

Date of Meeting	25 th September 2014
Application Number	14/02043/FUL
Site Address	50 Winterslow Road,(Land to rear of Chalk House), Porton, Salisbury. SP4 0LF
Proposal	Residential development comprising 20 dwellings (of which 12 market units and 6 affordable units), public open space and landscaping, and new access from Winterslow Road
Applicant	Mr Mark Carrington
Town/Parish Council	IDMISTON
Ward	BOURNE AND WOODFORD VALLEY
Grid Ref	418987 136476
Type of application	Full Planning
Case Officer	Andrew Bidwell

Reason for the application being considered by Committee:

The Division Member has called in the application due to the current state of play with the emerging Wiltshire Core Strategy and how it impacts on such proposals for development.

1. Background

The application was due to be considered by the Committee at its meeting on 14 August 2014 but was deferred by officers. The reason for the deferral was because of late correspondence from the applicant's agent setting out the applicant's desire to continue discussions in relation to the provision of community infrastructure. Such provision is a material consideration to be taken into account in the consideration of development proposals as a whole.

Correspondence from the applicant's agent setting out the community benefits stemming from the proposal follows:

"We have now prepared a draft Section 106 Heads of Terms document to set out the expected developer contributions, in light of consultation responses and recent discussions with Wiltshire Council. This document encompasses:

- Affordable housing: on-site provision of 6 dwellings (that is, 30% of the total);
- Off Site Equipped Play Space: a financial contribution of £33,968.16;
- Youth & Adult Sports Provision: a financial contribution of £18,135;
- Primary school education: a financial contribution of £83,840 towards school places;
- Secondary school education: a financial contribution of £57,252 towards school places;

- Fire and rescue: a financial contribution of £1,600 towards fire and rescue infrastructure.
- Waste and recycling: a financial contribution to be determined.
- Community Facilities: See separate section below.

As regards on-site open space, there will be no need for a commuted sum for maintenance because these areas of land will be transferred by Linden to a management company.

Financial contribution towards Community Facilities

Policy considerations

The principle of contributing to community facilities finds support in a range of planning policy documents, including:

- Core Policy 1 of the emerging Wiltshire Core Strategy (WCS), which states that *'Development at Large and Small Villages will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities.'*
- Core Policy 49 of the emerging WCS, Saved Policy PS1 of the Salisbury District Local Plan, and Core Policy 21 of the South Wiltshire Core Strategy which facilities like the IMPH;
- Paragraph 28 of the National Planning Policy Framework (NPPF), which seeks to *'promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship'*;
- Wiltshire Council's Position Statement on Community Infrastructure Levy (June 2014) through which developer contributions would be pooled towards infrastructure including multi-use community facilities.

Proposed contribution

Since this application was submitted it has become clear from discussions with officers, members, Idmiston Parish Council and others that there is a need for substantial improvements to the Idmiston Parish Memorial Hall (IMPH). This is the main public hall in the village, and is in almost continuous use by a diverse range of clubs and societies. The Parish Council website notes that the hall opened in 1959 and the building is now over 50 years old, well beyond its design life. In the absence of comprehensive refurbishment and investment, it is now in substantial decline. Savills and Linden have been in contact with the Treasurer for the IMPH who has provided a review of the history of the building, and the problems that it now suffers.

In addition, we are aware that there are other community facilities within the Parish that could justify a contribution under s106. In the absence of an adopted CIL policy we have considered s106 contributions as a whole and following detailed consideration, we have proposed a contribution for Community Facilities of £130,000. In total the s106 liability is equivalent to that would be payable in this application under Community Infrastructure Levy (CIL), based on the authority's emerging rate. Combined with the delivery of

affordable housing, this is considered an appropriate figure. It is at the upper limit of what is deliverable bearing in mind the scale of the development which is only 14 market units.

'Tests' for planning obligations

Paragraph 204 of the NPPF states that planning obligations should only be sought where they meet all of the following tests:

1. necessary to make the development acceptable in planning terms;
2. directly related to the development; and
3. fairly and reasonably related in scale and kind to the development.

With regards to (1), the test is fulfilled on the basis of Core Policy 1 of the emerging WCS, as identified in the passage quoted above, which envisages that development in villages should be used to improve services and facilities. Other policies quoted above indicate the need for such contributions. With regards to (2), the test is fulfilled because of the direct relationship between population increase in the village and the demand for and amount of use which will be made of the hall, as well as its proximity to the application site. With regards to (3), the contribution is reasonably related in scale and kind because of its relationship with the Council's intended approach to CIL, as outlined above".

2. Purpose of Report

To consider the revised recommendation of the Area Development Manager (South) to approve the application as an exception to the usual policy presumption against new residential development outside of housing policy boundaries having regard to the community benefits stemming from this development and the specific circumstances of the site, this subject to the applicant entering into a Section 106 agreement with the Council to ensure delivery of the community benefits and other essential infrastructure made necessary by the development.

3. Report Summary

The application is for a residential development on land previously proposed for such development in the SHLAA but not allocated as such in the emerging Wiltshire Core Strategy.

The land is outside the defined development limits of Porton as defined in the adopted South Wiltshire Core Strategy making development unacceptable in principle. There are, however, material considerations in this case which it is considered 'tip the balance' in favour of the proposal. These are explained later in the report.

4. Site Description

The site comprises 1.28 hectares of mainly agricultural land used mostly for grazing. To its immediate north and east sides is established residential development inside the Porton housing policy boundary. To its west side is a small open paddock with further housing inside the housing policy boundary beyond. To the south is open countryside. The site and its context are illustrated in the following extracts from the Design and Access Statement. The left plan shows the housing policy boundary (red line) and the right plan shows the extent of the application site.



The main part of the site is relatively steep rising away from Winterslow Road to the open countryside to the south. Chalk house is located on the northern edge of the site alongside Winterslow Road, opposite St Nicholas Church.

The site lies within a Countryside Character Area, an Area Susceptible to Surface Water Flooding, and a River Catchment Area (River Bourne); and being mainly outside of a housing policy boundary is within 'open countryside'. Part of the site adjoins the Conservation Area and is of significant archaeological interest.

