

REPORT TO THE AREA PLANNING COMMITTEE

Date of Meeting	04 th January 2017
Application Number	15/10712/FUL
Site Address	Land North of Baydons Lane, Chippenham, Wiltshire, SN15 3JX
Proposal	Erection of Six Dwellings (Revision of 14/11995/FUL)
Applicant	Wainhomes (South West) Holdings Ltd.
Town/Parish Council	CHIPPENHAM
Division	CHIPPENHAM HARDENS AND ENGLAND – Cllr Bill Douglas
Grid Ref	392462 172960
Type of application	Full Planning
Case Officer	Lee Burman

Reason for the application being considered by Committee

The Application was reported to the North Area Planning Committee meeting of the 26th October 2016 where it was deferred for the following reason as set out in the minutes of the meeting:-

That consideration of the application be deferred to seek the submission and consideration of the following additional information:

- The possibility for an environmental corridor;
- An assessment of the Japanese Knotweed issues on the site, and vicinity;
- The possibility of traffic calming measures sympathetic to the character of the conservation area.

1. Purpose of Report

To recommend that authority is delegated to the Head of Development Management 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 Head of Development Management to **REFUSE** planning permission for the following reason:-

The application proposal fails to provide the necessary mitigation in line with Policies CP50, CP51 and CP58 of the Wiltshire Core Strategy (Adopted January 2015) and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

2. Report Summary

The following report solely deals with the matters subject of deferral at the previous Committee. Limited consultation with the Council's Ecologist, Trees Officer, Highways Officer and Drainage Officers has been undertaken with respect to these matters and the further submissions made in response by the applicant team. No objections are raised subject to additional conditions as set out in the list of conditions below.

Information normally contained in the report to Committee in respect of various matters e.g. Site History is as per the original report, which is reproduced at Appendix A for ease of reference.

3. Consultations

Ecologist – No Objections subject to conditions

Trees – No objection subject to conditions

Drainage – No further comment or concerns raised

Highways – Submitted details are acceptable and no objections are raised subject to conditions

4. Planning Considerations

The possibility for an environmental corridor

The applicant has submitted revised proposals which includes a planted environmental strip on the western boundary which has moved plot 1 approximately a further 2.5 metres into the site making the bulk of the building 15.5 metres from the side gable of the existing adjacent property. The building on plot 1 has also been moved marginally south so as not to compromise the relationship with the proposed plot 2, drawing attached.

Further to this and following additional input from the Council's Trees Officers the site layout has been reviewed and adjusted to accommodate the 15 m root protection zone of the retained Beech Tree. This had the consequential impacts of Plots 2-4 marginally adjusted to ensure all buildings, the proposed shared drive and access onto Baydons Lane located outside of the 15m zone. Plots 5 and 6 repositioned to relocate the shared drive garaging and car park outside of the 15m zone.

In addition further assessment information has been subjected as to the condition of the tree particularly in the context of safety and possible Tree Preservation Order (TPO) designation. Officers and the applicant consultant team have identified that the tree features some cavity's and is subject to some level of decay. The proposals are to manage this process of decay naturally and through phased reduction as necessary. The Council's Trees officers have reviewed the submissions in full and raise no objection to the revised proposals subject to the use of a conditions requiring provision of details for tree protection during construction and longer term. Officers acknowledge the condition of the tree and identify that consequently it does not meet the tests for designation via a TPO.

Officers have reviewed the proposals and consider that this fully addresses the requirements of the Committee. It is also considered that the revised layout is acceptable and appropriate in terms of existing and future residential amenities, design character and would have a neutral impact to the character appearance of the Conservation Area.

An assessment of the Japanese Knotweed issues on the site, and vicinity

The Council's Ecologist has been consulted in respect of the scheme proposals and the current site conditions with specific reference to Japanese Knotweed Removal. The response is as follows:-

The knotweed will need to be removed by a specialist contractor and must not be spread as a result of the construction works. There is legislation which can be quoted through an informative however that only precludes spread and requires safe disposal of any material removed from the site but doesn't necessarily require eradication, therefore the new properties within the site (and arguably the neighbours) may be vulnerable to future damage if it regenerates. I would therefore argue that a condition is fair and reasonable, and indeed they have been applied in Wiltshire and elsewhere in such circumstances. The Environment Agency code of practice was officially revoked this year, but still represents industry best practice (as far as I'm aware). The condition should be stand-alone, rather than combined with CEMP or LEMP as the remediation should be complete before any other construction activities commence and will need to be carried out by a specialist licensed contractor rather than normal construction contractors or ecologists.

