

AGENDA

Meeting: Northern Area Planning Committee
Place: Council Chamber - Wiltshire Council Offices, Monkton Park,
Chippenham SN15 1ER
Date: Wednesday 28 November 2018
Time: 3.00 pm

Please direct any enquiries on this Agenda to Craig Player, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713191 or email craig.player@wiltshire.gov.uk

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Membership:

Cllr Tony Trotman (Chairman)	Cllr Mollie Groom
Cllr Peter Hutton (Vice-Chairman)	Cllr Chris Hurst
Cllr Chuck Berry	Cllr Toby Sturgis
Cllr Christine Crisp	Cllr Brian Mathew
Cllr Howard Greenman	Cllr Ashley O'Neill
Cllr Gavin Grant	

Substitutes:

Cllr Ben Anderson	Cllr Jacqui Lay
Cllr Bill Douglas	Cllr Melody Thompson
Cllr Ruth Hopkinson	Cllr Philip Whalley
Cllr Bob Jones MBE	Cllr Nick Murry

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Public Participation

Please see the agenda list on following pages for details of deadlines for submission of questions and statements for this meeting.

For extended details on meeting procedure, submission and scope of questions and other matters, please consult [Part 4 of the council's constitution](#).

The full constitution can be found at [this link](#).

For assistance on these and other matters please contact the officer named above for details

AGENDA

Part I

Items to be considered when the meeting is open to the public

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 5 - 10*)

To approve and sign as a correct record the minutes of the meeting held on 31st October 2018.

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation**

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register by phone, email or in person no later than 2.50pm on the day of the meeting.

The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice. The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application and up to 3 speakers on any other item on this agenda. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered.

Members of the public will have had the opportunity to make representations on the planning applications and to contact and lobby their local member and any other members of the planning committee prior to the meeting. Lobbying once the debate has started at the meeting is not permitted, including the circulation of new information, written or photographic which have not been verified by planning officers.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications.

Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on Wednesday 21st November 2018 in order to be guaranteed of a written response. In order to receive a verbal response questions must be submitted no later than 5pm on Friday 23rd November 2018. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6 **Planning Appeals and Updates** (*Pages 11 - 12*)

To receive details of completed and pending appeals and other updates as appropriate.

7 **Planning Applications**

To consider and determine the following planning applications.

7a **18/06305/FUL - Nos. 1-6 and 9-14, Bendy Bow, Oaksey** (*Pages 13 - 46*)

7b **16/10513/FUL - Land at Restrop Road, Purton, Swindon** (*Pages 47 - 72*)

8 **Urgent Items**

Any other items of business which, in the opinion of the Chairman, should be taken as a matter of urgency.

Part II

Items during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 31 OCTOBER 2018 AT COUNCIL CHAMBER - WILTSHIRE COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM SN15 1ER.

Present:

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice-Chairman), Cllr Chuck Berry, Cllr Christine Crisp, Cllr Howard Greenman, Cllr Gavin Grant, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Toby Sturgis, Cllr Brian Mathew and Cllr Ashley O'Neill

Also Present:

Cllr Bob Jones MBE

54 Apologies

There were no apologies.

55 Minutes of the Previous Meeting

The minutes of the meeting held on 3rd October 2018 were presented.

Resolved:

To approve as a true and correct record and sign the minutes.

56 Declarations of Interest

Cllr Groom declared an interest in agenda item no. 7a (member of Cotswold Conservation Board). She declared she would participate in the debate and vote for the item with an open mind.

57 Chairman's Announcements

There were no Chairman's announcements.

58 Public Participation

The Committee noted the rules on public participation.

59 Planning Appeals and Updates

The Committee noted the contents of the appeals update.

60 **Planning Applications**

To consider and determine the following planning applications:

61 **18/08151/FUL - Dahl Al Misfir, Park Lane, Ford, Chippenham**

Public participation

Ken Carter, local resident, spoke in objection to the application.
Beau Roberts, local resident, spoke in objection to the application.

John Worsnop, the applicant, spoke in support to the application.

The Planning Officer, Lee Burman, introduced a report which recommended granting planning permission, subject to conditions, for the installation of a swim spa and decking in the rear garden of Dahl Al Misfir.

Key issues highlighted included: the principle of development; the impact of the proposal on the character and appearance of the application site and surrounding Cotswolds Area of Outstanding Beauty; the impact of the proposal on the character and appearance of the Long Dean-Ford-Slaughterford Conservation Area and on the settling of the nearby listed buildings; and the impact of the proposal on the residential amenities of surrounding properties.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: the location of the proposed decking; the material of the section of the development that would be visible to the adjacent lane; the level of noise the pump would produce and whether there were any policy restrictions in regards to this; the longer-term maintenance of the decking and especially its colour; and whether the pump's noise level could be mitigated via a cover or underground storage.

Members of the public then had the opportunity to address the Committee, as detailed above.

Cllr Toby Sturgis, speaking on behalf of the Division Member who was unable to attend, spoke regarding the application with the main points focusing on the adequacy of detail/information submitted with the application; whether the proposal draws on the local context and is complimentary to the locality; whether the design of the development could be changed especially in regards to the decking, plastic cover and lowering of the spa; and concerns over the level of noise the pump would produce.

At the start of the debate a proposal was moved by Cllr Peter Hutton, seconded by Cllr Gavin Grant to grant planning permission as detailed in the report and subject to the additional conditions detailed below.

During the debate the main points raised were: the possible outdoor storage of resident paraphernalia; the visual impact of the development to neighbouring properties; overdevelopment in the Cotswold area of outstanding natural beauty; the spirit and intention of conditions attached to the grant of permission for the original development of the dwelling in the Cotswold area of outstanding natural beauty and in particular the below ground level element of the property; the level of noise the pump would produce and the need to mitigate this; the suitability of the plastic section of the development; the size of the decking area; and the need to ensure the development would only be used ancillary to the residential dwelling.

Resolved

To delegate authority to the head of development management services to grant permission subject to the conditions recommended in the report to committee and additional conditions to address:

Site landscaping to minimize visual impact of development and noise impact to neighbouring properties;

Restrict outdoor storage of residential paraphernalia on the proposed decking to minimize visual impact;

Ensure that the proposed swim spa is used ancillary to the residential dwelling it serves and is not used for commercial purposes to mitigate impact to residential amenity.

The wording of conditions to be delegated to officers.

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Block Plan, Layout Plan, Section and Swim Spa Specifications; all dated 24 August 2018.

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

3 No paint or stain finish shall be applied to external timber until details of the paint or stain to be applied 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.

4 The shell of the Swim Spa shall be 'Quartz Mist' in colour and it shall have a dark grey cover.

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

5 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.

6 INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

7 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.

8 INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

62 17/09914/FUL - Land to the rear of 88- 89b, High Street, Cricklade

Public participation

Andrew Pywell, the agent, spoke in support to the application.

Cllr Mark Clarke, Cricklade Parish Council, but representing Cricklade Neighbourhood Plan, spoke in objection to the application.

Cllr Chris Hodgson, Cricklade Parish Council, spoke in objection to the application.

The Planning Officer, Lee Burman, introduced a report which recommended granting planning permission, subject to conditions, for the erection of 2 no. dwellings on an area of land to the rear of 88-89b High Street, Cricklade that fronts onto Horse Fair Lane.

The Planning Officer provided the following update on the report:

- Page 38 of the agenda pack – parking arrangements revised to provide 2 no. garage space on 2 x 3 no. bed dwellings.
- End of report informatives – drainage matters referred to Wessex Water in the report, but should read Thames Water.

Key issues highlighted included: the principle of development; the impact on the character and appearance of the Conservation Area, Listed Buildings and their settings; the impact on local highways/parking; the impact on neighbour amenity; and drainage.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: the current parking arrangements and whether parking spaces would be lost as a result of the proposed development; concerns over the site location map detailed in the report; why the Conservation Officer now had no objections to the development; and the reduction of the number of dwellings proposed in the original proposal.

Members of the public then had the opportunity to address the Committee, as detailed above.

Cllr Bob Jones MBE, Division Member, spoke regarding the application with the main points focusing on overdevelopment of the area; the proximity of the development to the high street; highways/parking concerns; the historical value of the area; the impact on the character and appearance of the conservation area; and the need to take the Cricklade Neighbourhood Plan into consideration.

At the start of the debate a proposal was moved by Cllr Chuck Berry, seconded by Cllr Gavin Grant to refuse planning permission as detailed below.

During the debate the main points raised were: the authority of the Neighbourhood Plan and in particular Policy H3; the integrity of burgage plots and their importance to the character and appearance of the area; the natural and historical significance of the area; informal parking arrangements and their importance to local residents; and whether the public benefits of development outweigh its harm, whether the development conflicts with Core Policy 57 and 58 of the Wiltshire Core Strategy.

Officers advised members in respect of the submitted and available information in respect of parking arrangements and highways access and potential conflicts with the development.

Resolved

That planning permission is refused contrary to officer recommendation for the following reason:

- 1. The proposed development by virtue of its form, scale and layout will result in harm to the setting of the adjacent designated heritage assets (No.s 88 – 88b High Street Cricklade) through subdivision of the burgage plots related to these properties. The identified harm is not sufficiently outweighed by public benefits of development and consequently the proposals conflict with Wiltshire Core Strategy (Jan 2015) CP57 (i) & (iii) and CP58; Policy H3 of the Cricklade Neighbourhood Plan (Made March 2018); and paras 11, 194 & 196 of the National Planning Policy Framework (July 2018).**

63 Urgent Items

There were no urgent items.

(Duration of meeting: 3.00 - 4.35 pm)

The Officer who has produced these minutes is Craig Player of Democratic Services, direct line 01225 713191, e-mail craig.player@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

**Wiltshire Council
Northern Area Planning Committee
28th November 2018**

Planning Appeals Received between 19/10/2018 and 16/11/2018

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overturn at Cttee
18/02373/VAR	Land North of Bath Rd Corsham, Wiltshire SN13 0QL	CORSHAM	Variation of condition 22 (Foundation Investigation Plan) of 13/05188/OUT to allow commencement of development prior to the discharge of this condition.	DEL	Inquiry	Refuse	24/10/2018	No
18/04006/FUL	Ivy Cottage Box Hill SN13 8EX	BOX	Raised parking area to serve existing dwelling (retrospective)	DEL	House Holder Appeal	Refuse	29/10/2018	No

Planning Appeals Decided between 19/10/2018 and 16/11/2018

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
18/03274/FUL	63 London Road Calne, SN11 0AA	CALNE	Proposed Driveway	DEL	Written Reps	Refuse	Dismissed	26/10/2018	None

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REPORT TO THE STRATEGIC PLANNING COMMITTEE

Report No.