5. Planning History

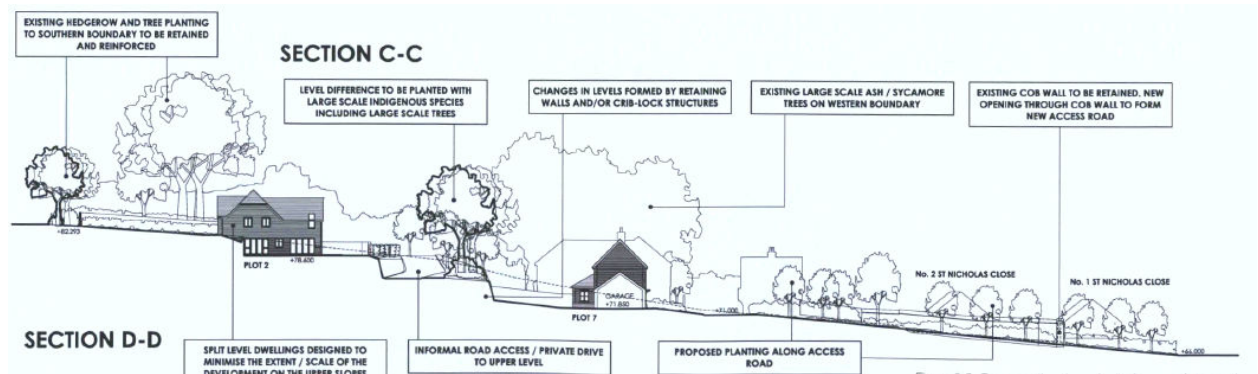
The site has been subject to several planning applications mostly in regard to Chalk House itself. These have included extensions to the house / vehicular access applications and various works to trees. None of these applications are considered to be relevant to this proposal.

6. The Proposal

The proposal is to erect 20 dwellings, including 6 affordable dwellings. The proposal also includes public open space and landscaping, and a new vehicular access off Winterslow Road. The layout is shown on the following layout plan.



The housing mix would be 2 x 1 bed units (both affordable), 9 x 2 bed units (inc. 5 affordable), 4 x 3 bed units (inc. 1 affordable) and 5 x 4 bed units (no affordable). In view of the change in levels across the site all the houses would be 2 storey only. Limited cut and fill would be necessary to achieve level plots as illustrated in the following typical section drawing.



7. Planning Policy

Salisbury District Local Plan saved policies (listed in Appendix C of the Adopted South Wiltshire Core Strategy):

G1, G2 – General Development Criteria

G3 – Water supplies (abstraction)

G5 – Water supplies and drainage

G9 – Additional infrastructure/facilities directly required and necessary for the development

C2 – Development in the Countryside

C12 – Protected species

C11 – Development affecting Areas of High Ecological Value

C13 – Wildlife habitat
C15 – Habitat creation
H23 – Residential development outside housing policy boundaries
D1 – Design
D8 – Public Art
CN21 & CN22 – Archaeology
CN8, CN10, CN11 – Conservation Areas
R2 – Recreational Open Space
PS5 – Education facilities

South Wiltshire Core Strategy:

Core Policy 1 – The Settlement Strategy and distribution of growth in south Wiltshire
Core Policy 3 – Meeting Local Needs for Affordable Housing
Core Policy 19 - Water efficiency and River Avon SAC
Core Policy 20 - Pollution and phosphate Levels in the Water Environment

Waste Core Strategy 2009:

Policy WSC6 – Waste Reduction & Auditing

Emerging Wiltshire Core Strategy:

Core Policy 2 – Delivery Strategy
Core Policy 44 – Rural Exceptions sites
Core Policy 41 – Energy Strategy
Core Policy 50 – Biodiversity & Geodiversity
Core Policy 52 – Green Infrastructure
Core Policy 67 – Sustainable drainage
Core Policy 69 – River Avon SAC

SPG: including -

Councils Adopted Supplementary Planning Document 'Creating Places'.
Habitat Regulations Assessment and Mitigation Strategy for Salisbury Plain Special Protection Area

Government Guidance:

National Planning Policy Framework (NPPF) and Guidance (NPPG)
Town and Country Planning (EIA) Regulations 2011

Other material considerations:

Porton Village Design Statement

8. Consultations

Idmiston Parish Council:

OBJECT for the following reasons;

1. The application site lies outside the Housing Policy Boundary (HPB) for Porton and consequently does not comply with saved Policy H16 of the Salisbury District Local Plan and the South Wiltshire Core Strategy policy for development in Large Villages.
2. The proposal is not for 100% affordable housing or for housing for agricultural/forestry workers and consequently does not comply with saved Policy H23 of the Salisbury District Local Plan which provides for development outside the HPB if it falls into the above categories.
3. The application requires a modification to the settlement boundary (HPB) for Porton outside of the review process outlined in the Wiltshire Core Strategy and requires a development which is double the size of the 10 dwelling definition of a small site. Therefore, it does not comply with the Wiltshire Core Strategy provisions which relate to development in Large Villages.
4. To accord with the mechanisms for the review of the settlement boundaries outlined in the Wiltshire Core Strategy, the process of producing a Neighbourhood Plan for our Parish is underway. Approval of the current application would be prejudicial to the Housing Policy Boundary review and would compromise our community-led Neighbourhood Plan.
5. The application does not comply with Core Policy 18 – Lifetime Homes Standards in the South Wiltshire Core Strategy as the 12 private housing units do not meet the standards required “due especially to the gradient of the site”. (This confirms the unsuitability of the site for housing).
6. The application does not comply with the provisions of DESIGN POLICY 9 of our Village Design Statement by reason of the size of the development and the use of a visually important, elevated pasture which is a key component in the rural setting of the core of our village.
7. The application does not fully comply with DESIGN POLICY 8 of our Village Design Statement by reason of the site’s exposure and the bulk and appearance of the four large dwellings located on the upper part of the site.
8. The application does not fully comply with DESIGN POLICY 16 of our Village Design Statement by reason of the extensive use of uPVC and plastic cladding and the unsympathetic design, appearance and materials of the four large dwellings at the top of the site.

9. The proposed development, by reason of the elevated nature of proposed screen planting relative to adjoining properties in Bonaker Close, would give rise to overshadowing and will impair the amenity of No.5 in particular.

10. The new access to the proposed development is located on a tertiary road which is substandard in terms of width and alignment and is at a point where the view of vehicles exiting the junction of traffic travelling towards the A338 is frequently obscured by parked vehicles associated with the Church. The proposed development would endanger public safety by reason of traffic hazard.

Note;

DP9 is designed to ensure that the character and appearance of our villages are not compromised by new development. It requires any new developments to meet four criteria. Of particular note are that it be of modest scale & not generally exceed 10 dwellings in order to protect the rural nature of our village and that it be well related to the existing village envelope.

The proposed development of 20 dwellings breaches the requirement to be of modest scale and it does not relate well to the village envelope because of the elevated nature of the site and its exposure to view to a wider area than would have been the case had the site been less steep.

DP8 requires any new development utilising the gardens/grounds of older properties in the villages to meet three criteria. One of these is to demonstrate how the proposed scheme will positively enhance the appearance of the villages and their Conservation Areas, where these exist.

The 12m level difference between the northern and southern boundary gives the proposed development a tiered effect with the smaller 1½ storey dwellings of traditional appearance hidden from view but with the much larger 2 storey, 4 bed properties of non traditional appearance at the top of the site exposed to view from within the village centre. These are considered to be of unsympathetic design and appearance and out of character when compared to the older buildings in the core of the village and consequently detract from its appearance.

