

**REPORT OUTLINE FOR AREA PLANNING COMMITTEES****Report No.**

<b>Date of Meeting</b>	14/12/2017
<b>Application Number</b>	17/06734/FUL
<b>Site Address</b>	Former Piggery Buildings at Cotswold Farm, West Dean Road West Tytherley, Wiltshire, SP5 1QA
<b>Proposal</b>	Conversion of former agricultural buildings to 9 residential dwellings
<b>Applicant</b>	Mr & Mrs Simmonds
<b>Town/Parish Council</b>	WINTERSLOW
<b>Electoral Division</b>	WINTERSLOW – Cllr Christopher Devine
<b>Grid Ref</b>	425644 131969
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Matthew Legge

**Reason for the application being considered by Committee****1. Purpose of Report**

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be **approved**.

**2. Report Summary**

The application site consists of a number of disused agricultural buildings whose last use was that of a piggery. The buildings and the wider site are in a poor state of repair. A number of the agricultural buildings are being proposed to be demolished as part of this scheme. Officers consider that the 3 remaining buildings are capable of conversion in line with both local and national policy. The proposed conversion will retain the appearance and scale of the agricultural buildings and Officers consider that the residential use will in this instance have little detrimental impact on the character of the wider area. The residential conversions are considered by Officers to be the only practical proposition in this instance thus facilitating the demolition of a larger number of other redundant buildings and the general tidying up of the site that has laid redundant for an increasing number of years and is likely only to further deteriorate if planning consent is not granted. The scheme has no site specific objections from the consultees that could not be appropriately dealt with via planning conditions.

**3. Site Description**

The site is located on the western side of West Dean Road between the settlements of Winterslow and West Tytherley and is therefore located within the open countryside. The site comprises the central complex of buildings within Cotswold Farm that comprise a number of former piggery buildings that are vacant and which it is stated have been redundant for a number of years. There are other agricultural buildings that are located immediately to the north of the site, but which fall outside of the proposed development site.

There are a select number of residential properties in the vicinity of the site that were associated with Cotswold Farm, that may still be the subject to agricultural occupancy conditions. The existing agricultural buildings, together with the existing adjacent residential properties, form a small cluster of development to the western side of West Dean Road.

Further to the north, south and west are agricultural fields, beyond which to the west is a dense wooded area. On the opposite side of West Dean Road is a dense wooded area and beyond which is further agricultural land.

The site is separated from West Dean Road by a dense belt of trees, hedges and undergrowth that is located to the front of the site and that is the subject of a Tree Preservation Order (Area Order – TPO No1 West Dean).

The site is located within the open countryside and within the designated Special Landscape Area.

#### **4. Planning History**

The application site has a long planning history...the following are highlighted as being most relevant to this application:

**17/01111/PNCOU:** Prior notification under Class Q - Change of use of existing agricultural building to 3 dwelling houses (use Class C3) in the former piggery building, and for Associated Operational Development together with the removal of part of the building in order to form gardens. AC

**15/07152/PNCOU:** Prior notification under Class Q - Change of use of existing agricultural building to form 3 dwelling houses (use Class C3) in the former piggery building, and associated operational development together with the removal of part of the building in order to form gardens for the dwellings. AC

**15/00031/PNCOU:** Prior notification under class MB - for change of use of existing agricultural building to form 3 dwellings and associated works. REF

**13/00523/FUL:** Formation of new agricultural access. AC

**S/2004/0843/FUL:** New vehicular access and change of use of existing buildings and land from agricultural to B1, B2 and B8 uses. REF

#### **5. The Proposal**

This scheme proposes to undertake the demolition of 4 redundant agricultural buildings, part demolition of a further 3 redundant agricultural buildings and to convert a remaining 3 buildings into 9 residential dwellings with associated garages, garden areas and access.