Subsequently the Council's Ecologist has recommended the following condition and informative to which the applicant has provided formal agreement and so it is proposed in the list of conditions attached to this report.

CONDITION:

No development including vegetation removal / management, site clearance, ground works or intrusive site investigations, shall commence until a detailed method statement for the removal/eradication of Japanese knotweed on the site has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of Japanese Knotweed during any operations in accordance with best practice, and ensure the safe disposal of invasive plant material as required. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall be carried out in strict accordance with the approved method statement.

INFORMATIVE :-

Please note that Japanese Knotweed waste (the plant itself or material containing its rhizomes) is classed as a controlled/special waste and therefore needs to be disposed

of in accordance with the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991. It may be necessary to inform the Environment Agency of the intention to bury or burning Japanese Knotweed onsite. Any soils or material contaminated with Japanese Knotweed should be disposed of at an authorised landfill site or suitable disposal site. Please see government guidance for further details. <https://www.gov.uk/guidance/prevent-japanese-knotweed-from-spreading>

The possibility of traffic calming measures sympathetic to the character of the conservation area.

Following the resolution of the Committee the applicant team has revised the submissions and responded as follows:-

- The traffic calming proposed on Baydons Lane has also been modified to reduce to two points, one being where the carriageway narrows around the existing retained Beech tree and also at the point of conflict at the eastern end of the site with the footpath from the River Avon bridge and where the cycle route joins Baydons Lane. Please note, the highway at the eastern end has also been widened to 4.5 metres as raised at the committee to address the various traffic uses. It is proposed that the two 'highway features' will be flush with the current highway and will feature materials such as granite sets or block pavements to give a visual feature to samples that will have to be approved by Wiltshire Council.

Highways officers have reviewed the revised details alongside the revised layout details and raise no objections to the submissions subject to conditions.

The proposed conditions are included in the list at bottom of this report and a further informative is proposed regarding the road works.

The case officer has also reviewed the revised details in the context of the committee resolution and the impact to the Conservation Area and it is considered that these address the Committee's requirements and are acceptable preserving the character and appearance of the locality and the conservation area.

5. Conclusion

It is considered that all matters that were the subject of deferral at the previous Committee meetings and the subject of further submissions and additional information have been fully and appropriately addressed. Officers have considered the submissions in the context of the debate and resolution at the previous meeting and consider that having adequately and appropriately addressed matters raised in full permission can be granted subject to the completion of the required S106 agreement and conditions listed in this report.

RECOMMENDATION

To recommend that authority is delegated to the Head of Development Management 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 Head of Development Management to **REFUSE** planning permission for the following reason:-

The application proposal fails to provide the necessary mitigation in line with Policies CP50, CP51 and CP58 of the Wiltshire Core Strategy (Adopted January 2015) and Paras 7, 14 & 17 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:

