

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

Date of Meeting	14 October 2015
Application Number	15/05079/FUL
Site Address	Withleigh House Spa Road Melksham Wiltshire SN12 7NP
Proposal	Redevelopment of site with the erection of a part two part three storey building comprising 30 Retirement Living apartments with associated communal facilities, car parking, access and landscaped grounds
Applicant	McCarthy Stone Retirement Lifestyles Ltd
Town/Parish Council	MELKSHAM (TOWN)
Electoral Division	MELKSHAM CENTRAL
Grid Ref	390709 163531
Type of application	Full Planning
Case Officer	Jemma Foster

Reason for the application being considered by Committee

Councillor Hubbard has requested that the application be considered by the Planning Committee for the following reasons:

- Visual impact upon the surrounding area
- Relationship to adjoining properties
- Design – bulk, height, general appearance
- Environmental/highway impact
- Car Parking

1. Purpose of Report

To consider the application and recommend approval

2. Report Summary

The main issues to consider are:

- Principle

- Impact upon the character and appearance of the area
- Impact upon neighbouring amenity
- Access and highways
- Other

3. Site Description

The existing site sees a two storey detached dwelling located within a large plot of land currently used as garden. The site is surrounded on the north, east and west by existing residential properties and Spa Road is located to the south at a much higher level than the existing site. There is existing mature landscaping on the boundaries of the site and a public right of way runs along the western boundary.

The site is located within the Limits of Development of Melksham and approximately 50 metres from the Melksham Conservation Area. There are also some Listed Buildings within the vicinity.

4. Planning History

No relevant planning history

5. The Proposal

This application is for the demolition of the existing dwelling and replacement of 30 retirement living apartments with a range of communal facilities, car parking and landscaping.

6. Planning Policy

Wiltshire Core Strategy

Core Policies (CP): 1 (Settlement), 2 (Delivery), 3 (Infrastructure requirements), 15 (Melksham Community Area), 41 (Sustainable Construction), 43 (Providing Affordable Homes), 45 (Meeting Wiltshire's Housing Need), 46 (Meeting the Needs of Wiltshire's Vulnerable and Older People), 50 (Biodiversity and Geodiversity), 51 (Landscape), 52 (Green Infrastructure), 56 (Contaminated Land), 57 (Ensuring High Quality Design and Place Shaping), 58 (Ensuring the conservation of the historic environment), 60 (Sustainable Transport), 61 (Transport and New Development), 62 (Development Impacts on the Transport Network), 64 (Demand Management), 67 (Flood Risk).

Saved Policies for the West Wiltshire District Local Plan (1st Alteration)

U1a (Foul Water Disposal), U2 (Surface Water Disposal)

Wiltshire and Swindon Waste Core Strategy – Policy WCS6

Affordable Housing Supplementary Planning Guidance adopted August 2004

Leisure and Recreation Development Plan Document

National Planning Policy Framework 2012

Planning Practice Guidance 2014

Wiltshire Car Parking Strategy

Circular 06/2005 – Biodiversity and Geological Conservation

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

7. Consultations

Melksham Without Parish Council – Support but raise the following concerns: lack of parking for residents and visitors, highway safety – a traffic management scheme needs to be undertaken & poor visibility, loss of amenity for nearby neighbours – particularly New Lawns due to the height and proposed balconies, 3 storey is not in-keeping with the locality.

Wiltshire Council Public Protection – Approve with conditions regarding contaminated land, noise/dust, hours of operation, lighting & burning.

Wiltshire Council Public Rights of Way – No objections – a link to the public footpath would be useful

Wiltshire Council Archaeologist – Support subject to a condition regarding a programme of archaeological work being undertaken

Wiltshire Council Affordable Housing Officer – require 30% affordable housing

Wiltshire Council Arboriculturalist – The trees that are to be retained will have an overwhelming pressure to be removed, due to light and space issues. I also feel that there is very limited space available to plant any reasonable sized trees to provide any suitable screening in the future.

Wiltshire Council Waste Management Services Officer – Support subject to a contribution of £2,200 to provide refuse bins

Wiltshire Council Drainage Officer – Support subject to conditions regarding foul water & surface water

Wiltshire Council Landscape Officer – No objections

Wiltshire Council Ecologist – No objections subject to conditions

Wiltshire Council Open Space Officer – No objections. There is adequate amenity land on the site

Wiltshire Council Urban Design Officer – No objections but raises some small issues regarding overlooking and location of residential units adjacent to refuse/storage rooms.

