

## REPORT TO THE AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	17 September 2014
<b>Application Number</b>	14/04012/FUL
<b>Site Address</b>	Royal Arthur Park Westwells Corsham Wiltshire SN13 9SF
<b>Proposal</b>	New Access Road Leading To Royal Arthur Park.
<b>Applicant</b>	Mr Neil Rimmer
<b>Town/Parish Council</b>	BOX
<b>Division</b>	BOX AND COLERNE
<b>Grid Ref</b>	385600 168967
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Simon Smith

### Reason for the application being considered by Committee

Under the Council's Scheme of Delegation Specific to Planning, Councillor Tonge has requested this application be considered by the Northern Area Planning Committee to allow for the consideration of the impact of the development on the rural setting and issues surrounding enforcement of car use only.

### 1. Purpose of report

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

### 2. Report summary

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

- Background
- Traffic generation and highway safety
- Impact on landscape

- Ecology

The application has generated 1 letter of objection from a local resident. The Corsham Town Council support the proposal. Box Parish Council object to the proposal.

### 3. Site Description

Located at the southern end of Westwells Road, the 10.0Ha Royal Arthur site is an ex. Royal Navy training centre now in private ownership. The site has remains disused since 1995, but building works have recently commenced to build out the 221 1, 2 and 3 bed apartments and associated nursing home and facilities of the continuing care retirement community permitted under 10/04093/FUL. The Royal Arthur site is currently accessed from Westwells Road via a private lane, understood not to be under the control of the applicant.

The application site comprises a corridor of land crossing fields and recently planted woodland, in part, following the route of an existing access track leading to a residential property and an established Public Right of Way. The corridor of land plots a route between the B3019 Bradford Road and the Western flank of the Royal Arthur site.

The application site lies within Countryside outside the development framework boundary. The Cotswolds AONB is located a short distance to the west of the site (land on the opposite western side of the B3109/Bradford Rd).

<b>4. Relevant Planning History</b>		
<b>Application Number</b>	<b>Proposal</b>	<b>Decision</b>
05/02094/OUT	Retirement care village – 72 bed care home and 304 assisted living apartments	Refused 19/12/05 Appeal dismissed 09/11/06
08/00133/FUL	Continuing care retirement community – 75 bed care home and 221 extra care apartments	Permission 11/11/08
10/04093/FUL	Application to extend time limit for implementation of permission 08/00133/FUL	Permission 22/06/11
12/00850/FUL	Revisions to 10/04093/FUL	Withdrawn

## **5. Proposal**

The development of the Royal Arthur site was granted planning permission and is currently being built out under planning permission 10/04093/FUL. That planning permission, in common with all the preceding permissions, envisaged the sole access to the site to be via an existing private road leading from Westwells Road (to the North of the site).

This application seeks permission for a new entrance and access for the Royal Arthur continuing care development. The existing access from Westwells Road would be retained for staff and deliveries, with the new access being for the sole use of residents and visitors.

The proposed access track is to make use of the existing Wadswick Green Country Store access onto the B3109 Bradford Road. The new access would then fork left, making use of the existing track (also a Public Right of Way) up to Roundwood Cottage. At this point the proposed access track would bear right across grassland (often planted with Miscanthus) and breaking through semi-mature woodland so as to reach the Western edge of the Royal Arthur site.

Several passing places are proposed, with the width of the newly created parts of the track being 3.5m. No verge of pedestrian footway is proposed. Surfacing is specified as permeable bound Breedon Gravel.

To signal the presence of the new development Royal Arthur, a “feature” constructed of stone is proposed at the point the track meets the Wadswick Country Store track together a new stone wall to Roundwood Cottage to assist with privacy. New metal estate style fencing is proposed along the edge of the newly laid portion of the track that passes through agricultural land.

## **6. Planning Policy**

North Wiltshire Local Plan 2011 Policies:

- C3 (general development control policy)
- NE4 (Areas of Outstanding Natural Beauty)
- NE9 (protection of species)
- NE14 (trees, site features and the control of new development)
- NE15 (landscape character of countryside)

The National Planning Policy Framework (NPPF)

## 7. Consultations

Corsham Town Council – Following the submission of revised and additional information, resolved to support the application.