DP16 is designed to ensure that new housing both reflects and enhances the character of our villages. Of particular relevance are the requirements that; building design should involve balanced proportions and complement any well defined features or themes in our historic buildings or in those of merit in the locality. This has not been achieved in regard to the four large dwellings at the top of the site in terms of design, appearance and materials resulting in buildings which fail to harmonise with those in the core of the village.

DP16 also requires building materials to complement existing buildings in both colour and texture, stating that the use of concrete products and applied artificial stone products or plastic cladding will not be supported and that joinery products should be of traditional design and that the use of uPVC windows and doors on elevations exposed to public view should be avoided.

The materials specification suggests otherwise with the use of uPVC products on all elevations and the use of artificial wood cladding on the four large dwellings proposed at the top of the site. Overall the development fails to provide for the use of knapped flint and light coloured render as facing materials, which are a prevalent feature of our older buildings in the core of the village and were used in Byford Gardens to ensure that development harmonised with its surroundings.

Clearly the Parish Council is opposed to the use of this elevated site for housing. However, were the Local Planning Authority minded to approve the application, in its current form, then the Parish Council would wish to see the following conditions applied;

1. No development shall commence until a Section 106 agreement has been entered into with the LPA for a £500,000 contribution towards the purchase of a flat site and the building a new parish hall to include a parish office and ancillary sporting facilities. Reason: to contribute towards the costs of the replacement of outdated and inadequate community facilities.
2. Prior to the commencement of development details of a mechanism to secure the ongoing maintenance and management of the proposed landscaping scheme together with those areas which are to be in the public realm shall be submitted to and approved in writing by the LPA. Reason; to ensure the trees and hedgerows on the site will achieve the considerable visual screening envisaged for now and the lifetime of the development and that no public maintenance liability is incurred for the landscaping or those areas in the public realm.
3. Prior to the commencement of development a detailed lighting scheme comprising low level louvered bollards for the illumination of all roads and pathways shall be submitted to and approved in writing by the LPA. Reason: to minimise night time light pollution and reduce the visual impact of the development of this elevated site on the village during the hours of darkness.
4. Prior to the commencement of development a revised materials schedule, which provides for the use of knapped flint and light coloured render as facing materials and with timber joinery products used on elevations exposed to public view, be submitted and approved in writing by the LPA. Reason: to ensure new housing both reflects and enhances the character of our village.
5. Hours of work on site preparation and construction (including deliveries) shall be restricted to between 8-00 a.m. to 6-00 p.m. Monday to Friday and between 8-00 a.m. and 1-00pm on Saturdays unless otherwise agreed in writing with the LPA. No work shall be undertaken on Sundays or Bank Holidays. Reason: to safeguard the amenity of the occupiers of the properties that adjoin the site.

WC Highways:

No objections subject to conditions.

WC Archaeology:

It is considered that this site does have the potential to contain heritage assets of archaeological interest and that field evaluation is necessary.

WC Ecology:

Whilst no overall objections have been raised, further work to determine impact on protected species – bats in particular – is required. Conditions are recommended.

WC Conservation:

No specific objections to the proposal have been received.

WC Public Protection:

No objections subject to conditions.

WC New Housing:

No objection.

WC Open space:

No objections subject to matters to be agreed in the S 106.

Wessex Water:

No objections.

Environment Agency:

No objections subject to conditions and informatives.

Natural England:

Satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified.

9. Publicity

The application has been advertised locally in the press and to neighbours. In this case the application has also been advertised as a departure.

34 Neighbour letters have been received to date with 19 clearly objecting to the proposal 14 general comments and 1 clearly in favour of it.

These are summarised as follows:

- Proposal should provide parking for the Church
- Pallet of materials could be more in keeping
- Do not object to the principle as the village needs new housing
- Proposal should provide housing for young people and could attract new people

- Changes to the design following consultations are appreciated
- Contractors Hours of work should be limited and controlled
- Proposal would increase flood risk
- Traffic increase will cause problems
- Village design statement has not been considered
- Visual impact assessment is misleading
- Rural feel of village would be lost
- Privacy for neighbours will be lost
- Development is too dense
- Green space will be destroyed
- Road will become a Rat Run
- Proposed section 106 will not benefit the village
- Construction vehicles / lorries would cause traffic problems

10. Planning Considerations

Principle

The larger part of the application site lies outside of the housing policy boundary for Porton and so within the countryside. The site is, therefore, not subject to saved Policy H16 of the Salisbury District Local Plan which allows small scale development within the boundaries. Instead it is subject to Policies C2 and H23 which state that development in the countryside will be strictly limited and new housing will only be permitted exceptionally if to provide affordable housing or essential housing for rural workers.

That said, the site is slightly unusual in that it is more or less bounded on three of its sides by established development within the Porton housing policy boundary. The proposal could, therefore, be seen as a rounding-off of the settlement in this area. The site is also located relatively close to the facilities and services Porton provides (Porton is a 'secondary village' in the South Wiltshire Core Strategy, and their role is defined as "less significant but nevertheless important complementary to the Local Service Centres", and where "levels of growth proportionate to their size, character and environment will be supported ...") and consequently it is as sustainable as other part of the settlement.

The physical and locational characteristics of the site are such that the proposal has not generated any objections from statutory or technical consultees on amenity, sustainability or other technical grounds (expanded on later in the report). This is a relevant material consideration, notwithstanding the development plan status of the site. Of further relevance as a material consideration are the community benefits which will stem from the proposal if permitted. These are, in particular, the financial contributions towards off-site play space, youth and adult sports provision and the Idmiston Parish Memorial Hall. Planning legislation requires local planning authorities to determine applications in accordance with the development plan, unless material considerations indicate otherwise. In this case it is evident that the proposal is strictly contrary to the development plan; however, the material considerations set out above are considered to outweigh the plan policies and so make the development exceptionally acceptable in any event.

Regarding the scale of the development, at 20 units this is significant in the context of Porton. However, the site is capable of supporting this number of units and anything less would not be making the best use of the land. Within this context development at this scale is, therefore, not considered to be inappropriate or harmful.

Strategic Housing Land Availability Assessment

It is acknowledged that this site was submitted as part of the Strategic Housing Land Availability Assessment (SHLAA) and has been identified as a potential site for development as a result of this process. However, the SHLAA states that “the inclusion of sites within this study should not be taken to imply that the Council would automatically consider planning applications favorably. Although it will inform housing allocations, it will not determine the allocation of land for housing development ... All future planning applications will be considered individually, taking other material considerations into account, and will be assessed through policies in the most up-to-date development plan”. It follows that the SHLAA is not an overriding consideration in assessing the principle of development, although its acceptance of the potential of this site can be given limited weight in the context of all other considerations.

Five year land supply & Neighbourhood Plans

The NPPF requires local planning authorities to identify a supply of specific deliverable sites sufficient to provide 5 years worth of housing against their housing requirements with an additional buffer of 5% (paragraph 47). The NPPF also states that there must be a presumption in favour of sustainable development if a local planning authority cannot demonstrate a 5 year housing supply (paragraphs 15 and 49).