#### **6. Local Planning Policy**

The Wiltshire Core Strategy (WCS) - adopted by Full Council on the 20<sup>th</sup> January 2015:

Core Policy 1: Settlement Strategy

Core Policy 2: Settlement Strategy

Core Policy 3: Infrastructure Requirements

Core Policy 23: Southern Wiltshire Community Area

Core Policy 41: Sustainable Construction and Low-Carbon Energy

Core Policy 43: Providing Affordable Homes

Core Policy 44: Rural Exceptions Sites

Core Policy 45: Meeting Wiltshire's Housing Needs

Core Policy 48: Supporting Rural Life  
Core Policy 50: Biodiversity and Geodiversity  
Core Policy 51: Landscape  
Core Policy 52: Green Infrastructure  
Core Policy 56: Contaminated Land  
Core Policy 57: Ensuring High Quality Design and Place-Shaping  
Core Policy 61: Transport and New Development

Saved policies of the Salisbury District Local Plan:

R2 (Open Space Provision)  
C6 (Special Landscape area)

Wiltshire Local Transport Plan 2011-2026:

Car Parking Strategy

Wiltshire and Swindon Waste Core Strategy

Policy WCS6 of the Wiltshire and Swindon Waste Core Strategy

Government Guidance:

National Planning Policy Framework (NPPF) March 2012  
National Planning Policy Guidance (NPPG)

Supplementary Planning Guidance:

Adopted Supplementary Planning Document 'Creating Places Design Guide' April 2006

## **7. Summary of consultation responses**

Winterslow Parish Council – Object  
WC Spatial Planning – Policy comments expressed  
WC Highways – Objection on sustainability grounds  
WC Ecology – No objection subject to conditions  
WC Conservation – No heritage value  
WC Public Protection – No objection subject to conditions  
WC Affordable Housing – None required  
WC Waste – Support subject to conditions  
WC Drainage – Objection (holding due to lack of details)  
WC Public Open Space – None required  
WC Landscape – None received  
WC Trees – No objection subject to condition  
Wessex Water – None received

## **8. Publicity**

1 letters of comment: - If planning is granted then the road speed limit should be reduced

1 letter of support:

- There does not appear to be any likelihood of any agricultural use in the foreseeable future
- The macroscopic appearance will be that of a residential development reflecting the history of the site and showing a respect for the buildings that will remain

## 9. Planning Considerations

### ***Principle of development***

The site lies outside the settlement boundary for Winterslow, as defined by the former Salisbury District Local Plan (adopted 2003) and carried forward and retained into the Wiltshire Core Strategy, which was adopted in January 2015.

Core Policy 2 (Delivery Strategy) states that

*“Outside the defined limits of development*

*Other than in circumstances as permitted by other policies within this plan, identified in paragraph 4.25 (of the adopted Wiltshire Core Strategy), development will not be permitted outside the limits of development, as defined on the policies map. The limits of development may only be altered through the identification of sites for development through subsequent Site Allocations Development Plan Documents and neighbourhood plans”.*

The exceptions policies referred to in paragraph 4.25 are as follows:

- Additional employment land (Core Policy 34)
- Military establishments (Core Policy 37)
- Development related to tourism (Core Policies 39 and 40)
- Rural exception sites (Core Policy 44)
- Specialist accommodation provision (Core Policies 46 and 47)
- Supporting rural life (Core Policy 48)

The settlement boundaries are currently being reviewed as part of the Wiltshire Housing Site Allocations DPD, as set out in the council’s Local Development Scheme, to ensure that they are up to date and can adequately reflect changes which have happened since they were first established. The DPD will also identify additional sites to ensure the delivery of housing land across the plan period in order to maintain a five year land supply in each Housing Market Area. A draft Plan was published for consultation between July and September 2017. The current published timetable for the Wiltshire Housing Site Allocations DPD will see the Plan submitted to the Secretary of State for an independent public examination in spring 2018. This application site has not been put forward as an allocation site or for inclusion in the extended settlement boundary for Winterslow.

Officers note the objection comments submitted from the Parish Council who also comment on the site’s non-compliance to the draft neighbourhood plan (NP). The Winterslow NP is at an early stage in its advancement but has undergone local comments and local review. However the NP has not yet been formally screened by the LPA and no date has yet been set for any referendum on the plan. NPs gain material weight as they progress through the process to being Made. The current NP is progressing, but at this stage officers must afford it limited weight.

