

TOWN & COUNTRY PLANNING ACT 1990

**DEVELOPMENT OF EMPLOYMENT LAND AND BUILDINGS
KNOWN AS OXLEAZE BUSINESS PARK, GREENHILL,
ROYAL WOOTTON BASSETT, WILTSHIRE, SN4 8EH**

**PLANNING STATEMENT
(Incorporating Design Commentary)**



Prepared by

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LPC (Trull) Ltd**

Our Reference: SWLC.LPC5932

September 2025

1.0 INTRODUCTION

- 1.1 LPC (Trull) Ltd have been instructed by Mr B Gregory of Skyline Aero Ltd as the new owners of the Oxleaze Business Park, formerly known as Blackfords Industrial Estate, off Greenhill.



- 1.2 These instructions relate to the presentation of a full planning application showing how the site's evolved and ad hoc mix of buildings and yards, and differing users, will be beneficially replaced with more usable commercial accommodation, set alongside and largely in association with my client's singular and main use of the buildings and associated space, and the overall extension and upgraded appearance of the site.
- 1.3 It is the purpose of this over-arching planning statement to review the site's known history and latest mix of users. The established position will be examined to consider the potential fallback to extend and provide new employment buildings as permitted development. By comparison it will be shown that the more simplified redevelopment proposed is no more impactful and will be satisfactorily and contextually assimilated, and taking into account national and local planning policy is therefore an acceptable redevelopment.
- 1.4 It should be stressed that my client owns and lives on the adjoining land and is obviously motivated to enhance the built environment. Furthermore, the

relocation of the business to allow it to expand, away from the established base on Cotswold Airport will serve to reduce commuting for 22% of its workforce who already live within the parish. In simple terms the site will be used primarily for Class B8 activities, involved with the storage and dispatch of recycled aeroplane parts, together with supporting office facilities.

- 1.5 The Statement should be read as part of the overall application submission documentation, which comprises the documents and plans, as listed below. Additionally, the planning justification is augmented with a design commentary to complete the Design and Access assessment requirements and showing the acceptable physical assimilation of the redevelopment proposed.

Application Content

2315 001B – Existing Location Plan
 2315 002 – Existing Site Plan
 2315 003 – Existing Floor Plan
 2315 004 – Existing Elevations
 2315 005 – Existing Visualisations
 2315 008 – Existing Topo Site Plan
 2315 008B – Proposed Elevations
 2315 009C – Updated Site Plan
 2315 010A – Proposed Site Plan
 2315 010 – Existing Outbuildings
 2315 011 – Existing Outbuildings
 2315 011B – Proposed Ground Floor Plans
 2315 012 – Existing Outbuildings
 2315 012B – Proposed First Floor Plan
 2315 013A – Proposed Visualisations
 2315 013C – Site Plan – Permitted Development
 2315 014 – Proposed Floor Plans – Sheds 1-3
 2315 014A – Proposed PD Visualisations
 2315 021 – Proposed Elevations – Shed 1
 2315 022 – Proposed Elevations – Shed 2
 2315 023 – Proposed Elevations – Shed 3
 2315 040B – Proposed Site Plan
 2315 050C – Proposed Ground Floor Plans – Main Building
 2315 051C – Proposed First Floor Plans – Main Building
 2315 052 – Proposed Ground Floor Plans – Sheds 1-3
 2315 052A – Proposed Ground Floor Plans – Shed 1
 2315 053 – Proposed Ground Floor Plans – Shed 2
 2315 054 – Proposed Ground Floor Plans – Shed 3
 2315 055 – Proposed Bike Shelter
 2315 056 – Proposed Gate
 2315 060C – Proposed Elevations – Main Building

2315 061A – Proposed Elevations – Shed 1
 2315 062A – Proposed Elevations – Shed 2
 2315 063A – Proposed Elevations – Shed 3
 2315 0070 – Proposed Site Sections
 2315 0090 – Proposed External Lighting Plan
 26165-200-01 – Topographical Survey Sheet 1
 26165-200-01 – Topographical Survey Sheet 2
 2316-01 – Tree Constraints Plan – Appendix A
 2316 – Tree Survey/Schedule – Appendix B
 2316 – Tree Photographs – Appendix E
 Coyne Environmental Ltd – BNG Report – 18/11/2024
 The Statutory Biodiversity Metric Document
 Coyne Environmental Ltd – Ecological Report – June 2024
 Cole Easdon – Transport Statement – November 2024
 Cole Easdon – Flood Risk Assessment and Drainage Strategy – September 2025

2.0 PLANNING BACKGROUND

2.1 The site's planning history is not extensive, and can be summarised as follows:

N/81/00609/FUL – Erection of building for use in connection with Turf Production, extension of access road and other ancillary works – Approved.

N/82/00230/FUL – Erection of canopy extension to building – Approved.

N/88/01239/FUL – Erection of compost storage building – Refused.

The extracts from the officer's report inserted below explains what was proposed and the grounds for refusal in respect of the above application.

It is proposed to erect a 43m by 13.8m steel frame building to be used for the preparation of compost and storage in relation to turf production, and to allow the use of the existing building (for which planning permission was granted on the 1st June 1981, Reference N.81.0609.F) to include other operations relating to the applicant's Landscape Contracting business, particularly the manufacture of fences and gates.

It is clear that the existing building is already being used for operations not directly connected with the production of turf, in breach of the planning permission for the building (reference N.81.0609.F).

The site is located in open countryside and within the West Swindon Rural Buffer. The application involves the erection of a substantial industrial-type building and the authorisation of general industrial activities on this site. It is considered that the proposal is contrary to Policies C2 and C5 of the North Wiltshire Local Plan and would create an unfortunate precedent for further undesirable proposals.

14/05506/FUL – Change of use of part of yard to accommodate bus and coach yard (Retrospective) – Approved.

2.2 During the planning hiatus from the late 1980s to 2014 it is apparent the site evolved as an industrial site. The oldest google earth photograph available is from 1999, and the progression shown from then to the latest in 2025 demonstrates that the extent of the site and the apparent activities thereon have been little changed, other than the site clearance executed after my client's purchase.