Box Parish Council – *“Objections. The present access from Westwells Road was considered when the planning permission was given and it is felt that this is perfectly adequate. We cannot see any reason for another access to be created from a country road”*

Council Highway Officer – No objections subject to imposition of conditions. Full comments provide basis for traffic generation and highway safety section below.

Rights of Way Officer – The access tracks run along a number of footpaths. All surface works must be approved by the Rights of Way Warden.

Council Ecologist – No objections subject to imposition of conditions.

Council Landscape & Design Officer – Extract: *“This latest proposal represents further erosion of existing countryside character, which is identified as an issue within the relevant landscape character assessments. I do not see how this proposal could be viewed as sustainable development.”* Full comments form the basis for impact on landscape section below.

## 8. Publicity

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

1 letter of objection has been received from local resident. Relevant main issues raised:

- The access road from Hawthorn Hill/Westwells Road was considered when the application for the redevelopment of the site was first debated and this is an adequate provision for access to the new retirement village.
- To build a new road would be to urbanize the countryside in that area.
- The new road would destroy ancient woodland.
- The proposed road would result in a loss of amenity to Roundwood Cottage.

## 9. Planning Considerations

### Background

The Royal Arthur site has for many years benefitted from planning permission for the creation of a care community type development. The last permission granted was comprehensive in nature and will result in the complete redevelopment of the site, demolishing all existing buildings and erecting new. The permitted development is substantial, comprising a large 75 bed nursing home and 221 apartments. In association, centralised ancillary facilities including spa, doctors surgery, shops, care etc. were also permitted. Work has now started on the 10/04093/FUL permission.

Access to the Royal Arthur development was intended to be exclusively via the private road leading from the bottom (South East) end of Westwells Road and the various planning permissions for redevelopment of the site were granted on that basis. This private road was the original access to HMS Royal Arthur, when an operational naval base, but also now serves a separate business unit to the North of the road. It is understood that the access road is not under the control of the owners of the Royal Arthur site.

The application provides a new access route onto Wadswick Green via the B3109 Bradford Road along a private track partially shared with Wadswick Country Store. It is proposed that residents and visitors of the retirement community will use the new access road. Staff and deliveries will continue to use the existing access on Westwells Road as originally intended.

It is understood that the primary reason for the creation of the second point of access is one of perception, with the applicant believing that the existing access via Westwells Road (being rather more defined in character by the surrounding business development) would not deliver the desired impression to residents and visitors to the Royal Arthur site as an exclusive residence.

#### Traffic generation and highway safety

The planning application has been informed by a traffic impact statement so as to frame the likely changes to traffic patterns as a result of the new access being created. Naturally enough, the submitted statement concludes that since traffic accessing the site would be split between the Bradford and Westwells Road accesses, there is likely to be reduction in traffic impacts upon Westwells Road. Equally, there would be a consequent increase in the numbers of vehicles using Bradford Road, but that increase is anticipated to be relatively minor in the context of an already heavily used road.

In reaching his conclusions, the Council's Highway Officer has factored that the proposed access road will be used only by residents' and visitors' cars, with service vehicles using the existing access. Based on this limited use, he has raised no highway objection to the application.

The road will be surfaced with Breedon gravel which the Highway Officer considers suitable for the intended light use, but does note that in the event of planning permission granted, it would be appropriate to impose a condition requiring the submission of full construction details for the road. He also notes that a condition should restrict the use of the road to cars and similar light vehicles only and a scheme to be submitted and agreed for the installation of signs at each end to enforce the restricted use.

Following a Public Right of Way up until Roundway Cottage, the detailed construction works to create the lay-by passing places will need to be agreed via appropriately worded planning condition so as to satisfy any concerns from the Council's Rights of Way Warden.

Comments from the Corsham Town and Box Parish Council's in respect of the submitted traffic impact statement are awaited and will be reported to the Committee separately.

## Impact on landscape

### *Character*

Dropping down from the high point at Chapel Knapp, when approaching Corsham from the South along the B3109, it is the case that the landscape opens itself to longer distant views, with only feathered views of the new commercial development at Westwells being visible between mature landscaping.

The routing of the access track would be outside of any landscape designation and the West Wiltshire Green Belt, but the Cotswolds AONB is located a short distance to the west of the site (land on the opposite western side of the B3109/Bradford Road) and it is fair to say that distance views in this locality has both an effect upon and is affected by the AONB designation (often referred to as an “inter-visibility”).