The South Wiltshire Core Strategy provides for 8,621 deliverable houses (completions, commitments and deliverable allocations) that provides some 17.5 years of available housing land supply during the plan period (2006-2026) across South Wiltshire and allocates 5,250 dwellings that provides over 10 years deliverable housing land supply. Core Policy 4 of the emerging Core Strategy also identifies that ‘Amesbury, Bulford and Durrington have sufficient commitments to exceed the requirement.’ Consequently, there is no immediate need for the development of non-allocated sites.

The South Wiltshire Core Strategy does however, indicate that within the Amesbury Community Area ‘housing may also be delivered through locally produced Neighbourhood Plans or community Right to Build schemes ...’. Such plans or scheme would need to be community led and in this regard, local consultation would be required in order to establish whether or not there is genuine local support for the proposals and whether the detail of the application (including the number of houses and the housing mix) meet the desires of the community.

This community led planning process is also emphasised in the emerging Wiltshire Core Strategy - Core Policy 2 of the emerging Core Strategy states ‘Development outside the limits of development will only be permitted where it has been identified through community led planning policy documents including neighbourhood plans, or a subsequent development plan document which identifies specific sites for development’.

The policy preference is, therefore, for proposals outside of the defined settlements to be delivered through local policy documents such as neighbourhood plans. That said, such an

approach does not, and cannot, preclude planning applications from being made and considered outside of the plan process. Such applications must be considered on their merits at the time they are made. In this case, as set out already, it is considered that the merits of this particular proposals are such that it can be accepted having regard to material considerations which outweigh the policy objection. An objection to the application on the grounds that a neighbourhood plan may be produced at some point in the future would be difficult to sustain in any event.

The emerging Wiltshire Core Strategy & land supply issues – Wiltshire Council’s evidence base

The applicant’s agent has set out an argument which has suggested that the council’s method of determining housing numbers is flawed. The agent states that the council’s model to determine numbers – the Liverpool model – is not the most appropriate and is the reason for an undersupply in terms of housing numbers. The agent argues that the appropriate model should be the Sedgefield Model.

However, members should note that the evidence base presented for the emerging Wiltshire Core Strategy uses the Liverpool Model. Extensive debate on this matter has taken place and the council does not agree that the agent’s reasoning is sound.

The key points 1 – 5, in favour of the council’s approach are set out as follows:

1. The NPPG (planning guidance) does identify that “LPAs should aim to deal with any undersupply within the first five years of the plan period where possible.” The only rational reading of this is that; LPAs should aim to deal with any undersupply relative to a previous development target within the first five years of the new plan, as no undersupply can have arisen against the current plan. In contrast the Sedgefield approach requires that LPAs should aim to deal with any undersupply relative to the current (or emerging) development target within the immediate five year period. This in effect requires that a longstanding undersupply should be met forthwith but that undersupply across the current plan period may be appropriately picked up across that plan period. Indeed, the definition of undersupply relating to that arising against previous development plan targets is set out in PAS guidance. This misreading has been made at a previous appeal, and once the sentence has been read rationally, the appellant conceded this point.
2. In all previous appeal decisions in Wiltshire, the Liverpool approach has been used in the calculations used by the various Inspectors although this has not been directly referenced.
3. There are a number of recent appeal decisions nationally which have supported the Liverpool approach over the Sedgefield approach, such as Barwell, Leicestershire.
4. The eWCS Inspector in his tenth procedural letter has calculated that the Council would be able to demonstrate a five year land supply relative to a requirement of circa 42,000 homes. The Inspector has made this calculation independently, and his conclusion only works if he was using the Liverpool approach.
5. If the Sedgefield approach is adopted, this results in a significant boost to housing

supply in the short-term at the expense of sustained longer term housing supply, as the same number of houses is simply frontloaded. It is considered that this negatively impacts on both sustained economic growth and the continuous supply of housing towards the end of the plan period.

The impact on the character and appearance of the conservation area / open countryside / special landscape area / setting of adjacent listed buildings

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area.

In considering planning applications for new development in or adjacent to conservation areas, local planning authorities are required to ensure that the form, scale, design and materials of new development is in character and to protect the character and appearance of an area from unsympathetic changes and inappropriate development.

The larger part of the site is within the open countryside from a planning policy point of view.

The site itself is currently in agricultural use and the proposed development will significantly alter the character and appearance of the site. Whilst overall it is considered that the proposal would result in an intrusion of built development into the countryside, due to the particular position of this site – in affect rounding-off an area of land between existing residential development, it is not considered that the resultant impact on the rural character and appearance of the area would be adverse, and likewise, in relation to the adjacent conservation area.

The applicant has set out the design approach adopted in the Design & Access Statement. The approach includes the following:

Layout: The layout of the proposed development has had regard to the character of the site and its surroundings and has been informed by the technical assessments and consultations carried out. General factors leading to the proposed layout include:

Topography: with an average gradient of 1 in 9, the design sets out dwellings principally on an east west axis with three rows, each row occupying a similar level on the hillside. This stepped approach contributes to a harmonious form which respects the natural contours of the site.

Planting and Trees: Substantial provision of open space and landscaping has been made to ensure that the dwellings would integrate into the area. All significant vegetation on the boundary of the site would be maintained and enhanced. Internal plots would be divided by new hedges and tree planting.

Density: A key priority in the design of the proposals has been to ensure that the verdant, informal village character would be respected. The submitted proposal are to a density of 15.5 units per hectare, which is consistent with much of the village ensuring that the site is not overdeveloped and does not become unacceptably urban in character. This low density is also a natural consequence of maintaining and enhancing mature vegetation on the site, site levels and a range of house types and sizes.

Neighbour amenity: Care had been taken in the positioning and orientation of the dwellings to ensure appropriate boundary separation distances and to prevent unsatisfactory direct window to window relationships.

Scale: Given the changing levels on the site, scale and building heights are a significant consideration. Specifically to minimise landscape impacts and overlooking there is a need to limit overall building heights. In response to these objectives a number of measures have been taken:

Dwellings are two storey in height maximum; smaller scale 1.5 storey dwelling are proposed for the lower part of the site adjoining St Nicholas Close and Bonaker Close. Plots at the upper part of the site are split level.

In terms of materials, the proposal is considered to be appropriate for this site and the immediate area. Consultations had been carried out at pre-application stage and the conservation officers did not raise concerns in this respect. However, the comments of the Parish Council are acknowledged and it is considered acceptable to impose a planning condition requiring final agreement of the range of materials prior to their use.

Village Design Statement issues.

Concern has been expressed that the proposals do not give due regard to the village design statement. The VDS is an important material planning consideration that forms a significant context against which to assess proposal for development in the village. The VDS is however a form of adopted guidance setting out design aspirations forming a useful template to guide developments. That said, the VDS cannot and should not be applied to the letter in all cases and there are ever present and increasing "other material considerations" that must be taken into account. In this case the report explains how the design approach adopted has been carefully considered and how with some further improvements through conditions, the proposal is not unacceptable in its context.

