

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

Date of Meeting	4 May 2016
Application Number	15/12651/FUL
Site Address	Land adj 81-83 The Pippin and rear of 8 - 13 High Street, Calne, Wiltshire SN11 8JQ
Proposal	Proposed Erection of a Building Comprising 32 Retirement Apartments with Associated Communal Facilities, Parking, Access & Landscaped Grounds. Rear Access Path & 3 Car Parking Spaces for Bank Premises on High Street
Applicant	McCarthy & Stone Ltd
Town/Parish Council	CALNE
Electoral Division	CALNE CENTRAL – Cllr Howard Marshall
Grid Ref	399781 171107
Type of application	Full Planning
Case Officer	Chris Marsh

Reason for the application being considered by Committee

The application has been called to Committee by the local Member in order to consider the scale, visual impact, design, environmental impact of the development, its siting and its relationship to adjoining properties.

1. Purpose of Report

To consider the application and recommend that planning permission is GRANTED, subject to completion of a S106 agreement within 6 six months of the date of the resolution of this Committee and conditions.

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

2. Report Summary

The key issues in the consideration of the application are as follows:

- Principle of development;
- Design and appearance of the development;
- Impact of the development on Listed Buildings, the Calne Conservation Area and archaeology;
- Impact on residential amenity;
- Highways/parking;

- Planning contributions

Calne Town Council objects to the application, which has also generated 30 letters of objection and 9 letters of support. Additionally, a petition with 52no. signatories has been received, raising further issues.

3. Site Description

The application relates to land and buildings at The Pippin, Calne, with the site currently comprising some 0.45ha of relatively under-utilised land arranged in a regular proportion and sloping gently southward across its narrower dimension. On the northern boundary lies a linear array of single-storey buildings, which are separated from the neighbouring Grade II-listed Zion Baptist Chapel, by a service lane with parking leading to the rear of the nearby Iceland supermarket. The southern boundary is demarcated by a regular line of mature trees, with further specimens on the western side. Directly opposite to the East lies the Sainsbury's supermarket and associated car park, whilst further parking extends to the South.

The site lies within the Calne Conservation Area and whilst the immediate architectural and landscape context is extremely mixed, the site maintains strong visual linkages with the historic townscape including listed and historic buildings along the High Street and Strand, the prominent Grade I-listed St Mary's Church and of course the Zion Baptist Chapel. The site is also constrained by the presence of a 1.5m-wide mains sewer, requiring a 6m easement over, a section adjacent to its southern boundary.

4. Planning History

The following planning history is relevant to the application site:

N/99/02539/FUL	FOOD STORE AND ANCILLARY RETAIL UNIT – Withdrawn
N/91/00667/LBC	CONSTRUCTION OF NEW REAR BOUNDARY RETAINING WALL AND REPAIRS TO EXISTING BOUNDARY WALLS WHERE ABUTTING NEW WALL – Approved
N/02/02525/FUL	DEMOLITION OF EXISTING GARAGE AND ERECTION OF ONE SHOP UNIT FOR A1, A2 AND A3 USE, WITH RESIDENTIAL ABOVE – Refused
N/03/01150/FUL	DEMOLITION OF EXISTING GARAGE AND ERECTION OF ONE A2 UNIT (FINANCIAL AND PROFESSIONAL SERVICES) ON GROUND FLOOR WITH RESIDENTIAL ABOVE – Refused
N/03/01148/CAC	DEMOLITION OF EXISTING GARAGE AND ERECTION OF ONE A2 UNIT (FINANCIAL AND PROFESSIONAL SERVICES) ON GROUND FLOOR WITH RESIDENTIAL ABOVE – Refused

5. The Proposal

The scheme comprises the erection of a single building to provide 32no. retirement apartments together with associated residents facilities, staff office, buggy store, car parking and external landscaping. The apartments are to be of standardised format and configured over four floors, with the partial top floor being contained in its own roof structure atop the main block. Undercroft and external car parking is to be provided to the southern side of the

building for residents, staff and an allocation for mobility impaired users and staff of the adjacent Lloyds Bank, which retains a right of pedestrian access. The principal entrance to the building is situated at the northeast corner, whilst vehicular access to the car park is to be obtained from The Pippin to the southeast.

