

REPORT TO THE STRATEGIC PLANNING COMMITTEE

Date of Meeting	14 th May 2014
Application Number	14/00726/FUL
Site Address	Cooper Avon Tyres Sports & Social Club Melksham House 27 Market Place Melksham SN12 6ES
Proposal	Demolition of modern extensions to Melksham House, removal of existing swimming pool, internal alterations and extensions to Melksham House to provide a new community campus including leisure facilities (2 swimming pools, sports hall, fitness suite, activity studio, indoor bowls, climbing wall) public services (library, multipurpose rooms, offices, cafe) health facility and associated car parking and landscaping.
Applicant	Mr Roy While
Town Council	MELKSHAM (TOWN)
Ward	MELKSHAM CENTRAL
Grid Ref	390280 163592
Type of application	Full Planning
Case Officer	Jemma Boustead

Reason for the application being considered by Committee

This application is for a Community Campus Building at Melksham by Wiltshire Council which is a large scale major development which has wider strategic implications and raises issues of more than local importance.

1. Purpose of Report

To consider the above application and to recommend that planning permission be granted.

2. Report Summary

The main issues to consider are:

- Principle
- Impact upon the character and appearance of the area
- Impact upon Listed Buildings
- Climate Control
- Landscaping
- Flooding and Drainage
- Land Contamination
- Archaeology
- Ecology

- Impact upon Neighbouring Amenity
- Impact upon the Highway
- Other

3. Site Description

Melksham House is a Grade II Listed Building located within the settlement boundary and is allocated as recreational space. The site measures 5.96 hectares and includes an existing building known as Melksham House alongside other ancillary buildings and recreation facilities such as Melksham Town Football Club, Melksham Rugby, Cricket Club, the Blue Pool, a Bowls Club, Tennis Club and other local groups including several social clubs. To the rear of Melksham House are tennis courts and beyond the public footpath known as MELK 20 lies grassed pitches.

The site itself is relatively flat, lies within the Conservation Area and has several public footpaths running through it (MELK 20, MELK 21 & MELK 101) and is accessed via the market place (vehicular) which is located to the front of Melksham House.

Melksham House is a Grade II listed building, as are the pillars on the access road leading to it. There is a Tree Preservation Order on some of the trees to the front of the building.

To the North of the site lies St Michaels Church which is a Grade II* Listed Building and some residential properties. To the East lies the Assembly Hall, the Blue Pool, the access and a residential retirement home. To the South lies residential properties and to the West lies a cemetery. Beyond this cemetery is the A350.

4. Planning History

There have been applications for extensions to Melksham House and for the erection of ancillary buildings; however there have not been any applications for the development proposed as part of this application.

5. The Proposal

The proposal includes the demolition of modern extensions to Melksham House and ancillary buildings which have been used for leisure and recreation since 1924. These would be replaced by a large extension to Melksham House to develop a community campus which would provide public services at a local level, improved sports facilities and a central hub for Melksham. The existing pond would be made a focal point within the Campus. The playing fields to the west of Melksham House would remain.

Existing Clubs that used Melksham House (social clubs) are already using alternative accommodation whilst some sporting clubs still use the outside facilities such as Melksham Football Club, Tennis Club and Cricket Club.

Christie Miller Leisure Centre which is now closed to the public is located on the Bowerhill Industrial Estate. The Campus proposed through this application seeks to replace those facilities as well as improve the existing facilities that were undertaken at Melksham House by providing a new 6 lane swimming pool (25m), a secondary pool (13 x 7m) together with a viewing gallery for up to 150 people, four court sports hall, two squash courts, 60 station fitness suite, 150sqm dance/aerobic studio, 6 lane indoor bowls facility, indoor climbing wall and 4 floodlit all weather tennis courts alongside a health centre, library, cafe, meeting

rooms, offices, facilities for youth clubs (youth hub) as well as associated changing and toilet facilities.

6. Planning Policy

West Wiltshire Local Plan – relevant policies include:

C15 Archaeological Assessment; C18 New Development in Conservation Areas
C22 Demolition in Conservation Area; C28 Alterations and Extensions to Listed Buildings
C31a Design; C32 Landscaping; C34a Resource, Consumption and Reduction; C35 Lighting
C38 Nuisance; T12 Footpaths and Bridleways; U1a Foul Water Disposal; U2 Surface Water Disposal; U4 Ground Source Protection Areas; I3 Access for Everyone

West Wiltshire Leisure and Recreation Development Plan Document (adopted 2009)
Wiltshire Council Car Parking Strategy

National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG)

7. Consultations

Melksham Town Council – Support but has raised the following concerns:

- Highway Safety – a suitable traffic management scheme around the entrance to the site adjacent to Crown House needs to be implemented
- Noise pollution from vehicles near Cedar Close and the impact this would have on residents
- Impact of proposed planting on nearby residents, particularly Cedar Close
- The wall and pathway on the lawned area be removed as it breaks up an attractive amenity space
- Gate pillars to be re-located
- CCTV and its location. Need to make sure it does not impact upon residents in Cedar Close
- Boundary lighting screened to avoid light pollution to Cedar Close
- On street parking – cars may park in nearby residential areas like Hazelwood Road and Cedar Close
- Can additional disabled parking be provided due to the loss of parking in the town

Melksham Without Parish Council – Welcomes and supports the exciting new development for Melksham in principle but raises the following concerns:

- Questions the need for the wall to the front of the main building
- Proposed arrangements for bus and coach access appear inadequate. Not enough space to turn round
- Will Footpath 20 be maintained
- No recommendation to re-route the town bus to the campus which was in the original consultation

Wiltshire Council Archaeologist – No objection subject to conditions requiring further archaeological investigations

Wiltshire Council Ecologist – Supports the proposal

Wiltshire Council Environmental Health – No objection subject to conditions regarding construction hours, plant noise, artificial light