Wessex Water – No objection

Wiltshire Fire and Rescue – Require the building to be carried out in accordance with Building Regulations

8. Publicity

The application was advertised by a site notice and neighbour notification letters. The deadline for any correspondence was 3rd July 2015.

3 letters of objection have been received with the following comments:

Design & Impact upon the area

- Height of the proposed building is not in-keeping with the area
- Trees are being removed which provide screening

Neighbour Amenity

- We will be behind a three storey building and next to the refuse room which will invade our privacy and reduce our amenity value as the distance between the wall and Wing 1 is just 20 metres
- The Neighbourhood Plan which is in draft states that single storey properties should not be overlooking by two storey properties
- Windows, terraces and balconies will overlook our properties
- Lights from the inside will impact upon our amenity

Highway Safety

- 23 parking spaces is not enough – where will staff and visitors park?
- Increase in traffic on Spa Road which already suffers from dangerous traffic problems
- Poor visibility from the access

3 letters of support have been received with the following comments:

- Good use of site
- Provides accommodation for an ageing population
- Close to town centre
- Improved access

9. Planning Considerations

9.1 Principle

The site is located within the limits of development of the market town known as Melksham where there is a presumption in favour of sustainable development and is therefore in accordance with CP1, CP2 and CP15 of the Wiltshire Core Strategy.

9.2 Design & Impact upon the character and appearance of the area

Design

The proposed development sees a two/three storey building with differing roof heights to be built with reconstituted slate, ashlar/random rubble stone and red/orange brickwork all of which can be found in the immediate area. The proposed materials are therefore considered to be appropriate. Due to the existing land levels, the ground floor would not be visible from the road which is raised up above the

ground level of the site.

The Town Council have stated that a three storey building is not appropriate to the immediate area however, directly opposite the site is an existing three storey care home which is set back from the road frontage and as such the proposed three storey element would be considered to be acceptable.

The design of the proposed building is considered to be acceptable and as such complies with the relevant criteria of CP57.

Conservation Area and Listed Buildings

The site access is located approximately 50 metres East of the Melksham Conservation Area and due to the site levels which are lower than the adjacent road (Spa Road), it is considered that the proposal would not harm the setting of this historic designation. The proposal is therefore considered to comply with the relevant requirements of CP58.

There are two Grade II Listed Building located South East of the site known as 36 and 38 Spa Road which due to their location away from the proposed site, the level differences between the proposed site and the listed buildings it is considered that the proposal would not have a detrimental impact upon the significance of these heritage assets and would not harm their setting. The proposal is therefore considered to comply with the relevant requirements of CP58.

Archaeology

The Wiltshire and Swindon Historic Environment Record shows that the proposed development site contains a heritage asset which is the former line of The Wiltshire and Berkshire Canal which was authorised in 1975 and closed in 1910. Map regression in both the Archaeological Desk Based Assessment and Heritage Statement show the line of the old canal (now filled in) at the far eastern edge of the site but they also show that the site was used as a Smithy. To the east of the site lays the site of the former cloth mill/Rope Works and to the south a wharf with associated buildings and infrastructure. Due to the interest in the 20th century industrial heritage within the proposed development site which will be impacted by the proposed development the Wiltshire Council Archaeologist has requested a programme of archaeological works to be carried out as a condition of any planning permission which is considered to be acceptable. The proposal is therefore considered to comply with the relevant requirements of CP58.

Trees

The application submission confirms that many trees on site are to be removed. The Wiltshire Council Arboriculturalist has raised concerns that the trees which are to be retained may either not survive the construction process or are of high maintenance with a shorter life span than the submitted tree survey suggests. He has also raised concern that there may be an overwhelming pressure to remove the remaining trees in the future due to light and space issues. However the existing trees on site are not located in a Conservation Area and are not protected by Tree Preservation Orders so could be removed at any time without the need for permission.

Ecology

A Phase 1 Habitat Survey has been carried out which confirms that three trees have the potential for roosting bats which are to be removed. It would therefore be appropriate to compensate for this loss through the installation of further bat boxes in trees that are to remain and in the proposed building. The proposal is therefore considered to comply with CP50.

