

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

Date of Meeting	17 February 2016
Application Number	15/11230/OUT
Site Address	Land east of Oxford Rd (Site B), Calne, Wiltshire, SN11 8RS
Proposal	Outline Planning Application for up to 42 Dwellings with Associated Landscaping, Parking, Open Space & New Vehicular Access (All Matters other than Means of Access Reserved)
Applicant	Hollins Strategic Land LLP
Town/Parish Council	CALNE
Electoral Division	CALNE NORTH – Cllr Glenis Ansell
Grid Ref	400463 172438
Type of application	Full Planning
Case Officer	Chris Marsh

Reason for the application being considered by Committee

The application has been called in to Committee by the local Member, in order to consider the relationship to adjoining properties and environmental/highways impacts of the proposal.

1. Purpose of Report

To consider the application and recommend that authority is delegated to the Area Development Manager to GRANT planning permission, subject to conditions and completion of a S106 legal agreement within six months of the date of the resolution of this Committee.

In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Area Development Manager to REFUSE planning permission.

2. Report Summary

The key issues in considering the application are as follows:

- Principle of development
- Impact on the context and character of the site
- Highways impacts
- Ecology, archaeology and contamination
- S106 contributions

Calne Town Council has objected to the application, citing the over-delivery of housing at Calne and prospective imbalance with employment uses, to which the site would be better suited.

One letter of objection has been received in respect of the proposals.

3. Site Description

The proposal relates to a regularly-proportioned parcel of land lying immediately East of Oxford Road, outside of the saved development framework boundary albeit directly abutted by land within in it to the North and West, on the northeast side of Calne. The nearest development is an electrical substation immediately south, with Porte Marsh industrial estate lying directly opposite to the West of Oxford Road. There is also a pair of early-mid C20th dwellings on the opposite side of this part of Oxford Road, whilst the older scattered hamlet of High Pen lies between 100 and 600m to the northeast. The site measures 1.3ha in size and its most recent use has been as medium-grade agricultural land, lying as it does at the foot of the North Wessex Downs AONB, the nearest part of which lies approximately 2km to the Southeast. The site is bounded on three sides by mature native hedgerow interspersed with modest trees – particularly on its eastern side – and a more modest wire fence along its southern boundary, over which an overhead line traverses the site from South to North from the substation. The hedgerow boundary to Oxford Road is well maintained and set back behind a narrow highway verge and ditch, with an historic field gate at around the midpoint.

4. Planning History

There is no planning history relating directly to the application site.

The following relates to the land immediately north:

N/08/01384/OUT	Erection of Commercial and Light Industrial Units (B1 and B8) - <i>refused</i>
N/09/00862/OUT	Proposed B1 (Business) and B8 (Storage & Distribution) Premises – <i>permitted</i>
N/12/03628/OUT	Proposed B1 (Business) and B8 (Storage & Distribution) Premises (Renewal of 09/00862/OUT) - <i>permitted</i>
14/07602/OUT	Erection Of Up To 41 Dwellings (Outline) – <i>refused</i>
15/12431/OUT	Proposed Erection of up to 41 Dwellings (Access Only, All Other Matters Reserved) (Re-Submission of 14/07602/OUT) – <i>pending determination</i>

The following planning history is also of relevance in relation to the land East/southeast:

N/11/02552/SCR	Screening Opinion - Outline Planning For up to 200 Homes Together With Public Open Space & New Access
N/11/03524/OUT	Outline Planning Application for up to 200 Dwellings and Associated Works – <i>permitted on appeal</i>
15/05831/REM	Reserved Matters Application to N/11/03524/OUT Regarding Layout, Landscaping, Scale & Appearance: for 200 Dwellings; Internal Roads & Footpaths; Garages, Parking; Public Open Spaces & Landscaping. – <i>pending determination</i>

5. The Proposal

The proposal relates to the erection of up to 42no. dwellings, together with associated access and landscaping, at Land East of Oxford Road, Calne. All matters except the site access – including layout, design and landscaping – are reserved for later consideration however the indicative layout shows a typically suburban pattern of development commensurate with the proposed density. Access is to be obtained directly from Oxford Road, at approximately the location of the existing agricultural access. From this point, visibility spays to 160m in either direction, relating to the 50mph speed limit in this location, are to be provided, for which it may be necessary to remove and re-plant the existing hedgerow to facilitate this whilst providing a defensible boundary in the longer term.