The following Landscape Character Assessments are relevant to the area:

- North Wiltshire Landscape Character Assessment – Character Area 10 – Corsham Rolling Lowland
- Wiltshire Landscape Character Assessment – Character Area 16A – Malmesbury - Corsham Limestone Lowland

The Council's Landscape & Design Officer rightly points out that both of these character assessments allude to maintaining and conserving rural character away from the urban edge and softening and screening existing urban edges, maintaining diversity of agricultural practices and discouraging further development in rural areas. Not unreasonably, in his comments the Council's Landscape Officer goes on to regard the intact rural character, sparse settlement pattern and prominent and slightly exposed elevation to render the south of this character area sensitive to development. He suggests that only limited small-scale, sensitively designed development, appropriately associated with existing built form, could be successfully accommodated without adverse landscape impacts. Where the openness is mitigated to some extent by localised woodland clumps providing some sense of enclosure, essential development in keeping with the rural character of the area may be acceptable, provided landscape and visual impacts can be minimised.

### *Impact*

Of course, the existence of a track leading to Roundway Cottage from the existing Wadswick County Store junction with the B3109 Bradford Road does mean that, with the exception of 6 new passing lay-bys to be created on it, the proposed works would be limited. In this regard, it must be concluded that the physical impact of the track on the landscape up to this point will be minimal, since in large part it already exists.

The construction of the new section of track beyond Round Way Cottage does, however, present a greater physical impact on the landscape. The new track would be routed through the agricultural field (very often laid to Miscanthus / Elephant Grass), along the edge of Kingsmoor Wood (County Wildlife Site & Ancient Woodland, itself well defined by a dry stone wall) as well as it's continued routing through the semi-maturing woodland (known as Hunts

Wood). It is understood that a felling licence has already been gained and a break in Hunts has been created, it being wide enough to accommodate the planned new access track.

However, since the loss of existing woodland has already legitimately occurred, the impact of the new section of track would be limited to the laying down of a hard surface and estate type fencing on agricultural land. The reality is that the impact would be rather localised in effect. Distance views, especially from the B3109 would be largely screened by the intervening Kingsmoor Wood. Closer views from the Public Rights of Way to the North and Wadswick Country Stores site to the South will be possible, but in the context of a relatively simple construction and appearance and the lack of “inter-visibility” with the AoNB, precisely because of the intervening Kingsmoor Wood, the impact is not thought to be so unacceptable.

No lighting is proposed, but it is considered reasonable and necessary to impose a planning condition on any permission that clarifies the need to make a separate planning application if there is any wish to install any form of lighting.

#### *Urbanisation of the countryside*

In common with comments made by a local resident, the thrust of the objection to the proposed raised by the Council’s Landscape Officer are more fundamental than a mere consideration of the appearance of the road itself in the landscape. Rather, the concerns centre upon the principle of development and attendant effects of the increased “comings and goings” associated with a new road. He comments:

*“The principle of sustainable development and effective use of land; the proposal represents non essential development; loss of agricultural land; loss of existing trees and woodland; type and scale of development in countryside resulting in unnecessary harmful effects to the local rural character of the countryside from new urbanising road infrastructure, visual traffic movements, additional noise and light intrusion; proximity and inter-visibility with the Cotswolds AONB and associated impacts on recreational amenity for local people accessing countryside using the existing PRow network.”*

And later:

*“It is clear from the Council’s landscape character assessments that only essential development, which is sensitively located should be supported in this rural character area, and only when harmful landscape and visual effects can be adequately mitigated. It is important to avoid the piecemeal loss and erosion of rural landscape character through the introduction of non essential urban development. I do not see how the benefit of the proposed development could be balanced to outweigh the resulting harm it is likely to generate in this respect.”*

In this way, the Landscape Officer identifies the inherent weakness of the justification for development to take place (that the new access would merely provide a prestigious entrance and is not needed, in absolute terms, to gain access to the site) in the context of an

immediate location where, over recent years, piecemeal and incremental development has occurred, especially at the Manor Farm land holding at Wadswick.

The expressed concerns are understood, but are not thought to be of sufficient justification to refuse planning permission. Firstly, whilst the development does indeed result in new hard surfacing being laid across greenfield land, the amount of development is, in reality, limited in scope, would be unlit and the amount of traffic expected to be relatively light. The impact and would not fundamentally alter the rural character of the landscape. The development is not thought to represent an unacceptable urbanisation of a rural location, as identified in the landscape character assessments.