Drawing No: 1631 - 01 (as submitted 20/09/2016) - Site Plan
Drawing No: 1631 - 02 REV H (as submitted 13/12/2016) - Site Layout
Drawing No: 1631 - 03 REV F (as submitted 13/12/2016) – Street Elevations & Sections
Drawing No: 1631 - 04 REV D (as submitted 13/12/2016) – Rear elevations & Sections
Drawing No: 1631 - 05 REV G (as submitted 13/12/2016) - Parking Provision
Drawing No: 1631 - 06 REV K (as submitted 16/12/2016) - Drainage Strategy
Drawing No: 1631 - 07 REV H (as submitted 13/12/2016) - Landscaping Layout
Drawing No: 1631 - Plot1fp (as submitted 13/12/2016) - Plot 1 Floor Plan and Elevations
Drawing No: 1631 - Plot2el (as submitted 13/12/2016) - Plot 2 Floor Plan and Elevations
Drawing No: 1631 REV A - Plot3fp (as submitted 13/12/2016) - Plot 3 Floor Plans
Drawing No: 1631 REV A - Plot3el (as submitted 13/12/2016) - Plot 3 Elevations
Drawing No: 1631 REV A - Plot4el (as submitted 13/12/2016) - Plot 4 Elevations
Drawing No: 1631 REV A - Plot4fp (as submitted 13/12/2016) - Plot 4 Floor Plan
Drawing No: 1631 REV B - Plot5/6fp (as submitted 13/12/2016) - Plot 5 & 6 Floor Plan
Drawing No: 1631 REV B- Plot5/6el (as submitted 13/12/2016) - Plot 5 & 6 Elevations
Drawing No: 1631 REV B - gar/encl (as submitted 13/12/2016) - Garages and Enclosure plans.
Drawing No: 1631 0700 Rev P5 (13/12/2016) Engineering Layout and Details

D37 36 P2 Rev A (13/12/2016)
D37 36 P1 (13/12/2016)
D37 36 P3 (13/12/2016)

Extended Phase 1 Habitat Survey and Assessment by Alder Ecology (May 2013)
Ecological Assessment by Tyler Grange (June 2016)
FRA Addendum Report by Craddys (June 2016)

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

- 3 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 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

- 4 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) measures to control the emission of dust and dirt during construction;
- f) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- g) hours of construction, including 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 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 construction phase.

- 5 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before commencement of the development. The content of the LEMP shall include, but not necessarily be limited to, the following information:
- a) Description and evaluation of features to be managed;
 - b) Landscape and ecological trends and constraints on site that might influence management;
 - c) Aims and objectives of management;
 - d) Appropriate management options for achieving aims and objectives;
 - e) Prescriptions for management actions;
 - f) Preparation of a work schedule (including an annual work);
 - g) Details of the body or organisation responsible for implementation of the plan;
 - h) Ongoing monitoring and remedial measures;
 - i) Details of how the aims and objectives of the LEMP will be communicated to future occupiers of the development.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented.

The LEMP shall be implemented in full 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 adequate protection, mitigation and compensation for protected species, priority

- 6 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) Protection of trees including details of root protection areas and fencing;

- b) Mitigation for any potential tree bat roosts to be removed;
- c) An updated badger survey and mitigation strategy;
- d) A reptile mitigation strategy including methods to be applied during the construction phase and details of the proposed receptor site including long-term maintenance.
- e) Protection of breeding birds.
- f) 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.

- 7 No demolition, site clearance or development shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees has been submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following:-

- A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2012 and a plan indicating the alignment of the protective fencing;
- A specification for scaffolding and ground protection within tree protection zones in accordance with British Standard 5837: 2012;
- A schedule of tree works conforming to British Standard 3998: 2010;
- Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;
- Plans and particulars showing the siting of the service and piping infrastructure. The detailed landscaped plan should be not less than 1:200 scale, showing the position of any trees proposed to be retained and the positions and routes of all proposed and existing pipes, drains, sewers, and public services, including gas, electricity, telephone and water.
- A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification;
- Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and
- Details of all other activities, which have implications for trees on or adjacent to the site.
- Day and sunlight calculations must be submitted in accordance with Building Research Establishment guidance and British Standards 8206 Part 2: 2008 Light for Buildings Part 2 - Code of practice for daylighting.

- In order that trees to be retained on-site are not damaged during the construction works and to ensure that as far as possible the work is carried no demolition, site clearance or development should commence on site until a pre-commencement site meeting has been held, attended by the developer's arboricultural consultant, the designated site foreman and a representative from the Local Planning Authority, to discuss details of the proposed work and working procedures.
- Subsequently and until the completion of all site works, site visits should be carried out on a weekly basis by the developer's arboricultural consultant. A report detailing the results of site supervision and any necessary remedial works undertaken or required should then be submitted to the Local Planning Authority. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant following that approval.

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, in order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

- 8 No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction -Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and;

The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

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: 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 Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

- 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 urban 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: To ensure that the development can be adequately drained.