Date of Meeting	31 st October 2018
Application Number	18/06305/FUL
Site Address	Nos. 1-6 and 9-14 Bendy Bow Oaksey SN16 9TN
Proposal	Demolition of nos. 1-6 and 9-14 and replacement with 24 no. dwellings
Applicant	GreenSquare
Town/Parish Council	OAKSEY
Electoral Division	MINETY – Councillor Chuck Berry
Grid Ref	ST 98635 93491
Type of application	Full Planning
Case Officer	Victoria Griffin

Reason for the application being considered by Committee

The application has been brought to the called in to Committee by Councillor Chuck Berry as it is considered to conflict with the Development Plan with the main issue being the properties fronting the Street and their impact on the Conservation Area and residential amenity.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to delegate authority to the Head of Development Management 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 to meet requirements for Affordable Housing and Waste Contributions.

In the event that the applicant declines to enter into the S106 Legal Agreement in this period, planning permission will be refused on the basis that the proposed development fails to address the affordable housing and waste management requirements arising from the development and so conflict with CP3 and CP43 of the WCS.

2. Report Summary

The main issues in considering the application are:

- Principle of development
- Impact on the character and appearance of the area
- Impact on residential amenity
- Impact on highway safety and parking
- Impact on site drainage
- Impact on ecology
- Other matters

The application was advertised by neighbour letter and site notice. This publicity generated 9 no. letters of objection and 5 no. letters of support. The Parish Council have objected on a number of grounds including the impact of the terrace on the existing character of The Street and setting of the Conservation Area and residential amenity.

3. Site Description

The site is located on the edge of Oaksey within the settlement framework and is bordered on its northern, eastern and western boundaries by existing residential development. Although the majority of the site itself falls outside of the Conservation Area its northern edge is situated within the Oaksey Conservation area. Oaksey itself is dispersed along the route running through the village and has a strong linear form with a local vernacular of Cotswold stone properties. Bendy Bow deviates in style from the origins of the village with the occupation of the application site with 12 no. two-storey dwellings constructed in PRC (Pre-cast Reinforced Concrete) of precast ship-lap concrete panels which typifies the post-war development of housing. Woodfold's Farmhouse, The Green a grade II listed building is situated to the south of the site. No's 7-11 The Street are grade II listed buildings also are

situated to the east of the site entrance. Footpath OAKS2 is situated to the southern edge of the site.

The proposed total site area is 0.4907 hectares. The site is accessed from The Street which passes along the northern boundary. Bendy Bow itself wraps around to a cul-de-sac that serves a number of dwellings. The site is bordered on The Street road frontage by an existing open aspect with views across the gardens. The garden boundaries are low level including fencing and vegetated with hedgerows with some small trees within the site which are category 'C' and are noted as insignificant in the Tree Survey. Development around the site boundaries is largely residential of mixed character and height. The accompanying Flood Risk Assessment has identified that the site lies in 'Flood Zone 1' with low risk of flooding and is as identified on the Council's GIS.

The site is managed by Green Square providing living accommodation to a number of families. The existing buildings on the site would be demolished and replaced with modern, energy efficient properties. The application is for the replacement of 12 no. dwellings with 24 no. new dwellings and associated works, including landscaping and access. The development is indicated within the submissions as 3 no. areas of housing including:

- the terrace of 5 no. dwellings fronting along The Street
- the block accessed at the entrance of Bendy Bow with shared parking space and
- pairs of semi-detached units to the southern edge of Bendy Bow

All dwellings are proposed in Bekstone Oolite reconstituted stone Tumble finish with reconstituted stone cills and stone soldier courses to prominent window heads with concrete roof tiles.

The application is supported with a revised Design & Access Statement, Landscape & Maintenance Plan and Construction Method Statement, Bat Survey Report and Tree Survey Report, Drainage Strategy and Flood Risk Assessment & a Conservation Area Impact Assessment.

4. Relevant Planning History

N/04/02080/OUT – Demolition of garage and erection of 3 dwellings – Granted

N/04/03609/FUL – Three dwellings - Granted

5. The Proposal

The proposal relates to the replacement of 12 no. PRC Airey houses with 24 no. new dwellings on 3 no. parcels of land. The site will replace the existing 12 Social Rent houses to include 10 x 3 bed houses, 2 x 4 bed houses, 12 no. of which will be social rent of which will be secured under a S106 agreement and 12 no. of which will be low cost home ownership. A draft unilateral undertaking has been submitted in support of the application.

6. Local Planning Policy

The following policies of the adopted *Wiltshire Core Strategy* are relevant:

Core Policy 1: Settlement strategy

Core Policy 2: Delivery strategy

Core Policy 3: Infrastructure

Core Policy 13: Spatial Strategy: Malmesbury Community Area

Core Policy 41: Sustainable Construction and Low Carbon Energy

Core Policy 43: Providing affordable homes

Core Policy 45: Meeting Wiltshire's Housing Need

Core Policy 46: Meeting the specific housing needs of vulnerable and older people

Core Policy 48: Supporting rural life

Core Policy 50: Biodiversity and Geodiversity

Core Policy 51: Landscape

Core Policy 52: Green Infrastructure

Core Policy 57: Ensuring high quality design and place shaping

Core Policy 58: Ensuring the Conservation of the Historic Environment

Core Policy 60: Sustainable Transport

Core Policy 61: Transport and new development

Core Policy 62: Development Impact on the Transport Network.

Core Policy 67: Flood Risk

North Wiltshire District Local Plan (Saved Policies)

NE14: Trees, site features and the control of new development.

NE18: Noise and pollution

National Planning Policy Framework (2018)

- Presumption in favour of sustainable development – Paragraph 11
- Section 5 – Delivering a sufficient supply of homes
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 12 – Achieving well-designed places
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving the natural environment
- Section 16 – Conserving the historic environment

Paragraph 189 states that in determining planning applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including 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.

Paragraph 190 Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 193 When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Paragraph 196 – Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Paragraph 11 Presumption in favour of sustainable development - The Framework introduces a presumption in favour of sustainable development. This is defined as being made up from economic, social and environmental elements. It says that, when taking decisions on applications, this presumption means approving development proposals that accord with the development plan without delay. Where the development plan is absent, silent or relevant policies are out of date, it means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 124 Good Design - The Framework continues the theme from previous Government guidance that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

It says that planning decisions should aim to ensure that developments:-

will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit are visually attractive as a result of good architecture and appropriate landscaping.

The Framework goes on to say that decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

Draft Housing Site Allocations Plan (dHSAP)

The pre-submission draft Site Allocations Plan was published for consultation on 14 July 2017. The purpose of the Plan is to:

- Revise, where necessary, settlement boundaries in relation to the Principal Settlements of Salisbury and Trowbridge, Market Towns, Local Service Centres and Large Villages; and

- Allocate new sites for housing to ensure the delivery of homes across the plan period in order to maintain a five year land supply in each of Wiltshire’s three HMAs over the period to 2026.

Decisions on planning applications are made in accordance with the policies contained within the Local Plan, Wiltshire Core Strategy and Government guidance contained within the National Planning Policy Framework (NPPF). Section 38(6) of the Planning and Compulsory Purchase Act states that “determination must be made in accordance with the plan unless material considerations indicate otherwise”.

Oaksey Draft Neighbourhood Plan 2018 – 2026 - The Designation of Oaksey Neighbourhood Area has been approved in accordance with section 61G of the Town and Country Planning Act 1990 as amended for the purposes of Neighbourhood Planning.

Policy 1 – Settlement boundary – new development focussed within settlement

Policy 2 – Design of new development and local distinctiveness

Policy 3 – Highway impact

Policy 4 – Heritage assets

Policy 5 – New Housing – Bendy Bow is an allocated site for new development

Policy 6 – Community facilities

Policy 7 – Setting of Oaksey (Natural Environment)

Policy 8 – Prevention of surface water flooding

Weight can be attached to relevant policies in emerging plans according to the stage of preparation, the extent to which there are unresolved objections and consistency with national policy (paragraph 48 of the Framework). The Draft Oaksey NP is at an advanced stage having undergone previous consultation and engagement with the local community. Formal stages remain, however, such as conclusion to an examination and referendum. It is therefore concluded that limited-moderate weight should be attached to NP policy in the plan as a material consideration. Following the Inspectors report being published and subject to unresolved objections significant weight can then be attached.

Planning Obligations SPD

Legislation:

Planning (Listed Buildings & Conservation Areas) Act 1990

There is a duty placed on the Council under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 'In considering whether to grant planning permission for development which affects a listed building or its setting' to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

There is a duty placed on the Council under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act to pay special attention to the preservation or enhancement of the character of the surrounding conservation area.

7. Summary of consultation responses

Oaksey Parish Council – Objections – the proposals conflict with the Development Plan including the Draft Neighbourhood Plan (2018) specific issues are as follows (summarised) as follows:

- Set out legal requirements to conform with the provisions of the Development Plan for the area
- Object to proposed layout and conflicts with NP design policies
- Siting, scale, density, massing and proximity of terrace fronting The Street is unacceptable
- Fails to respect the existing building line in this part of the village
- Detracts from traditional village character and existing built form
- Lack of frontage to road
- Harms setting of non-designated heritage assets
- Harms setting of Conservation Area
- Harms character and appearance of the Conservation Area
- Design and materials in appropriate in this location
- Inappropriate use of boundary treatments
- Significant weight should be given to the plan policies

Officer note: Oaksey PC has commissioned a sketch drawing proposing a redesign of the site to satisfy their concerns raised above; this is available to view on the public file.

Highways – No objection, subject to conditions and suitable off-site works

Urban Design – No objection subject to revised plans

Subsequent to a meeting focussed on discussing previous urban design comments, and a further series of significant revisions, the applicant has responded positively, and successfully addressed my previous concerns.