Wiltshire Council Land Contamination Officer – No objections

Wiltshire Council Highways – No objections subject to conditions

Wiltshire Council Conservation Officer – The proposal would impact upon the Conservation Area and Grade II Listed Building but significant benefits are considered to outweigh these concerns

Wiltshire Council Land Drainage Engineer – No objections

English Heritage – Recommend that the application is determined in accordance with national and local policy guidance and on the basis of your expert conservation advice

Natural England – It is for the Local Planning Authority to determine whether this proposal complies with national and local policies

Sport England – No objection subject to conditions

Wessex Water – No objections subject to conditions and informatives

Wiltshire Fire and Rescue – request a contribution of £3,695.52 towards infrastructure

Environment Agency – No objection subject to conditions and informatives

Wiltshire Council Art Development Officer – Pleased to see inclusion of public art and would like to ensure that any planning permission specifies a requirement of providing public art

8. Publicity

The proposal was advertised via several site notices around and on the site and through newspaper publication. The consultation period expired on 14th March 2014

To date 8 letters of objection have been received from the general public with the following comments:

Impact upon character and appearance of the Conservation Area and Grade II Listed Building

The bowls hall and sports hall are enormous, towering, overbearing, industrial-unit looking buildings which would be an eyesore and be claustrophobic giving the impression of being boxed in

Why are the gate pillars not being moved forward to their original location?

Why is the existing chain link fence along the southern boundary being replaced with bollards? This fence was erected to stop unwanted rugby balls being lost

The design of the building is not in keeping with the listed building

The perimeter fence to the tennis court needs to be high enough to minimize the impact of stray tennis balls

A fence is going to be removed, will a new fence be erected, if so what will it look like?

Metal cladding will give the appearance of warehousing. Timber cladding would be more aesthetically pleasing.

The proposed bowls hall is much higher than Sport England requires

Proposed development is located in a conservation area and goes against the conservation policies

Row of heavy standard trees is proposed which would in time produce invasive roots, overhanging branches, nuisance from falling autumn leaves, will block out natural daylight.

The proposal should be dug into the ground, reduced by 5 metres in length, reduce the size of the pond and its landscape so that the bowls hall can be moved further away from neighbouring properties

Please protect existing TPO trees

Neighbouring Amenity

The quality of life of neighbours would be adversely affected, including the loss of morning sunlight to the garden; Noise from construction traffic; Overlooking from squash courts to neighbouring properties, with the proposed building resulting in loss of sun light, loss of day light, loss of privacy and an increase in overlooking and overshadowing to residents in Cedar Close

New lighting will shine light into properties adjacent; Noise from pumps, fans etc will disrupt amenity; the smell of chlorine and other chemicals will be constant

Windows from various buildings and the presence of CCTV will result in loss of privacy

Noise disturbance from cars, slamming doors, car engines which will be every day from early morning to late at night.

The acoustic survey is not accurate. The devices were positioned to pick up the greatest level of noise.

Impact upon highways

Highway safety concerns with construction vehicles entering and exiting from the A350 which is already a heavily congested road. Will traffic management and highway safety plans be put in place?

Increase in traffic will impact upon children playing

Why is the proposal in the centre of town where none of the population resides – people will have to drive to use the facilities causing an increase in traffic to the town centre?

Concerns with flooding from surface water and the close proximity of the attenuation tank

Other

Ideas put forward in the public consultation have been ignored

Has a multi deck parking facility been considered?

What is the location of work compound?

Proposals do not include all sports facilities – why isn't the library relocating here?

The proposed building should be relocated to Locking Close, Bowerhill

What will happen if the underground surface water attenuation tanks rupture?

One letter of support has been received from the general public alongside letters of support from local clubs which have been summarised as follows:

Renewable energy technologies are being implemented and reasonable consideration has been given to access by bike and secure bike parking. The Design and Access Statement is informative and concise

Christie Miller Indoor Bowls Club – The club has played at the sports centre in Bowerhill for more than 40 years but the condition of the facilities over the last 10 years has declined. The proposal would allow the club to restructure their rules to form one organisation open to all ages, abilities and gender for players with disabilities or vulnerabilities to take advantage of new facilities. The likelihood of such an excellent centre being available has already attracted interest from people and clubs from far afield to come to Melksham when it is open. The bowlers are fully supportive of the application

Melksham Swordfish Amateur Swimming Club – The aquatic proposals are sound, sustainable and meet Sport England requirements for competition standard pools but will most importantly be accessible to all in our community. Sport and leisure being brought together in a town centre location is challenging but benefits the community of Melksham

Melksham Shadow Community Operations Board – This town centre sites offers so many opportunities for the whole community both in terms of developing sport, leisure, recreational and other facilities both within the Campus site and without and importantly contributing to the regeneration of the town itself.

9. Planning Considerations

Amended plans have been received which satisfy the concerns of the Conservation and Highways Officer and see small alterations to the front elevation (metal cladding entrance and a replacement window to the front elevation, colour coated railings to the northern elevation), no vehicular access on footpath MELK20, delivery vehicle access along the northern elevation of the proposed extension and the re-location of the piers.

9.1 Principle

The site is located within the settlement boundary of Melksham where the principle for development is considered to be appropriate. Policy IS1 of the Leisure and Recreation DPD also supports the principle of the refurbishment of leisure centres to provide new indoor leisure provision in Melksham and for them to include options for wet and dry facilities.