The VDS expects development to be in keeping with village character and overall through the detailed design and materials, scale and good use of the slope of the site, it is considered that this has been achieved.

Whilst the site itself is identified as a visually important elevated pasture - and thus is where development would not normally be expected and is outside the housing policy boundary- it has a very distinct and unusual characteristic in that it is enclosed on three sides by existing residential development. As stated previously, the proposal will result in a rounding off of this part of the village in fact continuing its established character which includes existing development that is very similar in this way.

Furthermore significant weight must be given to the community benefits aspects of the proposal. These are set out in the report as the Section 106 terms. Most significantly these include the financial offer aimed at dealing with the issues regarding the village Hall. This itself goes well beyond what can normally be expected from a development such as this and is a very weighty material consideration.

For these reasons the proposal in terms of design and location outside the housing policy boundary - in an open area referred to in the VDS - is not considered to be at odds with the overall aims of the VDS. As such a need to adhere to the letter of the VDS is outweighed by the combination of the development as a whole and the community benefits that will come from it.

Highways

At pre-application stage, the WC Highways indicated that subject to details regarding access, road layout, footpath linkage etc, the scheme would be supported.

A Transport Statement has been submitted with the application. The statement confirms that the design of the internal road layout will ensure low traffic speeds. The main carriageway width will be 4.8 metres with a footway on the eastern side of the bell-mouth. The road then becomes a shared surface with local narrowing.

The access off Porton Road has been designed to have minimal impact overall and specifically to avoid any unreasonable impacts on the existing boundary (Cob Wall) of Chalk House.

The layout of the access road has been designed to minimize its impact and reduce traffic speed in a controlled manner and in order to assist pedestrians it is proposed to provide a 1.8 metre wide footway along the site frontage.

As stated previously, the site lies outside of the housing policy boundary for Porton and as such would generally attract an adverse highway recommendation on sustainability grounds. It is acknowledged, however, that whilst the site is located just outside of the settlement framework it is within walking distance of the local facilities which include shops, schools and public transport linkages. For these reasons it is considered that a recommendation for refusal on this ground alone would be difficult to sustain.

However, whilst there are no clear objections to the proposal on highways grounds, the highways officer has set out areas where details would benefit from further negotiation. These are as follows:

1. Visibility splays of 2.4m by 43m at or above a height of 600mm in line with the advice given in Manual for Streets. The full sight lines need to be shown on a drawing to be checked and approved.
2. Priority for vehicles entering the site over those leaving.
3. On the western side of the access the footway should continue into the site to a point opposite the entrance to Chalk House.
4. The access road into the site measures 4.8m. As this is a shared surface arrangement with no separate footways the carriageway should be widened to 5.5m. This will allow the free flow of vehicles and extra width for pedestrians and/or occasional visitor parking.
5. The parking is considered acceptable given that the garages are all over-sized with an internal dimension of 3m by 6m.
6. Turning facilities need to be provided to allow delivery and bin lorries to turn; swept paths are required to demonstrate the ability to turn

7. The buff coloured surfacing (block paving) is acceptable although with edgings to conservation kerbs.

On balance it is considered that the matters raised above are not overriding nor do they represent highways objections. Therefore subject to conditions that will seek further improvements to the proposal as suggested above, there is no overall objection to the proposal on highways grounds.

Archaeology

The site has moderate to high potential for heritage assets with an archaeological interest, particularly with regard to the Iron Age and Roman periods.

The National Planning and Policy Framework (NPPF), which has superseded PPS5, contain the following Policy:

“128. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.”

It is considered that this site does have the potential to contain heritage assets of archaeological interest and that field evaluation is necessary.

In light of this, and in line with NPPF (2012), the applicants were advised that an archaeological field evaluation will need to be carried out prior to the determination of the application. This information should reveal the impact of the proposed development on any buried archaeology. These works should be conducted by a professional, qualified archaeologist, in line with a Written Scheme of Investigation agreed by the council. The application includes an Archaeological planning statement which proposes trial trenching for the site. This is considered to be an appropriate form of field evaluation for this proposal.

Archaeological field evaluation works were carried out on the site in the second week of June. Having inspected the site the archaeologist reported back that some archaeological features were found including a ditch and possible quarry pit. However the council has not received the report to date. It is likely that the archaeologist will require further work by condition.

The Archaeology officer has confirmed that the results have been positive, and as such it is necessary to recommend a further programme of archaeological works as an appropriate planning condition to be carried out prior to or during the development, or to recommend preservation *in situ* of the remains. The costs of the archaeological works will of course fall to the applicant.

Appropriate planning conditions have been imposed (see conditions)

The impact on the living conditions of proposed and nearby properties

It is considered that overall the application has demonstrated that the living conditions of both existing and proposed dwellings will be satisfactory. In particular, elevations and dwelling orientation and layout is designed so there is not likely to be any unreasonable overlooking between properties. Therefore, there are no objections to the proposal in terms of impact on neighbour amenity.

Ecology - Nature Conservation

This application is supported by the following documents: Ecological Assessment Report (Hampshire Ecological Survives Ltd, Jan 2014) and Reptile Survey and Mitigation Strategy Report (Hampshire Ecological Survives Ltd, Feb 2014). Both reports are of a high standard and demonstrate that it would be possible for the development to lead to a small but reasonable net gain for biodiversity provided the recommendations are followed.

Habitats Regulations

There are two matters that need to be considered under the Habitats Regulations 2010.

The first is in relation to stone curlews which are a special feature of the Porton Down SPA. The site is in the Bourne valley and surrounded by built development. The general area is therefore not particularly suitable for stone curlew which is very sensitive to human activity and prefers large open fields. Retention and enhancement of the hedgerows as screens, and absence of footpaths through large fields to the south also leads to the conclusion that the development is unlikely to lead to significant effects (disturbance) on this species.

The second is in relation to the felling of the group of trees labelled as 5, 6, 7, 8, 9 in the ecological assessment and G22 in the arboriculture report. Tree number 9 (southernmost tree in the group) is known to be a bat roost as a result of surveys by Hampshire Ecological Services and will require a licence (under the Habitats Regulations) before it can be felled. It is noted that the arboriculture report states that trees in G22 do not need to be felled to allow the development to proceed but "Trees G22 are in such poor condition, they have been advised for removal in the interest of good management". Before the council grants permission to a development that will lead to a breach of the Habitats Regulations 2010, it is required to consider whether it is possible for a derogation licence to be issued by Natural England. The tests for such a licence are:

1. The work is required for "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature..." (para 53 2 (e))
2. "There is no satisfactory alternative" (para 53 (9) (a))
3. The work "will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range" (para 53 (9) (b))

Given the wording of the arboriculture report it is unclear as to whether tests 1 and 2 above are met for tree number 9. If evidence can be provided to demonstrate that the tests are met, then the information contained in section 5.6 of the ecological assessment will be sufficient to satisfy test 3 and the council will be able to conclude that a licence may be forthcoming from Natural England. The other trees in this group were also assessed as having high potential for bats even though bats were not recorded using them during the surveys.