The applicant has helpfully updated the Design and Access Statement to make clear the evolution of the design (which can be seen to improve greatly from a cramped parking-dominated solution to a much more balanced arrangement where parking and landscaping have been sensitively integrated and detailing has a keen regard for placemaking.).

A cover letter also accompanies the application, explaining further the context of setting and the various constraints and responses that have influenced the evolution, the contents of which I concur with.

The application is considered to be in compliance with Core Policy 57 and general good urban design practice, and recommend support in terms of design.

Officer note: a revised materials plan has been received that reflect the agreed changes and is included within the plan list

Education – Comments – No contributions required

Waste – Comments – The on-site infrastructure required by the proposal is the provision of waste and recycling containers for each residential unit. The following s106 contribution £2184 is required for the provision of this essential infrastructure.

Public Open Space – Comments – no off-site contributions required we would not seek an offsite contribution in this case. The POS requirement is for less than 0.2ha and as such this development is not required to make provision on site. The introduction of CIL means no offsite contribution would be payable here

Spatial Team – No objection in principle - clarification provided on the weight given to the draft Neighbourhood Plan and programme for referendum

Housing – Support the revised layout and draft UU reflect the mix and tenure split required to address housing need within this area - The site will replace the existing 12 Social Rent houses with 10 no. 3 bed houses and 2 no. 4 bed houses along with 7 no. 2 bed houses and 5 no. 3 bed houses

Public Protection – Comments - Advice and conditions recommended in respect of AQA, Contaminated Land and Construction and Environmental Management of the proposed works

Rights of Way – No objection

- **Drainage** – No objection subject to conditions/informatives following submissions of FRA/Drainage Strategy
- Written third party permissions in place before start on site (regarding diversions)
- Diversions undertaken prior to any other building works (dwellings)
- No occupation until drainage works completed to approved drawings

Ecology – No objection subject to condition in line with recommendations of Ecology report

Conservation Team – Support proposals:

- The present arrangement is dense mid twentieth century housing estate separated from the Conservation Area via the existing road, the proposal will substitute this existing housing estate for a similar form of development thus will not affect the special interest of the wider conservation area. Whilst the new scheme includes an additional small terrace facing towards the Conservation Area, this will not significantly amend the setting of the Conservation Area due to the presence of the existing road and the modest natural of the existing strip of Grass.
- The new dwellings will be sufficiently recessed from the road edge and with landscaping to the fore views along the road will remain much as existing. The overriding special interest of the part of the Conservation Area affected is its historic evolution and the large detached dwellings set in large garden plots with open pastoral land behind on the North side of the Road this Character will be retained.

- The proposed development will deliver a series of tangible public benefits including an increase in affordable dwellings in the locality, buildings which have a lower carbon foot print than the existing and architecture of a higher quality than the existing prefabricated dwellings which offset any perceived harm caused to the Conservation Area under and thus would compliant para 196 of the NPPF.

Arboricultural officer – No objections in line with Tree Survey recommendations

Wessex Water – Support in principle subject to LLFA and Highway Authority permissions - advisories recommended

Wiltshire Police – Comments on defensible space and use of chain link fencing within the layout

8. Publicity

The application was advertised by local press, site notice and neighbour notification.

9 no. objections were received (summarised):

- Adverse impact on local traffic/highways
- Harm to Conservation Area setting
- Out of character with immediate setting
- Loss of residential amenity
- Too high density for this part of The Street
- Noise and disturbance caused by construction works to existing residents
- Render materials not appropriate
- Loss of light

5 no. letters of support comments, raising the following points (summarised):

- Housing in need of replacement and repair
- Energy efficiency
- Good layout and design
- Adequate parking provision

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, namely the Wiltshire Core Strategy unless material considerations indicate otherwise. Section 149 of the Equality Act 2010 places a duty on public authorities, in the exercise of their functions (including therefore undertaking the assessment and determination of planning applications), to have due regard to:

1. The need to eliminate discrimination, victimisation and any other conduct prohibited by the Act;
2. Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it and;
3. Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The Act defines 'protected characteristics' as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The proposed development involves the demolition of the twelve residential properties and their replacement with 24 new residential properties. Twelve of those properties are to be a direct replacement for the properties to be demolished, all of which are social rented tenure, and for those tenants currently resident at those properties to return, should they wish to, or to be rehomed elsewhere locally subject again to their personal wishes. Protected characteristics of current residents, such as age and disability, have been taken into account by the applicant whose tenants will retain their protected rights and tenancies. The applicant has considered this duty throughout this process and the public sector equality duty can be discharged by an understanding of the need to redevelop these properties, which has been balanced against the individual needs of tenants, some of whom may have protected characteristics.

Principle of development:

WCS Core Policies 1 and 13 identify Oaksey as one of a number of Large Villages. They are defined as settlements with a limited range of employment, services and facilities.

Development at Large Villages will be limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities.

WCS Core Policy 2, amongst other components, establishes a minimum housing requirement for each of the County's Housing Market Areas and sets out a role for settlement boundaries. Within a settlement boundary development is acceptable in principle; outside, other than in circumstances as permitted by other policies within the WCS, identified in paragraph 4.25, residential development will not be permitted. The boundary may only be altered through the identification of sites for development through subsequent Site Allocations Development Plan documents and neighbourhood plans.

The proposals are solely for residential development on a brownfield site within the adopted settlement boundary. As such the principle of residential redevelopment on the site would not be contrary to Core Policies 1 and 2 of the development plan.

The site is also identified within the Oaksey Neighbourhood Plan (March 2018) as a potential site for redevelopment within the emerging Neighbourhood Plan as it is identified as a preferred option site. The Neighbourhood Plan is at Examination Stage and can be attributed limited to moderate weight. The weight to be afforded to DPDs including neighbourhood plans increases as they advance through the preparation process and the more advanced the stage reached the more weight that can be attached (para 48 NPPF applies). Case law has repeatedly established that significant weight can only be afforded once a plan has been examined and the Inspector's report of that examination is available with consideration given to any outstanding matters and unresolved objections.. *Housing* In consultation with the Council's Housing Team the mix and tenure of the housing units which are sought has been clarified. The existing properties are all 3 bedroom houses, occupied, social rent. The proposals seek to replace these units to include 10 x 3 bed houses, 2 x 4 bed houses, social rent. In the housing mix to units 6-11, 19-24 are proposed as the social rent units. The mix is as follows:

19 & 20 - 4 bed houses (2 units)

6-11 & 21-24 - 3 bed houses (10 units)

The s106 agreement will seek to secure twelve (12) of the Residential Units as Affordable Housing of which 100% of the Affordable Housing Units shall be Social Rented Units. The remaining units on the scheme are low cost homes but required to be not secured through the S106, so that applicant can get grant funding from Homes England and they will not be subject to local connection criteria. The Housing Team support the proposals and that the draft mix and tenure would accord with Housing need requirements in accordance with the CP43 WCS and adopted Planning Obligations SPD.

Impact on the character and appearance of the area & setting of the Conservation Area and heritage assets:

The principle of new development on the site is acceptable. Core Policy 57 (i) states that applications for new development will need to demonstrate how they make a positive contribution to the character of Wiltshire through (inter alia) enhancing local distinctiveness by responding to the value of the natural and historic environment. Core Policy 58 states that development should protect, conserve and where possible enhance the historic environment.

Site proposals- Layout

The application site is presently occupied by 12 no. precast concrete dwellings constructed in the post war era that have mature gardens with small set backs from the road. The immediate setting includes The Street which reflects the more traditional character of the village and the existing modern development within Bendy Bow. The application site is uncharacteristic of the historic context of the village, insofar that they are modern properties that deviate from the traditional character and style in the immediate setting, whilst adding to the variety of dwellings within this part of Oaksey.

The development has taken the form of pairs of semi-detached dwellings and a terrace of 5 no. units along The Street which would formalise the entrance to the site and provide a more defined street frontage where currently there is an open aspect across gardens. The design has been formulated in order to integrate within this high quality local environment and whilst it is an introduction of a new element within this part of the village, the linear form and character of Oaksey would be reflected in the configuration and layout of the street block with a low level boundary wall and pedestrian access.

The Conservation Officer has been consulted on the proposals and cites that whilst the new scheme includes an additional small terrace facing towards the Conservation Area, this will not significantly amend the setting of the Conservation Area due to the presence of the existing road and the modest nature of the existing strip of Grass. The new dwellings will be sufficiently recessed from the road edge and with landscaping to the fore the views along the road will remain much as existing. The overriding special interest of the part of the Conservation Area affected is its historic evolution and the large detached dwellings set in

large garden plots with open pastoral land behind on the North side which would remain unharmed.

The comments of the Parish Council are noted and the weight attributed to the Oaksey Neighbourhood Plan is considered in the conclusions set out below. That said it is not considered that the reduction of the terrace to form 2 no. semi-detached pairs as purported by the Parish Council would significantly alter the perception of the row fronting the street to the extent that harm arises. In the context of this wider character of existing for development having regard to the issues raised above this is considered to be acceptable.

Significant views

Existing distance views of the site from the east and west along The Street and from the south are not considered to be harmed by the development as it will harmonise with and complement the existing pattern of development that fronts the Street. The roof-scape, including the design, materials and arrangement of the revised street layout would add variety and visual interest, alongside existing modern development. Views from the Grade I Listed Church of All Saints would be limited due to the distances involved.

Architecture and elevation treatment

The cottage style terrace design approach along the new terrace is considered acceptable in this rural edge and on the edge of the Conservation Area adjacent to non-designated assets. This is compounded by a regular rhythm of openings including small pitched roof half dormers and the use of appropriate architectural detail including stone cills and reconstituted stone soldier courses to window heads, all contributing to local distinctiveness. Whilst the comments from the Parish Council are noted this is considered acceptable as a modern interpretation of the cottage style which is sympathetic in this location. The degree of variation within the site adds visual interest to the scheme and is not considered to result in harm.

Design and historic impact conclusion

The northern site edge does falls within the setting of the Conservation Area and is adjacent within the wider area to designated and non-designated heritage assets. The development of the site is assessed against its current status. The removal of the PRC post war buildings will bring an improvement and the replacement buildings and are more appropriate. On

balance taken as a whole the development is considered to preserve the character and appearance of the conservation area and will bring positive benefits to the wider character and appearance of the area such that there is no conflict with WCS policies CP57 and CP58.