- 10 No development shall commence on site until a scheme for the discharge of surface water from the highway fronting the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until the highway drainage scheme has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

- 11 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 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.

- 12 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.

- 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 gates, fences, walls or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site.

REASON: In the interests of visual amenity.

- 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), 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.
- 15 There must be no ground raising or obstruction to flow on existing land at or below the 1 in 100 year flood level (45.57mAOD).
- REASON: In the interests of flood prevention
- 16 The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.
- REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.
- 17 No development including vegetation removal / management, site clearance, ground works or intrusive site investigations, shall commence until a detailed method statement for the removal/eradication of Japanese knotweed on the site has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of Japanese Knotweed during any operations in accordance with best practice, and ensure the safe disposal of invasive plant material as required. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall be carried out in strict accordance with the approved method statement.
- 18 No part of the development hereby permitted shall be first 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.
- 19 No development shall commence on site until details of the 'highway works' consisting of carriageway widening / traffic calming / lowered kerb to be formed at Baydon Lane have been submitted to, and approved in writing by, the Local Planning Authority. The highway works shall include the re-surfacing of the wearing course of the whole carriageway (ie after the widening). No part of the development shall be occupied until the 'highway works' have been provided in accordance with the approved details (numbered 1084_0700 P5 and titled 'Engineering Layout and Details').
- REASON: In the interests of highway safety.
- 20 No development shall commence on site until visibility splays at both access points have been provided between the edge of the carriageway and a line extending from a point 2m 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 25 metres from the centre of the access in accordance with the approved plans (numbered 1084_0700 P5 and titled 'Engineering Layout and Details'). 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.

REASON: In the interests of highway safety.

- 21 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (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 safeguard the amenities and character of the area and in the interest of highway safety.
- 22 **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.
- 23 **INFORMATIVE TO APPLICANT:**
Please note that Japanese Knotweed waste (the plant itself or material containing its rhizomes) is classed as a controlled/special waste and therefore needs to be disposed of in accordance with the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991. It may be necessary to inform the Environment Agency of the intention to bury or burning Japanese Knotweed onsite. Any soils or material contaminated with Japanese Knotweed should be disposed of at an authorised landfill site or suitable disposal site. Please see government guidance for further details. <https://www.gov.uk/guidance/prevent-japanese-knotweed-from-spreading>
- 24 **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.
- 25 **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].
- 26 **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.
- 27 **INFORMATIVE TO APPLICANT:**
The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

- 28 **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.
- 29 **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/communityinfrastructur
elevy.

Appendices:

Appendix A Copy of Report to Committee 26th October 2016

Background Documents Used in the Preparation of this Report:

Report to Committee 26th October 2016
Wiltshire Core Strategy
National Planning Policy Framework
Planning Practice Guidance

Appendix A
Report to Committee 26th October 2016

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	26 October 2016
Application Number	15/10712/FUL
Site Address	Land North of Baydons Lane, Chippenham, Wiltshire, SN15 3JX
Proposal	Erection of Six Dwellings (Revision of 14/11995/FUL)
Applicant	Wainhomes (South West) Holdings Ltd.
Town/Parish Council	CHIPPENHAM
Electoral Division	CHIPPENHAM HARDENS AND ENGLAND – Cllr Bill Douglas
Grid Ref	392462 172960
Type of application	Full Planning
Case Officer	Mathew Pearson

Reason for the application being considered by Committee

The application has been called in by Cllr Douglas due to the scale and design of the development, impact on the surrounding area and adjoining properties and adverse impact on environmental and highways.

1. Purpose of Report

To recommend that authority is delegated to the Head of Development Management 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 Head of Development Management to **REFUSE** planning permission for the following reason:-

The application proposal fails to provide the necessary mitigation in line with Policies CP50, CP51 and CP58 of the Wiltshire Core Strategy (Adopted January 2015) and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

2. Report Summary

The proposed development is within the Chippenham settlement boundary and in principle is considered a sustainable location for development. The site is located within the Chippenham Conservation Area and is of limited ecological value. The proposed development will reinstate and reinforce a number of key features on the site boundary and improve the highway along Baydons Lane, which is already used due to the car park located at the end of the lane. The proposed dwellings are in keeping with the general character and appearance of the area and the site will act as a suitable transition between Monkton Park recreation area and the urban form of Chippenham.