In design terms, the building is of substantial form with a range of materials and design features to its external elevations, including natural stone facings, plinths, window surrounds, string course and coping, projecting tiled bays and varied roof shapes and fenestration. Indicative details have been provided in respect of these architectural features, although it is anticipated that final approval would be reserved by condition to ensure appropriate treatments. The surrounding area is to be landscaped on all sides, comprising both communal and private amenity areas to the North/West and East respectively, to be enclosed by a mixture of low and higher stone walls, railings and gates.

6. Local Planning Policy

Wiltshire Core Strategy 2015:

Core Policies 1 (Settlement strategy), 2 (Delivery strategy), 8 (Spatial strategy; Calne Community Area), 41 (Sustainable construction and low-carbon energy), 43 (Providing affordable homes), 57 (Ensuring high quality design and place shaping), 58 (Ensuring the conservation of the historic environment) and 64 (Demand management)

Saved Policies of the North Wiltshire Local Plan:

NE18- Noise and Pollution

T5- Safeguarding

National Planning Policy Framework 2012:

Paragraphs 14, 17, 123, 124 & 173 and Sections 6 (Delivering a wide choice of high quality homes), 7 (Requiring good design), 8 (Promoting healthy communities) and 12 (Conserving and enhancing the historic environment)

The Calne Town Centre Masterplan and emerging Calne Neighbourhood Plan are material planning considerations.

Regard should also be paid to Policy WCS6 of the Wiltshire & Swindon Waste Core Strategy and other relevant Waste DPDs.

7. Summary of consultation responses

Calne Town Council

Objections, citing the capacity for the development to perpetuate a relative lack of local services and prejudice delivery of the Town Centre Masterplan.

Highways

No objection, subject to conditions

Urban Design

No objection, final comments awaited

Conservation

No objection, final comments awaited

Environmental Health

No objection, subject to conditions

Archaeology

No objection, subject to conditions

Drainage

No objection, subject to conditions

New Housing

Advises that the proposals should be regarded as straightforward residential units and therefore 30% of units should be provided as affordable housing in accordance with Core Policy 43. Should viability be taken into consideration, it has been confirmed that a financial contribution in respect of the provision of local affordable housing elsewhere would be acceptable in lieu of on-site provision.

8. Publicity

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

30 letters of objection were received from members of the public, including those submitted on behalf of Calne Tourism and Calne: Our Place, raising the following concerns:

- Adverse impact on Calne's existing and future retail/service provision (26 references)
- Conflict with the Town Centre Masterplan and emerging Neighbourhood Plan (19)
- Poor design and/or conflict with local character (9)
- Adverse impact on local highways and traffic (7)
- Adverse impact on the residential amenity of neighbours (2)

Additionally, a petition with 52no. signatories has been received, raising the following issues:

- Conflict with the Town Centre Masterplan;
- Building physically limits integration of town centre as a cohesive whole;
- Loss of on-site and future masterplan-led retail;
- Building out of keeping and harmful to setting of listed buildings;
- Development will negatively impact on regular town events;
- Failure to deliver balance of housing and employment.

9 letters of support have been received from members of the public, raising the following points:

- Development will make use of redundant town centre site;
- Development will reduce crime and antisocial behaviour locally;
- Development makes contribution to the provision of local housing for older people

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications

must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Principle of development

The proposal is to redevelop a parcel of previously-developed land located centrally to Calne to provide 32no. residential units. Although the applicant restricts occupancy to over-55s, no significant element of care is provided at their facilities and therefore the scheme should be considered as any other open market development for C3 residential use. As such, it is not considered that Core Policy 46 (Meeting the needs of Wiltshire's vulnerable and older people) is wholly relevant. Nonetheless, the use of this site for the provision of new housing specifically for older people, amongst whom car ownership is typically lower, does offer some material benefit given the ease of access to local shops and services in the immediate vicinity. The proposal is in accordance with the settlement and delivery strategies for new residential development set out at Core Policies 1 and 2 of the Wiltshire Core Strategy and will contribute to the provision of new housing in a highly sustainable urban location at a scale commensurate with its role as a market town. This benefit of development should be afforded considerable weight.

In terms of the exploration of alternative uses of the site, as the development accords with Core Policies 1 and 2 there is no sequential approach to alternative uses – such as for expanded retail, leisure or community facilities – that should be adopted prior to the consideration of residential development. It is noted the viability has been cited in the first instance as the reason why it would not be practicable to entertain such alternatives and it is agreed that residential development will achieve the highest return in this location. However, upon interrogation by the Council's Estates Team, the margin of surplus considered available to provide planning contributions (after profit) has risen from around £34k to over £166k; a considerable increase. Whilst this does naturally bring into question whether alternative uses – such as retail with residential above – would in fact prove viable (mindful that this would also reduce planning contributions payable), given that there is no sequential approach to new development in this location this can be afforded little weight in the consideration of the application.