2.3 The officer's delegated report regarding application 14/05506/FUL helpfully described the retrospective position, and that part of the overall site in question, as comprising; 'detached industrial premises and a service yard'. The report also indicated that,

The unit within the site has been subdivided with the application site forming a section towards the rear of the building which is accessed via a metal roller shutter door in the northern elevation. The service yard around the site has also been sub-divided, with the application site being formed of the service yard area to the north and northeast of the building also.

It was also noted at the time of the site visit that some ancillary repair work was being undertaken on two of the vehicles being stored in the building at the site.

2.4 It is clear that the existing commercial site had evolved at that time, and perhaps since, and that there is no formal definition of the scope of uses that have apparently become lawful by the effluxion of time and would now therefore be immune from enforcement action. This applies to all the buildings and land. The references from the officer's report above though highlight an established mixed commercial use and that there was no one operator. As the site's title suggests it is recognised as an industrial site.

2.5 At the time of my client's overall purchase of the entire site Blackfords Turf and Topsoil were still in operation, including office space and storage and distribution activities outside. They were not the only operator and Denwell Coaches/Igobus also had office space together with the internal and external areas used for vehicle maintenance and storage. Jilmer Coal Merchants occupied their own offices and had a yard space to the south of the main building for the storage and distribution of solid fuel. A large part of the main building was leased by Ultimate Coatings Ltd, who carried out chemical coating processes therein. Yard space was also leased too, by Cirencester Scrap and Recycling, which in addition to stockpiling metal apparently

specialised in recycling solar panels. Cal Solutions Waste Management was more of a typical domestic skip hire operation using yard space and associated buildings similar to Kingsdown Removals who also stored their removal vehicles on site and household clearances in their buildings. Finally, there was an ongoing lease for Ms N Hearn who is an artist and had office and storage space on site.

2.6 All the above leases have now expired, however, for the avoidance of doubt, and mindful of the findings of *Panton & Farmer v Secretary of State for the Environment; Transport and the Regions and Vale of White Horse District Council (1991) JPL461*, which rules that lawful use rights can only be lost by the evidence of abandonment, my client has not abandoned the mixed commercial use potential by seeking to upgrade the accommodation. The above case identified that abandonment occurs by the formation of a new planning unit; or being superseded by a further change of use. Thus, a use which is dormant or inactive can still be ‘existing’.

2.7 These principles were upheld by the more recent case of *Thurnock Borough Council v Secretary of State for the Environment, Transport and Regions and Holding [2007] JPL 1388*. The established principles are therefore that an accrued planning right can only be lost in one of three ways; by operations of law. First, by abandonment, secondly by the formation of a new planning unit and thirdly, by way of a material change of use. The cessation of the various leases does not fall into any of these processes.

3.0 THE BRIEF AND APPLICATION PROPOSAL PARTICULARS

3.1 The Court of Appeal case of *Mansell v Tonbridge and Malling Borough Council [2017] EWCA Civ 1314* is the leading case on fallback positions. Lord Justice Linblom LJ confirmed the legal considerations in determining the materiality of a fallback position. The basic principle is that for a fallback prospect to be a ‘real prospect’ it does not have to be probable or likely; a possibility will suffice. A real prospect need not depend on an allocation or extant permission, it depends on the circumstances of the case.

3.2 The starting point to examine how the new owner could enhance the available accommodation and use of space meant that the design brief’s evolution

highlighted that the permitted development rights afford considerable scope to extend the various operations in the main building and for other parts of the site to accommodate free standing buildings within the same undertaking. The fallback position identified is reviewed below.

Part 3, to the Town and Country Planning (General permitted Development) (England) Order 2015 (as amended) considers the scope to change within and between Use Classes. It allows B2 to change to 500m² of B8.

More specifically, based on the mix of industrial and storage activities present the permitted tolerances that arise at Part 7, Class H to the above cited Order, relating to both extensions and new buildings as part of the same undertakings are directly applicable. The full scope of these rights are reproduced below, but in simple terms they allow a 50% increase to the size of the buildings and a new 200m² building within the same undertaking.

Permitted development

H. The erection, extension or alteration of an industrial building or a warehouse.

Development not permitted

H.1 Development is not permitted by Class H if—

- (a) the gross floor space of any new building erected would exceed—*
 - (i) for a building on article 2(3) land or on a site of special scientific interest, 100 square metres;*
 - (ii) in any other case, would exceed 200 square metres;*
- (b) the gross floor space of the original building would be exceeded by more than—*
 - (i) in respect of an original building or a development on article 2(3) land, 10% or 500 square metres (whichever is lesser);*
 - (ii) in respect of an original building or a development on a site of special scientific interest, 25% or 1,000 square metres (whichever is the lesser);*
 - (iii) in any other case, 50% or 1,000 square metres (whichever is the lesser);*
- (c) the height of any part of the new building erected would exceed—*
 - (i) if within 10 metres of a boundary of the curtilage of the premises, 5 metres;*
 - (ii) in all other cases, the height of the highest building within the curtilage of the premises or 15 metres, whichever is lower;*
- (d) the height of the building as extended or altered would exceed—*

- (i) *if within 10 metres of a boundary of the curtilage of the premises, 5 metres;*
- (ii) *in all other cases, the height of the building being extended or altered;*
- (e) *any part of the development would be within 5 metres of any boundary of the curtilage of the premises;*
- (f) *the development would lead to a reduction in the space available for the parking or turning of vehicles; or*
- (g) *the development would be within the curtilage of a listed building.*