Chippenham Town Council have objected to the application and nical consultee to raise an issue is the Council’s Conservation Officer. There have been 14 letters of objection in 2015, following the submission of revised plans and re-consultation during 2016 a further 10 letters of objections were received.

The main issues for consideration are:-

- Principle of the Development
- Impact on the Character and Setting of the Conservation Area and Heritage Matters
- Flooding and Drainage including Foul and Surface Water
- Ecology
- Highways

3. Site Description

The site comprises an open and undeveloped area of land that falls within and adjacent to the settlement boundary of Chippenham. It also is situated within the designated Conservation Area for the town. This part of the Conservation Area at Baydons Lane has a distinctly rural and open feel given the combination of stone wall and vegetation on the boundaries. The loose knit form of development along the lane contributes to this feel also. A short distance to the east is a county wildlife site of local importance. Part of the site falls within the floodplain zones 2 and 3 of the River Avon which runs to the north of the site. The site contains numerous trees and hedges and Japanese Knotweed is known to be present. The presence of badger sets has been identified.

4. Planning History

14/11995/FUL	Erection of 8 Residential Dwellings with Associated Engineering Works, Parking and Drainage	Refused
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5. The Proposal

The application is for 6 four bedroomed houses built from a mix of natural stone, render and natural slate at Baydons Lane, Chippenham. The properties are set back from the lane with large gardens sloping down toward the River Avon. There are 4 detached dwellings with a pair of semi-detached house located at the western end of the site. The application is a full application and includes details of various on and off site improvements, including the widening of Baydons Lane and the reinstatement of stone walling and hedgerows, and area of screening to provide landscape and ecological mitigation to the north of the site. Key features will be retained on the site including a mature beech tree. The elevations show two storey front elevations with three storey rear elevations (except plot 1) due to the sloping nature of the site. The site includes garages and sufficient parking on site.

The application was submitted in late 2015, but due to the need for further ecological surveys was held in abeyance. The application has originally accompanied by an Ecology Report, Design and Access Statement, Flood Risk and Drainage Strategy. A revised Ecology Report and Drainage Strategy were received in June 2016.

6. Local Planning Policy

Wiltshire Core Strategy (WCS) (adopted January 2015)

- Core Policy 1: Settlement Strategy
- Core Policy 2: Delivery Strategy
- Core Policy 10: Spatial Strategy: Chippenham Community Area
- Core Policy 41: Sustainable Construction and Low Carbon Energy

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 impacts on the transport network
Core Policy 67: Flood Risk

National Planning Policy Framework

Paragraph 14 – Decision Making

Paragraph 17 - Core Planning Principles

Section 4 – Promoting sustainable transport (Paragraphs 32, 34, 35, 36, 37 & 38)

Section 6 – Delivering a wide choice of high quality homes (Paragraphs 47, 49)

Section 7 – Requiring good design (Paragraphs 63, 64, 65 & 66)

Section 8 – Promoting healthy communities (Paragraphs 73)

Section 11 – Conserving and enhancing the natural environment (Paragraphs 118)

Section 12 – Conserving and enhancing the historic environment (Paragraphs 131, 132 & 134)

7. Summary of consultation responses

Chippenham Town Council – The Town Council’s comments on this application are as follows:-

“The Town Council reiterates its comments submitted in November 2015 that it has concerns in line with Wiltshire Council’s reasons for refusing the previous application. Reasons include layout, size, scale and failing to improve the character and quality of the Conservation Area. It also has concerns regarding a possible increase in parking problems and potential highway implications caused by the increase in traffic movement on a narrow road.”

We have been asked to pass on the views of the local member, Councillor Bill Douglas (his views were also supported by some members of the Committee), these are as follows:-

“On behalf of residents, we strongly oppose this application for the following reasons:-

This Lane is deservedly registered as a Conservation Area, in order to protect this special Area, which forms part of most of the last remnants of our ‘Old Town’. Any development which would alter the Character of this area would destroy the reason for the Conservation status. This we feel must be given a high priority when deciding on this application.