Core Policy 8 – the Spatial Strategy for Calne Community Area – requires that proposals take account of the stated objectives set out at the preceding paragraph 5.41, which establish the specific issues, challenges and aspirations for the area. These include broadly expanding and diversifying the range of services in the town as well as identifying an existing shortfall of local community facilities requiring support. At the heart of CP8 is a promotion of greater self-containment and balance between housing and services. The proposals would not contribute significantly toward this objective, although planning contributions/CIL may be available to support community facilities, however this should not be seen as necessarily weighing against the proposals. It is considered that the bearing of CP8 on the merits of the proposal is neutral.

The application conflicts directly with the Calne Town Centre Masterplan, which is anticipated to be amalgamated into, and ultimately adopted with, the emerging Calne Neighbourhood Plan. The Masterplan has been in the course of preparation for some years, progressing as far as to visualise desired land uses within the plan area, of which the application site forms a central component part. The Masterplan emphasises an aspiration

that the site forms part of an extended retail area and public realm for the town centre, potentially incorporating some residential development as flats above ground floor retail units. It is understood that the Masterplan benefits from considerable local support following extensive public consultation however for the time being it carries no statutory weight owing to the Neighbourhood Plan not yet being adopted. Owing to its more advanced stage or preparation, the Masterplan is best considered exclusively of the Neighbourhood Plan in terms of its content, as the latter has not yet been tested by referendum and thus cannot be afforded 'substantial weight'. Nonetheless, as a factor of its current stage of preparation the Masterplan is a material planning consideration that should be afforded some weight in the planning balance.

Design and appearance of the development

The external appearance of the proposed building has been the subject of extensive negotiation and dialogue with the applicant, resulting in the submission of revised plans warranting a second round of public consultation. Further to this, at the request of the Council, high-scale details of key architectural features have been provided as an indicator of the final finish of the building. It is considered that these details will be critical in ensuring that the building is sympathetic and complementary to its setting in accordance with CP57. It is considered that as a matter of principle, the proposed palette of materials is acceptable, reflecting the mixture of traditional and modern materials found in the vicinity of the site. Actual samples and finishing details can be agreed by condition to ensure proper oversight of the final article.

The proposed design can be broken down into separate elements which, it is considered, reflect the relative prominence and importance of different sections and serve to reduce the overall bulk of what is in reality a large building. The main entrance to the East elevation is framed by an imposing stonework fascia with articulated window surrounds and reveals and that turns the corner to the north to present a sparse but high-quality treatment to the wall facing the listed Zion Chapel. Subsidiary sections of the building are treated in render with stone detailing and clad projecting bays to improve articulation and avoid stark expanses. The third floor accommodation is to be contained within 'mansard' sections positioned behind low parapets over the principal eastern element and rear portion of the building, to be finished in a slate-type material to match with the regularly-proportioned intervening pitched roof sections. It is considered that the juxtaposition of traditional and modern design and materials will ensure that the building reinforces local character without aping the traditional vernacular nearby.

Although a substantial building in its own right, the scheme does make provision for a comprehensive scheme of hard and soft landscaping, likely to be achievable to a higher standard than traditional houses with separate gardens or retail/commercial use with their requisite service yards if these were introduced at the site instead. As proposed, the majority of the site is to be bounded by a combination of low and high stone walls, railings and planting, generally delivering a good quality finish that will enhance the sense of definitive streets when experienced as part of the public realm at The Pippin. As a comprehensive redevelopment scheme including the removal of low-quality fabric from the site it is considered that whilst the proposal will significantly alter the appearance of the site the design of the scheme is of a good standard overall, with architectural and finishing details capable of refinement and agreement by condition.

Impact of the development on Listed Buildings, the Calne Conservation Area and archaeology

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. 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.”

The nearest and most sensitive designated heritage asset is the Grade II-listed Zion Chapel, situated a short distance away to the north of the site. In addition to the chapel building itself and small enclosed yard to its east, the reach of the chapel is also known to have included several burials in what was previously a much larger churchyard in the immediate vicinity. Owing to this consideration, further archaeological investigation has been undertaken at the application site. Units 8-21 High Street to the west of the site are also all Grade II-listed, although their rear elevations facing the site have generally all undergone significant alteration from their original form. Consideration is also given to the impact of the development on the Calne Conservation Area moreover, including the legibility of the historic layout of the town.