Policy LP2 of the Leisure and Recreation DPD raises concerns regarding the loss of leisure facilities and states: *Proposals that result in the loss of open spaces or sport and recreation*

facilities will be permitted only if this would not cause significant harm to nature conservation interests, to the landscape or settlement character and at least one of the following policy tests is met:

- (i) The site that will be lost is clearly surplus to requirements in terms of its current use, and there is no need for it to be used for a different form of open space or sport and recreation provision; or*
- (ii) The development will result in the enhancement of other existing spaces or facilities - this will represent a greater benefit to the community served by the provision that will be lost than retaining the previous facilities; or*
- (iii) The development will result in replacement provision that will be at least as accessible, at least equivalent in terms of attractiveness and quality, and capable of accommodating and sustaining at least the same levels and types of use as the provision that will be lost; or*
- (iv) The proposed development is ancillary to the use of land used for sport and physical recreation and will not adversely affect either the level of use it can sustain or the quality of provision.*

This policy is supported by the NPPF, paragraph 74 which states: *Existing open space, sports and recreational buildings and land, including playing fields should not be built on unless:*

- An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location: or*
- The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

The proposal envisages Melksham Football Club relocating to greatly improved facilities including a stadium which is the basis of a separate planning permission currently being assessed by the Council (reference:13/06739/FUL). Provided that this is delivered, or an alternative acceptable facility, the requirements of the NPPF in relation to this aspect will be met. The social clubs that used the site will re-locate to the campus and the remainder of the clubs who currently utilise the proposed campus will receive improved facilities (tennis courts, bowls hall, swimming pool, later opening hours through use of floodlights etc). It is therefore considered that the proposal would not result in the loss of sport and recreation facilities but will represent a greater benefit to the community through the improved facilities and therefore complies with Policies IS1, LP2 and the advice contained in the NPPF. It is important to note that Sport England have supported the proposal.

9.2 Impact upon the character and appearance of the area.

The proposal includes the retention of the cricket pavilion, bowls pavilion and the historic element of Melksham House that is Grade II Listed.

The elements to be demolished are a small collection of external stores and the social club which are located south of Melksham House; Melksham Football grandstand alongside the clubhouse; toilets and changing rooms following their proposed relocation to Woolmore Farm. The Blue Pool is also to be demolished alongside the high block work wall which separates the pool site from the remainder of Melksham House. The proposal also sees the demolition of modern extensions to Melksham House.

It is important to note that the Melksham Town Football Club facilities and the Blue Pool will only be demolished once the new facilities are available for use. The timing of the demolition of the Blue Pool can be conditioned on any recommendation for approval as the new facility

is located within the application site but as the improved football facilities are located on a different site which in itself requires planning permission it would not be appropriate to condition the timing of the demolition. It is however considered that the risk associated with the football club having no facilities is very low as Wiltshire Council are responsible for finding Melksham Town Football Club a new facility. It is highly unlikely that the football club facilities at Melksham House would be demolished without the club having alternative facilities available.

Policy C22 states that: *Consent will only be granted for the demolition of buildings in conservation areas where the proposed demolition and any replacement development will not adversely affect the character or appearance of the conservation area. Proposals to rebuild demolished buildings will be expected to include the reuse of old building materials where appropriate.* It is considered that the demolition of the elements noted above would not adversely affect the character or appearance of the conservation area. The consideration of whether the proposed extensions are appropriate will be looked at below.

When looking at the proposed extensions Policy C31a and C18 need to be taken into consideration which state:

Policy C18 states: *Proposals for new development in a conservation area will be permitted only if the following criteria are met:-*

A The development will preserve or enhance the character or appearance of the conservation area;

B The plot layout, scale, form and detailed designs are characteristic of the area;

C Historically important boundaries and street patterns, trees, walls, railings and other means of enclosure which contribute to the area's character are retained;

D Open spaces and views into, out of and within the area, which are important to its character, are protected;

E Materials and colours which blend with their setting are used. Traditional local materials will be expected, except in locations away from public view.

C31a Proposals for new development will be required to respect or enhance:

A Townscape and landscape features and views;

B Existing patterns of movement, activity and permeability;

C The quality of architecture of surrounding buildings;

D Historic layout and spatial characteristics.

Proposals for new development on prominent or sensitive sites will be required to:

A Pay particular attention to proportion, composition, form, massing and scale;

B Utilise high quality materials, finishes, and details;

C Integrate landscaping into the design as appropriate;

D Minimise the visual impact of roads, vehicles and parking areas.

The existing entrance to Melksham House would be available for staff and Melksham House is proposed to be retained and refurbished to accommodate hot desking for Wiltshire Council staff and partners on the first floor alongside meeting rooms. The main hall within Melksham House will also be retained as a multi-purpose activity space. The leisure provision of the Campus is predominantly located on the footprint of the Melksham Football Club. The sports hall is the tallest part of the development measuring 12 metres as Sport England requires a clear height guidance of 9m.

The existing pond to the south west of Melksham House has been left to deteriorate and many walls have collapsed. It is proposed to retain the structure and include it within the landscape proposals due to the historic connection it has to Melksham House (it was used as a bathing pond)

The proposed development when viewed from the eastern elevation (when approaching the site from the Market Place) includes a 4 metre high extension linking Melksham House with the large extension. This link is lower in height than Melksham House and facilitates the main entrance to the Campus. This link allows Melksham House to be seen in its own historic context and helps clearly define the old and new elements of the campus. The proposed healthcare unit is then attached to the proposed link measuring approximately 8 ½ meters in height and 34 metres in width. The proposed new swimming pool also is seen from this angle and is approximately ½ metre taller than the health centre clearly defining the two uses and measures 44 metres in width. The extension to Melksham House when viewed from the eastern elevation therefore measures approximately just under 90 metres.

When viewed from the southern elevation, the side of the swimming pool would be seen, which measures 25 metres in depth by 9 metres in height. The attached block serves the leisure facilities and sees an increase in height when compared to the swimming pool block. The leisure facilities measure 12 metres in height (the highest point of the proposed development) and just under 41 metres in depth. The indoor bowls link which measures approximately 42 metres in depth is at a reduced height when compared to the leisure facility with a total height of 9 metres.