This is a vital stretch of the Town’s Sustrans System which Wiltshire Council upgraded within the past two years. The upgrading has been a significant success and the Lane section is now well used by pedestrians and cyclists from housing on the route etc, in addition to our residents from all the surrounding areas who use it to get to Monkton Park and Baydons Wood. These are well used leisure facilities. At its narrowest section the lane is only two metres wide, therefore there is a danger to mixed use to the present traffic using it, if the traffic is increased. We would ask Highways to please reconsider these details.

At present 11 houses in the lane have no parking spaces, so the two Parking areas on the lane section, at 6.00pm, are full, 15 cars in one and 8 cars in the other, in addition to several

cars in driveways at the more accessible section, a total of 28 cars using this very short lane plus delivery vans etc. Further traffic would certainly increase the danger to the ever increasing number of lane users. If these houses have the use of an average even of 1.5 cars, an additional 9 cars would increase traffic by 33%, again a factor for Highways to consider.

The Area representatives have been contacted by residents in the areas serviced and the Mayor, Cllr Gibson has had many complaints from townfolk in the course of his duties.

In planning terms the plot itself would be over developed with this number of houses. The spacing of six houses on this small plot would completely change the regularity of the other housing in the general area and thus the character.”

Environment Agency – No objection subject to conditions

We note the proposed finished floor levels shown on submitted 'Proposed Drainage Strategy' drawing (1631-06 Rev E). These are as we have previously discussed and we have no further comments to make on this element of the proposal.

There must be no ground raising or obstruction to flow on existing land at or below the 1 in 100 year flood level (45.57mAOD).

WC Conservation – Support (Comments integrated into body of the report below)

WC Drainage – Support subject to conditions.

- They have as previously stated come up with foul and storm disposal arrangements which are acceptable in principle but rely on the sewerage undertaker giving permission for diverting the existing sewer crossing the site – if permission not forthcoming then layout as shown cannot be achieved
- Foul drainage disposal will need S106 WIA 1991 application to sewerage company
- As above S106 application needed for storm water disposal and rate quoted in FRA and drawings will need to be agreed – if rate not agreed then drainage system/storage volume would need to change

Based on above suggest that conditions from previous response are still appropriate

WC Ecology – No objection subject to conditions

Matters Considered:

Following on from previous comments (07/12/15), the applicant has submitted some updated ecological survey work. This has confirmed that:

- The site does not support any priority habitat types, indeed current habitats which appear to have deteriorated since the original survey and are now dominated by tall ruderals and bramble scrub.
- In addition to the mature oak tree previously identified, a number of additional trees in the western part of the site also have potential to support roosting bats. However the revised development plans indicate that these could be largely retained within the proposed 'badger area', although they would need to be protected during the construction phase or checked by an ecologist if they are to be removed.
- The badger sett is much more extensive than previously recorded, the development will require closure of a number of entrances within the main body of the site. These entrances were only partially used at the time of survey, however their status will need to be checked prior to commencing development. Other entrances could

potentially be retained during development, however exclusion zones will be required and need to be clearly delineated to construction staff.

- A reptile survey has confirmed that the site supports reasonable numbers of slow worm and grassland which are likely to be killed or injured during construction. A translocation will be required prior to commencement of development, however given the relatively small size of the population I'm satisfied that this can be secured through a condition.
- Breeding birds are likely to be affected by the development if clearance is carried out during the nesting season, therefore this will need to be reassessed at the pre-commencement stage.

WC Highways – Support subject to conditions

In reference to the attached plan numbered 1084_0700 P3 and titled 'Engineering Layout and Details'.

With regard to the proposed highway amendments, am prepared to accept the widened 4.5m carriageway width – this will enable two reasonable size vehicles to pass within the carriageway. With regard to the access to plots 5 and 6 am prepared to accept the taper towards the traffic calming and entrance. The main section of carriageway will have the increased width. The alignment of the carriageway is now suitable. note that visibility splays of 2m x 25m are provided.