Trees and Landscape

The application has included an arboriculture assessment. There are no notable trees of character within the site that would be affected by the proposals. The Council's Arboricultural officer raises no objections to the proposals on this basis.

In conclusion it is considered therefore that the proposals would accord with Core Policy 57 (iii) and (vi) of the Wiltshire Core Strategy (adopted January 2015) (CS) which seek, amongst other things, to ensure that development responds positively to the existing townscape and relates effectively to the immediate setting and wider character of the area and would conform to the requirements of paragraphs 17 and 64 the National Planning Policy Framework (the Framework) related to good design.

Impact on residential amenity:

The site is surrounded on its northern, eastern and western boundaries by existing residential development. A number of concerns have been raised by local residents with regards to impact on residential amenity during construction works and the management of the site and the prominence of the proposed terrace on the neighbouring properties. The nearest neighbours include no's 1-3 The Street to the north, 1-5 The Green located to the west and 43-46 Bendy Bow located to the eastern side of the street. Situated opposite the site is Broadlands, No.2 and No.3 The Street, No.3 would face directly onto the site, in particular the proposed new terrace. Within Bendy Bow no's 7, 8 and 8A Bendy Bow are existing dwellings to be retained and are sandwiched between the proposed development of units 14 and 15.

This revised proposal would result in a number of glazed openings which have the potential to look out over surrounding property; however the site currently has an open aspect with some degree of mutual overlooking between properties currently. The new terrace would be orientated towards no.3 The Street and the proposals seek to make efficient use of land. Having considered the proximity of the existing dwellings to the site, the road junction and layout and the separation distances involved it is considered that the proposed dwellings have demonstrated a layout which would incorporate sufficient separation between existing

properties and would not represent significant harm to residential amenity to justify a refusal on this basis. The proposed dwellings would be sufficiently distanced from any neighbouring residential unit to ensure no harm to residential amenity would occur from loss of light, loss of outlook or sense of dominance. Conditions are recommended to be attached which would remove permitted development rights for the dwellings in order to consider the impact of any further development within the site. Furthermore it is considered that the number of openings and proximity to neighbouring properties would afford the proposed occupiers with an acceptable level of amenity in accordance with Core Policy 57.

It is noted that there is potential for amenity issues during the construction phase through noise and potentially dust. A plan has been submitted but further detail is required therefore to protect the neighbours during this period it is appropriate for a construction management plan to be submitted prior to works commencing on site which addresses noise and disturbance during construction works.

It is therefore concluded that the proposed development would have no significant adverse impact on the residential amenities of the surrounding properties and would secure an adequate level of residential amenity for future occupants of the proposed dwelling and thereby accords with CP57 of the Core Strategy (2015) and para 17 of the NPPF.

Impact on highway safety and parking:

The site is in a sustainable location with good access to all facilities and services within Oaksey which is designated as Large village. The nearest bus stop to the development site is located at the Bendy Bow/The Street road entrance directly adjacent to the site and approximately 5m from the existing site access. The Council's Highways Officer has assessed the scheme and is satisfied that subject to the appropriate provision of car parking for residents and visitors the scheme is acceptable in highway terms.

The supporting statements refer to the provision of cycle parking for each plot provision will be made within the individual plots which is acceptable to the Highways officer.

Vehicle access

The Highways officer has advised that there are bin collection points indicated on the Proposed Site Layout plan, with a need for refuse vehicles to access the shared drive access serving the parking for plots 1-11. This access arrangement would not be

acceptable, or appropriate, for adoption, and should therefore remain private. As such, it should not accommodate access for refuse vehicles, the Council's Waste Management Team have agreed that the tracking information provided demonstrates adequate vehicle access and a relevant collection points provided including storage and collection points.

Construction Management

The details in the submitted Construction Method Statement in highway terms are generally acceptable and all contractors' vehicles should be parking within the development site, or an approved designated area to respect other existing residents, and ensure vehicular access is not compromised.

Parking Standards

The car parking provision for the site accords with the current adopted standards, but it is noted that the third parking space for plot 20 is not as well related to the plot. However, as there are two spaces proposed immediately adjoining the dwelling this is not considered to represent a significant concern.

Visibility

Visibility at the junction of Bendy Bow with The Street is conditioned to ensure that visibility across the frontage of the dwellings fronting The Street is maintained.

Public Protection:

The Council's Public Protection Team has requested an Air Quality Management Assessment of the proposals. The site is located within a rural area and does not fall within or adjacent to an identified Air Quality Management Area (AQMA). Further to this the proposal is not considered to generate a significant level of new development as such the level of detail provided within the submissions is considered to be reasonable having regard, in particular, to the nature and scale of the proposed development; therefore is not considered to be justified due to no identified risk within this area.

It is noted that there is potential for amenity issues during the construction phase through noise and potentially dust. A plan has been submitted but further detail is required therefore to protect the neighbours during this period it is appropriate for a construction management

plan to be submitted prior to works commencing on site which addresses noise and disturbance during construction works.

Impact on site drainage:

The Drainage officer has removed a holding objection as further drainage information has been provided in support of the application. Conditions are recommended to ensure that the development is carried out in accordance with the survey details. Subject to conditions officers are satisfied that the development will not have an adverse impact on drainage within the locality and is therefore in accordance with the NPPF and CP67 of the Core Strategy. Wessex Water raises no objection and suggested advisories are attached to this recommendation.

Impact on ecology:

The County Ecologist has been consulted on the application as a range of ecological surveys and assessments have been carried out and provided within the following reports; 'Preliminary Ecological Appraisal' with Preliminary Roost Assessment, Focus Ecology, May 2018; 'Bat Survey Report' Focus Ecology, May 2018; GCN data analysis report, Fera And Reptile Survey Report Focus Ecology, May 2018.

The above surveys and assessments have been carried out to a suitable standard and identified that bats and Great Crested Newts were not likely to be a factor in the proposed scheme. A population of Slow-worms including juveniles, indicating breeding at the site and surrounding area has been identified and the need for a suitable mitigation strategy for this species established, due to the loss of habitat and potential harm during works.

A suitable scheme of mitigation has been provided within the 'Ecological Mitigation and Enhancement Strategy', Focus Ecology, July 2018 incorporating provision for reptiles, nesting birds, amphibians and foraging/ commuting bats, together with biodiversity enhancements which is recommended to be secured by condition.

Other:

No contributions are sought for school places or Public Open Space. Due to the net increase of dwellings proposed this does not generate sufficient requirement for contributions in line with the Council's Planning Obligations SPD.

Legal obligations:

The development is expected to secure the costs associated with the following off-site elements by legal agreement, in this instance via a signed Unilateral Undertaking:

- Affordable Housing provision
- Waste Recycling contribution

New residential development is liable for the payment of contributions under the adopted Community Infrastructure Levy (CIL) Charging Schedule 2015 with exceptions for affordable housing provision.

The application has also been considered in respect of its impact on the setting and significance of designated heritage assets. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses, whilst S72 includes such provisions for Conservation Areas. The House of Lords in the South Lakeland case decided that the “statutorily desirable object of preserving the character of appearance of an area is achieved either by a positive contribution to preservation or by development which leaves character or appearance unharmed, that is to say preserved.”

As discussed above, despite the site’s proximity to the boundary of the Oaksey Conservation Area the proposal will not have any significant effect on the setting of this designated heritage asset. The nearest listed buildings at The Street and The Green fall sufficient distance from the site and there is not considered to be harm to non-designated assets identified in the village. Due to the existing site context and the enhancements to the character and appearance of the area it is considered that there would not be significant change to the significance or settings of how these buildings will be experienced. Accordingly, there are overriding public benefits in support of the proposals.

10. Conclusion

The proposed redevelopment of the site is acceptable in principle and offers an opportunity to improve and enhance the character and quality of this part of the street scene, conservation area and wider area. The indirect economic impacts of the development in respect of employment, including during the construction phase, all constitute benefits.

The proposal relates to the comprehensive replacement of an existing PRC development within an allocated site. The development would enhance the character and appearance of the site and this part of the village. Access, circulation and parking arrangements are satisfactory whilst drainage works will be satisfactorily addressed. There will be no significant implications for trees, biodiversity or the enjoyment of local rights of way and heritage assets. It is considered that with appropriate conditions the impacts of the proposals on existing residents can be used mitigated effectively. Furthermore in the exercise of the Section 149 of the Equality Act 2010 places a duty on public authorities, in the exercise of their functions (including therefore undertaking the assessment and determination of planning applications), it is clear that the applicant, GreenSquare , has actively managed this process to ensure its tenants' rights are preserved and needs accommodated, with the management of local voids in particular ensuring that tenants can be rehomed locally either temporarily or permanently where they wish to remain local or move to the new properties. Taken on balance with the other material considerations discussed above, it is considered that overall the proposed development is acceptable in planning terms and accords with the development plan and national guidance.

RECOMMENDATION

To delegate authority to the Head of Development Management 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 to meet requirements for Affordable Housing and Waste Contributions subject to following conditions:

In the event that the applicant declines to enter into the S106 Legal Agreement in this period, planning permission will be **REFUSED** on the basis that the proposed development fails to address the affordable housing and waste management requirements arising from the development and so conflict with CP3 and CP43 of the WCS.