6. Planning Policy

Core Policies 1 (Settlement strategy), 2 (Delivery strategy), 3 (Infrastructure requirements), 8 (Spatial strategy; Calne Community Area), 43 (Providing affordable homes), 50 (Biodiversity and geodiversity), 51 (Landscape), 55 (Air quality), 57 (Ensuring high quality design and place shaping), 60 (Sustainable transport) and 61 (Transport and development) of the Wiltshire Core Strategy, adopted January 2015.

Saved Policies NE14 (Trees, site features and the control of new development) and NE18 (Noise and pollution) of the North Wiltshire Local Plan 2011.

Paragraphs 14, 17, 47, 49, 109, 112 and Sections 7 (Requiring good design) and 11 (Conserving and enhancing the natural environment) of the National Planning Policy Framework, March 2012.

7. Summary of consultation responses

Calne Town Council – objections, on the following grounds:

- *Calne and Calne Without have both exceeded their indicative housing numbers up to 2026 in accordance with Wiltshire Core Strategy requirements.*
- *There is a secure 5-year land supply for the North of Wiltshire.*
- *The strip of land east of Oxford Road was identified many years ago by North Wiltshire District Council as being suitable for mixed residential and industrial use; this designation was adopted by the unitary Wiltshire Council when the Districts were disbanded.*
- *As permission has already been granted for 200 houses on the strip of land east of Oxford Road just north of the junction with Sandpit Road, the remainder of the land which is situated on the opposite side of Oxford Road to the Porte Marsh industrial estate should be developed for industrial use in order to maintain the industrial/residential balance designated for this area.*
- *To allow housing on this site would create an isolated community with no services separated from the rest of the town. [This] is not a viable or sustainable situation and is therefore not in keeping with the Core Strategy.*

Spatial Plans – support

Highways – no objection, subject to conditions

Environmental Health – no objection, subject to conditions and S106 contributions

Landscape – no objection, subject to protection of important site features
Ecology – no objection, subject to conditions
Trees – no objection, subject to conditions
Archaeology – no objection, subject to conditions
Drainage – no objection, subject to conditions
Wessex Water – no objection, subject to condition

8. Publicity

The application was advertised by press advert, site notice and notification letter.

One letter of objection was received from a near neighbour, citing the capacity for the size and scale to impact adversely on the character of High Penn, unsafe access, inadequate local infrastructure and potential flood and ecology impacts of development.

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Principle of development

The site lies outside of the saved development framework boundary for Calne, albeit that this nonetheless abuts the site to the West, along Oxford Road, and immediately North, where the adjacent parcels of land are allocated for future employment growth. In the strict terms of Core Policy 2, the proposals are not supported as they would result in the protrusion of residential development into the open countryside. As identified by the Council's Spatial Plans Officer, however, there is currently some uncertainty over the Council's ability to demonstrate a robust 5-year supply of deliverable housing following the Inspector's decision at Arms Farm, Sutton Benger. As the Inspector concluded that Core Policy 2 carries little weight at the current time, the application falls to be considered in the context of Paragraphs 14 and 49 of the National Planning Policy Framework and permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or if specific national policies indicate that development should be restricted. It should be noted that, in line with the Inspector's decision, Core Policy 1 remains a robust, up-to-date policy consideration.