Further consideration should therefore be given to the possibility of retaining these trees. The application should not be determined until this matter is resolved.

Members will be updated of progress in this respect at the meeting.

Hedgerows and trees

It is noted that although the report provides recommendations to maintain and enhance the site for foraging and commuting bats, not all of these have been incorporated onto the Proposed Site Plan. In particular the recommendation for the double hedge with central pathway on the southern boundary is not evident. This was intended to offset impacts on rarer bats requiring dark conditions but also to screen the development from wildlife such as stone curlew using adjacent fields. It would also provide good foraging habitat to replace the grassland and mature trees that would (subject to comments above) be lost in the middle of the site.

In order to secure many of the mitigation requirements of this development, it will be essential to ensure that the southern boundary in particular but also other areas of existing planting, are retained under a single ownership and not conveyed with individual plots. This was assumed to be the case in the Ecological Assessment Report. However the ownership situation for hedgerows is unclear from the Proposed Site Plan and this must be resolved before the application is determined. Over the next 20 to 30 years the value of these features for bats, reptiles, birds and other wildlife will deteriorate significantly if sections of hedging are removed and replaced by fencing and if trees are felled but not replaced. There is a considerable risk of this happening if there are multiple ownerships especially since the southern hedgerow is currently in poor condition.

Long Term Site Management

The long term management arrangements for landscape and ecological planting are unclear – they do not seem to be covered by the Landscape Maintenance Plan (Jan 2014). A plan needs to be prepared which clearly explains the responsibilities of the management company in terms of long term retention and management of ecological features. It is suggested that the Landscape Maintenance Plan forms the basis of this and the ecological consultants have an input to ensure the works they recommended are delivered. These issues could be addressed by condition.

Construction phase

The developer should have regard to the consultant's comments in relation to the risk of low numbers of bats using the tiled roof on the Cob wall. Also appropriate measures should be taken to ensure that montbretia is not caused to spread further following site clearance works. Works to the reptile translocation site will need to be in place before translocation begins. In addition there is currently insufficient information on the initial works that will be necessary to bring the southern boundary hedgerow into a condition that is suitable for regular long term management. These matters as well as procedures for bats and reptiles during construction can be covered by condition.

Lighting

Permanent lighting of the development should be designed to ensure that none of the perimeter hedgerows and none of the trees on the site are illuminated. The lighting plan should be conditioned.

Conditions:

Once the above matters are resolved it is recommended that conditions are included if permission is granted. In addition, it will be necessary to secure by S106 agreement, the long term retention of the reptile translocation site in the south west corner of the development and the southern hedgerow as mitigation for the loss of reptile habitat and other ecological features.

Water Environment and Drainage

The nature conservation importance of the river system arises from the range and diversity of riparian habitats and associated species.

Given the constraints of the water environment, it is evident that there are a number of potential effects, both during the construction and post-construction stages, associated with the proposed development that could pose a threat to groundwater and surface water quality if left unmitigated. In turn, this could adversely affect the water quality of the nearby River Bourne System, particularly given that the river and its ecosystem are sensitive to change. The potential effects on the water environment could arise as a result of pollution of groundwater and surface water during construction, potential contamination from surface water run-off, increased rate of surface water run-off, reduced groundwater recharge through reduced infiltration, as well as a result of increased demand for water supply and sewage treatment.

A mitigation strategy for pollution prevention measures would be required to ensure that any potential effects on the water environment are minimised and include adequate information to enable the Local Planning Authority, as the competent authority, to conclude that the development would not give rise to significant effects when undertaking an Appropriate Assessment in accordance with the Habitat Regulations. Suitable conditions can be imposed in this regard.

Public Open Space

Community Infrastructure Levy Regulations 2010 – Regulation 122 states that planning obligations must be:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

In order to make the development acceptable in planning terms, the standards for the provision of public open space in association with new residential developments are set out in Clause 2 of the adopted local plan – Appendix IV.

With regards to Clause 6 of the adopted local plan – Appendix IV, South Wiltshire is deficient in the provision of both children's and adults facilities throughout, therefore

Wiltshire Council has adopted the upper target figures for the provision of both children's equipped play facilities and youth and adult facilities.

Clause 7 of the adopted local plan – Appendix IV details how the population level is calculated on any new development. Therefore the calculation and the proposed population level is as follows:

	Number of Bedrooms	Occupants per Dwelling	Number of Dwellings	Population
	1	2	2	$2 \times 2 = 4$
	2	3	9	$9 \times 3 = 27$
	3	4	4	$4 \times 4 = 16$
	4	5	5	$5 \times 5 = 25$
Total			20	72

Provision for on-site Children's Use: Clause 2 of the adopted local plan – Appendix IV, fairly and reasonably relates in scale and kind to the development by calculating the provision of the public open space in accordance with the proposed dwelling mix and population.

Therefore the calculations are as follows:

Population	Calculation	Required Provision Level
72	Equipped Children's Play Grounds 0.3 hectares x 72	0.0216ha
72	Casual or Informal Play Space 0.5 hectares x 72	0.0360ha

In order to directly relate the Equipped Play Space to the development, the requirement is for a minimum 0.0216ha Equipped Children's Play Ground on the site, to be positioned where there is a degree of surveillance from the proposed dwellings.

If it is not possible to include a 0.0216ha Equipped Play Space within the development, an offsite Equipped Play Space contribution to be allocated towards the existing Equipped Play Space, located at Porton Recreation Ground is to be sought in lieu of the on-site deficit. The Off-site Equipped Play Space contribution requested would be £33,968.16.

In this case due to the slope of the site (amongst other things) it is not considered appropriate for this provision to be provided on site. As such a contribution as referred to is sought, and has been agreed by the applicant.

In order to directly relate the Casual Play Space to the development, it is requested to provide a 0.0360ha Casual Play Space on the development. With regards to drawing number PP182/101-00, it has been estimated the proposal provides approximately 0.1642ha of Casual Open Space, and this therefore is adequate for the development.

Youth and Adult Use:

Referring to the adopted local plan, appendix 4, clause 15, Wiltshire Council requires developers to make provision for youth and adult facilities. It is accepted the Youth and Adult provision will be off the development site, and therefore the developer will be

expected to make a commuted payment towards the provision of new or the improvement of existing Youth and Adult facilities within the local area.

Off-site contributions are calculated in accordance with the scale of contributions operated by Wiltshire Council. As identified in Appendix 1 of Policy R2 Guidance Notes and therefore are as follows:

No of Bedrooms	Total Adult R2 Fee Available	Number of Dwellings	Calculation	Contribution Sought
1	£806.00	2	2 x £806.00	£1,612
2	£806.00	9	9 x £806.00	£7,254
3	£806.00	4	4 x £806.00	£3,224
4 +	£1,209.00	5	5 x £1,209.00	£6,045
		20		£18,135

The Commuted Payment will be used towards a Youth and Adult scheme that is directly related to the development, a scheme is currently under consideration with Porton Parish Council.