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

Sitloc - Site Location Plan - /
P100 - Proposed Site Layout – B
P101 - Proposed Block Plan – B
P102 - Proposed Materials Plan – B
P107 - Site Layout in Context - /
P/CE 130-140 - Coate Floor Plans Plt 12-14 – A
P/CE 134-143 - Coate Floor Plans Plt 15-18 – A
P/CF 130 - Clifton Ground Floor Plt 19-20 - /
P/CF 140 - Clifton First Floor Plan plt 19-20 - /
P/EH 130 - Everleigh Ground Floor Plt 6-11, 21-24 - /
P/EH 140 - Everleigh First Floor Plt 6-11, 21-24 - /
P/EN 130 - Enford Floor Plans Plt 1-5 - /
P/CE 200-202 - Coate Elevations Plt 12-14 – A
P/CE 203-204 - Coate Elevations Plt 15-18 – A
P/CF 200-202 - Clifton Elevations - /
P/EH 200-202 - Everleigh Elevations Plt 6-11, 21-24 - /
P/EN 200 - Enford Elevations – A
P/EN 201 - Enford Elevations - A
P/EN 202 - Enford Elevations - B
P/SL 500 - Artists Impression – B
P/SL 501 - Artists Impression - B
P/SL 502 - Artists Impression - B
P/SL 503 - Artists Impression – B
P/SL 504 - Artists Impression – A
P/SL 505 - Artists Impression – A
P/SL 506 - Artists Impression – A
P/SL 507 - Artists Impression – B
P/SL 508 - Artists Impression – A
P/SL 509 - Artists Impression – A
P/SL 510 - Artists Impression – A
P/SL CMP - CMP Site Plan - /
918-01 - Landscape Plan Bridges Assoc – C
Landscape Management & Maintenance Plan

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

- 5 No part of the development hereby approved shall be brought into use until the parking areas as shown on the approved plans have been consolidated, surfaced and laid out in accordance with the approved details, including the provision of controlled accesses as detailed. These areas shall be maintained and remain available for their respective uses at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

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

- 7 No occupation of the dwellings shall take place until the Drainage works for the development are implemented. The development shall be carried out in accordance with the Drainage & Flood Risk Assessment dated June 2018 (phg Consulting Engineers). The development thereafter shall be maintained in accordance with the approved details.

REASON: To ensure that the development can be adequately drained and managed appropriately.

- 8 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- h) measures for the protection of the natural environment; and
- i) hours of demolition and construction, including collection of waste and deliveries;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

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 minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the demolition and construction phases.

9 No dwelling shall be occupied until the vehicular access serving the dwelling and the vehicle parking space(s) serving it has been completed in accordance with the details shown on the approved plans and supporting statements and, once provided, the parking space(s) shall thereafter be so retained.

REASON: In order to provide adequate parking and turning facilities, and in the interests of highway safety.

10 Plots 1,2,3,4,5 of the development shall not be first occupied, until the visibility splays shown on the approved plans have been provided with no obstruction to

visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

Reason: In the interests of highway safety

11 No development, other than demolition, site clearance and that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition, shall commence on site, 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. The development thereafter shall be carried out in accordance with the agreed programme and in writing by the Local Planning Authority.

Step (i) Site Characterisation:

An investigation and risk assessment must be completed to assess the nature and extent of any contamination (including asbestos) 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
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,

- adjoining land,
- groundwater and surface waters,
- ecological systems,
- 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 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.

12 The development hereby approved shall be carried out in accordance with the proposals within the ecological mitigation strategy and plans detailed within the 'Ecological Mitigation and Enhancement Strategy' Focus Ecology, July 2018, as already submitted with the planning application and agreed in principle with the local planning authority before determination.

REASON: To ensure adequate protection and mitigation for protected species / priority species / priority habitats through the implementation of detailed mitigation measures that were prepared and submitted with the application before determination.

13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area.

14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the any roofslope(s) of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

15 INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy

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.

INFORMATIVE TO APPLICANT:

The applicant is reminded of the need to obtain separate Land Drainage Consent for any drainage works comprising the extinguishment and/or creation of new outfall points at the adjacent watercourse.

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].

INFORMATIVE TO APPLICANT:

Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way adjacent to the site, temporarily or otherwise.

INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

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.

INFORMATIVE TO APPLICANT:

The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

INFORMATIVE TO APPLICANT:

Proposed Sewerage

The site shall be served by separate systems of drainage.

Foul Drainage

- Foul connections either directly or indirectly to the local public foul network can to be agreed in consultation with Wessex Water. Please visit the Developer Services section of our website and refer to Wessex Water's guidance notes 'DEV016G – Connecting to a public sewer' for further guidance or contact sewer.connection@wessexwater.co.uk
- Redundant drains and laterals should be sealed at the point of connection to the public sewer.

Surface Water Drainage

- The Drainage Strategy (PHG Consulting June 2018) proposes to utilise existing drainage infrastructure to 'discharge to the existing adopted system'. Our records indicate that there are highway and private sw systems in this area but there are no public surface water sewers recorded at this location.
- Surface water connections to the public foul sewer network will not be permitted. If there are any existing surface water connections to the existing foul water system

these should be redirected upon re-development.

We support the development in principle but advise that the applicant should further

investigate the local surface water drainage systems to ensure that satisfactory disposal can be achieved with Highway / LLFA approval. The developer must demonstrate that any surface water sewers serving new development will not connect directly or indirectly to the public foul network.

Land drainage run-off shall not be permitted to discharge either directly or indirectly to the public sewerage system.

Water Infrastructure

A water supply can be made available from the existing network. The applicant should

consult the Wessex Water website for further information. www.wessexwater.co.uk/Developers/Supply/Supply-connections-anddisconnections

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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	28 November 2018
Application Number	16/10513/FUL
Site Address	Land at Restrop Road, Purton, Swindon, Wiltshire
Proposal	Residential Development of 38 Dwellings Including Access, Car Parking, Landscaping and other Associated Infrastructure.
Applicant	Persimmon Homes
Town/Parish Council	Purton
Electoral Division	Purton – Cllr Jacqui Lay
Grid Ref	408216 187278
Type of application	Full Planning
Case Officer	Jemma Foster

Reason for the application being considered by Committee

The application was called to committee by Cllr Lay due to the following reasons:

- Principle – outside the boundary of the village
- Scale of development
- Highways – including impact on traffic and parking

1. PURPOSE OF REPORT

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to delegate authority to the Head of Development Management 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 to meet requirements for Affordable Housing, Education, Open Space and Play, Refuse Collection and Highway Works.

In the event that the applicant declines to enter into the S106 Legal Agreement in this period, planning permission will be refused on the basis that the proposed development fails to address the service infrastructure and affordable housing requirements arising from the development and so conflict with CP3, CP43 and CP61 of the WCS.

2. REPORT SUMMARY

The key issues in considering the application are as follows:

- Principle of the development.
- Impact on character and appearance of the area.
- Impact on highway safety
- Conformity with the Draft Neighbourhood Plan

3. SITE DESCRIPTION

The Application Site comprises an unmanaged field of approximately 1.45 hectares located to the South of Restrop Road directly abutting the existing settlement boundary of Purton. Existing access to the site is from a gate off Restrop Road in its North-Western corner of the site.

The site has strong physical boundaries with substantial vegetation along its East, West and Southern boundaries. The site also has strong physical boundaries with the residential development located along Restrop Road opposite its Western boundary and the Red Gables housing development adjacent to the Northern boundary which are considered to have potential for ecological significance. The site is also located approximately 0.4km to a Grade II Listed Building known as Restrop House and 0.75km from the Scheduled Monument at Ringsbury Camp (0.75km).

4. PLANNING HISTORY

13/04676/FUL Erection of 34 Dwellings including creation of new access from Restrop Road, provision of public open space and associated works.
Refused and Appeal Withdrawn

N/03/00860/FUL Retention of access including new gate and posts and retention of hardstanding to form parking area- Approved

5. THE PROPOSAL

Residential development of 38 dwellings including access, car parking, landscaping, public open space and other associated infrastructure.

The development will consist of 12x2 bed units, 18x3 bed units, 4x4 bed units & 4x5 bed units. (In percentage terms the proposed development provides 32% - 2 bed units, 47% = 3 bed units, 10.5% 4 bed units, 10.5% 5 bed units). 40% of the total number of units will be affordable housing (15 units made up of 9x3 bed units and 6x2 bed units)

Revised plans have been received reducing the amount of dwellings on site from 41 to 38.

6. LOCAL PLANNING POLICY

Wiltshire Core Strategy Jan 2015 (WCS):

Core Policy 1- Settlement Strategy

Core Policy 2- Delivery Strategy

Core Policy 3 – Infrastructure Requirements

Core Policy 19- Spatial Strategy for Royal Wootton Bassett & Cricklade Community Area

Core Policy 43- Providing Affordable Housing

Core Policy 48- Supporting Rural Life

Core Policy 50- Biodiversity and Geodiversity

Core Policy 51- Landscape

Core Policy 57- Ensuring high quality design and place shaping

Core Policy 58- Ensuring the Conservation of the Historic Environment

Core Policy 61-Transport and Development

Core Policy 63-Transport Strategies

Core Policy 64- Demand Management

Saved Policies of the North Wiltshire Local Plan:

NE18- Noise and Pollution

H4- Residential development in the open countryside

T5- Safeguarding

Purton Neighbourhood Plan Made November 2018

Purton Policy 3 - Footpaths

Purton Policy 14 – Development outside settlement boundary at Restrop Road

Other

Open Space provision in New Housing Developments – A Guide (Supplementary Planning Guidance)

Affordable Housing Supplementary Planning Guidance

National Planning Policy Framework 2018 (NPPF)

Planning Practice Guidance (PPG)

Circular 06/2005 – Biodiversity and Geological Conservation

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (preserving a Listed Building and its Setting)

Local Transport Plan 3 - Wiltshire Car Parking Strategy (March 2011)

7. SUMMARY OF CONSULTATION RESPONSES

Purton Parish Council- Object

The overall design layout/build of the dwellings remain urban in design that does not compliment or enhance the immediate surroundings.

The access remains a significant concern. The junction layout is based on the speed of traffic travelling at 30mph, there is undisputable evidence that traffic is travelling at a speed over/above that.

The Open Space/Play Area cannot be effectively be monitored and there is no effective barrier around the site to curtail any infant from entering on to the estate access roads and/or the main highway.

The Parish Council is in broad agreement with the letters as sent in by the Neighbourhood Plan Steering group, it questions the compatibility of the proposal with that as outlined both within Purton's Parish Plan and that within the emerging Neighbourhood Plan in terms of development size and type of dwellings and in that respect Council is of the opinion that the proposal still does not meet the needs of the Community and accord with the Wiltshire Core Strategy.