When viewed from the western elevation (from the public footpath known as MELK 20), the rear of the facility would be visible and in terms of buildings this would include the rear of Melksham House, the proposed library, the rear of the health facility and indoor bowls rink.

The proposed extensions are proposed to be built of a mixture of materials including ashlar limestone walling, vertical metal cladding and coloured render. The design, materials and colours are not characteristic of the area and have been the subject of public objections. The objections include the extensions looking like large industrial warehouses (especially the bowls hall and leisure facilities) and the proposal being out of character with the conservation area and the listed building.

It is clear that the proposed Campus would have an impact upon the character and appearance of the conservation area due to the materials, scale and overall bulk of the proposed extensions. The correct test to apply in these circumstances is set out in the NPPF paragraphs 133 and 134 and involves assessing the harm the development proposal causes to the heritage asset. Substantial harm, (such as the loss of the heritage asset from the demolition of a listed building) is to be avoided if at all possible. Where a proposal results in less than substantial harm to the significance of a heritage asset, the test is to weigh the harm against the public benefits of the proposal.

This issue has been evaluated by the Council's Conservation Officer, who considers that the overall harm to the conservation area as a result of the proposed development would be less than substantial when looking at the tests in the NPPF due to the current and longstanding use of the site for recreational purposes and the buildings erected to serve this use, and the previous level of alterations to the building at Melksham House. It also has to be understood that the proposed development would secure substantial public benefits, including securing the long term viable use of Melksham House.

It is therefore considered on balance that the proposal complies with Policies C18 and C31a and advice contained in the NPPF.

9.3 Impact on listed buildings

Melksham House is a detached two storey Grade II Listed property with a side wing and single storey extension to the rear. The walls are constructed of coursed and squared rubble

with a lime based mortar. The hipped roof is cut timber. The original parts of the house are from the early 18th Century with additions and alterations made in both the 19th and 20th Centuries. Most of the original building was demolished by an extensive fire in December 1920 and the facade was the only salvageable element. The house was then rebuilt and remodelled at this time. It is listed despite these later additions and alterations. Separately listed are the gate piers to the north and main entrance. These are 18th century limestone piers. The entrance gates are wrought iron gates.

Policy C28 looks at alterations and extensions to Listed Buildings and states: *Alterations and extensions to a building listed as being of Special Architectural or Historic Interest will only be permitted provided the following guidelines are followed:-*

A The essential form of the building is not adversely affected;

B Features of architectural or historic interest are retained unaltered;

C The loss of or damage to the historic fabric of the building is minimised;

D Any new details are designed so as to match or be in keeping with, and respect, the character of the building;

E Materials to be used match those of the existing building, or exceptionally are of a colour and finish sympathetic to the existing materials.

The proposal would cause some limited harm to the historic fabric of the Grade II Listed Building due to the loss of some important historic sections of Melksham House; the moving of the gate piers and the construction of a large and imposing extension. However, the historic façade of Melksham House would remain visible as the original building and taking into account paragraph 133 and 134 of the NPPF noted above, the substantial benefits that would be brought to Melksham as a result of this development would outweigh the less than substantial harm to the listed buildings.

English Heritage have confirmed that the proposed Campus will be visible from the Grade II* Listed Church of St Michael and have stated that they do not consider that its setting would be adversely affected by the proposals subject to the materials being of high quality. A sample of the proposed materials can be requested via a condition to allow the Conservation Officer to assess whether they are appropriate prior to the commencement of any works on site.

It is important to note that a separate listed building consent application is running alongside this application and officers will make a recommendation which will be sent to the Secretary of State for a decision as it is a Wiltshire Council application. If this planning application were to be approved, the works to Melksham House and the gate piers cannot be commenced until the Listed Building consent receives approval.

9.4 Climate Control

Policy C34a states that *development will only be permitted where all practical measures for the following have been included in the design, layout and siting of the proposal:*

A Energy efficiency – design for low energy demand through orientation, siting, construction, ventilation

B Water use efficiency – use of grey water and low water units and use of natural techniques to treat waste water

C Waste minimisation – efficient use of materials in construction, reuse of materials on site, use of reclaimed or recycled materials, use of local materials

The proposal sees photovoltaic cells on the roof of the leisure facility and the Design and Access Statement states that the overall development has been designed to achieve BREEAM Very Good Status. It is therefore considered that the proposal has included where possible energy efficiency measures and therefore is considered to comply with Policy C34a.

9.5 Landscaping

Policy C32 relates to landscaping and states: *Proposals for development should make provision for landscaping, including the protection of existing trees, hedges and other natural features of the site, for new planting and for appropriate earth mounding and hard features including surface treatment and boundary enclosures. Where appropriate, consideration of wildlife interest should form part of the proposals for landscaping.* The site as existing sees a 'parkland' on the approach to Melksham House which is laid to lawn and has numerous mature trees. This 'parkland' will remain to ensure that proposed development will have a reduced impact upon the setting of the Grade II Listed Building. There is one Tree Preservation Order on the site which covers the pine trees to the north of the tennis courts adjacent to Place Road and appropriate conditions can be attached to any approval requiring the trees to have protective fencing erected prior to any works commencing on site. There are several trees to be removed on site but these are not considered to significantly contribute to the character and appearance of the Conservation Area to warrant a Tree Preservation Order.

There is an existing chain link fence along the public footpath known as MELK21 which is to be replaced with 700mm high timber bollards while the existing 1.8 metre high timber fences on the neighbouring boundaries will remain. This is considered to be appropriate. Where there is currently no boundary treatment, a 1.8 metre high timber boarded fence is to be erected, this is mainly along the eastern boundary (adjacent to 30 and 32 Orchard Gardens) and on the south western boundary adjacent to the existing tennis courts and Cedar Close.