Notwithstanding, even if this site is not highlighted in a future Neighbourhood Plan, Core Policy 48 is the primary exemptions policy for which the principle of this application will be considered. Proposals for the conversion and re-use of the piggery buildings for employment, tourism, cultural and community uses will be supported where they satisfy the criteria in Core Policy 48. Where there is clear evidence that the above uses are not practical propositions, residential development may be appropriate where it meets the same criteria.

## **Supporting rural life (Core Policy 48)**

Core Policy 48 supports the conversion and re-use of rural buildings for employment, tourism, cultural and community uses where they satisfy the following criteria:

- i. The building(s) is/are structurally sound and capable of conversion without major rebuilding, and with only necessary extension or modification which preserves the character of the original building.*
- ii. The use would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas.*
- iii. The building can be served by adequate access and infrastructure.*
- iv. The site has reasonable access to local services.*
- v. The conversion or re-use of a heritage asset would lead to its viable long term safeguarding.*

*Where there is clear evidence that the above uses are not practical propositions, residential development may be appropriate where it meets the above criteria. In isolated locations, the re-use of redundant or disused buildings for residential purposes may be permitted where justified by special circumstances, in line with national policy.*

The following paragraphs address the above matters.

### **Reuse for residential purposes**

CP48 requires the LPA to consider the *re-use* (officer emphasis) of rural buildings for employment, tourism, cultural and community uses. Prior to the submission of this application a pre application enquiry was considered for the B1, B2 and B8 uses. These proposed industrial uses received negative comments from both Public Protection and Wiltshire Council Highways due to the proximity of neighbouring dwellings and the rural road network being unsuitable for larger vehicles.

Officers also note that application S/2004/0843/FUL was refused for the use of the buildings for B1, B2 and B8. As such Officers consider that the primary considerations for uses such as employment are not practical propositions. The alternative uses such as those for community uses, tourism and cultural are also considered being undesirable due to the rural location of the site outside of the settlement boundary and the closest neighbouring settlement of Winterslow is understood to accommodate community facilities, and it is not clear whether there is any need for further community facilities in this location.

Consequently, the use of the buildings for residential would seem to be the only practical use of this site, particularly given that recent prior notification approvals have been granted for the residential use of some of the buildings on the site.

### ***Structural integrity***

One of the primary considerations of CP48 is the ability to convert the buildings without major rebuilding. This application proposes to convert a number of the buildings and to demolish a number. Officers are also aware that the Council have allowed the conversion of one of the largest buildings into three residential planning units in line with the Governments prior approval route under Part Q of the GPDO. Under this assessment of Part Q the Council have considered that the agricultural building was structurally sound and capable of conversion. This current application has submitted a Stability Reports for buildings 4, 6 and 7.

<u>Building</u>	<u>Convert or demolish</u>	<u>Proposed use</u>
1	Demolished	
2	Demolished	
3	Part Demolished	Remaining part retained by owner.
4	Converted	5 x 2 bed
5	Demolished	
6	Converted	2 x 2 bed
7	Converted	2 x 3 bed
8	Part Demolished	Remaining part retained by owner.
9	Demolished	
10	Demolished	



The buildings to be converted are considered by officers to be material similar to the buildings related to the PNCOU approval. The stability reports for the buildings provide an opinion that the buildings are capable of conversion without major rebuilding. Officers consider that in light of the approval of the PNCOU buildings that any refusal of the conversion of buildings 4, 6 and 7 (in terms of structural stability) would be difficult to fully justify come any appeal.

### ***Impact on landscape character***

Criteria ii of CP48 in part requires the LPA to consider if the use would detract from the character or appearance of the landscape or settlement. Further to the north, south and west are agricultural fields, beyond which to the west is a dense wooded area. On the opposite side of West Dean Road is a dense wooded area and beyond which is further agricultural land. The immediate site is known to be disused for a number of years and the buildings associated with the former piggery have been left dormant with no active agricultural issue. There is a tree belt along the highway which is protected by a TPO.