Wiltshire Council Ecology- No objection in principle but the slow worms need to be re-located

Wiltshire Council Drainage- No objection

Wiltshire Council Highways- No objection subject to conditions regarding roads, visibility splay, footways, turning spaces, parking, travel plan. A bus ticket contribution per household would also need to be in a S106

Wiltshire Council Housing- 40% affordable housing to be secured via a S106

Wiltshire Council Tree Officer- No objection subject to a condition regarding Tree Works

Wiltshire Council Archaeology- No objection

Wiltshire Council Education- No objection subject to the payment of a secondary education contribution via a S106 Legal Agreement

Wiltshire Council Urban Design- Revised plans have overcome initial concerns- No objection subject to conditions regarding obscure glass & materials.

Thames Water- There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings.

Environment Agency – No comment as it falls outside of their checklist

8. PUBLICITY

The application was advertised by neighbour letter, site notices and press advert.

The application has generated over 76 letters of objection and no letters of support. A summary of the comments is set out below:

Neighbourhood Plan Steering Group:

- Layout is different to the public exhibition and does not complement the existing housing along Restrop Road
- The proposal includes studies which are additional bedrooms and require more parking spaces
- It is outside the settlement boundary – not allocated for development
- Local needs are not met – smaller properties, properties for older people including bungalows
- The green area to the front of the site would put children at greater risk from traffic which is only compounded by the small size of the gardens

Concerns from the public include:

- The site is outside of the village settlement area.

- Neighbourhood plan is only a proposal which has not yet been endorsed by the community
- trying to pre-empt the final decision of the community re: neighbourhood plan
- The site is greenfield, currently used for agricultural purposes.
- will create a precedent for yet more building on greenfield both within and immediately adjacent to the village.
- Over dense with little privacy for the residents.
- proposed development is too large a scale for the village environment.
- Will cause traffic congestion
- Lack of services
- increased traffic flow/gridlock problems.
- the type of development proposed is already catered for both within and the immediate surrounding area.
- What is required is housing suitable for the more elderly section of the community.
- Predominantly bungalows should be built
- Larger gardens affording more privacy for the residents.
- Highway safety issues
- Harm the character and appearance of the area
- Cramped and over development on a green field site.
- Parking is already an issue in this area and would be made worse by this development.
- Development would create parking problems.
- This land has a lot of wildlife living in the hedges
- Houses not required
- Density of development too high
- Development will harm protected species
- Development on this site has previously been refused planning permission
- Additional noise and light disturbance
- Insufficient parking
- Development on this land would affect local drainage

9. PLANNING CONSIDERATIONS

Policy Background

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.

In this case, the Wiltshire Core Strategy, including those policies of the North Wiltshire Local Plan saved in the WCS and the Purton Neighbourhood Plan, forms the relevant development plan for the Area. The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) are also material considerations.

PRINCIPLE OF DEVELOPMENT

CP1, CP2 and CP19 deal with the broad issues of settlement strategy and delivery. CP1 and CP2 of the WCS set the foundations for how 'sustainable development' is defined and applied in Wiltshire. The strategy recognises the importance of delivering new jobs and infrastructure alongside future housing. The delivery strategy seeks to deliver future development in Wiltshire between 2006 and 2026 in the most sustainable manner by making provision for at least 178 ha of new employment land and at least 42,000 homes.

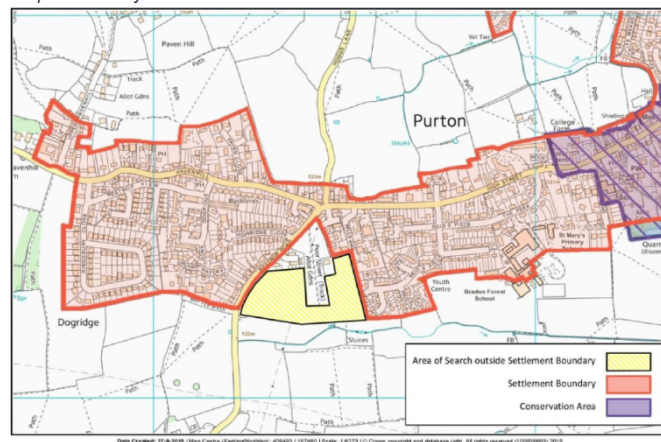
The site subject of this application lies on the edge of Purton, in close proximity to the main road and local amenities. Purton is identified as a large village which are defined in the WCS as settlements with a limited range of employment, services and facilities. The WCS confirms that development 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. In particular Purton has a Primary School and Secondary School, local shops, pubs, restaurants & cafes, a church, village hall, doctor's surgery, pharmacy and numerous sports clubs are located within the village and will offer easy access by foot for the residents of the proposed development. Employment opportunities are located within the village and the immediate locality, but majority of the main employment would be located in larger settlements such as Royal Wotton Bassett and Swindon, including town centre employment and employment in Industrial Estates.

CP2 states that development will not be permitted outside the limits of development. The limits of development may only be altered through the identification of sites for development through subsequent Site Allocations Development Plan Documents and neighbourhood plans. In this case, the site lies outside of the limits of development for Purton but is allocated in the Neighbourhood Plan.

The Purton Neighbourhood Plan was recently successful at referendum on Thursday 1st November 2018 and was 'made' part of the development plan on 5th November 2018.

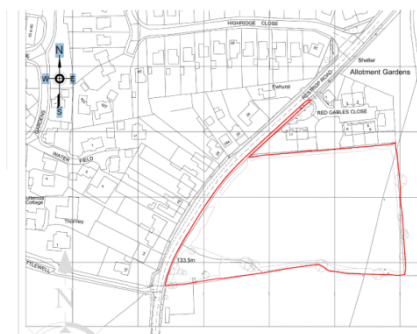
Policy 14 of the Neighbourhood Plan identifies an area of land for the provision of up to 40 dwellings to include affordable homes, houses for first-time buyers, smaller properties for those who wish to downsize and also properties suited to older persons including bungalows. The map below is taken from the Neighbourhood Plan and indicates a proposed development site in yellow.

Map 12 - Area of Search



The site subject of this application forms part of the identified site in the Neighbourhood Plan:

Land off Restrop Road, Purton



The policy states that the development should (summarised):

- *respect the character and setting of heritage assets in the vicinity of the site including the Grade II* Restrop House and the Scheduled Monument at Ringsbury Camp*
- *provide strategic landscaping to the western and southern edges of the site which retains and reinforces existing hedges and trees*

- *create a green area adjacent to the Restrop Road so that development is set back from the road*
- *not prohibit a potential future road connection to the remainder of the site or road connection to the rear of the Schools and*
- *protect and preserve biodiversity on the site.*
- *mitigate the impact of traffic with measures to reduce the speed of traffic on*
- *include safe cycling and walking routes not only to the village centre but also where possible to the existing leisure and play facilities.*

The report assesses these matters in detail but in summary the following can be confirmed:

- The development does not harm the setting of Grade II* Restrop House and the Scheduled Monument at Ringsbury Camp
- The development provides strategic landscaping to the southern edges of the site and retains and reinforces existing hedges and trees. The removal of some hedge to the west is inevitable to achieve a safe access.
- A green area adjacent to the Restrop Road to provide a set back from the road is proposed
- The proposal does not prohibit a potential future road connection to the remainder of the site or road connection to the rear of the Schools and
- The proposal protects and preserve biodiversity and provides offsite mitigation.
- The proposal will include a new public footpath

Though the development (for 38 dwellings) doesn't provide bungalows on site as the policy suggests, it does provide affordable housing and smaller units which will be constructed to life time homes standards. This will allow first time buyers to purchase units and also people wishing to downsize. Concerns have been raised regarding the lack of bungalows due to the closure of Hooks Hill and the loss of 24 living/sheltered housing. The Policy requires the development to '*provide properties suited to older persons including bungalows*'. By not providing bungalows, it cannot be said that the development is not providing properties suited to older people as some may choose to reside in a two storey property. Furthermore the proposal does include 2x3-bedroom properties that will be built to the Lifetime Home Standard. The Lifetime Homes Standard seeks to enable 'general needs' housing to provide, either from the outset or through simple and cost-effective adaptation, design solutions that meet the existing and changing needs of diverse households. Housing that is designed to the Lifetime Homes Standard will be convenient for most occupants, including some wheelchair users and disabled visitors, without the necessity for substantial alterations. The

internal arrangement of these houses include the provision of a level entrance, wider doorways, greater circulation space such a larger ground floor WC and allowing space for the future occupants to make other accessibility adaptations as required.

Taking into consideration the above it is considered that the proposal is in accordance with the neighbourhood plan. It is noted that the site subject of this application is smaller than the allocation and as such does not prohibit the future development on the remaining part on the site.

As the site lies beyond the limits of development, the proposal also does not comply with saved policy H4 of the North Wiltshire Local Plan as it does not meet the exceptions, such as agricultural needs, set out in that policy. The proposal is therefore in conflict with the development plan in this respect. However the updated policies of the Development plan and in particular the allocation in the recently made Neighbourhood plan would constitute sufficient material considerations to warrant a departure from this saved policy.

Some residents are concerned that the proposal equates to more than 10 units. The reference to 10 units in the supporting text of CP1 is to “small housing sites within the settlement boundary”. This does not mean that a Large Village like Purton is only earmarked for 10 units in the plan period – the full text reads:

“At Large Villages settlement boundaries are retained and development will predominantly take the form of small housing and employment sites within the settlement boundaries.”

Not only is this a “guideline” figure, it is not a total or aggregate figure for a village. There is no cap on the number of small housing sites that can come forward. Therefore a large village might be expanded by a number of smaller developments. The figure of 38 units is not disproportionate as far as Purton is concerned which is a large village with a wide range of facilities. Furthermore, the number of households in the Parish of Purton is approximately 1,700 dwellings, and as such a further 38 dwellings would equate to approximately 2% increase in the overall size of the parish. Furthermore and of fundamental importance to this matter is that the Neighbourhood Plan designates this site for more than 10 dwellings.

To conclude on the issue of ‘Principle of Development’, it is considered that the development would not prejudice the fulfilment of sustainable development objectives as set out in local

and national planning policy. This site is therefore considered to be a sustainable location for new housing development of this size and scale and complies with CP1, CP2 & CP19 of the WCS and Policy 14 of the Purton Neighbourhood Plan.