Conditions

H.2 Development is permitted by Class H subject to the following conditions—

- (a) *the development is within the curtilage of an existing industrial building or warehouse;*
- (b) *any building as erected, extended or altered is only to be used—*
 - (i) *in the case of an industrial building, for the carrying out of an industrial process for the purposes of the undertaking, for research and development of products or processes, or the provision of employee facilities ancillary to the undertaking;*
 - (ii) *in the case of a warehouse, for storage or distribution for the purposes of the undertaking or the provision of employee facilities ancillary to the undertaking;*
- (c) *no building as erected, extended or altered is used to provide employee facilities—*
 - (i) *between 7.00pm and 6.30am, for employees other than those present at the premises of the undertaking for the purpose of their employment; or*
 - (ii) *at all, if a quantity of a dangerous substance is present at the premises of the undertaking in a quantity equal to or exceeding the quantity listed in the entry for that substance in Parts 2 or 3 of Schedule 1 to the Control of Major Accident Hazards Regulations 1999 M1;*
- (d) *any new building erected is, in the case of article 2(3) land, constructed using materials which have a similar external appearance to those used for the existing industrial building or warehouse; and*
- (e) *any extension or alteration is, in the case of article 2(3) land, constructed using materials which have a similar external appearance to those used for the building being extended or altered.*

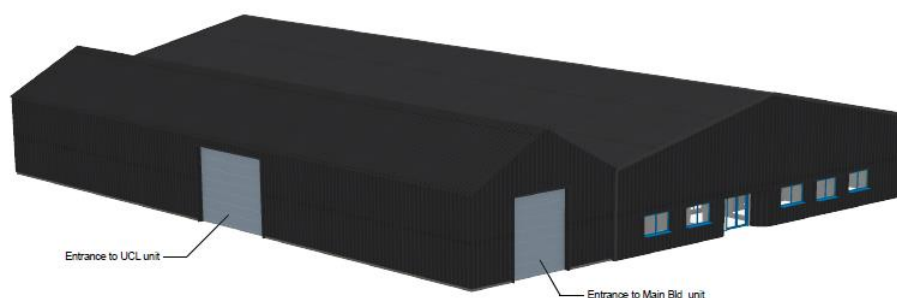
Interpretation of Class H

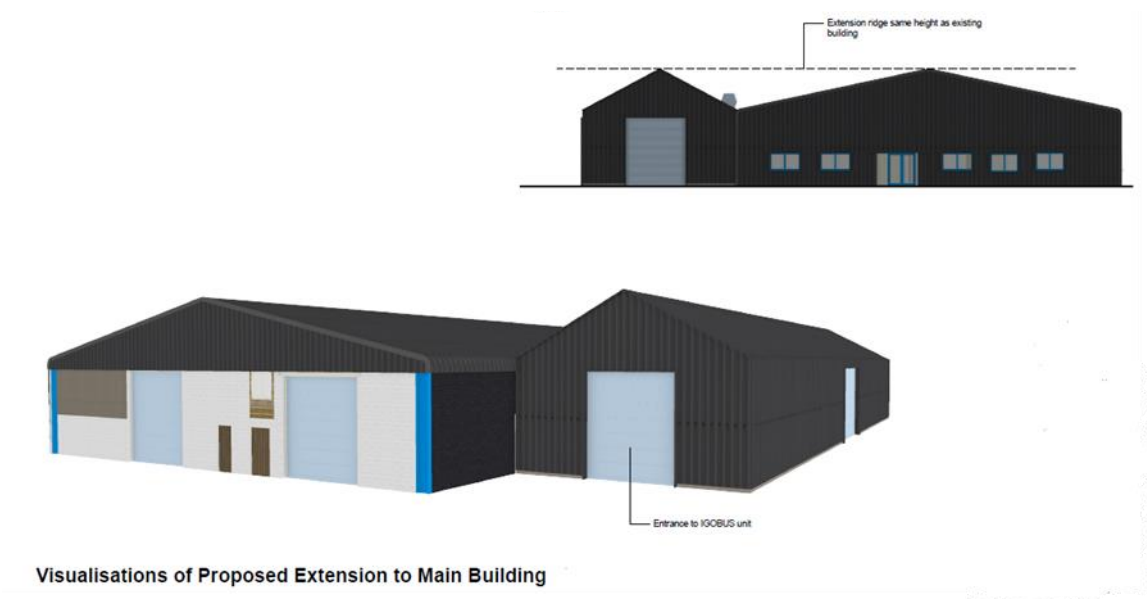
H.3 For the purposes of Class H, where 2 or more original buildings are within the same curtilage and are used for the same undertaking, they are to be treated as a single original building in making any measurement.

H.4 For the purposes of Class H—“dangerous substance” has the meaning given in regulation 2 of the Control of Major Accident Hazards Regulations 1999; “employee facilities” means social, care or recreational facilities

provided for employees of the undertaking, including crèche facilities provided for the children of such employees; and “original building” does not include any building erected at any time under Class H.

- 3.3 Drawing No 2315 013C included with the application particulars seeks to articulate the application of the possible permitted development rights. The graphics inserted below show the combined scale of extensions for the main buildings and its three previously established users as a single parallel range. In addition to the expansion of the central northern range there are also 3 No additional freestanding 200m² buildings associated with the main buildings’ established and separate undertakings. The application of the permitted development rights results in an additional 1084.3m² commercial GIA across the site





3.4 The key principles underpinning the application proposal are;

- To create a new base of operations for the client's company that will increase operational efficiency and provide high quality, attractive and ordered buildings within a rural/industrial setting for their aeroplane parts business.
- The proposals look to tidy up an existing disorderly and cluttered industrial site featuring many different poorly constructed buildings and increase and consolidate the building footprint under three new warehouse structures along with a 12m extension and make-over to the main warehouse.
- New hard and soft landscaping proposals accompany the proposed new buildings and aim to soften and improve the site's general appearance.
- The main use of the buildings will be for storage of aeroplane parts along office space for the company's administrative operations.

3.5 Operational requirements and building siting.

The buildings will be used for storage of aeroplane parts. These parts are procured from breakers around the world, sorted and stored by the Skyline and then resold on as spares to existing airline companies.

Operational Buildings

- The operational buildings consist of existing and new warehouse structures for sorting and storage of parts.
- Along with warehouse space to store the parts the business requires office accommodation for 13 members of staff to undertake sales, purchasing and

general administrative duties. Warehouse No3 contains further office accommodation for potential business expansion in the future.