Consideration must also be given to nearby planned development, in particular at Sandpit Road further south, where a 200-unit scheme is to extend alongside Oxford Road to enclose much of the application site's eastern boundary (11/03524/OUT refers). Matters reserved by condition to this scheme are currently under consideration (15/05381/REM refers). Although the site was omitted from the suggested revisions to the development framework boundary subject to informal consultation in Summer 2014, these were largely derived from the envelope of development already permitted in this area, with no additional housing land required at Calne over the remainder of the plan period. Taking this into consideration – in conjunction with the existing framework

boundary and allocated employment site and electrical substation bordering the site to the West, North and South respectively – it would be illogical to omit this site from consideration for prospective development altogether.

Whilst the potential for the site to be brought forward for commercial/industrial purposes has been advocated by other parties, the site does not fall within the employment allocation for Calne, which was tested robustly in the examination of the then emerging Wiltshire Core Strategy as recently as December 2014. As the adjacent site to the North remains available and deliverable in respect of such development, it is considered appropriate that this land instead comes forward for employment use, addressing the identified imbalance in the delivery of housing and employment over the plan period. The application must be treated on its individual merits and in the context of the material circumstances referenced above. There is no sequential policy mechanism in respect of new development that would require the consideration of the relative value of alternative uses of the site in this instance.

Some legitimate concern is raised in respect of the development's capacity to exacerbate the current imbalance between the delivery of housing on one hand and employment, infrastructure and local services on the other. This is a real impact of development and a disbenefit of the scheme when considered in the context of Core Policy 8, which identifies this imbalance as a risk to Calne's self-containment and thus sustainability as a settlement. This consideration must be weighed in the planning balance against the benefits of the scheme and other material considerations, as addressed in the conclusions below. It should be noted that it is not anticipated that residential development of this site will sterilise the delivery of employment on neighbouring land as already allocated over the plan period.

Impact on the context and character of the site

As previously discussed, the surrounding character of the site will be altered permanently and profoundly by the adjacent scheme for 200 dwellings, rendering the residual pocket of Greenfield land subject of the current application of limited amenity value in the wider context. Notwithstanding this considerable change in circumstances, even with no development actually yet commenced on the adjacent site, it is considered that the application site contributes relatively low agricultural or amenity value that would weigh particularly in favour of its protection as locally valued countryside. The site is of unassuming appearance and does not contribute significantly to the quality or purpose of the North Wessex Downs AONB, from which it is distinctly separated by the steeply sloping intervening landform. Accordingly it is considered that the proposed development of this site with a high quality, locally characteristic residential development will not generate any permanent significant adverse landscape or visual effects, other than the obvious localised permanent change of the site area itself from farmland to a new residential use. The impact on the distinctive rural character of High Penn has been identified, rightly, as a concern. Careful consideration will be required at the reserved matters stage to ensure that there is no abrupt change in character between the site and the nearby cluster of properties; this may be achieved through structural landscaping including hedgerows to limit inter-visibility. This is not in itself a reason to refuse outline

planning permission, particularly when considered in context of the adjacent employment allocation and large-scale housing site, and can be addressed by condition.

The proposed development is able to demonstrate capacity for the retention and, where necessary, re-planting of the native hedgerow that is characteristic of the site and the immediate area. This will also provide a degree of visual filtering of views into the site once developed, as well as enhancing residential amenity by reducing wind and noise reaching private amenity space. Although layout and design are reserved matters, the Design & Access Statement details two-storey detached dwellings consistent with the prevailing character of this part of Calne. It is considered that an appropriately designed development, including associated access and landscaping, could be accommodated in a satisfactory manner without compromising the integrity of important site features. The introduction of a new access onto the highway will be a significant change however it is noted that there are already several such entrances on this part of Oxford Road and accordingly it cannot be said that this will be unduly out-of-keeping once established. It should be noted that the Council's Landscape Officers in consultation with the case officer have raised no objection to the scheme proposals on the grounds of harm to the character and appearance of the locality subject to the use of conditions.