IMPACT UPON THE CHARACTER AND APPEARANCE OF THE AREA

When assessing the character of Purton, it is clear that it is made up of lots of differing designs, house types, building types. The proposed dwellings would be of traditional proportions both vertically and horizontally and their fenestration would have a strong vertical emphasis. At second floor level this would include windows, which would be consistent with the modest sized windows on other properties within the locality. Similarly, the proposed pitched roofs would pick up on the design characteristics within the locality. As such it is considered that the design and materials of the proposed dwellings will respond to this local character and reflect the identity of local surroundings and materials. The proposal is therefore considered to comply with CP57 of the WCS.

The layout has been amended as a result of concerns raised during the determination of this application and the applicant has positively addressed many of the issues highlighted. The revised layout adequately demonstrates that 38 dwellings can be satisfactorily accommodated in terms of landscape, character and place making. It is acknowledged that the loss of a greenfield site would result in some harm to the character and appearance of the area. There would be minor adverse visual effects, particularly for nearby residents and people using nearby public footpaths (PURT89 that runs to the East of the site, PURT97 that is to the South West of the site and PURT90 which runs to the South of the site some 100 metres away), however the proposal sees the inclusion of structural landscape features and it is considered that there would be only limited harm to the landscape setting of the local area which would not be significant enough to warrant a reason for refusal. For the reasons set out above the development is considered to be acceptable and to accord with CP57 and CP51 of the WCS and Policy 14 of the Neighbourhood Plan.

Ecology

A preliminary Ecological Appraisal has been submitted with the application which confirms that the woodland and hedgerow habitats on site have been assessed as having local ecological value. Badger activity on the site was high with three setts being recorded in the south west corner. Other species that were found on site include bats, dormice, nesting birds, reptiles and small mammals. A reptile survey was also undertaken where slow worms were recorded at every visit dispersed across the whole of the site. Slow worms are protected under the Wildlife and Countryside Act and therefore it is illegal to kill, injure or sell

the species – as such they need to be relocated. The Wiltshire Council Ecologist has raised no objections to the proposal subject to conditions including one requesting details of this translocation. As such the proposal is considered to comply with CP50 and CP51 of the WCS and Policy 4 of the Neighbourhood Plan.

Flooding and Drainage

The site is located in Flood Zone 1 which is classed as being of low risk of flooding. The site has a shallow gradient from the North West to the South and East. The Drainage Officer has raised no objections to the proposal subject to conditions which are considered to be acceptable.

Impact upon the setting of the Listed Buildings

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses. Considerable weight must therefore be given to the preservation of the listed building, including its setting.

The House of Lords in *South Lakeland District Council v Secretary of State for the Environment* case decided that the “statutorily desirable object of preserving the character or appearance of an area is achieved either by a positive contribution to preservation or by development which leaves character or appearance unharmed, that is to say preserved.

The nearest listed building to the site is the Grade II* Restrop House (0.4km) and the Scheduled Monument at Ringsbury Camp (0.75km). Restrop House is an imposing late 16th century/early 17th century property positioned like many of the other historic properties within the locality to front the highway. There would only be very limited views of the application site from the property due to its location and any views would be seen in the context and backdrop of the existing built development of Purton. Taking into consideration the extent of the application site and the size and scale of the dwellings proposed it is considered that the proposal would not unacceptably erode the special interest of this building. It is therefore considered that the proposal will have a neutral impact and result in no harm to the setting of this listed building and Scheduled Monument and would accord with CP58 of the WCS and the requirements in the NPPF.

IMPACT ON RESIDENTIAL AMENITY

The application has been submitted in full and the layout of the development is therefore fixed. Taking into consideration the existing character of Restrop Road and the other surrounding residential developments it is considered that the proposal will not have a significant adverse impact on the residential amenities of adjoining properties in terms of overlooking, overshadowing, overbearing, loss of sunlight, daylight or privacy. It is acknowledged that there will be an impact on some properties' outlook but the separation between existing and proposed dwellings would be sufficient. It is also considered that the amenity of future occupants of the proposed development would be acceptable. As such the development is considered to comply with CP57 of the WCS.

HIGHWAYS

The proposed development has an access off Restrop Road and has visibility splays in both directions. Also proposed is a new footpath along the road frontage of the site which will connect to the existing footpath at Red Gables Close.

The Transport Assessment submitted with the application indicates that the pharmacy, convenience store, take-aways on Pavenhill and St Marys Primary School are all within a 5 minute walk from the site. The Doctors surgery is approximately a 7 minute walk, the dentist and public house/restaurant are a 14 minute walk Braden Forest School is located approximately 11 minute walk from the site. The nearest bus stops are in close proximity to the site and these offer access to other settlements such as Swindon (Bus 53 first bus leaves Purton 06:33 am, last bus from Swindon 18:50 Monday to Saturday as dated 2nd September 2018) where facilities and employment opportunities are available. The nearest train station is in Swindon which is approximately 10km southeast of the site which provides regular train services between London Paddington, Bristol, Temple Mead, Cardiff, Cheltenham Spa and Gloucester. This demonstrates that the site is located in a relatively sustainable location

The proposal sees two parking spaces per dwelling which is in line with the Council's requirements. The Highways Officer has supported the application subject to conditions which are considered to be acceptable.

The proposal also sees a new public footpath along the frontage of the site. Policy 3 of the Neighbourhood Plan requires new development to provide links to existing routes where appropriate. As such the proposal is considered to comply with this policy.

The Neighbourhood Plan through Policy 14 requires the site to ‘ *not prohibit a potential future road connection to the remainder of the site or road connection to the rear of the Schools;*’. The proposed layout clearly shows a possible access to the South East corner of the site that would link up to the remainder of the proposed site identified in the Neighbourhood Plan and therefore it is considered that the proposal would comply with this element of the policy.

Concerns have been raised regarding the traffic issues in Purton. Extra traffic has been going through Purton due to Swindon continuing to build housing, parents taking their children to both schools by car, the local surgery is taking on more patients from Tadpole village meaning more people drive to the surgery, people now need to drive and park for shopping as the lower shop is now closed and changes to bus services means that people are not able to use it to get to and from work. It is accepted that there are existing traffic problems in Purton which may be slightly increased as a result of this application, however the site is allocated for additional dwellings (up to 40) and therefore the traffic associated with this application is not considered to warrant a refusal reason on highway grounds.

As such the proposal is considered to comply with CP61, 63 and 64 of the WCS, Policy 3 of the Neighbourhood Plan and the requirements of the NPPF.

OTHER

There are other policies in the Purton Neighbourhood Plan that could be relevant to this application. Policy 2 is to improve road safety however this policy specifies certain areas and does not include the site subject of this application. Policy 13 discusses development principles, however this policy is directed at sites within the settlement boundary. As the site subject of this application lies outside of the existing settlement boundary, it is not required to adhere to Policy 13.

10. S106 CONTRIBUTIONS

Core Policy 3 advises that ‘All new development will be required to provide for the necessary on-site and, where appropriate, off-site infrastructure requirements arising from the proposal. Infrastructure requirements will be delivered directly by the developer and/or through an appropriate financial contribution prior to, or in conjunction with, new development. This Policy is in line with the tests set under Regulation 122 of the Community Infrastructure Levy Regulations 2010, and Paragraph 56 of the NPPF. These are:

- Necessary to make the development acceptable in planning terms

- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development

The infrastructure items listed below are those that are relevant to the Application site and are required in order to mitigate the impact of the proposed scheme and accord with the adopted development plan policy requirements. The Applicant has agreed to provide the following:

Affordable Housing

CP43 states that on dwellings of 5 or more affordable housing provision of at least 40% will be provided. The applicant has agreed to provide 15 affordable housing units which meets the 40% required and will be transferred to a Registered Provider. Based on current housing need figures for the area the tenure split would be 60% affordable (9 dwellings) and 40% shared ownership (6 dwellings). The mix on site sees 9 3-bed dwellings and 6 2-bed dwellings which has been considered to be acceptable by the Affordable Housing Officer.

Open Space and Play Provision

The principle of obtaining quality open spaces and opportunities for sport and recreation is stated in paragraph 92 of the NPPF. The proposal does include an area (3,228 sqm or 0.33 hectares) of public open space which exceeds the requirement of 2,436 sqm which would include a play area of 216 sqm that will need to be set out in accordance with the Wiltshire Council Play Specification. The public open space and play area will need to be secured in perpetuity although Wiltshire Council would not formally adopt the said land so details of how this area of land will be managed will also need to be included.

Education

The NPPF (paragraph 94) encourages Local Authorities to ensure that sufficient choice of school places is available to meet the needs to existing and new communities.

Primary School – The designated school is St Mary’s CE which has capacity to accommodate the pupil product of this development and therefore there is no requirement for a developer contribution on this application.

Secondary School – The designated school is Bradon Forest which is effectively full and cannot accommodate additional pupils from this development within current and expected capacity and forecasts. The proposed development would require 7 secondary school places and when using the current cost multiplier of £23,316 per place a total of £163,212 would be

required. Bradon Forest is not on the Councils latest CIL Regulation 123 List and there are two S106 agreements currently pooled to towards the expansion of the school and therefore this request can be included within the S106.

Refuse

A contribution of £3458.00 (£91 per dwelling) would be required to provide the new dwellings with adequate waste and recycling bins. This is in conformity with the Wiltshire Council Waste Collection Guidance for New Development.

Highways

CP61 states that where appropriate contributions will be sought towards sustainable transport improvements and travel plans will be required to encourage the use of sustainable transport alternatives and more sustainable freight movements. The proposal sees the inclusion of the following which is considered to comply with CP61:

- Provision of a footway between the site access and Reeds Gable Close prior to first occupation – this element would also require a S278 Agreement for its construction.

Other

A management company would also need to be set up to manage the communal areas, and the internal roads that are not adopted alongside the associated private drainage.

11. THE PLANNING BALANCE

The site is located outside the current limits of development as defined by the Wiltshire Core Strategy. However the site is allocated in the made Purton Neighbourhood Plan which forms a part of the adopted development plan so holds full weight. The proposal as demonstrated within this report complies with the policies in the Wiltshire Core Strategy, Purton Neighbourhood Plan and the NPPF.