- All parts of an aeroplane are handled by the applicant's company thus storage and access requirements to buildings need to accommodate not only small electrical components but large components such as the wings and parts of the fuselage.
- The buildings have been organised and configured on the site to suit the available space, operational requirements, and for safe vehicle movements.
- Each building features industrial doors that face onto the one-way system with an accompanying pedestrian door to one side. Parts arriving on site will be sorted at the main warehouse building and then stored or transferred via forklift truck to one of the other three new warehouses depending on type and size.
- The vehicle movements will consist of a one-way system into the site and around the main warehouse building. A typical day will involve a maximum of 2-3 deliveries and departures for courier vehicles ranging in size.
- All of the buildings are linked via an existing asphalt hardstanding that extends to the bounds of the site in all directions. This hardstanding provides for turning, access to the front of the buildings and for circular vehicle movements around the main workshop building.

Orientation

- The new warehouse buildings have been situated across the site to suit the orientation of the existing main warehouse. Where the topography rises to the north of the site the proposed Warehouse No2 has been set below the ground level to ensure that the ridge height is no higher than any of the existing structures. The south facing roof of the main warehouse will also provide an ideal aspect for the proposed PV array to maximise electricity generation for the site.

3.6 Appearance

Arrangement



- The range of new buildings have been purposely designed to appear as a singular industrial park.
- The arrangement of the new and existing structures is formal and to suit the particular constraints of the site and operational requirements. The new warehouses are either parallel or perpendicular with each other reflective of the functional order to their siting.

The appearance of the proposals – buildings

- Externally, the existing and new warehouses will take on an industrial appearance, using common industrial building vernaculars and arrangements to match the existing main warehouse on the site.
- The building elevations will feature profiled metal sheeting over a Cotswold stone dwarf wall to the front and to parts of the side elevations. Elsewhere, the profiled sheeting will extend down to the ground with a low level concrete block plinth. Cotswold stone walling is introduced at low level to the front of the main warehouse to provide a local distinctive material and soften the building's appearance.



- The existing main building will undergo a facelift and features new glazing to the front and sides at the western end of the building with a canopy over a central glazed entrance doorway. The new glazing will provide light and ventilation to the reorganised internal spaces and the addition office space created on the 1st floor.
- The roof will be metal and profiled with matching rainwater goods.
- Industrial doors will be aluminium, coloured to match the cladding.
- Entrance doors to the administrative areas will be aluminium, coloured to match the cladding. New and replacement windows elsewhere will be dark grey Upvc.
- Warehouse personnel doors will be painted timber or steel.

The appearance of the proposals – landscaping

- The landscaping of the site retains much of the existing site's appearance by maintaining the existing boundary conditions and the open hardstanding area surrounded by dense and mature vegetation. Soft landscaping proposals within the site are modest but aid to provide a natural and organic setting around the buildings.
- Hard landscaping has been designed to minimise visual and physical change to the site. An existing asphalt hardstanding is already dominant across the site and this will be repaired where necessary and utilised to form a hardstanding serving all the buildings. Where new formal parking is to be set out and where new planting is required, areas of asphalt will be removed and replaced with concrete hex paving to parking areas along with new planting.

- Additionally, paths and retaining walls will be formed from materials that allow natural vegetation to colonise and soften the area's aesthetics. Locally, around the warehouses, and set below existing ground levels Cotswold stone faced retaining walls will complement the new warehouse aesthetic.
- Soft landscaping has been designed to appear natural and informal. Much of the existing landscaping to boundaries will be retained and augmented with new native species of trees and plants in order to increase screening. Grassland within the site and between the buildings will be planted with native wild grass varieties and maintained at a longer height to soften the building surrounds and create a more natural, wild and less managed appearance.
- Whilst the new buildings will physically change the nature of the site, as would the exercise of the permitted development rights, the topography of the site, along with its densely vegetated boundaries, means that the site is well screened from the highway and from public rights of way. New landscaping, along with the replacement of many poorly constructed structures with new buildings will present a more homogenous industrial appearance that will enhance the visual appearance of the site.

The appearance of the Extension

- The extension to the main building along with the new sheds will be provided with a steel portal frame super structure and concrete footings and floor slab.

3.7 Building Performance

Warehouse Nos 1, 2 and 3 will largely consist of metal profiled roofs and facades. The spaces internally will be unheated. The main building, and also a small area within Warehouse No3, will incorporate offices and welfare facilities that will be heated. The external façade of the main building, where adjacent to heated spaces, will consist of insulated metal profiled wall and roof panels. Where the heated spaces are adjacent to unheated warehouse areas, walls and ceilings will consist of simple timber framed construction with insulation between and inside the frame to the floor, walls and ceilings.