Secondly, whilst the site is already served by an existing access, in the absence of a demonstrable impact resulting from development taking place, the applicant's desire to provide a more prestigious entrance/approach to the site should not automatically be blocked simply because it is not necessary. Indeed, whilst confirming the need to protect and enhance valued landscapes (para.109), the NPPF also makes it clear that, "Planning should operate to encourage and not act as an impediment to sustainable growth." (para.19).

### Ecology

The site is in close proximity to a SSSI and Box Mines SAC. Amongst other things, the wider locality is known to perform an important role in migration, feeding routes and as a habitat in itself for bats.

Majority of the routing of the access track follows an existing hard surfacing, thereby minimising the impact of the development upon the ecological value of the land. The new sections of track to be created would avoid the mature Kingsmoor Wood (a designated County Wildlife Site and Ancient Woodland) crossing only cultivated agricultural land. The necessary break in the semi-mature Hunts Wood has already been created, thereby also minimising impact from the development.

## **10. Conclusion**

Although already benefitting from an existing and perfectly useable vehicular access, there is not thought to be an unacceptable impact upon the landscape from the new second access being created. The physical works themselves are relatively limited and the level of use of the track expected to be light. Accordingly, the development is not thought to result or greatly contribute towards any creeping urbanisation of this rural landscape.

The development would accord with the requirements of Policies C3, NE4, NE9, NE14, NE15 of the adopted North Wiltshire Local Plan 2011 and policies within the National Planning Policy Framework.



**RECOMMENDATION: Subject to the receipt of comments from the Corsham Town Council and Box Parish Council in respect of the submitted traffic impact statement, then:**

**Planning permission be GRANTED 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 Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out strictly in accordance with the following approved plans and documents subject to such minor amendments to the development as may be approved in writing under this condition by the local planning authority. Plans:

- Location plan
- Site Plan
- Illustrative View 1
- Illustrative View 2
- Illustrative View 3
- Proposed Road revised plan 14.1558 L(0)04 (received 20/06/14)
- Traffic Impact of New Road (prepared by Hydrok reference C14653) (dated 08/08/14)
- Design and Access Statement

All date stamped 14/04/14, unless otherwise stated.

Reason: To ensure that the development is implemented in accordance with this decision in the interests of public amenity, but also to allow for the approval of minor variations which do not materially affect the permission.

3. No development shall take place on site until details of the proposed construction specification for the access road shall be submitted to, and approved in writing, by the local planning authority. The access road shall be constructed in complete accordance with those details approved.

Reason: In the interests of highway safety and accessibility as well as ensuring the

development is of a form that is appropriate to the rural landscape.

4. No development shall take place on site until details of signs to be erected at each end of the proposed access track restricting its use to cars and light vehicles only shall be submitted to, and approved in writing, by the local planning authority. The signs shall be erected prior to the first use of the proposed access and maintained at all times thereafter.

Reason: In the interests of highway safety

5. No development shall take place on site until full and complete details of the passing places to be created shall have been submitted to and agreed in writing by the Local Planning Authority. Details shall include the number, positioning as well as their dimensions and construction. Development shall be carried out in complete accordance with the details so agreed.

Reason: In the interests of highway safety

6. No development shall take place until full and complete details of the intended treatment of the access track in relation to the Public Right of Way that also crossed the site has been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in complete accordance with the details so agreed.

Reason: So as to ensure the access track does not impede or in any way unacceptable interfere with the Public Right of Way.

7. Prior to their first installation, full and complete details of the gate and kissing gate to Roundwood cottage as well as metal estate style fencing to be installed (as suggested on the submitted plan reference 14.1558 L(0)04). The approved scheme shall be carried out in complete accordance with the detail so agreed.

Reason: In the interests of amenity and to ensure a form of development that is appropriate to the landscape.

8. Prior to its construction, full and complete details of the natural stone walls to be erected at Roundwood Cottage and at the entrance (including proposed bin store) shall have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in complete accordance with those details so agreed.

Reason: In the interests of amenity and to ensure a form of development that is appropriate to the landscape.

9. No form of lighting shall be installed on the site or in associated with the new access track or entrance unless otherwise agreed in writing in the form of a separate planning permission in that regard.

Reason: In the interests of amenity as well as impact on the landscape and nature conservation.