RECOMMENDATION: Delegate authority to the Head of Development Management to GRANT planning permission, subject to conditions and the completion of a S106 legal agreement within six months of the date of the resolution of this Committee to meet requirements for Affordable Housing, Education, Open Space and Play, Refuse Collection and Highway Works.

In the event that the applicant declines to enter the S106 Legal Agreement in this period, planning permission should be refused on the basis that the proposed development fails to

address the service infrastructure and affordable housing requirements arising from the development and so conflicts with CP3, CP43 and CP61 of the WCS.

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

Drawing Number 085_101 (location plan), 600 (topographical) received by the Local Planning Authority on 2nd November 2016

Drawing Number 085_105A (Street Scene) received by the Local Planning Authority on 5th April 2017

Drawing Numbers: 085_104 G (storeys), 085_109 F (access & movement), 2601 P6 (levels), H100 P8 (drainage), 101 P5 (vehicle track analysis), 102 P5 (visibility), PERW20671-10 F (landscape) received by the Local Planning Authority on 17th August 2017

Drawing Number: PERW20671-03 E (tree protection) received by the Local Planning Authority on 11th May 2018

Drawing Numbers: 085_102 rev H (materials), 085_107_1 rev G (fences & enclosures) received by the Local Planning Authority on 12th November 2018

House Pack:085_: 120-1A, 124-1A, 124-2A, 126-1A, 126-2A, 127-1A, 127-2A, 127-3A, 128-1B, 128-2A, 130-1A, 130-2A, 130-3A, 130-4A, 131-1B, 131-2A, 131-3A, 133, 136-1A, 137-1 and Drawing Number 085_100 AA (Planning Layout) received by the Local Planning Authority on 13th November 2018

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

- 3 The development shall be carried out in accordance with the materials submitted to the Local Planning Authority on 10th October 2018

REASON: To ensure the development is acceptable for its surroundings

- 4 No development shall commence on site (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:

- a) Risk assessment of potentially damaging construction activities
- b) Identification of 'biodiversity protection zones'
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)

- d) The location and timing of sensitive works to avoid harm to biodiversity features
- e) The times during construction when specialists ecologists need to be present on site to oversee works
- f) Responsible persons and lines of communication
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s)
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

A report prepared by a competent person(s), certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, shall be submitted to the Local Planning Authority within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner.

REASON: To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

- 5 No development shall commence on site until a landscape and ecology management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The landscape and ecology management plan shall be carried out as approved in accordance with the approved details.

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 the proper management of the landscaped areas in the interests of visual amenity.

- 6 No development above slab level shall commence on site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority.

No dwelling hereby approved shall not be occupied until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture serving that dwelling has been constructed and laid out in accordance with the approved details.

REASON: To ensure that the roads are laid out and constructed in a satisfactory

manner

- 7 No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4m metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 58 metres to the north east direction and 50 metres to the south-west direction from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 0.6m above the level of the adjacent carriageway. This also includes a 1m buffer in front of the hedge in order that the growth of the hedge does not encroach into the visibility splay.

REASON: In the interests of highway safety.

- 8 No development shall commence on site until full details of a footway from the site to Reeds Gables Close alongside a timetable detailing when the footpath shall be provided have been submitted to, and approved in writing by, the Local Planning Authority.

REASON: To ensure that the development is served by an adequate means of access.

- 9 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details and ensuring that any pipe/attenuation system does not allow ingress of ground water to the system plus all third party permissions and approvals, has been submitted to and approved in writing by Wiltshire Council.

The development shall then not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: 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 without increasing flood risk to others

- 10 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 needed to existing public sewerage system to allow the site to be served and to prevent ingress of ground water into the sewer system, has been submitted to and approved in writing by Wiltshire Council.

The development shall then not be first occupied until foul water drainage, including any required off site capacity improvements needed to existing public sewerage system to allow the site to be served, has been constructed in accordance with the approved scheme.

REASON: 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 without increasing flood risk to others

- 11 No development shall commence on site until a construction management plan detailing drainage arrangements during the construction stage has been submitted to

and approved in writing by Wiltshire Council. The development shall then be carried out in accordance with the approved details.

REASON: 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 without increasing flood risk to others during construction works

- 12 No dwelling hereby approved shall be first occupied until the associated allocated parking area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

- 13 The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

REASON: To ensure that the development is served by an adequate means of access.

- 14 No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work - Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later].

REASON: To ensure the retention of trees on and off site during the construction stage.

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

* location and current canopy spread of all existing trees and hedgerows on the land;

* full details of any to be retained, together with measures for their protection in

the course of development;

* a detailed planting specification showing all plant species, supply and planting sizes and planting densities/locations of trees, shrubs;

* the native mix that is proposed along the sections of hedgerow that will be infilled

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 a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 16 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.

- 17 Plot 6 and 10 as shown on the approved plans shall not be occupied until details of the obscure glazing to be used in the first floor window on the side elevation and details of how it will have restricted opening has been submitted to and approved in writing by the Local Planning Authority, and; the obscure glazing and restricted window opening has been installed in accordance with the approved details. The obscure glazing and restricted window opening shall be maintained in accordance with the approved details in perpetuity.

REASON: In the interests of residential amenity and privacy.

- 18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

- 19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the roofs/lopes of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

- 20 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no gates, fences, walls or other means of enclosure, other than those shown on the approved plans, shall be erected or placed forward of any wall of any dwelling (including a rear or side wall) which fronts onto a highway, carriageway or footpath.

REASON: In the interests of visual amenity.

- 21 The development hereby permitted shall not be occupied until the approved sewage disposal works proposed have been completed in accordance with the submitted and approved details.

REASON: To ensure that the development is provided with a satisfactory means of drainage.

- 22 The development hereby permitted shall not be brought into use until details of the storage of refuse, including details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority, and; no dwelling hereby approved shall be first occupied until the approved refuse storage has been completed and made available for use in accordance with the approved details. The approved refuse storage shall thereafter be maintained in accordance with the approved details.

REASON: In the interests of public health and safety.

- 23 No works shall commence on site until a site plan for the receptor area detailed on a map together with a description of pre-translocation works required at the receptor site and a clear prescription of the receptor site in perpetuity post-translocation alongside a timetable for the translocation of the slow worms has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission 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 and in the interest of ecology

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 ?????/2018

- 2 INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and

Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

3 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.

4 INFORMATIVE TO APPLICANT:

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings. The applicant is advised to visit thameswater.co.uk/buildover

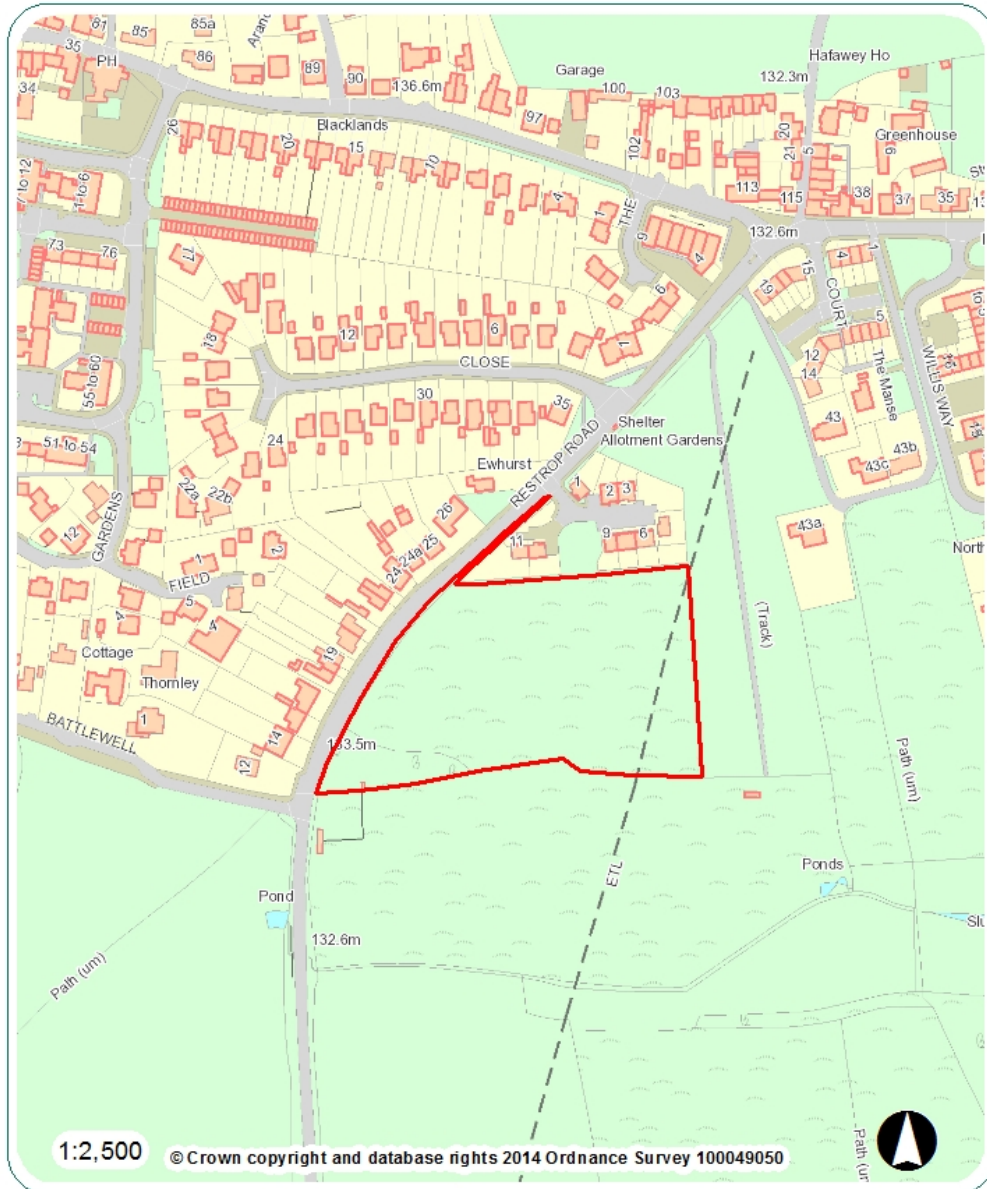
Thames Water have also advised:

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to

demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk/wastewaterquality."

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.



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