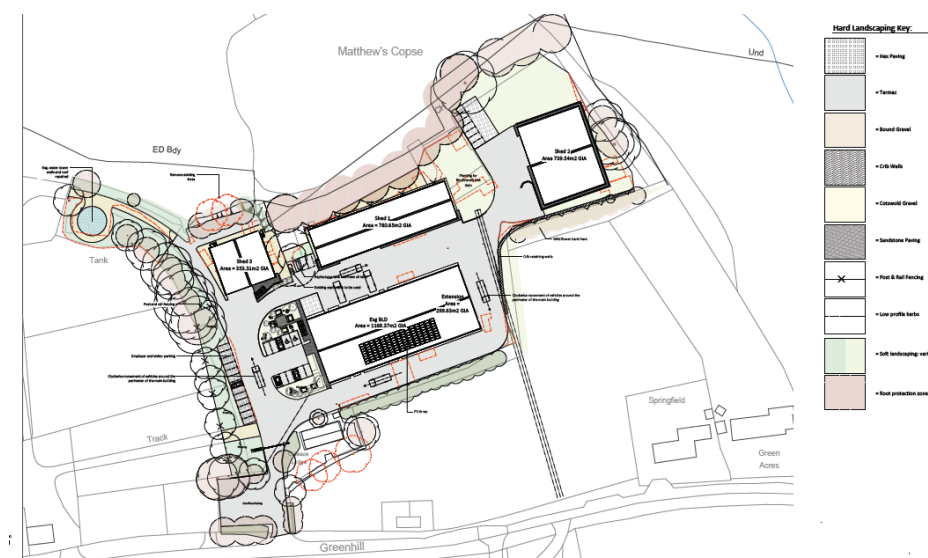
Materials

- Walls and floors below DPC will be formed from in-situ reinforced concrete as is suitable for vehicle hardstanding. Above DPC walls will be formed over the primary steel structure using a secondary steel rail system which in turn will provide support to the external stone walls and profiled metal cladding.
- Cotswold stone walls will be introduced to the front facades of each building to introduce a local building material.
- The roof will be finished in profiled steel sheeting as Tata Steel or equivalent. Rainwater goods will be from the roof manufacturers range of steel gutters and downpipes and match the roof colour. Colour and profile have been highlighted on the submitted elevations drawings as are all the mix of materials.
- Windows will be Upvc for robustness and ease of maintenance. They will be finished in a matching dark grey colour. Pedestrian doors will be composite timber or steel, finished to match the windows.
- Industrial doors will be galvanised steel, roller shutter type and coloured to match the cladding. These will feature glazed panels to provide additional light into the warehouse areas.

Hard Landscaping



- Existing asphalt hardstanding will be modified to suit the new building arrangements. Where necessary the hardstanding will be locally repaired. The existing hardstanding is laid to falls and will feature galvanised steel channels and gullies at the building perimeters to manage surface water run off.
- Low level kerbs will be used to bound the asphalt edges where new parking and landscaping features are introduced.
- Parking areas that are isolated from the warehouses are to be finished with concrete hex paving slabs to limit visual impact.
- Where ground levels are lowered to suit the concealment of the proposed warehouse No 2 a timber crib walls will be introduced as a retaining wall. The use of natural stone and timber in the crib wall construction is considered more appropriate than to concrete in this location. In addition, the walls will provide small pockets for grass, wild flowers and insects to inhabit for bio-diversity gain. The top surface of the walls will be seeded for wild grass.
- Footpaths leading to and around the new sheds will be a natural stone slab.
- Other footpaths, tracks and building perimeters will be finished with a local Cotswold type gravel – see propose site plan for further details.
- Soft landscaping proposals are shown as part of the site plan and BNG landscaping plan.



Lighting.

- Whilst the site is within a rural setting it is not located within a protected landscape setting. Nevertheless, the design approach seeks to minimise light pollution from the existing and proposed buildings. The design consciously avoids using rooflights and instead uses large and tall areas of glazing at ground floor where solar gain can be used to best advantage too. All windows will be provided with heavy curtains and integrated blinds. These interventions will have the effect of reducing the impact of glare during the day and light pollution at night.
- External lighting will be reduced to a minimum and will be LED type set on timers.



Colours

- Colours have been carefully selected for the proposed finishes so that the buildings will be assimilated naturally into their surroundings. The main building consists of a mainly dark anthracite grey cladding with light grey doors. The new proposed colours will match with the existing to limit visual changes.
- The introduction of Cotswold stone walls to the frontage of the building will introduce a natural colour commonly found locally within both residential, agrarian and commercial settings.

Accessibility



- All buildings have been designed to enable them to be fully accessible to wheelchair users. Two designated wheelchair parking space has been provided by the main building.

- Level, bound and gently ramped surfaces from the parking spaces lead to main entrance doors with compliant clear openings and level thresholds will accommodate all necessary forms of access. Circulation routes and internal doors are also designed to meet with the minimum requirements for wheelchair access. All electric fixtures and fittings will be fitted at a height to comply with Doc M.

- The main building, along with Warehouse No 3 contain wheelchair accessible WC's and sanitaryware.

Water Supply

- Water is to be brought into the site via an existing mains water supply.

Drainage - Surface Water & Foul Water

- A scheme for surface water drainage has been prepared by Cole Easdon. This incorporates a number of features to satisfactorily manage the surface water run off created by the proposals.

- An existing foul water system exists on the site, and this is to be adapted to suit the proposals. A scheme for foul water drainage has also been prepared by Cole Easdon for the site.

Power

- Electrical power for the site will be brought in via the existing mains power supply.
- In addition, the applicant is aiming to generate electricity on site via a 60KW solar array to be positioned on the main warehouse roof. It is the applicant's intention that the array will produce sufficient power for all the buildings and the operational needs of the site over the course of calendar year.
- The solar panel array will consist of a minimum of 120 panels and will include battery back-up storage. The panel type will be LG 355W Panels or equivalent. These panels have been chosen for their efficiency, long lifespan and also their appearance which is matt black with black frames.
- No electric vehicle charging points will be provided on site adjacent to the main building.

Heating & Hot water

- Heating and hot water will be provided to the offices and welfare areas by a new oil fired boiler.
- Heating to all habitable areas will be provided by means of new radiators and underfloor heating system.
- Hot water will be stored in highly efficient cylinders, located in each building where provision for hot water is required. The cylinders will be electrically powered.
- An existing gas tank will be replaced with a new oil tank to facilitate the new heating system.

Waste

- Business, general and recyclable waste will be collected at the site. It is anticipated that general and recycling waste will be included within the Council's current collection regime within the area, where required. Bins will

be moved on collection days to the site entrance for collection as is understood to have been the historic *modus operandi*.

- 1 No 1100L eurobins will be provided, to be located on the northwest end of the main warehouse building.

Interior lighting

- Interior lighting to all buildings will be 100% low energy LED fittings. In addition, lighting controls such as DALI will be incorporated into the office areas to control the use of artificial light in relation to external daylight levels and movement as in circulation areas where the use of artificial light will be intermittent.