Highways impacts

The proposals have been considered by the Council's Highways Officer, who has had particular regard to the proposed access arrangements as full details of these have been provided at this outline stage. The Officer is satisfied that the proposed splayed access arrangement as detailed on plan 1097-F01 will be adequate in relation to the size and type of development proposed, making provision for visibility of 2.4 x 160m in both directions; appropriate in light of the 50mph speed limit in this location. This configuration may require some hedgerow removal however it is considered that the indicative quantum of development will enable this to be re-provided in due course, in order to protect this important landscape feature and habitat.

The Officer has noted the tandem pursuit of residential development on the adjacent site to the north, both through the application and appeal processes, and recommends that a shared access would be a considerable improvement over separate entrances to the two sites. This appears to be agreed by all parties. As the southern site access would be preferable in any case, and as there is no residential permission in place in respect of the neighbouring site, this point does not attract significant weight. The remainder of the proposed access/circulation is indicative at this time but indicates a typically suburban pattern terminating the suitable turning heads and private driveways; it should be noted however that the indicated parking courtyards would not be supported as detailed designs. Accordingly, no concerns are raised as regards highways layout at this time. It has been noted that final layout will also need to conform to the Council's adopted parking standards, including the provision of visitor spaces and garages as appropriate.

In terms of the wider highways impacts of the site, the Highways Officer has concluded that the volume of traffic generated by the scheme is unlikely to impact to a critical extent on traffic congestion in Calne, although this is noted to be an issue locally. It will however introduce additional vehicular movements and accordingly it is considered

reasonable and necessary that this is mitigated through suitable concessions to local sustainable transport such as a Travel Plan, to be submitted and agreed in due course. In order that the development is served properly other than by private vehicle, and to incentivise such means of accessing the development, a series of off-site pedestrian/cycle works are set out by condition. Subject to the provision of the above measures, it is considered that the transport impacts of the development can be suitably mitigated and on this basis no objection is raised on highways grounds.

Ecology, archaeology and contamination

Whilst it is not considered that the site presents any specific barriers to development in respect of on-site ecology, archaeology or contamination, a precautionary approach is recommended in all respects. The application refers to the full Phase 1 Habitat Survey undertaken in respect of the adjoining land, concluding the site to be of value in respect of both bird and amphibious populations. In this instance, the most significant disruption is likely to be brought about by the almost wholesale removal of the western hedgerow running alongside Oxford Road, which is likely to be a local resource for birds. The scheme does however make provision in the longer term for the reinstatement of native hedgerow along this boundary and given the relative resilience of affected species together with the retention of robust landscape features elsewhere on the site perimeter, it is not considered likely that the development will result in significant adverse ecological impacts. No detrimental impact is anticipated at this stage in respect of protected species and therefore subject to adherence to the recommendations of the previous Phase 1 survey report, to be secured by planning condition, no objections are raised by the County Ecologist in respect of the proposals.

There is no known historical use of the site likely to have resulted in significant ground contamination issues, as confirmed by the contamination report that accompanies the application. However, previous agricultural activity can result in concentrated and invasive contamination that may not be evident upon undertaking an initial survey of the site surface. To this end, the Council's Public Protection Officer has recommended a precautionary investigation condition to ensure that any suspected contamination subsequently encountered is properly investigated, reported and, if necessary, remediated. A similar watching brief approach is to be adopted in respect of any on-site archaeology; although a desk-based survey did not present any significant findings, a condition is recommended as a mechanism for dealing appropriately with any buried archaeology subsequently encountered during the course of construction or further investigation.

Other matters

The site is located within the search area for the Calne Air Quality Management Area (AQMA), the purpose of which is to monitor, manage and mediate poor air quality focused around the centre of Calne. The Council's Environmental Health Officer has recommended that as no Air Quality Assessment indicating that the scheme would not adversely affect local air quality has been provided at the time of writing, a planning contribution is required in order to offset any likely impact in this regard. This contribution will be spent on monitoring and mitigation initiatives within the AQMA.