Flooding & Drainage

The site is located within Flood Zone 1 which is the least susceptible to flooding. The Drainage Officer is satisfied that foul and storm drainage can be adequately achieved for the proposed development has requested a number of conditions to allow the Local Planning Authority to assess the final discharge details which have been considered to be appropriate. The proposal is therefore considered to comply with Saved Policies U1a and U2 and CP67.

Land Contamination

A Ground Condition Survey has been submitted with the application which recommends further intrusive investigation prior to further site specific recommendations. The Public Protection Officer has therefore recommended a condition regarding land contamination to be attached to any approval which is considered to be appropriate. The proposal is therefore considered to comply with CP56.

Other

CP41 requires all new residential development to achieve at least Level 4 (in full) of Code for Sustainable Homes and a condition can be attached to an approval ensuring that the development complies with this policy.

9.3 Impact upon neighbouring amenity

Overshadowing/Loss of Light

The residents in New Lawns already suffer from overshadowing/loss of light from the existing high tree belt that exists between the two sites. Some of these trees are to be removed, particularly behind 10-12 New Lawns but additional landscape is proposed on this boundary. The proposed building which is located east of the existing dwellings in New Lawns and approximately 13 ½ metres at its closest point to the boundary of number 11 New Lawns may cause some overshadowing/loss of light during the morning but it is not considered that it would be significantly worse than the existing situation.

The proposed building is located west and approximately 5 metres to the closest point to the boundaries of the properties located in Rope Walk. It is important to note that the proposed building is reduced to two storeys in this location. The existing tree belt is to remain and therefore it is considered that the proposal would not result in overshadowing to these properties that would warrant a refusal reason. If the trees were to be removed than it is considered the proposed building would cause less overshadowing than the existing tree belt.

It is considered that the properties located north of the site would not be overshadowed by the proposed development due to its location approximately 12 metres to the boundary and because the proposed building is reduced to two stories.

It is therefore considered that overshadowing and loss of light to existing residential properties would not warrant a reason for refusal.

Overlooking

Amended plans have been received increasing the amount of obscure glazing on the western elevation at first & second storey level at the request of the occupants in numbers 10-12 New Lawns. The proposed balconies serving units 21, 22, 30 & 31 are located approximately 17 metres to the western boundary with the public footpath, approximately 19 ½ metres to the boundary of number 10 New Lawns and approximately 34 metres the rear of number 10 New Lawns which are considered to be appropriate distances for overlooking not to warrant a reason for refusal. Additional landscaping on this boundary would also reduce any impact. As this balcony is the closest point to the western boundary it is considered that there would be no overlooking from the remaining windows and balconies on this elevation to dwellings located in New Lawns.

The windows closest to the boundary of properties within Rope Walk are located approximately 12 metres to the boundary which together with the existing tree belt is considered to be a sufficient distance not to cause overlooking issues.

Within the site

1.8 metre high privacy screens are to be located on some balconies to restrict overlooking and whilst the details of these screens have not been submitted, it would be appropriate to request this information via a relevant condition. It has also been considered necessary to introduce further privacy screens to prevent overlooking on units 14, 17, 19, 22, 24, 25 and 30.

There are some locations where windows/balconies are in close proximity to each other. In some instances it has been considered to be necessary to condition windows to be obscure glazed (unit 2) and others are at such an acute angle that it would not be possible to overlook but it is a common feature within retirement homes to allow occupants to talk to each other.

Concerns have been raised regarding the proximity of the refuse store to proposed residential units. It is therefore considered appropriate to ensure that the windows serving the refuse store which are annotated on the proposed plans as being obscure glazed are also fixed shut.

Other

There is the potential for the proposed development to create noise and/or dust disturbance in both the demolition and construction phase. The Environmental Health Officer has therefore requested conditions regarding a noise and dust management plan to be submitted, hours of use to be conditioned, no burning on site and further details to be submitted regarding lighting, all of which are considered to be appropriate.

Overall it is considered that the proposal subject to conditions would comply with the relevant criteria of CP57.