The site is located within the open countryside and within the designated Special Landscape Area, a local designation for the conservation of the natural beauty of the landscape, where the impact of development upon this should be considered very carefully. Whilst this is not a restrictive designation, in accordance with 'saved' Policy C6 of the SDLP where development is acceptable the siting, design and scale of proposals should be sympathetic with the landscape.

Officers consider that the site cannot be characterised as being previously developed due to the definition excluding agricultural buildings.

Given the remote location of the site in the open countryside, the proposed conversion development may be visible across the adjacent open agricultural land and in views from the wider landscape. As such, it will be necessary for officers to determine whether the application can demonstrate that the proposal will maintain and where possible enhance the quality of views of the site within the Special Landscape Area. With this in mind, it is advised that the soft landscaping and boundary treatment of the development site, both in terms of the retention and protection of existing planting and additional planting as reinforcement, will need careful consideration to minimise any impacts on the site surroundings as a result of the scheme, as will any lighting scheme, to ensure this is not an intrusive feature within the wider landscape.

This application proposes the conversion of the buildings and as such the external appearance of the dwellings will resemble the form of the agricultural buildings. The application has argued that the conversions will not be detrimental to the landscape character due to the design and massing of the buildings being largely maintained albeit a number of the buildings are also proposed to be

removed. The removal of the redundant agricultural buildings is considered to be improvement to the landscape setting but Officers do note that the removal of the buildings could be undertaken without the creation of residential development.

The impact of the residential use of the site is a more crucial judgement. As mentioned, Officers are aware of the prior approval for the creation of three dwelling units to the south of the site. Thus a residential use of a part of the site has already been permitted by virtue of Government direction. The grant of the prior approval application is conditioned upon the demolition of buildings 1 and 2 and this demolition is continued to be proposed within this current scheme. Residential development has thus already crept into the site and the officers are aware that there are neighbouring dwellings both to the north and south of the site. In order to refuse the application the development will have to evidence that the residential use is harmful to the landscape setting. Officers in having to weighing up the balance are minded to consider that the residential use over the remaining site through the conversion and reuse of the agricultural buildings (retaining their form and scale) is not demonstrably harmful to the landscape setting to such a degree where a refusal could be imposed on this element alone.

Officers are also aware that CP48 directs the reader to the NPPF paragraph 55 which sets out the special circumstances where isolated residential development in the countryside is permitted subject to a number of criteria which in part includes where development would reuse redundant or disused buildings and lead to an enhancement to the immediate setting.

It is clear that Government wishes to support residential development and these buildings would fall under this category of being disused and the proposed conversions being a reuse and not a rebuild. The immediate setting is not fully set out within the definitions of the Framework but Officers considered that the exception is in line with criteria ii of CP48. Given the Governments permitted allowances over the conversion of disused buildings together with the aim of the Framework to limit the assessment criteria to the enhancement of an immediate setting, Officers are minded to consider that on balance the scheme has some benefits to the immediate setting through the loss of 7 of the disused rural buildings. The conversions are undertaken in a manner to maintain the external form and character of the buildings and the development will result in the clearing and generally tidying up of the site.

### ***Neighbouring amenity***

Criteria ii of CP48 in part requires the LPA to consider if the use would be detrimental to the amenities of residential areas.

With regards to residential amenity it is considered that the proposed development will be separated by the existing buildings immediately to the north and south of the site and sufficiently distanced from the nearby residential properties that it will not have an adverse impact in terms of overlooking, loss of light or overshadowing.

### ***Access to Infrastructure & local services***

The site is indeed outside of the settlement boundary and is as such in the countryside. The settlement of Winterslow is a large village as designated by core policy 2 of the Wiltshire Core Strategy (WCS). CP2 comments that outside of defined development limits of development, development will only be permitted unless it complies with other policies of the WCS as set out in paragraph 4.25. One of these exceptions policies referred to is CP48. As such CP2 does allow development as long as it complies with the criteria contained within CP48.