The Council’s Senior Conservation Officer has considered the proposals and is of the view that they would conserve the character and appearance of the setting of designated heritage assets overall, subject to appropriate detailing. A key objective of the negotiations undertaken in respect of the design had been to protect and reinforce the visual connection between the Grade II-listed Zion Chapel and distant Grade I-listed St Mary’s Church, which occupies a central position in views southward from The Pippin. This has been achieved by a suitable setback from the highway, together with good quality boundary treatments that enhance the sense of a definitive street orientation. Overall, it is considered that the proposals satisfy the requirements of CP58.

Archaeological evaluation has demonstrated the site contains archaeological deposits, featuring in all five of the trial trenches excavated. The deposits are of medieval, pre-medieval and post-medieval date, and include a possible Saxon or earlier ditch. The relative lack of later disturbance within the site compared with their part of the town centre make it an area of high potential for preservation of remains relating to the medieval and earlier history of Calne. Having visited the site during the course of this exercise and considered these findings, therefore, the County Archaeologist has recommended that an archaeological condition for full excavation, recording and protection is attached to any grant of consent for the proposal.

Impact on residential amenity:

Although situated close to the centre of the town, it is not considered that the proposals will have any significant adverse impacts on future occupants, who in any case will be able to make a decision as to whether they are content with the proposed arrangements in full awareness of surrounding land uses. The units are set back from the surrounding public spaces, with the ground floor space immediately adjacent the prominent entrance being

given over to a reception area, office and stairwell. As such, it is not considered that the units will suffer from a lack of privacy from public viewpoints. In terms of the amenity enjoyed by neighbouring occupiers, amendments have been made to eliminate any significant overlooking by the omission of balconies and use of obscure glazing. It is considered that this arrangement is acceptable in protecting all parties from unacceptable inter-visibility detrimental to residential amenity. Given the site's town centre location, it is not considered that residential receptors are likely to suffer any significant adverse impact as a result of the increased activity introduced at the site; this is affirmed by the Council's Environmental Health Officer having no concern in this respect.

Crime and antisocial behaviour at the existing site has been raised in representations in support of the application, as this can be expected to be reduced by the introduction of a secure, controlled use of the site together with natural surveillance from occupiers. This view has been affirmed by the Police Crime Prevention Design Officer and thus the proposal offers a benefit to immediate neighbours in this regard. Access to the rear of Lloyds Bank is to be controlled by the installation of a metal gate across the footpath following the southern site boundary. Whilst control over actual means and hours of securing this fall to the landowner/site operator and the bank – and cannot, indeed should not, be controlled by planning condition – in practice this is likely to provide a further buffer between neighbouring properties and unauthorised intruders.

The development does potentially also have a bearing on the capacity to deliver other aspects of the Masterplan as a result of amenity considerations, however; residential receptors being the most sensitive to noise associated with, for instance, evening pub opening or occasional community events envisaged for this area. This is particularly relevant to the units orientated toward the southern side of the site, which would overlook the area visualised as a local plaza (currently the secondary Sainsbury's car park). It is important to consider this matter in relation to whether the proposals prejudice the delivery of that element of the Masterplan pertaining to the site alone, or whether in fact the scheme has wider implications. On balance, given the intervening presence of the parking area and boundary treatment to the south of the building, it is considered a stretch to assume that introducing residential units here would jeopardise the full utilisation of the adjacent car park site, particularly as the Masterplan in fact envisages some degree of housing on this site anyway. As such, in context with the existing surrounding land uses, it is not considered that the development introduces new receptors that would prejudice the delivery of the Masterplan to an extent any wider than the site itself.

Highways/parking

Access is to be obtained directly from The Pippin, effectively relocating the existing entrance to the car park that currently occupies the central portion of the site. The Highway Officer notes that this will require separate highways authorisation under S278 of the Highways Act and an informative can be attached to this effect. The Officer nonetheless notes that the access arrangements are acceptable in principle, enabling adequate visibility along The Pippin when leaving the site; the use of hard landscaping to either side should ensure that this arrangement is fixed however this can be secured in perpetuity by condition. An integral buggy store is co-located with the car park, with a sufficient gradient to enable shared use of the access by mobility scooters as their sole means of access to the site. This will improve both highway and pedestrian safety. The separate pathway access to Lloyds is also a fringe

benefit in that the proposals will marginally improve both ease and safety of inclusive access to the bank.