Exterior Lighting

- A scheme of lighting has been devised to minimise light pollution and utilise downward illuminating luminaires. This would avoid direct views of bulbs (point light sources) from outside the site and avoid the illumination of building facades as far as possible. No roof lights are proposed for any of the proposed buildings avoiding light spill from roofs. The exterior lighting proposals are shown on drawing 2315/ 090.
- The most visible building facades would be the western façades of the main building and Warehouse No3. This latter building has no windows to the side elevation and thus would present a dark elevation when seen from Oxleaze Farm and the residential buildings to the west. Glazing to the frontage of the main building already existing and this will only be modestly increased. To mitigate light spillage from the additional glazing blackout blinds will be installed internally.
- In addition, existing retained hedgerows and new planting to the front of the building would provide further intervening screening.

3.8 Access, parking provisions and highways

- The existing main entrance will be maintained as part of the proposal and is currently suitable as an access for the business needs.
- At the site entrance some minor works to trim back the existing vegetation either side will be required to achieve a satisfactory visibility splay.

- The entrance road immediately off of the highway is wide enough for vehicles to simultaneously pass each other. In addition, this area also features an existing asphalt zone to one side (west) which can be used for overflow parking.
- An existing manual steel gate is to be replaced with a new electric sliding gate positioned slightly deeper into the site.
- Once vehicles enter the site they will follow a one-way system around the main building on an existing asphalt hardstanding.
- In all, 33 parking spaces will be designated for staff and visitors. Two of these will be designated as suitable for wheelchair use.
- 2 No electric vehicle charging points will be provided in the parking area by the main building.
- Provision for 18 No covered cycle parking spaces have been incorporated in the proposals. Each is located close to each of the warehouse's pedestrian entrances. These consist of 6 covered cycle parking spaces to the main building and 4 covered cycle spaces to each of the 3 other warehouses.



3.9 Regarding the amount of development proposed the permitted development tolerances outlined at paragraph 3.3 earlier increased the original floor areas

by 1084.3m². The existing building areas are listed below, and use the numbering on the survey plan details.

EXG Main Building 1	169.37m ²
EXG Outbuilding 1	14.91m ²
EXG Outbuilding 2	15.61m ²
EXG Outbuilding 3	14.47m ²
EXG Outbuilding 4	16.69m ²
EXG Outbuilding 5	14.55m ²
EXG Outbuilding 6	29.91m ²
EXG Outbuilding 7	57.73m ²
EXG Outbuilding 8	57.73m ²
EXG Outbuilding 9	14.63m ²
EXG Outbuilding 10	11.31m ²
EXG Outbuilding 11	168.59m ²
Total	1585.5m²

By contrast the application development results in a comparable increase of only 673.2m², as broken down below.

New Main Building	1469m ²
New Building 1	780.65m ²
New Building 2	739.54m ²
New Building 3	353.31m ²
Total	3343m²



4.0 PLANNING POLICY FRAMEWORK

4.1 Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Act 2004 require that all applications are determined in accordance with the Development plan unless other material considerations indicate otherwise. The relevant Development Plan in this instance comprises the Wiltshire Core Strategy (2015 – WCS). The ‘saved’ policies of the North Wiltshire Local Plan 2011 are also applicable. The site lies just outside the Purton Neighbourhood Plan area, but within the Lydiard Millicent Neighbourhood Plan area. The Lydiard Millicent Neighbourhood Plan was made in May 2021.

4.2 The relevant planning policy framework is outlined below.

Wiltshire Core Strategy (2015):

Core Policy 1: Settlement Strategy

Core Policy 2: Delivery Strategy

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

Core Policy 34: Additional employment Land

Core Policy 35: Existing employment sites

Core Policy 48: Supporting Rural Life

Core Policy 51: Landscape

Core Policy 57: Ensuring high quality design and place shaping

Core Policy 60: Sustainable transport

Core Policy 61: Transport and New Development

Core Policy 62: Development Impacts on the Transport network

Core Policy 64: Demand Management

Core Policy 65: Movement of Goods

Core Policy 66: Strategic Transport Network

Saved Policies from The North Wiltshire Local Plan (2011)

NE14 – trees and control of new development

NE18 – Noise and Pollution

Lydiard Millicent Neighbourhood Development Plan – Made May 2021

LM6 – Local Shops and Employment Sites

- 4.3 For completeness the full wording of the Neighbourhood Plan policy LM6 referred to above is inserted below, as it specifically refers to the application site (as shown on the plan extract inserted on the following page). The policy seeks to encourage the development of new employment uses at existing established sites in the Parish and defines where these are located, giving local effect to Wiltshire Core Policy 34.

LM6

The Neighbourhood Plan defines the main employment areas on the Policies Maps as detailed below:

Lydiard Millicent

i. Lydiard Stud

ii. Lydiard Garage Site

iii. John Toomers & Sons Ltd

Lydiard Green

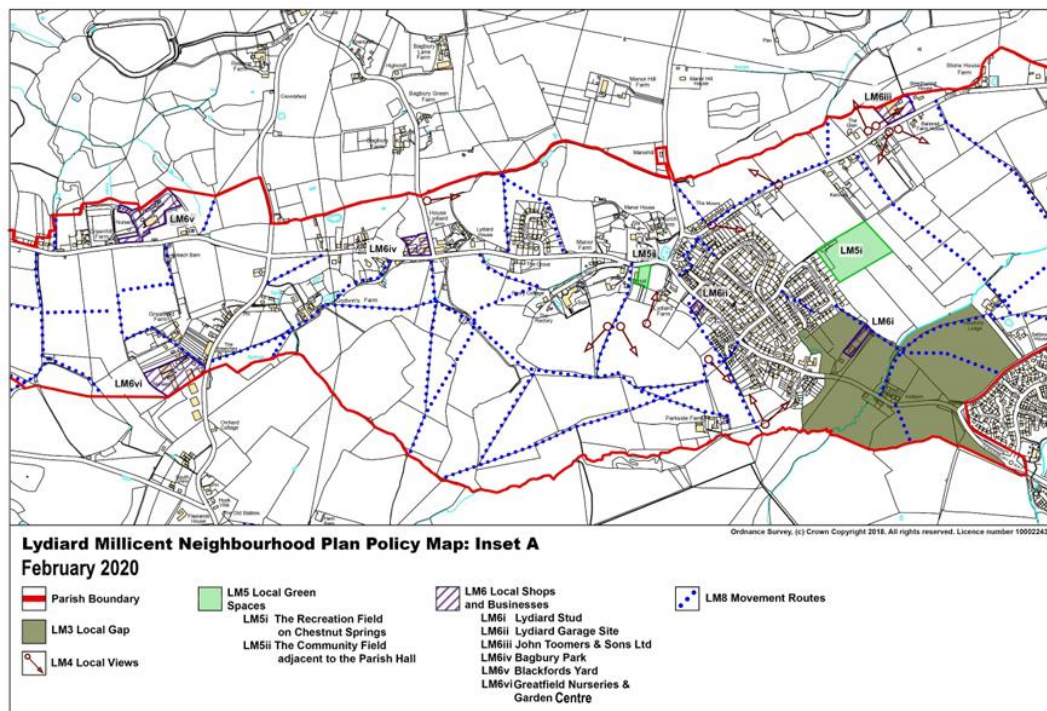
iv. Bagbury Park;