One such criteria is the reasonable access to local services and that the site can be served by adequate access and infrastructure. Large villages are considered by CP1 to have a limited range of employment, services and facilities. Winterslow is defined as a large village and as such there is a WCS recognition of services and facilities. CP48 references reasonable access and it is officers balanced view that the large village is accessible by a short car drive. Wiltshire Council Highways have raised a sustainable objection due to the lack of a pedestrian link and the likely dominant use of the private car. However Officers consider that when having to weighing up the planning balance that the sustainability argument is likely to be difficult to support come any appeal due to the close proximity of the village of Winterslow with its recognised (albeit limited) services and facilities. Also the draft Winterslow NP is promoting 2 sites of up to 15 dwellings within locations which officers consider to be equally separated from the village settlement boundary as is this proposal site.

The site is understood by Officers to have connections to local services such as electricity and water. Wiltshire Council Waste has supported the application subject to conditions to ensure that site will be adequately drained and that foul waste appropriately disposed. Wiltshire Council Drainage has objected to the application due to lack of information over the ability of the site to be drained. However such objections can be met by the imposing of conditions to require full details of the chosen drainage scheme.

Wiltshire Council Waste has commented that *"The council requires an indemnity in order to operate on any roads that are not adopted, including during any period where the council needs to deliver waste collection services prior to adoption."*

### ***Impact on Highway safety***

Wiltshire Council Highways have not raised any objection to the current access to the site which was approved under application 13/00523/FUL. The site has onsite parking and officers do not considered that there will be pressure to park on the highway. It is considered that a modest residential reuse of the site may well be preferable to an industrial or commercial reuse.

Wiltshire Council Highways have continued to comment *"I understand that the access has been approved under application 13/00523/FUL therefore the conditions below relate to the internal layout only. The internal layout would not meet the necessary requirements to be acceptable for future adoption and therefore should remain private. However, a regime for future maintenance should be put in place..."*

### ***Impact on Ecology***

Wiltshire Council Ecology has raised a holding objection to this application given the concerns over the submitted ecology report. As a result the report has been altered to address the concerns and the scheme has been altered to reduce the number of units to be converted and to ensure that the vegetation along the highway will not be impacted by the proposed development. The updated ecology report has been reviewed by Wiltshire Council Ecology who has suggested that a number of conditions are placed upon any approval. The conditions are considered to be related to the development and relevant and as such the conditions can be imposed upon any planning approval to mitigate against any ecology concerns.

### ***Impact on Trees (TPO)***

There is a line of trees along the road which is subject to a TPO. The application scheme has been amended to remove the conversion of one of the units along the road site due to the proximity of these protected trees. Subsequently officers concerns over the harm to the trees have been



mitigated and the Council's Tree Officer has raised no objection subject to the imposing of a condition to control the method of demolition of buildings and hard surfacing materials.

### ***Drainage***

Officers note the concerns raised by WC Drainage in terms of lack of details or conflicting information in terms of foul waste disposal. However it is common in such circumstances to secure additional information and details by condition. A refusal on drainage grounds is not considered to be robust given the wide availability of onsite drainage solutions for foul/surface water and the ability to secure appropriate drainage solutions post any approval. Such drainage details will be considered by the WC Drainage team and the condition only granted once the drainage strategy is deemed to be acceptable.

### ***CIL***

This development is subject to the Community Infrastructure Levy. Wiltshire Council has adopted a Community Infrastructure Levy (CIL) charging schedule on 18<sup>th</sup> May 2015. CIL is a charge that local authorities can place on new development in their area. The money generated through CIL will contribute to the funding of infrastructure to support growth. Whoever has assumed liability for the development would be liable to make payment to Wiltshire Council for this type of development subject to the compliance with the exemption criteria.

## **10. Conclusion (The Planning Balance)**

The application site consists of a number of disused agricultural buildings whose last use was that of a piggery. The buildings and the wider site are in a poor state of repair and the Council in the recent past has granted consent for the creation of a new agricultural vehicular access and granted prior notification consent to convert one of the largest of the agricultural buildings into 3 residential dwellings. Also the Council has in the recent past refused an application for the conversion of the units for commercial activities.