The Council's Trees Officer is satisfied that the proposals do not put under threat any of the trees of acknowledged quality and amenity value as identified in the submitted arboricultural assessment. Measures for the successful incorporation and protection of retained trees can be secured via a suitable Arboricultural Method Statement (AMS) in due course, and this approach is consistent with the strategic objectives for the landscaping/screening of the site if developed for housing. Some trees may also be of limited value for bat populations.

Comments have been received raising concerns that the development of the site could cause short term disruption of utilities to the properties at High Penn. Whilst to a significant extent this will rely upon the due diligence of the developer, an agreement in respect of water and sewerage connections under S104 of the Act will be required in any case, providing the statutory undertaker with the opportunity to agree an appropriate scheme of works. Both Wessex Water and the Council's Drainage Engineer have confirmed that no objection is raised, subject to subsequent agreement of suitable means of foul and surface water drainage from the site, which may include off-site works as necessary.

10. S106 contributions

The site generates a requirement for the provision of 30% on-site affordable housing, to be provided in an integrated manner across the application site as agreed at the reserved matters stage. The type and tenancy mix shall be negotiated with the Council's Housing Officers to ensure a 'best fit' for local housing needs.

Under Core Policy 3, the proposal also generates a requirement for the provision of on-site public open space proportionate to the final housing mix, indicated on the submitted layout plan and to include a modest proportion of equipped play.

The development will generate a significant influx in population to this part of Calne, placing additional demand on local primary and secondary education provision. However, the Council's Education Officer has advised that the Council has sufficient S106 receipts to fund expansion schemes at Priestly Primary School and John Bentley School, such that any future provision should be recouped through the Community Infrastructure Levy (CIL) in this instance.

As set out above, the proposal also attracts planning contributions in respect of air quality management. All planning obligations are summarised at **Appendix A**, together with indicative breakdowns where appropriate.

11. Conclusion (The Planning Balance)

The proposal makes provision for up to 42 residential units on a sustainably-located site on the outskirts of Calne, a settlement identified as being capable of delivering significant growth over the Core Strategy plan period. Whilst the minimum housing numbers for the town have already been exceeded, it is concluded that when considered in context the proposals are acceptable in their own right and will not

prejudice the fulfilment of sustainable development objectives as set out in local and national planning policy.

The development will attract benefits through the provision of both market and affordable housing, together with economic benefits during the construction phase. Weighing against the proposals are the imbalance in delivering housing without employment/services and relationship to the saved development framework boundary however it is critical to note that due to recent appeal decisions the latter in itself commands very little weight.

The individual characteristics of the site are reasonably well suited to residential development and outstanding matters of layout, design, landscaping and appropriate mitigation can be resolved through planning conditions and the reserved matters process. Therefore, taken on balance in the current circumstances, which are liable to change in future, it is considered that the proposals are acceptable in planning terms.

RECOMMENDATION

That authority is delegated to the Area Development Manager to GRANT planning permission, subject to conditions listed below and completion of a S106 legal agreement within six months of the date of the resolution of this Committee.

In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Area Development Manager to REFUSE planning permission for the following reason:-

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Waste; Public Open Spaces; Air Quality Management and is therefore contrary to Policies CP3 CP43 & CP55 of the Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

CONDITIONS AND INFORMATIVES:

- 1 No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:
 - (a) The scale of the development;
 - (b) The layout of the development;
 - (c) The external appearance of the development; and
 - (d) The landscaping of the site.

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

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

2 An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

3 The reserved matters to be submitted pursuant to Condition 1 above shall relate to a scheme comprising up to 42no. dwellings and no more, together with associated landscaping including on-site public open space and play provision.

REASON: In order to secure an appropriate quantum of development for the application site.