As accepted elsewhere for comparable facilities, the proposal offers a reduced level of parking provision falling below the usual adopted countywide standards for new residential development. As on-street and public car parking in the immediate vicinity of the site is strictly controlled, it is not considered that any occasional overflow, for example due to visitors, would result in a significant increase in on-street parking to the detriment of local residents or general amenity. It is on this basis that the reduced parking provision is considered acceptable subject to a condition limiting occupation to the over-55s only, as necessary in this instance to ensure this remains the case. The part-undercroft parking also provides allocated spaces for the obligation to Lloyds Bank and limited staff parking, together with adequate turning space to enable vehicles to enter and leave in a forward gear.

Existing traffic concerns in central Calne have been raised in representations received in respect of the application however, the impact of the development in this regard must be considered in context. The site benefits from excellent access to local services and the development is for sale exclusive to a demographic amongst whom car ownership is typically lower, reducing car dependency and the number of journeys by car. Mindful that it is a shared expectation that the site will come forward for some form of development, it is difficult to anticipate any other use generating fewer vehicle movements in the town centre. Accordingly, whilst it is accepted that the development will have an effect on the number of car journeys, this will be very limited as suggested by the transport statement, and significantly less than those generated by most other town centre uses.

Planning contributions

As the scheme comprises a major new housing development within a market town, the application attracts planning contributions in line with Core Policies 3 and 43 of the adopted Core Strategy. In Calne, this would equate to on-site provision of 30% affordable housing, with mix and tenancy reflecting local demand and a degree of on-site public open space.

The applicant has submitted a viability assessment, which has been reviewed by the Council's Estates Team in order to inform a judgement on whether some flexibility in terms of planning contributions should be afforded in this instance. In line with central government guidance, Officers have interrogated the viability assessment and considered whether reduced planning contributions would be appropriate.

Whilst the assessment initially offered £34,000 in planning contributions in lieu of any specific on or off-site provision, further scrutiny has evidenced a post-profit surplus of £166,488 as available for local planning gain; a considerable increase. As the latter figure would make a meaningful contribution to community facilities reasonably related to the development, it is considered that with due regard to the Guidance, this figure is acceptable. It is proposed that the total contribution is allocated to the following (actual sums TBC):

- provision of on-site waste collection containers
- possible local cemetery improvement/expansion
- provision of local affordable housing

The proposal would also be chargeable under the adopted Community Infrastructure Levy (CIL) Charging Schedule at a rate of £55/m², equating to £181,390 in CIL contributions, payable upon commencement of development.

Other matters

Loss of retail

The development will result in the loss of a local hardware store, which currently occupies a small portion of the site directly opposite Phelps Parade and falls within the secondary retail frontage designation saved under Policy R2 of the North Wiltshire Local Plan. Whilst safeguards against unjustified loss of such shops were provided by the now cancelled Policy R6 of that plan - which required that viability and alternative facilities were tested prior to non-retail uses being considered – Core Policy 49, its successor, does not offer the same protection. The latter (*'Protection of rural services and community facilities'*) relates to precisely that; only being engaged where shops and other community facilities are under threat at settlements identified as local service centres or smaller. At market towns such as Calne, therefore, there is little local policy basis on which to oppose alternative uses at sites such as this, which should be tested on their individual merits.

Air quality & contamination

As a town centre site, the proposal falls within the Calne Air Quality Management Area (AQMA) requiring that an assessment is undertaken in respect of the development's impact on local air quality. On initial review of the applicant's assessment, the Council's Environmental Health Officer has concluded that the information is inadequate to conclude 'no harm to air quality' as a result of the scheme, not least due to the exclusion of vehicle emission impact from the scope of the exercise. Further assessment is understood to be in the course of preparation, and the outcome of this will inform whether or not an additional planning contribution in respect of air quality management initiatives is required in this instance. Subject to either a satisfactory assessment or suitable contribution being secured, it is considered that impact on air quality does not weigh significantly in the planning balance, particularly mindful of the relative vehicle movement considerations discussed earlier in this report.

Whilst there are no known former uses of the site likely to have given rise to significant contamination of the land, as the development concerns land within a previously industrial area and involves significant earthworks a precautionary approach has been recommended in this respect. It is considered that the Council's standard sequential condition in respect of investigation, reporting and, if necessary, remediation of contamination is sufficient to address any issue that may arise.