9.4 Highway Impact

The proposed development sees the existing single track access widened to ensure a 6 metre bell-mouth, alongside a turning head within the site to allow large vehicles such as refuse trucks to turn and leave the site in a forward gear. Also proposed are 23 parking spaces and a room to store. The Highways Officer has assessed the highway issues relevant to this site and is of the opinion that there would be adequate visibility from the site including over the brow of the hill and although there is a reduction in the amount of car parking when compared to the requirements of Wiltshire Council Car Parking Strategy, the parking provision is considered to be appropriate due to the nature of the development, its proximity to the town centre, nearby public car parking, nearby services and being on a bus route (X97). Enhancements to the public highway have been requested and are detailed in Section 9.5 of this report. The proposal is therefore considered to comply with CP60, 61, 62 and 64 and the Wiltshire Car Parking Strategy.

9.5 Other

Section 106 Legal Agreement

CP3 states that all new development will be required to provide necessary on-site and off-site infrastructure (where appropriate) requirements arising from the proposal.

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, in line with the tests set under Regulation 122 of the Community Infrastructure Levy Regulations 2010, and Paragraph 204 of the National Planning Policy Framework 'The Framework'. 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 developer has agreed to the following Section 106 requirements:

Affordable Housing

CP43 states that on dwellings of 5 or more affordable housing provision of at least 30% will be provided. The policy goes on to state that where it can be proven that on-site delivery is not possible, a commuted sum may be considered. There is a demonstrable need for Affordable Housing and the requirement from this development would equate to 9 units. The Applicant has stated that it is not practical to mix affordable retirement housing with open market retirement housing due to the on-going service and maintenance arrangements which results in a weekly charge which Housing Associations are unable or unwilling to meet these charges. Therefore the commuted sum for this development would be £280,452.

Highways

CP61 states that where appropriate, contributions will be sought towards sustainable transport improvements to encourage the use of sustainable transport alternatives. The Highway improvements that would be required as part of this development include 2 bus shelters at a cost of £5000 which would be used to upgrade the X72

service so that the residents of the proposed scheme would benefit from weather protection.

A contribution of £20,000 would also be required to enhance pedestrian and cycle routes in the vicinity of the site/between the site and the town centre/between the site and the nearby public car park. This would see an informal crossing point (a coloured surface with dropped kerbs) in the vicinity of Coburg Square so that the residents and their visitors can make use of a short cut and tightening the radius of corners on junctions Rope Walk, Warwick Crescent and Coronation Road in order to slow traffic and make it safer for vulnerable/elderly pedestrians.

A public right of way known as MELK34 runs adjacent to the western boundary of the development. The Public Right of Way Officer recommended that a connection from the development directly to the footpath may be beneficial to the residents. The Applicant is of the opinion that whilst this could be achieved within the site, it would compromise the landscaping scheme. It has therefore been agreed that this element is not achievable. The proposal would not adversely impact the public right of way and therefore the proposal is considered to comply with CP52.

Waste

Policy WCS6 requires developers “to design and provide facilities for occupiers of the development to recycle/compost waste and/or facilities within individual groups of properties or premises for the source separation and storage of different types of waste for recycling and/or composting”. Wiltshire Council retains control of procuring containers that are issued to occupiers of residential properties. The reasons for this are to ensure that the containers are compatible with lifting equipment and that branding – which is essential for ensuring that residents know what materials are designated for each container – meets the required standard. As a developer cannot directly provide the facilities for the separation and storage of waste, instead the requirement under WCS6 is met by securing a section 106 contribution. The contribution required as part of this development is £2,200

Community Infrastructure Levy (CIL)

Wiltshire Council became a CIL Charging Authority on 18th May 2015 and the proposed dwellings would be liable to pay the required contribution upon commencement of development. The site is located in Charging Zone 2 which requires £55 per square metre. The proposed development has a net increase of 2,842 square metres and as such the CIL rate that would be required is £156,310.00

Viability

As part of the application submission, the applicant has submitted a viability report which states that the site would not be viable if the Applicant had to pay CIL and the requested contributions.

The Assets team within Wiltshire Council have assessed the viability report and have concluded that the proposed development can provide some financial contribution and the Applicant has agreed to provide £130,000.

It is considered that this money should go towards the 2 bus shelters with the remainder going towards the off-site Affordable Housing contribution.

10. Conclusion

The proposal complies with the relevant policies of the Local Plan and as such is recommended for Approval subject to a satisfactory S106 Legal Agreement being signed.

RECOMMENDATION: That the Area Development Manager be authorised to grant planning permission, subject to the conditions set out below, on prior completion of a Section 106 legal agreement for bus stops and off site affordable housing contribution.

