housing site, as part of the South West of Chippenham Strategic Allocation, would provide alternative links to the town centre and thus make it sustainable. In the meantime the applicants propose to deliver a temporary path alongside Patterdown to link into existing footways and cycles paths to town. Whilst the Highways Officer was initially sceptical about this, he has since agreed that the path is deliverable to a satisfactory standard, although no acceptable plans to show this have been received. On this basis the Highways officer has withdrawn his objection on sustainability grounds subject to a legal obligation about the delivery of this “temporary” route. It is therefore considered that the application is NPPF compliant on sustainability.

- Effect on landscape setting of area.

The landscape officer has given a comprehensive report on the submitted Landscape and Visual Impact Assessment – available in full on the file and summarised above. There is no in principle objection. The proposed reduction in building heights as shown on the revised Parameters Plan (reduced to a maximum of 12m to the north and 10m to the south) together with in principle reduction in height to the proposed bunding to the south, is welcomed by the landscape officer. The landscaping is indicative at this stage but gives an indication of the native structure planting proposed on a reduced height bund. Ordinarily bunding would not be encouraged, but if carefully contoured, it will help hide the lower sections of the building whilst the landscaping matures.

There is no escape from the fact that the built form will have the potential to form a relatively harsh new urban edge to the new southern boundary of Chippenham, but these effects can be reduced in part by structure planting and by the use of colour and form of the buildings to help break up and filter views. The proposed building form will be visible from some far vantage points, but in the context that Chippenham is identified as a principle settlement for growth, it is not considered that this is a significant enough reason to warrant a refusal, especially as any alternative employment site is also likely to have some impact.

The Council’s Landscape Officer is more comfortable with the proposal given the expected revision to the buildings’ height parameters, and the final landscaping scheme (including bunds). The final appearance of buildings can be controlled by means of planning conditions.

- Effect on listed buildings on site and the Heritage Asset.

Showell Farm and Oak Lees House are sited to the east and south of the site. Codastones and 3 & 4 are on the opposite side of the road to the east. Oak Lees is not listed but Showell Farm is grade II and within the complex there are other dwellings formed from conversions which are curtilage listed. Unlike the scheme submitted in the 1990s, the site is wholly to the North of Showell Farm. The land in closest proximity is to be developed for smaller starter units of no more than 8.5m in height and there will be significant landscaping in between.

Again, undoubtedly there will be some impact on the listed buildings and their setting and those buildings which are not listed. However, unlike the previous application the built form will be to the north of these buildings rather than surrounding it. However, the proposed

mitigation and distance to the nearest buildings shown on the master plan (approx 60m to Oak Lees and 110m to Showell Farm) are considered to be sufficient to ensure that the Heritage Asset is not detrimentally affected and now that there are proposed revisions reducing the buildings' height parameters which will further lessen the degree of harm to the setting of the heritage assets. It is therefore not considered that the proposal is sufficiently at odds with the requirements of s66 of the Town and Country (Listed Buildings and Conservation Areas) Act 1990 and section 12 of the National Planning policy Framework to warrant refusal.

- Ecology

The application was accompanied by a full set of surveys which have been viewed by the Council's ecologist. The application site supports a diverse range of wildlife including some rare bats and the habitats and pathways through the site will be disturbed or removed by the development. Mitigation is proposed in the planting of new hedgerows and managed grassed areas together with ponds.

The impacts would be greatest in the short to medium term, reducing over time provided that the mitigation strategy is secured and implemented, in which case the outcome could be positive for some species, whilst remaining negative for others ((breeding/wintering birds/commuting bats). However, these negative effects would not trigger any statutory reasons for refusal (subject to securing the mitigation measures).

It is considered that conditions can be used to mitigate the main impacts of the development and that it would not be possible to substantiate a reason for refusal on ecological grounds.

- Design, appearance and layout

The application is in outline (with just access to be approved at this stage), but a parameters plans was submitted with the application which indicated building heights and landscaping. The original heights at 12-15m were considered to be overly large (especially given the overall scale of the buildings) and following negotiations, the applicants have agreed to reduce the parameters to 10-12m. The buildings to the south of the site (ie those nearest the open countryside) will be 10m and those nearest the railway 12m. The buildings closest to the residential properties are more akin to starter units and are to be approx 8.5m in height.

The design and materials of the units are reserved for later approval, but officers have stressed to the applicants the need to design the buildings to reduce their impact and use materials to soften their appearance.

The indicative masterplan for the site shows the site divided into four plots and the application is for 50,000sqm of floorspace overall. The area to the east is shown as smaller units, although this layout is not up for approval. The other 3 sections show 3 large units with associated car parking and works including indicative planting. There are a number of indicative SUDS ponds within the development.