10. Conclusion

The proposal complies with Core Policies 1 and 2 and will contribute to the supply of new market housing in a highly sustainable location with good access to local services. A reduced contribution will also be made in respect of off-site local affordable housing, although the practical benefit of this must be considered in the context of its shortfall against the requirements of Core Policy 43; such that its weight in the planning balance is neutral. Mindful of the nature of the development and content of the national Guidance in relation to

viability, it is considered that the breakdown of planning contributions is acceptable in relation to Core Policy 3.

It is considered that the design and layout of the development is of good quality and will represent an overall enhancement to the appearance of the site and the character of the Conservation Area, despite its considerable size and scale. Although the proposals will alter the settings of designated heritage assets – particularly the Zion Chapel and neighbouring buildings to the High Street – there will be no substantial or less than substantial harm to their significance. The development will employ high-quality materials and, subject to proper detailing, will contribute to creating a more legible urban setting in this presently underutilised location.

Conflict with the Calne Town Centre Masterplan and emerging Calne Neighbourhood Plan is a dis-benefit of development weighing against the proposals. However, given the consistency with the statutory development plan as outlined above, other merits of the application in regenerating brownfield land and lack of evidence to suggest prejudice to the Masterplan at a wider level, it is considered that these material considerations do not overcome the presumption in favour of development. Accordingly, it is considered that the proposed development is acceptable in planning terms.

RECOMMENDATION

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

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

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing & Waste; and is therefore contrary to Core Policies 3 and 43 of the Wiltshire Core Strategy Adopted January 2015 and Paragraphs 50, 73 and 204 of the National Planning Policy Framework March 2012.

- 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:

SO 2174 03 AC 026 E (Proposed Site Layout)
SO 2174 03 AC 027 F – Proposed Lower Ground Floor Plan
SO 2174 03 AC 028 E – Proposed Ground Floor Plan

SO 2174 03 AC 029 F – Proposed First Floor Plan
SO 2174 03 AC 030 F – Proposed Second Floor Plan
Received 12 February 2016

SO_2174_02_LA_005 rev H – Landscape Design
Received 15 February 2016

SO 2174 03 AC 037 D – North & South West Elevations
SO 2174 03 AC 035 D – North & South East Elevations
Received 20 April 2016

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

- 3 No construction works shall take place on site until all the existing buildings on site have been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.

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

- 4 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.

- 5 No external stonework shall be constructed on site, until a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

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

- 6 No render shall be applied to any building or walls on site until a sample panel of the render to be used on the external walls not less than 1 metre square, has been made available on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

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

area.

- 7 No development shall commence on site until details of all eaves, verges, parapets, balconies, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys, flues, dormers and canopies 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.

- 8 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building 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.

All hard landscaping comprised in the approved details of landscaping shall be carried out in the full prior to the first occupation of the building and maintained as such thereafter, in perpetuity.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

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

REASON: In the interests of highway safety.

- 10 No development shall commence on site until visibility splays have been provided (in accordance with drawing Access Visibility Splays 034.0076.002 dated 01.07.15) between the edge of the carriageway and a line extending from a point 2.4m back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 43 metres to the north direction and 43m (27m tangent) to the south 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 0.6 metres above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

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

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

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

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

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

Step (i) Site Characterisation:

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

- A survey of the extent, nature and scale of contamination on site;
- The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages;

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

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

Step (ii) Submission of Remediation Scheme:

If any unacceptable risks are identified as a result of the investigation and assessment referred to in step (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

Step (iii) Implementation of Approved Remediation Scheme:

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

Step (iv) Reporting of Unexpected Contamination:

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

Step (v) Verification of remedial works:

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

report should demonstrate the effectiveness of the remedial works.

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

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

Step (vi) Long Term Monitoring and Maintenance:

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

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

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

14 The residential occupation of the development hereby permitted shall only endure for the benefit of persons over the age of 55 years.

REASON: Permission would not normally be granted due to the reduced parking provision on site but regard has been paid to the specific intended occupants of the development and typically lower levels of car ownership such that, exceptionally, the proposal is acceptable in terms of highway safety and local amenity on this basis.

15 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.

- 16 **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.
- 17 **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].
- 18 **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.
- 19 **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.
- 20 **INFORMATIVE TO APPLICANT:**
The application involves creation of a new access. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license will 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. Please contact the vehicle crossing team on (01225) 713352.
- 21 **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.