New planting is proposed on the south western boundary adjacent to the residential properties. This is considered to be appropriate to help reduce the visual impact of the proposed development upon these properties.

Concerns have been raised through the public consultation as to when the new fences will be erected. It is considered appropriate to ensure that the hard landscaping is carried out prior to the occupation of the development through an appropriate condition.

In conclusion it is considered that the proposed development makes satisfactory provision for landscaping and is therefore considered to comply with Policy C32.

9.6 Flooding & Drainage

The site is located within Flood Zone 1 and is therefore not at risk of flooding. The Drainage Strategy states that all drainage (including sewers, connections, removals and diversions) will be designed and implemented in accordance with the relevant legislation and agreed with Wessex Water.

The site will be served by separate systems of drainage which will be required to be constructed to adoptable standards required by Wessex Water. The connection to the public foul sewerage system will depend upon the increase in flows and therefore SuDs (sustainable urban drainage systems) could be required. If they are required further planning permission for such elements may be required. The emptying of the Blue Pool will also need to be agreed in advance with Wessex Water. This information is not required to be submitted with the current application as it will be undertaken via separate legislation that does not form a material planning consideration when assessing this application.

It is therefore considered that the proposal would not result in significant levels of flooding, drainage and surface water issues that would warrant a refusal reason and comply with the Policies U1a, U2 and U4.

9.7 Land Contamination

The Environmental Health Officer has assessed the application and its accompanying documents and has concluded that there does not appear to be any land uses of a potentially contaminative nature on the site and therefore a contaminated land condition is not required.

9.8 Archaeology

As the site is larger than 1 hectare in size, an archaeological assessment is required which was submitted with the planning application. The Wiltshire and Swindon Historic Environment Record indicate that the proposed development site is of archaeological interest. The site contains a known heritage asset which is a Grade II Listed Building which dates back to the 18th century. It is situated at the edge of the main area of medieval settlement and to the south of the Grade II* Listed Building of St. Michaels church (National ref. 1021707) which dates back to the Norman period. Archaeological discoveries just 100m to the north of the development site highlight the potential for prehistoric remains to lie within the area of the River Avon.

Wiltshire Council Archaeologists have assessed the archaeological desk-based assessment, geophysical survey and trial trench evaluation and have concluded that the site contains a number of archaeological features mostly indicative of domestic and agricultural activity from the 12th to 14th century. Evaluation has been limited due to access restrictions; nonetheless it has confirmed that heritage assets with archaeological interest lie within the site. It has therefore been recommended in accordance with the NPPF that further archaeological investigations be conditioned in any planning approval.

9.9 Ecology

The Council's Ecologist considers that the submitted ecological survey is satisfactory. The main habitats within the site boundary have been confirmed as close mown amenity grassland, mature trees, stone boundary walls, a pond and the existing buildings. Specific attention has been paid to the defunct water feature which is now a walled pond supporting some domestic geese and ducks, and to the potential for bats to access and roost within trees and within parts of the existing buildings that will be affected by the works. The Ecologist agrees with the findings of the Ecology report that the pond is very unlikely to support great crested newts, or be particularly attractive to other wildlife species, however the site design includes removal of some trees and shrubs around the pond and landscaping of the banks with grassed areas, which would be an improvement on the current, neglected state and would therefore be likely to support more insect life such as dragonflies and smaller invertebrates, which in turn will support a variety of small birds and bats that feed on them. The Council Ecologist has agreed with the consultant ecologist that the suspected bat droppings found in the roof of the section to be demolished, are not bat droppings (this is confirmed by DNA analysis) and that there is no requirement for direct mitigation for bat roosting. However, the proposal that a bat loft be included in the roof of the retained wing is welcomed and will provide a significant feature of enhancement for local bat populations that are present in the neighbouring landscape, particularly the nature reserve and the River Avon riparian corridor. It is therefore considered that the proposal would not have a detrimental impact upon ecology.

9.10 Impact upon neighbouring amenity

Policy C38 states that: *Proposals will not be permitted which would detract from the amenities enjoyed by, or cause nuisance to, neighbouring properties and uses.*

Consideration will be given to such issues as any loss of privacy or overshadowing, levels or types of traffic generation, the storage of hazardous materials, the generation of unpleasant emissions such as odour, fumes, smoke, soot, ash, dust or grit, the extension of existing un-neighbourly uses and the creation of an untidy site. Development will not be permitted if the amenities of its occupiers would be affected adversely by the operation of existing or proposed neighbouring uses.

The site has residential properties to the north east, south and south west of the site. It is considered that the residential properties to the south will not be affected by the proposal in terms of overlooking or overshadowing as the landscaped area adjacent to their properties remains alongside the high wall.

When viewed from the western elevation, the closest properties to the proposed extension would be 1, 2 and 3 Cedar Close that currently have Melksham Town Football Club to the rear of their properties. These properties at the closest point measure 30 metres to the extension that measures 7 metres in height serving the squash courts and approximately 44 metres to the extension that serves the leisure facilities that is approximately 12 metres in height. It is acknowledged that the extension will be visible from these properties and others within the immediate vicinity but due to the distance of the extensions and the fact that they lie south of the proposed development it is considered that the proposed development would not result in a significant loss of light or amenity that would warrant a refusal reason. It is also acknowledged that there are first floor windows serving the fitness suite on the southern elevation of the proposed development. As a matter of fact, an Inspector on a residential extension recently considered that to warrant overlooking the distance between two residential windows should be less than 25 metres apart. He also stated that to warrant overlooking of a neighbouring garden, windows should be less than 12 metres from the neighbouring boundary. It is acknowledged that this proposal does not result in overlooking between two residential properties but issue is similar and the distance is still considered to be appropriate as the windows of the fitness suite would not be used as much as windows serving habitable rooms located within a dwelling and therefore would show the worst case scenario. The windows serving the fitness suite lie approximately 34 metres from the neighbouring boundary of number 3 Cedar Close (the closest residential property boundary) and approximately 45 metres to the property known as 2 Cedar Close (the closest residential property) which is considered to be a sufficient distance not to warrant a refusal reason regarding overlooking. There are no other proposed windows on this elevation and if any were to be inserted at a later date they would require further planning permission which would be determined on its own merits using the appropriate legislation.