The key design principles have been cited by the applicant to be to provide large enough plots to meet the likely needs of their target sector; to retain existing key hedgerows; to provide a new access gateway from the A350 with a main access spine; to design a central space that gives a sense of arrival and gives identity; to minimise the impact of Showell Farm; to located service areas away from the service spine road and away from the listed buildings; to ensure the design layout will integrate with the housing layout identified in the strategic allocation; to retain a southern edge through significant planting; to provide trees within the site to create a woodland canopy and to enhance wildlife corridors on the northern and southern boundaries and to retain the L-shaped hedgerow within the site.

The indicative land budget is : net developable area: 12.56 ha; existing and proposed planting/landscape areas 4.29Ha and access and highways areas 1.05ha.

The principles indicated are supported by officer and set the scene for a well design employment site with sufficient “greening” to mitigate the impact of the large buildings to an acceptable standard. The details submitted with any reserved matters application will ensure that these design ideals will be implemented.

- Amenity of local residents.

The closest units are indicated to be approximately 60m to Oak Lees and 110m to the main house at Showell Farm. A substantial band of landscaping, together with bunding is proposed between the site and these properties (in particular). The noise assessment submitted indicates that vehicle noise will not be an issue and when dealing with the reserved matters (when the actual uses in the units will become apparent) the noise to be generated by the use can be assessed and dealt with appropriately.

The outlook from the rear of these properties will be altered and there is no denying that in the short term at least, the buildings are likely to be very visible. That said, the finalised design is not available at this stage and the impact on these properties, as well as the wider area will be very much part of that process.

The site is allocated for employment and whatever is built there will have an impact, but these impacts are not considered to outweigh the benefits of delivering a key employment site and are not sufficient to warrant a planning refusal.

- Other matters.

The Wiltshire and Swindon Minerals Core Strategy 2009 identifies a Mineral Resource Zone Policy MSC1 (Bristol Avon) at Chippenham. However the zone shown on the Key Diagram for the Core Strategy is adjacent to but does not include the Showell Farm site.

Consideration was given to the minerals zone and policy as part of the Core Strategy site selection process for Chippenham, particularly in relation to the South West Chippenham strategic site. The adopted Minerals Planning Policy (MSC6) aims to ensure that wherever practicable developers extract minerals prior to or in phase with non minerals development, in order to ensure workable resources are not needlessly sterilised by development. The developers promoting the South West Chippenham strategic site carried out an assessment and indicated that the minerals in this area are not viable as a going concern, but indicated an opportunity to extract the minerals prior to development (for example as part of flood prevention measures).

When the Core Strategy was submitted in July 2012, the advice to date indicated that the extraction of minerals is likely to be problematic due to a high water table and poor quality of minerals.

One of the objectors has raised additional issues, many of which have been addressed through the EiP process. The comment that there is no demand is refuted via the Workspace Strategy which forms part of the evidence base for the Core Strategy. The application site was identified because of its links to the M4 and lack of major constraints, which would ensure its early delivery..

The objector talks about coalescence with the village of Lacock, but this is some distance away and cannot be seen from any vantage point in the site

The application will need to be accompanied by a legal agreement (s106) to deal with highway matters.

- Conclusion

The site is allocated via policy CP10 as part of the South West of Chippenham Strategic site and is the employment element of that scheme. The Core Strategy is at an advanced stage now (going through the Examination in Public) and carries significant weight. Therefore, even though under the current policies of the North Wiltshire Local plan 2011, the land is in open countryside, the allocation gives it considerable weight for the determination of this application.

Issues to do with ecology, landscape, listed buildings and environmental health can be dealt with by way of the reserved matters and/or planning conditions.

The only outstanding issue is the potential conflict of the new roundabout onto the A350 with Core policy 62. Highways have objected to the application on the basis of this policy and its stance that new roundabouts should not be permitted onto the primary network route unless an overriding need can be demonstrated. Whilst the supporting text indicates that roadside facilities are what is envisaged by "overriding need", there is no actual definition and it could be argued that the future economic growth of Chippenham represents that overriding need.

There is no identified harm to the safety of road users by the introduction of the roundabout just an inconvenience of slowing on what is a relatively quiet section of the road. Highways seek to protect the function of the whole of the primary road network.

In this case it is considered that the benefit of providing quality employment on an allocated site outweighs the potential to cause a traffic slowing in the locality and that the positives of economic development should be cited as the "overriding need".

The Recommendation is therefore Delegation to officers to allow the consultation period of the Departure Notice to expire, to await the submission of the agreed revised parameters plan and draw up a suitably worded S106 agreement to deal with highways matters and subject to the following conditions:

- 1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The scale of the development;
- (b) The layout of the development;
- (c) The external appearance of the development;
- (d) The landscaping of the site;

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

- 3 No works for the construction of the roundabout onto the A350 hereby permitted or any part thereof shall commence until a valid construction contract has been entered into under which one of the parties is obliged to carry out and itself complete the works of development of any of plots 100, 200 or 300, the site for which planning permission consent has been granted under application reference 13/00308/OUT and any subsequent reserved matters application or such other amendment approved by the Local Planning Authority; and; evidence of the construction contract has first been submitted to and approved by the Local Planning Authority.