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

Location Plan
01112/02 - Topographical Survey
1097-F01 - Proposed Site Access Junction

Received 13 November 2015

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

5 The development hereby permitted shall not be first occupied until the access to the site has been laid out and properly consolidated as detailed on plan number Drawing 1097-F01 'Proposed Site Access Junction' Rev -, dated July 2015.

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

6 No dwelling shall be occupied until the access to the development has been provided with visibility splays with nothing to exceed the height of 600mm above carriageway level from a point 2.4 metres back along the centre line of the access to points on the nearside carriageway edge 160 metres to the north, and 160 metres to the south. The visibility so provided shall thereafter be maintained in accordance with drawing 1097-F01 'Proposed junction analysis'. Any vegetation/ hedgeline shall set back at least 1m from the visibility splay and maintained as such thereafter, in perpetuity.

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

7 No part of the development shall be brought into occupied until a 2m - 2.5m wide footway/shared use path has been provided over the entire site frontage in accordance with details to be first submitted to and approved by the Local Planning Authority. The details to be submitted shall include for the relocation of the existing lighting columns to the rear of the new footway and proposals for hedgeline / vegetation to the rear of the new footway.

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

8 No part of the development shall be occupied until a 2m - 2.5 metres wide footway/shared use path including new roadside kerbs has been provided on the highway verge on the western side of the C394 road, between the end of the existing footway near 249 Oxford Road and the end of the shared use cycleway just north of

the access to New Cottages, in accordance with details to be first submitted to and approved by the Local Planning Authority. The details to be submitted shall include for the relocation of the existing lighting columns and proposals for hedgeline / vegetation to the rear of the new footway.

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

- 9 No dwelling shall be occupied until a pedestrian crossing / refuge has been provided over the C394 in accordance with details to be first submitted to and approved by the Local Planning Authority.

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

- 10 No development shall take place until a Residential Travel Plan has been submitted and approved in writing by the Local Planning Authority. The Residential Travel Plan shall be actioned in accordance with details approved by the Local Planning Authority prior to first occupation.

REASON: In the interests of road safety and reducing vehicular traffic to the development.

- 11 No development shall commence on site until details of refuse and recycling facilities (including location and range of facilities and their means of operation) have been submitted to and approved in writing by the Local Planning Authority.

The development hereby permitted shall not be first occupied until the approved recycling facilities have been completed and made available for use in accordance with the approved details. The approved recycling storage shall thereafter be maintained in accordance with the approved details.

REASON: In the interests of public health and safety.

- 12 No development shall commence on site until a scheme for the discharge of stormwater water from the site, including any required off site capacity improvements required to receive flows together with a connection point agreed with the sewerage undertaker and timetable, has been submitted to and approved in writing by the Local Planning Authority.

The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme, including any required off site works/improvements within the agreed timetable.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

- 13 No development shall commence on site until a scheme for the discharge of foul water from the site, including any required off site capacity improvements required to receive flows together with a connection point agreed with the sewerage undertaker and timetable, has been submitted to and approved in writing by the Local Planning Authority.

The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme, including any required off site works/improvements within the agreed timetable.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

14 No development shall commence on site (other than that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition), until steps (i) to (iii) below have been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until step (iv) has been complied with in full in relation to that contamination.

Step (i) Site Characterisation:

An investigation and risk assessment must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

- A survey of the extent, nature and scale of contamination on site;
- The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages;
- If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants;
- An assessment of the potential risks to
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - o adjoining land,
 - o groundwater and surface waters,
 - o ecological systems,
 - o archaeological sites and ancient monuments;

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

Step (ii) Submission of Remediation Scheme:

If any unacceptable risks are identified as a result of the investigation and assessment referred to in step (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, should be submitted to and

approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

Step (iii) Implementation of Approved Remediation Scheme:

The approved remediation scheme under step (ii) must be carried out in accordance with its requirements. The Local Planning Authority must be given at least two weeks written notification of commencement of the remediation scheme works.