Another concern raised by those living in Cedar Close is staff and members of the public being able to view the upper part of their properties which include bedroom windows. These properties lie adjacent to Melksham Town Football Club. However the overlooking that could happen is not considered to be any greater than currently exists from the football club and its facilities and therefore would not warrant a refusal reason.

The proposed swimming pool extension measures approximately 9 metres in height and is approximately 16 metres from the residential boundary of 30 and 32 Orchard Gardens which are east of the proposed extension. These properties are bungalows and do not have any particular boundary treatment. It is therefore considered that these two dwellings (particularly number 30) would experience some loss of light from the proposed development towards the end of the day but this would not be significant and would be no worse than would occur from a two metre high fence that could be erected on the boundary under their own permitted development rights. There are no first floor windows on this elevation that would overlook these two properties.

A concern has been raised regarding the smell of chlorine from the proposed swimming pool. There is an existing swimming pool on the site and therefore the principle of a swimming pool on this site is considered to be appropriate. It is acknowledged that the swimming pool will be closer to properties at Cedar Close but Environmental Health has confirmed that this is not a matter that can be dealt with under planning regulations but would be dealt with by the swimming pool management team and can be remedied by adjusting chlorine and PH levels within the water. Therefore if there are any concerns by the residents they should take this up with the management team at the time.

Noise

An Acoustic report was submitted with the application which concludes that the proposal would not lead to a significant change in noise levels from sporting activities than currently exists. Any plant noise is also classed as “very low” at the site boundary. The Environmental Health Officer has considered that the report has been carried out appropriately and has advised several conditions regarding noise levels to protect nearby residential properties which are considered to be appropriate

Concerns have been raised by the general public regarding the increase in noise from car parking adjacent to the properties in Cedar Close. It is acknowledged that there would be noise from cars using this facility but it would not be sufficient to warrant a refusal of this application. It is acknowledged that the neighbours closest to the site will experience different levels of noise due to the different uses but it is not considered that the noise created by the development would be sufficient to warrant a refusal reason.

Lighting

C35 states: *Proposals for development which include a lighting scheme will be permitted only where:*

- A the minimum amount of lighting necessary to achieve its purpose is proposed;*
- B glare and light spillage from the site is minimised;*
- C there is no adverse impact on the amenity and safety of neighbouring uses and on transport users, including pedestrians;*
- D there is no adverse impact on the wider environment, in particular on conservation areas, Areas of Outstanding Natural Beauty and other rural landscapes.*

There are a number of areas that are already lit on the site and these include the footpath known as MELK 20, the public car park, the amenity space located near the bar/skittle alley, outside of the existing pool. There are also flood lights on the bowls green, near the rugby pitch, on the tennis courts and to the football pitch.

The proposed lighting is to remain largely the same with the area to the west of the public footpath known as MELK 20 remaining as a dark zone due to the proximity of the cemetery and conservation area. An external lighting assessment has been submitted with the application and assumes that all existing lighting has been removed. The proposed development sees lighting to the roadways, parking and pathway areas and the external pitches.

To minimise the impact on nearby residential properties the lighting columns have been kept below 6 metres in height with zero upward lighting optics and shields to help reduce glare. A curfew has been proposed with no lighting between 22:00hrs to 07:00 hrs. This has been considered to be appropriate by the Environmental Health Officer and can be conditioned appropriately. It is therefore considered that the proposed lighting would not adversely impact upon neighbouring amenity.

The Environmental Health Officer has also recommended a condition regarding construction hours which is considered to be appropriate.

It is therefore considered that the proposal would not affect neighbouring amenity in terms of light spillage and complies with Policy C35.

9.11 Impact upon the Highway

The site is located within the settlement boundary of Melksham and close to the town centre where there are parking and public transport facilities. By being located within the town centre, the proposed development should be easily accessible to residents from a wide area.

The site is accessed by vehicle traffic via a relatively narrow and constricted access between shops and the Old Town Hall. This is also the main pedestrian access, although other pedestrian accesses via Public Footpaths MELK20 and MELK 101 also exist. There is also a limited access onto the A350 in the south west corner of the site which is used by tractor mowers, emergency vehicles etc.

A Transport Assessment has been submitted with the application which has been considered by the Council's Highways Officer to be thorough and he agrees with its findings which include the likely impact of the development upon three local junctions (Market roundabout, High Street/Church Street signalised junction and High Street/Lowbourn/Bank Street roundabout). The findings show that the existing junctions have sufficient capacity to cope with the increase in traffic associated with the proposed development.

Car parking is proposed in three areas accessed via a one-way loop and includes disabled, family (198 in total) and bicycle (50) parking near the entrance of the proposed building. The level of parking has been considered to be acceptable by the Highways Officer.

Although not part of this application, Wiltshire Council and Melksham Town Council Steering Group are developing a scheme to enhance the market place outside of the application site. The proposed design seeks to remove car parking from the market place with the exception of taxi and disabled parking spaces and return the area to a market place. A new junction can then be formed from the existing roundabout providing enhanced vehicular access to the Campus site alongside new pedestrian crossings which will link the Campus to the existing pedestrian network. The market place is completely within the control of Wiltshire Council as highway and therefore further planning permission would not be required for the proposed works. As the proposed Campus would increase vehicular traffic to and from the site via this single access it would be appropriate to condition that the Campus cannot be occupied until the market place works have been completed.