Summary:

As demonstrated above, in order to make the development acceptable in planning terms. The following provision levels are necessary:

- Equipped Children's Play Grounds of 0.0216ha, or an offsite contribution of £33,968.16 towards the existing Equipped Play facilities located at Porton Recreation Ground, in lieu of the deficit.
- Casual/Informal Play Space 0.0360ha.
- Youth and adult Commuted sum of £18,135 towards a Youth and Adult Scheme which is directly related to the development, a scheme of which is currently under consideration by Porton Parish Council.

Maintenance Requirements:

Developers will be expected to demonstrate to Wiltshire Council that adequate arrangements for the ongoing maintenance of recreational and amenity space associated with the development have been made. (Clause 19 of the Adopted Local Plan – Appendix IV), such provision may be required in perpetuity. In this case the applicant is proposing maintenance by a management company.

Flood Risk / Drainage

A Flood Risk Assessment has been submitted with the application. This assessment concludes that the site is not located within an area considered at risk from flooding from Fluvial/tidal sources, overland flow, existing infrastructure or groundwater.

The Environment agency has been consulted and has confirmed that it has no objection to the proposed development subject to standard conditions and informatives being used.

Wessex Water have been consulted and it also has no objections to the proposal.

Therefore, subject to the measures set out in the flood risk assessment and the recommended conditions being imposed, there are no objections to the proposal on flooding and drainage grounds.

Affordable Housing

Sited outside the Settlement Framework Boundary, this site does not meet the requirements of a rural exceptions site which would provide residential development solely for affordable housing. However, if through the planning process the site is considered to be acceptable for general market housing then the following applies:

Policy Requirements:

Although the proposals would meet the requirements of Core Policy 3 of the South Wiltshire Core Strategy by providing 40% affordable housing, Policy 43 of the emerging Wiltshire Core Strategy introduces two separate affordable housing zones. This site falls within an area requiring at least 30% affordable housing. In order to meet the requirements of the emerging Core Strategy there would now be a requirement for the provision of 6 affordable homes on a development of 20 homes on this site. It is therefore suggested that amending the affordable housing provision to the following mix is appropriate:

2 x 1 bed flats
3 x 2 bed houses
1 x 3 bed house

Tenure Mix / Property Mix

The preferred tenure split is as follows:

AffordableRented

2 x 1 bed flats
1 x 2 bed house
1 x 3 bed house

SharedOwnership

2 x 2 bed houses

Housing Need

There is a high level of housing need, with 10,755 applicants on the register in immediate housing need for affordable rented accommodation across Wiltshire. Of those 715 are in immediate need for affordable rented housing in the Amesbury Area Board area. There is also a high level of demand for shared ownership homes.

Minimum Size Standards

All affordable homes would need to be built to at least minimum size standards and Design & Quality Standards set out by the Homes & Communities Agency. The minimum size standards for affordable homes are based on the number of occupants per dwelling, and are as follows:

1 bed / studio	1 person	30m ²	
1 bed	2 persons	45m ²	
2 bed	3 persons	57m ²	
2 bed	4 persons	67m ²	
3 bed	5 persons	75m ²	1 storey
3 bed	5 persons	82m ²	2 storey
4 bed	6 persons	85m ²	1 storey
4 bed	6 persons	95m ²	2 storey
5 bed	7 persons	108m ²	
7+ persons			add 10m ² per person

Design Standards

All affordable homes should be built to minimum Code for Sustainable Homes Level 3.

It is noted from the application that the 2 x 1 bed flats (Plots 13 and 14) are located over garages. It may be necessary to change the design, so that the flats are not located over garages, if it becomes difficult to find a Registered Provider to take on these units.

Transfer to Registered Provider

All affordable homes would need to be transferred to a registered provider approved by the Council, or transferred to the Council, on a nil subsidy basis.

Nominations

The local Authority would have nomination rights to the affordable homes, secured through a Nominations Agreement which will be signed by the Council and the Registered Provider.

S106 Developer Contributions

Developer Contributions will be triggered towards infrastructure/facilities, including recreational open space, education, waste and recycling facilities, the stone curlew project and public art.

With regards to open space provision; the provision of recreation facilities are required for all proposals for new residential development to account for increased demand in accordance with saved policy R2. In this regard, Wiltshire Council has adopted the upper National Playing Fields Association (NPFSA) for the provision of both equipped children's play facilities (0.3 hectares per 1,000 population) and youth and adult facilities (1.8 hectares per 1,000 population) and a standard of 0.5 hectares per 1,000 population in relation to casual/informal play space. The level of on-site provision required is calculated by the Council's Open Space Officer using the housing mix (paragraph 7 of Appendix IV of the Salisbury District Local Plan).

Saved Policy PS5 of the SDLP requires new education facilities and/or financial contributions where new residential development would take the local school over its current capacity. The current (and imminently to be updated for 2013/14), cost multipliers are £12,713 per primary and £19,155 per secondary place. It is the education department's policy to make a formal assessment/response as part of the consultation process on a submitted planning application. Priority for "allocation" of spare places at a school is established by the date of such a planning submission. Their assessment is also specific to the site location, housing number and mix, and any changes to these would necessitate a new assessment. Affordable units also attract a standard 30% discount.

The applicable waste and recycling contributions are outlined in the internal consultation responses section above. In addition to these contributions; policy WS6 of the Waste Core Strategy requires any development proposals providing 10 or more dwellings units to include a waste audit and design and provide facilities for occupiers of the development to recycle/compost waste (bring systems) and/or facilities within individual properties for the source separation and storage of different types of waste for recycling and/or composting.

A waste audit is included as part of the application and the council has no objections to it.

A financial contribution may also be sought towards the provision of public art within the development (in accordance with policy D8).

The applicant has offered an additional community contribution for the Idmiston Parish Memeorial Hall. This is an important material consideration to be balanced against the policy objection to development outside of the housing development boundary. It is officers view that such a contribution tips the balance in favour, particularly having regard to the lack of any demonstrable harm arising from the development in other respects.

11. Summary and Conclusion

The SWCS and the emerging WCS seek to build resilient communities and support rural life.

The application site lies largely outside of the housing policy boundary (limits of development) where the presumption is against development with few exceptions. However, in this case it is the opinion of officers that this is, in fact, a well designed scheme that will not adversely affect the character or appearance of the site, the adjacent conservation area, the landscape setting, biodiversity, flood defence, drainage, residential amenity and sustainable development principles. With this in mind, together with the community benefits the development will also deliver, the proposal is considered to be acceptable, these other 'material considerations' outweighing the policy objection. In this instance it is not considered necessary to wait for a neighbourhood plan where it has been demonstrated that the proposal is acceptable in terms of its impacts in any event.

