

Pickwick Association



18/01410/FUL: Reconfiguration and substitution of house types on plots 44, 45, 52, 54 and 57 of the residential development approved under reference 16/03721/REM and 13/05188/OUT at Land North of Bath Road, Corsham.

This submission is made by the Pickwick Association in response to the public notices displayed on the boundary of the potential development site.

We have significant concerns on the proposals made by the applicant, Redrow Homes. *First*, the amendments are contrary to the detailed planning approval given by Wiltshire Council; *second*, the Design and Access Statement is misleading; *third*, the opportunity to take into account the considerable amount of relevant information provided to the Northern Area Planning Committee at its meeting on 6 September 2017 has been overlooked.

First, the amendments are contrary to planning approval

Despite considerable opposition (from individuals, organised groups and the Corsham Town Council) Wiltshire Council approved the detailed layout of the entire site in September last year. That detailed layout had been developed in consultation with Council Officers and in accordance with the discharge of relevant conditions by the applicant.

Condition 6 requires that:-

No development shall take place until details of the phasing of the development have been submitted to and approved in writing by the local planning authority. The details shall include the phasing of market and affordable housing units, public open spaces and equipped play areas. Development shall be carried out in accordance with the approved phasing details.

Application to discharge that condition was posted on the Council website on 22 June 2016 by way of the plan annexed. We can only assume that the phasing proposed has been approved in writing since no alternative phasing plan has been made available for public scrutiny. The phasing implicit in this latest application is thus contrary to that previously proposed and agreed in writing by the local planning authority. This application is simply contrary to planning consent given in respect of Application 16/03721/REM and to the Approved discharge of Planning Condition 6 under Application 13/05188/OUT. It should, therefore, be refused – or, alternatively, withdrawn pending the submission and approval in writing by the local planning authority of a revised phasing plan.

Second, the Design and Access Statement is misleading

Notwithstanding the fact that the Statement describes its authors as ‘*the pre-eminent planning and Development Consultancy in the UK*’ its content is factually wrong in several places. For example:-

- Para 2.5 alleges “The site’s southern boundary to Bath Road is formed by a stone wall” – in fact most of the stone wall has been demolished by Redrow (in part contrary to the provisions of layout plans submitted in the context of the discharge of planning conditions);

- Para 2.6 alleges that “Further west beyond Guyers Lane lies the Copenacre industrial estate located on Bath Road”. Even a casual observer might note that not only was Copenacre never an ‘industrial estate’ (it was a military establishment) but also that it has been demolished and replaced by housing;

It’s also misleading. For example:-

- Para 2.11 notes that “*The site is not located in an area identified as being at risk of flooding*” and;
- Para 2.12 notes that “*A comprehensive drainage strategy is proposed as part of the wider development which will take the form of a SuDS system that will capture surface water run-off from the development. No amendments to the approved drainage scheme are proposed under this application.*”

Whilst these statements in themselves are not challenged, they fail to deal with the concerns expressed by Councillor Hopkinson at the Planning Committee meeting (at which Litchfield’s were present). We accept that the area itself is not ‘at risk of flooding’. BUT it is partly the **source** of flooding further South East in Corsham. The proposals in the application increase the area to be covered with non-permeable surfaces and hence serve to increase the run-off and exacerbate the wider problem of flooding within Corsham. The Council’s drainage team had originally opposed this development pending receipt of the results of a comprehensive Corsham-wide study by internationally-esteemed engineering consultants into drainage that was commissioned by Wiltshire Council in immediate response to a very significant flooding event in late 2013. These results are – over four years later - still awaited. The application should, therefore be refused until the results of that study are available and have been assessed.

Third – no account has been taken of the concerns expressed at, and information provided to, the Northern Area Planning Committee

Given that Litchfield’s were present at the Committee meeting concerned, it is to be regretted that no attention has been given to the serious matters raised by those who spoke against the Reserved Matters Applications. These included local concerns on flooding (as rehearsed above). They also dwelt extensively with other matters – prime amongst which was:-

Site stability; The location of the proposed revisions to house types included in this application in within the zone at which quarrying beneath the site will be closest to the surface. Aside from concerns over noise and vibration – which remain to be dealt with in the context of the still outstanding Conditions 22 and 23 – our engineering geologist has urged that ground stability tests should be carried out – simply because of the propensity for undermined ground to subside if mining or quarrying is carried out at such shallow depths. Her analysis (provided to The Council as long ago as June 2017) states –

“Whatever the reason for the omission of an assessment of subsidence risk in a “Land Risk Assessment” relating to a site that will be undermined in the future, my findings relating to the probable shallower depth of future workings beneath the site than appears so far to have been assumed by all parties raises serious questions regarding the deliverability of this development. This is because the thicknesses of rock cover above the future workings may not be sufficient to prevent surface subsidence if, many years following mine closure, roof collapse were to occur. These long term liabilities do not arise to such an extent elsewhere in the old mine workings to the west and south-west of the site, where cover thicknesses beneath buildings are significantly greater, and probably sufficient to arrest the upward migration of any void arising from roof collapse before it reaches the ground surface.”

She adds - “In relation to Bath Stone mines generally, Forster et al (1985)²² stated that “A sound roof bed is required, and a minimum thickness of overburden to the mined stone is necessary to prevent surface subsidence. At present a minimum of 17 m is considered appropriate at Westwood Mine, near Bradford-on-Avon”.

Clear professional advice is that there should be a minimum cover of 17 m over a quarry void. At the location under application, the cover is approximately 12 m.

The opportunity now exists for the Council to insist that a land stability risk assessment should be made in respect of the revisions under application.

Other matters

The Council will have considerable experience in dealing with planning applications from national house builders. They will be used to developers' habits of seeking regular and apparently minor amendments to planning approvals. They will also be aware that the cumulative effect of such applications is usually designed to amend what was originally approved to be almost unrecognisable. In this case, we can no doubt expect Redrow (should Gladman be able to satisfy their outstanding Conditions) to seek to water down their commitment to 'affordable housing' ('not financially viable') and fail to 'find a taker' for the office accommodation – so replace that space with houses.

The Council should make it clear to Redrow that in no circumstances will any further amendments, however minor, be permitted. Let us compare these applications with cycling – where no rules were broken but fine margins were breached.

"Crossing the ethical line" is how the MPs put it.

Surely Redrow would put their own good name ahead of that?

Summary

The application should be refused because:-

- It proposes a phasing contrary to (discharged) Condition 6;
- The Design and Access Statement is unsatisfactory as it contains errors of fact and certain misleading generalisations including that concerning flooding ;
- No changes to site layout should be approved until the long-awaited consultants' drainage and flooding report is completed and approved by the Council;
- The question of land stability is once again ignored – a matter on which the Pickwick Association has given detailed evidence to the Council.

We also recommend that no further modifications to Conditions should be countenanced by the Council.

Pickwick Association

27 March 2018

Annex: Redrow submission on Condition 6