A temporary construction access will be made from the site to the A350 to avoid construction vehicles using the town centre which will operate as a left in/left out arrangement. This has been considered to be acceptable by the Highways Officer.

Conditions will be required regarding a car parking management plan and should include details of charging, a travel plan, a construction management plan, visibility splays, layout and access details all of which are considered to be appropriate.

Concerns have been raised by the general public regarding whether the car park will be charged, and if it is, due to the increase in facilities and people to the site nearby residential streets could see an increase in parking causing further congestion which could impact upon the safety of children playing. It is not known at this stage whether the parking will be charged but the Local Planning Authority cannot dictate where people park their cars on a

public highway and therefore this concern cannot be controlled by the planning process. If it does become an issue, it can be addressed via other legislation, such as a Traffic Restriction Order.

Policy I3 states: *The needs of the disabled should be adequately catered for in new development proposals for buildings open to the public and buildings used for employment or education purposes. Proposals should provide adequate access around buildings and external facilities for disabled people in the layout of development. Proposals should have regard to the relationship between buildings and the location and amount of disabled parking, other public access points and the design of the access facilities to be provided.*

The proposed Campus has been designed to be fully accessible through level accesses, powered opening doors, lifts, ramps and steps, submersible swimming pool platform lift and guide dog area. It is therefore considered that the proposal complies with Policy I3.

In conclusion it is considered that the proposed Campus would not be detrimental to highway safety.

Public Rights of Way

Policy T12 states: *The existing footpath system and bridleway network within the District will be retained and where possible improved and extended particularly where opportunities arise through new development proposals to improve the links between settlements and access to the countryside.*

The existing public footpaths will remain on the site although temporary diversions will be required during construction periods. MELK 21 will remain accessible throughout the construction period. It is therefore considered that the proposal would not have an adverse impact upon public rights of way.

9.12 Other Matters

Some concerns raised through the public consultation are not material planning considerations when determining this planning application. These include what sports facilities may or may not be included within the campus; privately owned footpaths; opening hours of certain facilities within the Campus; compensation and whether parking will be charged. Concerns have also been raised regarding the public consultation that occurred prior to this planning application being submitted, again this is not an issue that can be taken into consideration when making a recommendation on this application.

CCTV Cameras are covered by the Data Protection Act which will ensure that the privacy of residential properties is not affected. This is therefore not something that can be dealt with through the planning process.

10. Conclusion

The proposed Campus building is considered to be appropriate as it is located within the settlement boundary of Melksham and would not result in the loss of recreation facilities. It is considered that the proposed Campus would not impact upon neighbouring amenity so significantly as to warrant a refusal reason and no issues have been raised regarding archaeology, flooding, drainage or ecology. It is also considered that the significant public benefits of the scheme outweigh the less than substantial harm of the impact the proposal would have on the Conservation Area and Grade II Listed Building.

RECOMMENDATION: It is recommended that the application be approved subject to the following conditions:

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

MC-DKA-A-DWG: 000 P02, 0001 P02 0002 P06, 0003 P02, 0004 P01, 0020 P01, 0200 P03, 0100 P02, 0110 P02, 0201 P03, 0202 P03, 0203 P03, 0204 P03, 0210 P02, 0211 P02, 0212 P02, 0250 P02, 0251 P02, 0252 P02, 0253 P02, 1000 P05, 1001 P05, 1002 P02, 1100 P03, 1101 P02, 1200 P01, 1201 P01, 9001 P02, 9003 P02, 9004 P02, TPP,

5124342/LA/DR/100: 002/P1, 003/P1, 004/P1, 005/P1, 006/P1, 007/P1, 008/A, 009/A

5124342-ATK-DR-E: SK01 P, SK02 P

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

- 3 No development of the new building shall commence on site until details and samples of the materials to be used for the external walls, roofs, windows and doors have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the Conservation Area and the Listed Buildings.

- 4 No work to the footpaths, access roads, parking and pedestrian areas shall commence on site until details and samples of the materials to be used for these have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the Conservation Area and the Listed Buildings

- 5 No development shall commence on site until 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 in writing by the Local Planning Authority. The development shall then be 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 a foul and surface water drainage strategy including a timetable has been submitted to and approved in writing by the

Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream properties.

- 7 No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, in accordance with the overarching strategy set out in the 'Preliminary Drainage Strategy' (Halcrow Group Limited, dated 10 January 2014), has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

REASON: To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system.

- 8 No development shall commence on site until a Construction Environmental Management Plan, incorporating pollution prevention measures, and a timetable has been submitted to and approved by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: To prevent pollution of the water environment

- 9 No development or demolition shall commence on site until a Construction Management Plan has been submitted to and approved by the Local Planning Authority. The Construction Management Plan shall include:

The laying out and construction of the construction access including the surfacing of at least the first 20 metres of the access in a well bound consolidated material (not loose stone or gravel).

The cutting back of vegetation at the construction access to achieve visibility splays of 2.4 x 160 metres in each direction to the nearside road edge.

Temporary diversion of public footpath MELK 20 at the proposed construction compound.

Measures to prevent excessive deliveries occurring at peak hour traffic times.

A scheme of Traffic Sign Regulation and General Direction chapter 8 roadwork signing to warn of the construction access.

Signing and measures to achieve safe use of footpath MELK21 where the end of it coincides with the construction access.

Measures to prevent excessive mud being carried onto the highway and a scheme for

regular road sweeping of the highway to clean any mud deposits that do occur.

Analysis of peak traffic movements associated with the construction and the impact these movements may have on the highway network. Should any detrimental impacts be shown the CMP to suggest appropriate mitigation.

Temporary traffic order to ban right turning movements into or out from the construction access.