RECOMMENDATION

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

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

- 2 No development shall commence on site until:
 - a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
 - b) The approved programme of archaeological work has been carried out in accordance with the approved details.

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

the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to enable the recording of any matters of archaeological interest.

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

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of

the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

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

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

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

- 4 No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the drainage details have been constructed 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.

- 5 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 together with permeability test results to BRE365, has been submitted to and approved in writing by the

Local Planning Authority.

Should the submitted storm water drainage system, include a connection to the main sewer, and thus incorporating the use of a pumped system the application will need to include details of the pumping station and storage system, details of ownership, future maintenance liability and maintenance regime and standby power arrangements

The development shall not be occupied until the surface water drainage details have been constructed 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.

- 6 No development shall commence on site until a noise and dust management plan for both the demolition and construction phases 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.

- 7 No development shall commence on site until details of the provision of bat roosting features into the new buildings, including integral boxes/bricks/tubes and access into parts of the roof space, and bat boxes in trees, including the Ash tree in the south-eastern corner of the site, and nesting opportunities for House martin, House sparrow, Starling and Swift and a plan showing the locations and types of all bat and bird features has been submitted to and approved in writing by the local planning authority. including a plan showing the locations and types of all bat and bird features. The approved details shall be implemented before the building hereby approved is first occupied.

REASON: To provide additional roosting for bats and nesting birds as a biodiversity enhancement, in accordance with paragraph 118 of the National Planning Policy Framework and Section 40 of the Natural Environment and Rural Communities Act 2006.

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

be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission 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, in the interests of visual amenity and the character and appearance of the area

- 9 No part of the development hereby approved shall be occupied until details of the obscure glazing used in the windows shown on the approved plans has been submitted to and approved in writing by the Local Planning Authority, and; the obscure glazing has been installed in accordance with the approved details. The obscure glazing shall be maintained in accordance with the approved details in perpetuity.

REASON: In the interests of residential amenity and privacy.

- 10 Unit 2 shall not be occupied until the side windows serving the living room and bedroom 1 have been glazed with obscure glass to the level agreed in condition 9. The windows shall be maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

- 11 The windows serving the refuse room shown on drawing annotated as proposed ground floor plan shall be fixed shut and shall remain as such in perpetuity.

REASON: In the interest of neighbouring amenity.

- 12 No part of the development hereby approved shall be occupied until details of external lighting within the site have 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: In the interest of amenity and neighbouring amenity.

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

REASON: In the interests of highway safety.

- 14 No dwelling shall be occupied, until details of the privacy screen walls detailed on the approved plans and for units 14, 17, 19, 22, 24, 25 & 30 have been submitted to and approved in writing by the Local Planning Authority, and; the

privacy screen walls in respect of each dwelling have been erected in accordance approved details. The approved screen walls shall be retained and maintained as such at all times thereafter.

REASON: To prevent overlooking & loss of privacy to neighbouring property

- 15 All soft landscaping comprised in the approved plans 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.

- 16 Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:30 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.

REASON: In the interest of neighbouring amenity

- 17 No burning of waste or other material shall take place on the site

REASON: In the interest of neighbouring amenity

- 18 The dwellings hereby permitted shall meet the relevant requirements of energy performance equivalent to Level 4 of the Code for Sustainable Homes. The development shall not be occupied until a final Code Certificate has been issued for it certifying that Code Level 4 or its equivalent has been achieved.

REASON: In the interest of Sustainable Construction

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

Site Plan, Proposed Roof Plan, Tree Protection Plan, Landscape Strategy Plan, Planning Drainage Strategy, Proposed Elevations 2 of 2, Proposed Ground Floor Plan, Proposed First Floor Plan, Proposed Second Floor Plan, received 26th May 2015

Proposed Elevations 1 of 2 received 26th June 2015

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

1 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 TBC

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

www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy

3 INFORMATIVE TO APPLICANT:

Please note that this consent does not override the statutory protection afforded to any protected species. All British bat species are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not. If bats are discovered, all works should stop immediately and a licensed bat worker should be contacted for advice on any special precautions before continuing (including the need for a derogation licence from Natural England). The applicant is also advised works should not take place that will harm nesting birds from March to August inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the Council Ecologists.

- 4 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.