Greenhill & Greatfield

v. Blackfords Yard.

vi. Greatfield Nurseries & Garden Centre;

Development proposals that seek to retain or expand existing employment uses in the established main employment areas in the Parish will be supported, provided they conform to other policies of the development plan. Development proposals for new shops will be supported in accordance with other policies of the Neighbourhood Plan and of the development plan.



- 4.4 In considering the strategy for both areas therefore Core Policy 19 for the Royal Wootton Bassett and Cricklade Area identifies over the plan period, 5ha of new employment land is to be provided. The policy requires that proposals for development show certain specified issues at paragraph 5.102 will be addressed. Of relevance to this application, these include; diversification of the employment base with housing growth which will help to strengthen the local economy and reduce out-commuting, protecting the identities of the village areas.
- 4.5 Core Policy 34, (Additional employment land) seeks to focus proposals for employment development (Use Classes B1, B2 and B8) within the Principal Settlements, Market Towns and Local Centres. The matters are though far more nuanced than that and are addressed therefore in more detail separately, specifically given the Neighbourhood Plan's focus for employment growth. It should of course be noted that the B Class uses have since been replaced with a single use class (Class E), although the storage and distribution uses being the focus of activities has remained.
- 4.6 Core Policy 50 (Biodiversity and geodiversity) requires development proposals to demonstrate how they protect features of nature conservation and geological value as part of the design rationale. The now mandatory

Biodiversity Net Gain regime has in effective superseded the policy and raised the need for a greater and defined positive balance.

- 4.7 Core Policy 51 (Landscape) identifies that development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character.
- 4.8 Core Policy 57 (Ensuring high quality design and place shaping) requires a high standard of design in all new developments. Proposals must demonstrate how they make a positive contribution to the character of Wiltshire through, inter alia, enhancing local distinctiveness by responding to the value of the natural and historic environment; the maximisation of opportunities for sustainable construction techniques; making efficient use of land whilst taking account of the characteristics of the site and local context; having regard to the compatibility of adjoining buildings and uses and the use of high standards of building materials, finishes and landscaping.
- 4.9 Core Policy 61 (Transport and new development) seeks to reduce the need to travel particularly by private car through the location of development and encouraging the use of sustainable transport alternatives. Transport assessments must demonstrate that consideration has been given to the needs of all transport users.
- 4.10 The National Planning Policy Framework (NPPF) provides the Government planning policies for England and explains how they should be applied. It is a material planning consideration. The National Planning Practice Guidance (NPPG) and the Wiltshire Local Transport Plan are also material considerations.
- 4.11 At the heart of the NPPF is a 'presumption in favour of sustainable development'. One of the over-arching sustainable development objectives of the planning system is that planning should help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity.
- 4.12 Paragraph 85 to the NPPF states that planning decisions should help create the conditions in which businesses can invest, expand and adapt and that

significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and opportunities for wider development. To support a prosperous rural economy decision should enable sustainable growth and expansion of all types of business both through conversions and well-designed new buildings.

4.13 Paragraph 124 states that planning decisions should promote an effective use of land, while safeguarding and improving the environment.

4.14 The Wiltshire Local Transport Plan (WLTP) sets out the transport strategy for the region from 2011 to 2026. Policy SO11 seeks to support economic growth and requires new development to, 'adequately provide for their sustainable transport requirements and mitigate their traffic impacts'.

5.0 PLANNING CONSIDERATIONS

5.1 In light of the relevant planning policy framework outlined the key planning issues to consider are believed to be as follows.

- Principle of the development.
- Scale, design, impact upon the character and appearance of the area
- Impacts upon the amenity of the area and biodiversity
- Access and parking/Impact on highways

5.2 Principle of the development

5.2.1 Core Policy 1 of the WCS sets out the 'Settlement Strategy' for the county, and identifies four tiers of settlement - Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages. Only the Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development/settlement boundaries. Core Policy 1 advises that development at Large and Small Villages will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities. Paragraph 4.17 explains that proposals for improved local opportunities outside the limits of development will not be supported unless they arise through neighbourhood plans, which are endorsed by the local community and accord with the Core Strategy.

5.2.2 In this instance there is a directly applicable Neighbourhood Planning policy (LM6) that very clearly states that, ‘Development proposals that seek to retain **or expand** (my emphasis) existing employment uses in the established main employment areas in the Parish will be supported’. The application site is one of the identified main employment areas and therefore the proposal which includes Use Class E(g) and Use Class B8 floorspace is acceptable in principle, in accord with the WCS and related Neighbourhood Plan, subject of course to those other considerations arising.

5.3 Scale, design, impact upon the character and appearance of the area

5.3.1 Core Policy 51 states that development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures. Core Policy 57 states that new development must relate positively to its landscape setting and the existing pattern of development by responding to local topography to ensure that important views into, within and out of the site are to be retained and enhanced. Development is required to effectively integrate into its setting and to justify and mitigate against any losses that may occur through the development.