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

REASON: In the interest of highway safety

- 10 The Blue Pool shall not be demolished until the swimming pool hereby approved is available for public use.

REASON: To ensure there is no loss of leisure facilities

- 11 The existing football facilities shall not be demolished until a timetable detailing when and where the new football facilities will be available has been submitted to and approved in writing by the Local Planning Authority. The demolition of the football facilities shall then be carried out in accordance with the approved details.

REASON: To ensure there is no loss of leisure facilities

- 12 No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction -Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and;

The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work - Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of

trees to be retained on the site or adjoining land.

[In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs 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 protection of trees on the site in the interests of visual amenity.

- 13 The development hereby approved shall not be first brought into use until details of the changes to Melksham Market Place have been submitted to, approved in writing by the Local Planning Authority and implemented in full in accordance with the approved details

REASON: The scheme is essential to enable safe and convenient access to the proposed campus development and to avoid detriment to local highway conditions on the highway network caused by traffic to and from the campus development.

- 14 The development hereby approved shall not be first brought into use until a car parking management plan has been submitted to and approved in writing by the Local Planning Authority and implemented in full in accordance with the approved details.

REASON: In the interests of achieving reasonable availability of on-site car parking spaces for users of the proposed development.

- 15 The development hereby approved shall not be first brought into use until the public footpath (MELK 20) running through the site has been widened, resurfaced and new lighting installed all in accordance with the approved details.

REASON: In the interests of safe and convenient pedestrian access to the proposed development.

- 16 The development hereby approved shall not be first brought into use until the vehicle parking and turning areas and the cycle parking area have been provided in accordance with the approved plans. The areas shall then be maintained and kept available for the parking and turning of cars and cycles.

REASON: In the interest of safe and convenient operation of the development and to promote sustainable patterns of travel to and from the development.

- 17 The development hereby approved shall not be first brought into use until details of a traffic calming measure for the access west of the access point to Crown House and a give way line to be located across the exit from Crown House and a timetable for the completion of these works have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: In the interests of safe and convenient access to the proposed development.

- 18 No development shall commence on site until details of the storage of refuse, including details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until the approved refuse storage has been completed and made available for use in accordance with the approved details and it shall be subsequently maintained in accordance with the approved details thereafter.

REASON: In the interests of public health and safety.

- 19 Notwithstanding the submitted information the development hereby approved shall not be first brought into use until details of the internal access road in front of the 66 space car park and a timetable has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: To ensure coaches do not overrun the pedestrian footway.

- 20 The development hereby approved shall not be first brought into use until a boundary treatment between the service vehicle turning head and the public footpath known as MELK 20 and a timetable for its delivery has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of safe use of the public footpath.

- 21 Within 3 months of the development hereby approved first being put into use the construction access shall be fully and permanently closed to all vehicle movements, with the grass verge of the A350 being reinstated.

REASON: In the interests of highway safety, and the appearance of the area.

- 22 Within 6 months of the development hereby approved first being put into use a full travel plan shall be submitted to and approved in writing by the Local Planning Authority. The travel plan should be based on the framework travel plan and shall be implemented in accordance with the approved details including the appointment of a travel plan co-ordinator for three years from the date of first appointment.

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

- 23 During the construction phase no machinery shall be operated, no process shall be carried out and no delivery shall be taken or dispatched from the site outside of the following hours; Mon-Fri 07:30 to 18:00, Saturday 08:00 to 13:00, nor anytime on Sundays or public holidays.

REASON: In the interest of neighbouring amenity

24 All soft landscaping comprised in the approved plans shall be carried out in the first planting and seeding season following the first occupation of the building 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. 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.

25 Lighting to car parks, pathways and roadways within the development boundary shall be installed in accordance with the design recommendations detailed within the Executive Summary & Recommendations & Mitigations sections of the External Lighting Impact Assessment submitted with the application.

REASON: In the interest of neighbouring amenity and the impact on the character and appearance of the conservation area

26 The approved sports lighting scheme shall be designed and implemented in accordance with BS EN 12193:2003 Light & Lighting-Sporting Lighting and shall achieve a minimum Environmental Zone E2 as defined within The Institute of Lighting Engineers Guidance notes for the reduction of obtrusive light 2005 before being first brought into use.

REASON: In the interest of neighbouring amenity and the impact on the character and appearance of the conservation area

27 The sports floodlighting hereby approved shall not be used before 07:00 hrs or after 22:00 hrs on any day.

REASON: In the interest of neighbouring amenity

28 The level of noise emitted from the new plant associated with the development hereby approved shall not exceed 29 dB LA eq between the hours of 07:00 in the morning and 23:00 in the evening and 25 db LA eq at any other time when measured at any position along the boundary of the proposed development with residential properties. The assessment and measurements shall be carried out in accordance with BS4142:1997

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

29 The development hereby permitted shall achieve a BREEAM (Building Research Establishment Environment Assessment Method) rating of 'very good'. Within 6 months of the development hereby approved first being brought into use a BREEAM Certificate certifying that 'very good' status has been achieved shall be submitted to

the Local Planning Authority.

REASON: In the interests of the conservation of energy resources.

1 INFORMATIVE TO APPLICANT:

The applicant is reminded of the need to obtain separate listed building consent for the development hereby approved in addition to this planning permission before works commence on site.

2 INFORMATIVE TO APPLICANT

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

3 INFORMATIVE TO APPLICANT:

The attention of the applicant is drawn to the following informatives requested by Wessex Water:

There must be no tree planting close to new sewers within distances prescribed by Sewers for Adoption vs 7.

Any redundant connections must be sealed at the point of connection.

If it is proposed to empty the swimming pool to the public foul sewer, the maximum rate of emptying and the chemical makeup of the discharged water should be agreed in advance with Wessex Water.