RECOMMENDATION

That subject to the applicant entering into a Section 106 agreement to ensure delivery of the infrastructure made necessary by the development (including affordable

housing, off site equipped open space, youth and adult sport provision, ecology measures, education provision, fire and rescue facilities, waste and recycling facilities, and community facilities), GRANT PLANNING PERMISSION, subject to the conditions set out below.

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. No development shall commence on site until 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:

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

3. No development shall commence on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure 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.

4. 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.

5. Prior to the commencement of development a detailed lighting scheme comprising low level louvered bollards for the illumination of all roads and pathways shall be submitted to and approved in writing by the LPA.

Reason: to minimise night time light pollution and reduce the visual impact of the development of this elevated site on the village during the hours of darkness.

6. Hours of work on site preparation and construction (including deliveries) shall be restricted to between 8-00 a.m. to 6-00 p.m. Monday to Friday and between 8-00 a.m. and 1-00pm on Saturdays unless otherwise agreed in writing with the LPA. No work shall be undertaken on Sundays or Bank Holidays.

Reason:

To safeguard the amenity of the occupiers of the properties that adjoins the site.

7. 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 undertaken and until:

- a) The Local Planning Authority has been provided with written confirmation that, in the opinion of the developer, the site is likely to be free from contamination which may pose a risk to people, controlled waters or the environment. Details of how this conclusion was reached shall be included.
- b) If, during development, any evidence of historic contamination or likely contamination is found, the developer shall cease work immediately and contact the Local Planning Authority to identify what additional site investigation may be necessary.
- c) In the event of unexpected contamination being identified, all development on the site shall cease until such time as an investigation has been carried out and a written report submitted to and approved by the Local Planning Authority, any remedial works recommended in that report have been undertaken and written confirmation has been provided to the Local Planning Authority that such works have been carried out. Construction shall not recommence until the written agreement of the Local Planning Authority has been given following its receipt of verification that the approved remediation measures have been carried out.

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.

8. Before works commence a Construction Ecology Management Plan will be submitted for planning authority approval covering procedures and measures to be undertaken during the construction period to safeguard reptiles, bats, non-native plants, birds, hedgerows and trees. The plan will demonstrate those works that will require input from a professional ecologist and the works will be undertaken in accordance with the approved plan.

Reason:

In the interest of Ecology

9. Before works commence a Landscape and Ecological Management Plan will be submitted for planning authority approval which will include a drawing distinguishing between proposed landscape works and ecological features together with a schedule of works required to maintain these for the first five years and in the long term. The plan will identify those ecological features that must be retained and managed specifically for their biodiversity interest

Reason:

In the interest of Ecology

10. No development shall commence within the area indicated (proposed development site) until:

- 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
- The approved programme of archaeological work has been carried out in accordance with the approved details.

Reason: To enable the recording of any matters of archaeological interest.

Further Recommendations: The work should be conducted by a professional recognised archaeological contractor in accordance with the written scheme of investigation agreed by this office and there will be a financial implication for the applicant.

11. No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

Reason:

In the interests of sustainable development and climate change adaptation.

Pollution Prevention During Construction

12. No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

Reason;

To prevent pollution of the water environment

13. The development hereby approved shall be carried out in accordance with the following list of documents plans and specifications:

Documents:

Design and access Statement, received 03/03/14
Heritage Statement, February 2014, received 21/02/14
Heritage Desk Based Assessment February 2014, received 21/02/14
Landscape Maintenance Plan, January 2014, received 21/02/14
Arboricultural Impact Appraisal and Method Statement January 2014, received 21/02/14
Waste Audit and Construction Statement February 2014, received 21/02/14
Ecological Assessment Report January 2014, received 21/02/14
Reptile Survey and Mitigation Strategy Report February 2014, received 21/02/14
Flood Risk Assessment January 2014, received 21/02/14
Summary of Community Involvement February 2014, received 21/02/14
Transport Statement February 2014, received 03/03/14

Drawings:

Plan ref No: PP1182/ 100-00, Rev P2 Location Plan dated 05/12/13, received 21/02/14
Plan ref No: PP1182/ 101-00, Rev P2 Proposed Site Layout Plan dated 01/11/13, received 21/02/14
Plan ref No: PP1182/ 110-00, Rev P1 Plot 1 elevations Floor Plans and Sections dated 01/11/13, received 21/02/14
Plan ref No: PP1182/ 111-00, Rev P1 Plots 2, 3, 4 and 5 Floor Plans and Elevations dated 01/11/13, received 21/02/14
Plan ref No: PP1182/ 112-00, Rev P1 Plots 6, 7 and 8 Floor Plans and Elevations dated 01/11/13, received 21/02/14
Plan ref No: PP1182/ 113-00, Rev P1, Plots 9 and 10 Floor Plans and Elevations dated 01/11/13, received 21/02/14
Plan ref No: PP1182/ 114-00, Rev P1 Affordable Plots 11, 12 & 13, 14 Plans Elevations & Sections dated 01/11/13, received 21/02/14
Plan ref No: PP1182/ 115-00, Rev P1 Affordable Plots 15, 16, 17 & 18 Proposed Floor Plans & Elevations dated 01/11/13, received 21/02/14
Plan ref No: PP1182/ 116-00, Rev P1 Plots 19 & 20 Proposed Floor Plans & Elevations dated 01/11/13, received 21/02/14
Plan ref No: PP1182/ 120-00, Rev P1 Proposed Site Sections Sheet 1 of 2 dated 01/11/13, received 21/02/14
Plan ref No: PP1182/ 121-00, Rev P1 Proposed Site Sections Sheet 2 of 2 dated 01/11/13, received 21/02/14
Plan ref No: PP1182/ 130-00, Rev P1 Details of Proposed Site Entrance dated 01/11/13, received 21/02/14
Plan ref No: PP1182/ 130-10, Rev P1 Sketch Elevations of Cob Wall dated 18/12/13, received 21/02/14
Plan ref No: LIND46-sk2, Rev B Drainage Strategy dated January 14, received 21/02/14

Reason:

In the interest of clarity

INFORMATIVE:

The surface water soakaways may require the approval of the Local Authority's Building Control Department and should be constructed in accordance with the BRE Digest No 365 or CIRIA Report 156 "Infiltration Drainage, Manual of Good Practice". Only clean, uncontaminated surface water should be discharged to soakaway.

Water Efficiency and Climate Change

The incorporation of water efficiency measures into this scheme will provide resilience to some of the extremes of weather conditions that climate change brings. It benefits future residents by reducing water bills, and also benefits wider society by allowing more water to go round in times of shortage. The following condition has been supported in principle by the Planning Inspectorate.

INFORMATIVE:

The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered.

An appropriate submitted scheme to discharge the condition will include a water usage calculator showing how the development will not exceed a usage level of 105 litres per person per day.

NOTE TO LPA:

You will not need to consult us on discharging the above condition, simply ensure that the above informative is complied with.

INFORMATIVE:

Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

- the use of plant and machinery
- oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes.

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at:

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>.