Step (iv) Reporting of Unexpected Contamination:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment should be undertaken in accordance with the requirements of step (i) above and where remediation is necessary, a remediation scheme should be prepared in accordance with the requirements of step (ii) and submitted to and approved in writing by the Local Planning Authority.

Step (v) Verification of remedial works:

Following completion of measures identified in the approved remediation scheme a verification report (referred to in PPS23 as a validation report) must be produced. The report should demonstrate the effectiveness of the remedial works.

A statement should also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the approved scheme have been carried out (The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage (ii) above).

The verification report and signed statement should be submitted to and approved in writing of the Local Planning Authority.

Step (vi) Long Term Monitoring and Maintenance:

If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in the scheme approved pursuant to step (ii) above, until all the remediation objectives in that scheme have been achieved.

All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

timetable for implementation and measures to secure sensitive retention of mature and over mature trees within the development layout and a buffer of public open space / landscaping between the residential units and the wetland area to the south of the site, to be first agreed in writing by the Local Planning Authority, shall be carried out in full prior to the first occupation of the development hereby approved.

REASON: To mitigate against the loss of existing biodiversity and nature habitats.

16 No development shall commence on site until:

a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and

b) The approved programme of archaeological work has been carried out in accordance with the approved details, the results and recommendations recorded and submitted to and approved in writing by the Local Planning Authority.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to enable the recording of any matters of archaeological interest.

17 INFORMATIVE TO APPLICANT:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

18 INFORMATIVE TO APPLICANT:

The applicant is reminded of the need to obtain separate Land Drainage Consent in respect of any alterations to existing watercourses, or works within 8m of the top of any bank thereto.

19 INFORMATIVE TO APPLICANT:

This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the [INSERT].

20 INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

21 INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website

www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructure
elevy

S106 Obligations

Affordable housing:

- 30% on-site affordable housing (13 units based on 42-unit scheme), indicatively to be delivered as 60% affordable rent / 40% shared ownership or discount market.
- A detailed breakdown of unit types and sizes will be secured by direct negotiation with the Council's New Housing Team in setting the final terms of the Agreement.

Open space:

- On-site provision of public open space with proportion of local play provision (quantum TBC, dependent on final dwelling mix).
- In line with the Council's standard approach, adoption of on-site POS should be offered to the Parish Council in the first instance and otherwise transferred to a management company.

Waste

- Contributions toward the provision of on-site waste containers will be sought as follows:

Cost Multiplier	No. Units	Total	Target
£91/dwelling	42	£3,822	On-site waste collections

Air Quality

- As the site falls within the Calne Air Quality Management Area (AQMA), a tariff-based contribution is also required in respect of local air quality management, as follows:

	Trigger	Tariff
Area in AQMA	25 or more units of accommodation	£11.325/unit*
	Gross retail area	£1.51/sq metre***
Non AQMA area	50 or more units of accommodation	£5.66/unit**
	Gross Retail Area	£0.75/sq metre

- Based on the above, the Council will require a S106 contribution of 42 x £11.325 = £475.65

Education

- Whilst the development generates a need for an additional 8no. secondary and 12no. primary school places, forecasts suggest that these can be accommodated through the additional capacity/projects realised at John Bentley School and Priestly Primary School as a result of larger developments in Calne. It is therefore intended to meet any additional requirement through CIL.

Sports Pitches and Leisure

- The Council will not be seeking off-site contributions in respect of local sports pitch and leisure provision. These will be picked up under CIL.

Public Transport

- The Council will not be seeking off-site contributions in respect of local public transport provision/improvements in this instance. These will be picked up under CIL.

Community Infrastructure Levy (CIL)

The Council has now adopted its CIL charging schedule and this will now pick up all other off-site contributions, including primary and secondary funding and contributions to public art. The application site falls within Charging Zone 2 (charged at £55/m² floor space), being within the Calne Community Area.