This application now seeks to fully demolish 4 of the agricultural building with part demolition of a further 3 and to convert 3 retained buildings into 9 residential market residential units. The conversion will retain the appearance and scale of the agricultural buildings and Officers consider that the residential use will in this instance have little detrimental impact on the character of the wider area.

In considering the application Officers consider that the 3 remaining buildings are capable of conversion and that the only practical proposition in this instance is to allow the 3 retained buildings to be converted thus facilitating the demolition of a larger number of other redundant building and the general tidying up of the site that has laid redundant for an increasing number of years and is likely to remain as such if planning consent is not granted as recommended by officers.

**RECOMMENDATION:** Approval subject to 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:

DRG No. Site Location Plan	29/08/2017
DRG No. SL01C (Site Layout Plan)	24/10/2017
DRG No. SL02A (Drainage Layout)	24/10/2017

DRG No. P.1-5.pe (Proposed units 1-5)	03/08/2017
DRG No. P.6-7.pe (Proposed units 6-7)	03/08/2017
DRG No. P.8-9.pe (Proposed plots 8-9)	03/08/2017
DRG No. GAR.pe (Garage – plots 5&6)	24/10/2017

Demolition Plan in Page 9, Section 3.0 of the Planning Statement (Southern Planning Practice Ltd) received on 17 November 2017

Ecology Report by Kingfisher Ecology. Ref CFS-021117 and dated 29/11/2017

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

3. No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment shall be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

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

4. No part of the development shall be occupied/first brought into use until all the existing buildings on site (as identified for demolition within page.9/section 3.0 of the updated Planning Statement (Southern Planning Practice Ltd) received on 17 November 2017) have been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.

REASON: In the interests of the character and appearance of the area and neighbouring amenities.

5. No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission.

6. No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

REASON: In the interests of visual amenity and the character and appearance of the area.

7. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission

8. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) 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, unless otherwise agreed in writing by the local planning authority. 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.

9. No development shall take place on site, including site clearance, storage of materials or other preparatory work, until an Arboricultural Method Statement, has been submitted to the Local Planning Authority and approved in writing, Thereafter the development shall be undertaken only in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Arboricultural Method Statement shall show the areas which are designated for the protection of trees, shrubs and hedges, hereafter referred to as the Root Protection Area. Unless otherwise agreed, the RPA will be fenced, in accordance with the British Standard Guide for Trees in

Relation to Construction (BS.5837: 2005) and no access will be permitted for any development operation.

The Arboricultural Method Statement should specifically include details of how demolition (of buildings and hard surfacing) will be carried out without causing root damage to adjacent trees.

The Arboricultural Method Statement shall include provision for the supervision and inspection of the tree protection measures. The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the Local Planning Authority has been given in writing.

REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction.

10. No part of the development hereby permitted shall be brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

11. The development hereby approved shall not be first occupied until a scheme for the future maintenance of the roads and other communal areas has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that satisfactory arrangements for the future maintenance of those areas are in place.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-H shall take place on the dwellinghouses hereby permitted or within their curtilage.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

13. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission

14. No development shall commence on site until details of the works for the disposal of sewerage including the point of any connection to existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission

15. The development hereby approved shall be carried out in strict accordance with the recommendations made in sections 4.4, 5, 7.3 and Appendix A of the approved Preliminary Ecological Appraisal, Preliminary Roost Assessment and Phase 2 Bat Survey Report (Kingfisher Ecology Ltd, updated 29<sup>th</sup> November 2017), and with liaison with a suitably qualified and competent ecological consultant. This must include precautionary working methods during site clearance as well as during the construction and operation of the development.

REASON: To ensure adequate protection and mitigation for wildlife including protected species, and to ensure compliance with wildlife legislation and Core Policy 50 of the Wiltshire Core Strategy.