REASON: In the interests of the highway function and economic growth.

- 4 The development shall be carried out in accordance with the parameters plan .....

Reason: To protect the setting of the Grade II listed buildings nearby and the landscape character of the area.

- 5 No development shall commence within the site until:

- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
- b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

- 6 No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been undertaken and until:

- a) The Local Planning Authority has been provided with written confirmation that, in the opinion of the developer, the site is likely to be free from contamination which may pose a risk to people, controlled waters or the environment. Details of how this conclusion was reached shall be included.
- b) If, during development, any evidence of historic contamination or likely contamination is found, the developer shall cease work immediately and contact the Local Planning Authority to identify what additional site investigation may be necessary.
- a) In the event of unexpected contamination being identified, all development on the site shall cease until such time as an investigation has been carried out and a written report submitted to and approved by the Local Planning Authority, any remedial works recommended in that report have been undertaken and written confirmation has been provided to the Local Planning Authority that such works have been carried out. Construction shall not recommence until the written agreement of the Local Planning Authority has been given following its receipt of verification that the approved remediation measures have been carried out.

REASON: To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.



- 7 Prior to the commencement of the development hereby permitted a full lighting scheme for the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of the visual amenity of the countryside and local residents.

- 8 All fixed plant and machinery shall be so sited and designed in order to achieve a rating level of -5dB below the lowest measured background noise level, determined at each of the nearest noise sensitive receptors ie Holywell Guest House, Showell Cottages and Showell Farm.

Reason: To protect residential amenity.

- 9 The parking provision for all individual units on the site shall be in accordance with the requirements of the Wiltshire local Transport plan (LTP3) Car Parking Strategy, with quantum of parking not below the minimum standard for the appropriate planning use class, and areas of parking used for no other purpose.

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

- 10 No development shall commence on site until details of the stopping up of all existing accesses, 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 use of the approved access. 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.

- 11 No development shall commence on site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for the provision of such works, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until these details have been constructed and laid out in accordance with the approved details, unless an alternative timetable is agreed in the approved details.

Reason: In the interests of highway safety and convenience.

- 12 No development shall commence on site until details of the provision for the loading, unloading and parking of goods vehicles within the site have been submitted to and approved in writing by the Local Planning Authority. No part of the development hereby approved shall be first brought into use until provision has been made. This space shall be maintained for such purpose at all times thereafter.

Reason: To ensure adequate provision is made for loading/unloading and lorry/van parking within the site in the interests of highway safety.

- 13 The buildings hereby permitted shall not be greater in height than the following parameters: Plot 300 8.5m; plot 400 10m and plots 100 & 200 12m as indicated on drawing DR-411-102 Rev 01.

Reason: To protect the setting of the nearby listed buildings and the open character of the surrounding landscape.

- 14 Prior to the first occupation of any of the development hereby permitted, the cycle/path

along Patterdown Road as indicated on the approved plans, shall be provided in accordance with details to have first been submitted to and approved in writing by the local planning authority, unless and until the cycleway/footway linking to the town centre, through the remainder of the South West of Chippenham Strategic Allocation in the Wiltshire Core Strategy, is provided.

reason: To ensure that sustainable routes to the town centre are provided.

15 Prior to submission of a reserved matters application for the site, an Ecological Monitoring and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Ecological Monitoring and Management Plan shall include the following elements:

- A framework demonstrating how and where the 'Ecological Management and Enhancement Measures', as set out in Table 4-1 of the submitted 'Ecological Summary Report' (Ref. eg12459TP), shall be implemented across the site
- A scheme for the translocation of the existing species-rich hedgerow (where this cannot be retained) to landscaped areas within the site
- A programme for monitoring the ecological effects of the development

The approved Ecological Monitoring and Management Plan shall set a framework for all reserved matters applications, which shall only be permitted where in accordance with the approved Ecological Monitoring and Management Plan, and will include timescales for implementing the approved measures. The site shall be managed in accordance with the approved Ecological Monitoring and Management Plan in perpetuity unless agreed in writing by the Local Planning Authority, and monitoring reports shall be submitted to the Local Planning Authority in accordance with the monitoring programme therein.

Reason: To maintain and enhance biodiversity and protected species in accordance with NE10, NE11, NE14 and Circular 06/2005

16 Any reserved matter application shall be supported by a lighting plan for that phase of development (including a lux plot). Any approved lighting plan shall demonstrate that light spill will be minimised through sensitive lighting design and timers, and that light levels shall be maintained at current lux levels or below 1 lux in the following parts of the site, as identified in the Ecological Monitoring and Management Plan or through any subsequent ecological survey reports:

- Confirmed bat roosts / flight lines / foraging areas;
- Bat boxes; and
- Darkened corridors to be maintained through the site.

Lighting levels shall be maintained across the site in accordance with the approved lighting plan(s), unless otherwise agreed in writing with the Local Planning Authority.

Reason: Circular 06/2005 and the Habitats Regulations (2010)