5.3.2 Although the application site is not a “valued” landscape or a designated landscape specifically protected area within the NPPF there remains a need for the recognition of the site’s potential contribution to the character, appearance and visual amenity of the locality, and recognising the wider benefits from the natural capital and ecosystems (NPPF paragraph 187). However, the site is clearly visually contained and does not therefore have a significant impact on the wider landscape. Furthermore, it is a previously developed site, largely sealed with buildings and hardstandings, and where the established permitted development rights indicate there is a substantial tolerance for change.

5.3.3 The application development seeks to retain the established screen planting and includes additional planning that will soften the changes made when viewed within the site. There are though no truly public views, notwithstanding

that it is strongly maintained that the uniform upgrading of the architecture and subtle finishes will ensure the employment site is an enhanced and sensitive addition contextually. The proposal would therefore not have a harmful effect on the character of the existing employment site which will integrate harmoniously into the surrounding rural landscape, in accord with Core Policies 51 and 57 of the WCS as well as paragraph 187 of the NPPF.

5.4 Impacts upon the amenity of the area and biodiversity

- 5.4.1 The proposal development would not result in a change to the established access and although there are residential properties nearby the juxta position between employment and residential users is unchanged. Moreover, as the traffic generated by the lawful use of the site as well as existing road noise currently impacts the amenity of nearby residents the neutral change is reinforced. The enhanced development is not likely to result in significant additional harm above the permitted existing externalities. Indeed, the main single user (whose owner lives nearby) has a vested interest to maintain an acceptable residential environment, and as a more uniform user the previous mix of uses will be positively replaced as a less intensive operation.
- 5.4.2 The proposed use, which could be restricted and controlled by conditions limiting the class of use only to Class B8 as well as Classes E(g) (i) and E(g) (ii) for instance (storage and distribution and office uses), are generally acceptable in residential environments.
- 5.4.3 The site is located in Flood Risk Zone. The application is supported by a flood risk assessment, including a drainage strategy prepared by Cole Easdon. A moderate risk from ground water flooding is noted although no mitigation is considered necessary. In order to mitigate flood risk posed by post development runoff, adequate control measures will be provided within the site. This will ensure that flood risk is not increased elsewhere as a result of the development, in line with national and local guidance. Post development foul flows will be discharged to a package sewage treatment plant.
- 5.4.4 The other environmental impacts, affecting the area's biodiversity. Coyne Environmental Ltd has been instructed to undertake an Ecological Assessment of Oxleaze Business Park for the presence or absence of

features of ecological significance. A Preliminary Ecological Appraisal (PEA) has been carried out which did not find any evidence of areas of ecological importance on the site. A Biodiversity Net Gain (BNG) metric, has also been prepared in accordance with the Environment Act 2021, and achieved a 10.22% habitat net gain and a 10.28% hedgerow net gain with mitigation. This is set out in the accompanying Report.

5.4.5 The application site falls within the North Meadows SAC but the type of development proposed is not listed as one likely to give rise to a recreational impact.

5.5 Access and parking/Impact on highways

5.5.1 Cole Easdon have prepared a Transport Statement to accompany this application. The report provides a comprehensive assessment of the established highway network and capacity to accommodate the site's redevelopment, as well as the space within the site itself for parking and vehicle circulation. It concludes that based on the information provided, and when assessing the proposal in the context of NPPF, particularly paragraph 115 there will be no severe residual cumulative impacts resulting from the development, nor an unacceptable impact on highway safety.

6.0 CONCLUSIONS

6.1 The NPPF advises as follows, which are particularly relevant to the assessment of the application development;

Paragraph 85 states “planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development”

Paragraph 87 states “planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for: a) clusters or networks of knowledge and data-driven, creative or high-technology industries: and for new, expanded or upgraded facilities and infrastructure that are needed to support the growth of these industries (including data centres and grid connections);

Paragraph 88 states “Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses; ...”

Paragraph 89 states “Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.”

Paragraph 110 states the “planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, by limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making”.

Paragraph 116 states that “development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.

Paragraph 124 is clear that planning decisions should promote effective use of land in meeting the need for homes and other uses while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Paragraph 131 states “the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make the development acceptable to communities”.

Paragraph 135 states “planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of development;
- b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) Establish or maintain a strong sense of place, using the arrangements of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

Paragraph 136 highlights that “trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of

newly planted trees, and that existing trees are retained wherever possible
...

Paragraph 161 requires the planning system to support the transition to a low-carbon future in a changing climate, taking full account of flood risk. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience, and support renewable and low-carbon energy and associated infrastructure.

In respect of flood risk, Paragraph 170 highlights that development in areas at risk of flooding should be avoided by directing development away from areas at the highest risk (whether existing or future).

Paragraph 182 states that “Sustainable drainage systems provided as part of proposals for major development should:

- a) take account of advice from the lead local flood authority;
- b) have appropriate proposed minimum operational standards; and
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development;

Paragraph 187 states that “Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current

and future pressures and incorporating features which support priority or threatened species such as swifts, bats and hedgehogs;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.”

Paragraph 198 also states that “planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

a) mitigate and reduce to minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;

b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and

c) limit the impact of light pollution from artificial light on local amenities, intrinsically dark landscapes and nature conservation”.

6.2 The application complies with the national planning policy framework, and in accordance with paragraph 11 therein should be approved. There is by association no conflict with the stated Development plan policy framework, and indeed the redevelopment sits full square with the stated support in the Neighbourhood Plan.

6.3 Given the strong compliance with the development plan and the overarching national policy support for sustainable economic growth, it is evident that

planning permission should be granted. However, even if a decision-maker were to identify some degree of conflict with the development plan, the planning balance is firmly in favour of the proposed development due to its overwhelming economic, social, and environmental benefits. The proposed development is fully aligned with the adopted development plan and national planning policy, reinforcing Wiltshire's strategic economic objectives. In the absence of any policy conflict and given the overwhelming economic, social, and environmental benefits, the planning balance weighs decisively in favour of the proposals. Therefore, planning permission should be granted without delay.