16. There shall be no removal of trees or vegetation along the eastern margin of the application site as this habitat has been stipulated as being retained within the approved Preliminary Ecological Appraisal, Preliminary Roost Assessment and Phase 2 Bat Survey Report (Kingfisher Ecology Ltd, updated 29<sup>th</sup> November 2017). In the event that removal of trees or vegetation within this area is required, this cannot be undertaken without prior written approval from the local planning authority who will require the submission of plans accompanied by details of ecological mitigation measures.

REASON: To ensure retention of habitats likely to be used by wildlife, potentially including protected species.

17. No development shall commence on site until a detailed Ecological Mitigation and Enhancement Strategy has been submitted to, and approved in writing by the local planning authority. The strategy must include:

- i) Details of habitat retention and protection and illustrated on a plan.
- ii) Pre-construction and construction method statements including full details of avoidance and mitigation measures and any pre-commencement checks and surveys required to provide adequate mitigation for wildlife, including protected species. This must include details of the 'destructive search' recommended with respect of B7 in section 7.3 of the approved Preliminary Ecological Appraisal, Preliminary Roost Assessment and Phase 2 Bat Survey Report (Kingfisher Ecology Ltd, updated 29<sup>th</sup> November 2017).
- iii) Comprehensive details of ecological enhancement measures recommended in section 5 of the approved Preliminary Ecological Appraisal, Preliminary Roost Assessment and Phase 2 Bat Survey Report (Kingfisher Ecology Ltd, updated 29<sup>th</sup> November 2017), including planting to encourage wildlife and bat roosting provision, with specifications and proposed numbers and positions to be shown on accompanying plan(s).

Development shall be carried out in strict accordance with the approved strategy.

REASON: To ensure appropriate protection and mitigation for ecological receptors, including species and habitats, and to provide biodiversity gain in line with NPPF and Core Policy 50 of the Wiltshire Core Strategy.

18. No new external lighting shall be installed at the application site without prior written approval from the Council. Any plans for new lighting must be submitted to the Council for consideration and approval and must include details of mitigation measures to minimise the potential for impacts on roosting bats at the site. Thereafter, new lighting must be installed and operated in strict accordance with the approved lighting plan.

REASON: To ensure appropriate mitigation for roosting bats, and to ensure compliance with wildlife legislation and Core Policy 50 of the Wiltshire Core Strategy.

19. Before development takes place, a lighting plan and design strategy for biodiversity shall be submitted and approved in writing by the local planning authority. The strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for wildlife, especially bats, and that are likely to be sensitive to disturbance as a result of light spill, including commuting/foraging/dispersal routes and;
- b) Illustrate on associated plan(s), the position of proposed luminaires together with lux plot/lighting contour plans so that it can be clearly demonstrated that areas identified as likely used by protected species, notably bats, will not be subject to disturbance as a result of light spill.
- c) Specify luminaires, heights and positions of fittings, direction and other features, e.g. cowls, louvres or baffles

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To minimise light spillage and to ensure no illumination of sensitive areas for protected species.

20. Before development takes place, a Landscape and Ecology Management Plan shall be prepared and submitted to the local planning authority for approval. The development site shall be managed and maintained in accordance with the measures set out in the approved plan in perpetuity unless otherwise agreed in writing with the local planning authority.

REASON: To ensure the appropriate management of priority habitats and mitigation for protected species.

#### INFORMATIVE

1. Wiltshire Council Waste Management will require an indemnity signed in order to operate on any roads that are not adopted and Wiltshire Council would need vehicle tracking to prove that Wiltshire Council's Refuse Collection Vehicles can move through the development and turn at the ends of roads.

2. The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any [protected species](#), or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced [ecologist](#) and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's [website](#) for further information on protected species.

3. The applicant should note that the works hereby approved involve the removal and disposal of asbestos cement roofing. Should only be removed by a licenced contractor Asbestos waste is classified as 'special waste' and as such, can only be disposed of at a site licensed by the Environment Agency. Any contractor used must also be licensed to carry 'special waste'.

4. The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting

place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please visit the following websites for more information:

- <http://www.wiltshire.gov.uk/planninganddevelopment/biodiversityanddevelopment.htm>  
<https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>