On the basis of the above drawing, can confirm that withdraw the highway objection. do not consider that a highway objection to this proposal would withstand planning appeal. The impact of the proposal cannot be considered severe.

Recommend that no highway objection be raised subject to the following:

Conditions to include implementation of highway works and parking, maintenance of visibility splays and restrictions on use of garages.

WC Rights of Way – No significant impact on the nearby rights of way network so no concerns.

Wiltshire Council Waste – Support subject to conditions. Waste collection and storage needs to meet the Councils guidance note.

Wessex Water – No objection

Water Supply and Waste Connections

New water supply and waste water connections will be required from Wessex water to serve this proposed development.

The applicant has indicated they are to make an application to divert the surface water sewer.

Building Near to a Public Sewer

No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Wessex Water.

8. Publicity

There have been 14 letters of objection in 2015 including from the woodland trust and the CPRE, following the submission of revised plans and re-consultation during 2016 a further 10 letters of objections were received. Major areas of objection focused around highway safety, impact on the Conservation Area and ecology and drainage

Transport

Objectors main concerns were that the increase in traffic will cause further hazards for walkers, cyclist and other users of the lane due to the access it provides. There are not enough parking spaces to in the area to serve the current dwellings. The proposal does include enough spaces to serve the development and will further exacerbate parking issues in the area. It was noted that construction traffic will also cause major disruption as there is only one access point.

Ecology

The site is adjacent to the important wildlife sites of Baydons Wood and Baydons Meadow. These are mature wildlife sites that have been managed by the Woodland Trust and local residents and provide a sanctuary for many different species of birds, mammals, insects, many of which are protected. The site is also well known for badgers nesting, feeding and foraging.

The site has serious problem with Japanese knotweed and any development of the site will need to adequately deal with this issue prior to construction and it is likely that this species will cause issues further down the line.

Conservation

The Chippenham Conservation Area Management Plan includes "to encourage the restoration of the hedgerow along the east side of Baydons Lane" & "encourage the rebuilding of the damaged stone wall at the eastern boundary"

The privacy and light of the properties immediately opposite and adjacent to the site will be affected. Likewise the privacy of the proposed properties will be adversely affected by the existing neighbours particularly.

The proposed dwellings are out of keeping with the pattern of development in the area and it would have a detrimental effect on the Conservation to have 8 densely packed and very similar semi-detached houses, particularly in the section of the walk which passes along an old country lane. Similarly the aspect of the new designs from the River is in no way in keeping with those riverside dwellings before it.

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 majority of the site, and all of the proposals built development, sits within the development boundary of Chippenham for the purposes of Core Policy CP1 and CP10 in the Wiltshire Core Strategy (WCS). Core Policy 2 states that within the limits of development, there is a

presumption in favour of sustainable development. Further Core Policy 10 defines that development in and around the central area of Chippenham should retain and enhance access to the River Avon and protect this area of greenspace within the town. Nevertheless, paragraph 4.7 of the WCS sets out further that sustainable development in a Wiltshire context is the spatial strategy and the following core policies as a whole, development that does not accord with the policies contained within the WCS is deemed unsustainable.

A previous application was refused in early 2015 on the site. The previous application was for 4 pairs of semi-detached dwellings and included removal of many key heritage features on the site. It was felt that this was an over development of the site and that the design was not in keeping with the general vernacular and layout of the area. Furthermore the removal of key heritage features meant the proposal would harm the Conservation Area and nearby heritage assets. The applicant has sought to address these refusal reasons by providing a less intense development and retaining and where possible enhancing key heritage features. The application now also provides for widening of Baydons Lane which is already a heavily used route due to the car parking facilities and proximity of the town centre.

Impact on the Character and Setting of the Conservation Area and Heritage Assets

Sections 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities in determining planning applications affecting a Listed Building or Conservation Area to pay special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses; and to pay special attention to the desirability of preserving or enhancing the character or appearance of that conservation area.

Core Policy 58 of the WCS and guidance contained in the National Planning Policy Framework (NPPF) are clear that the significance, character and setting of the historic environment and heritage assets should be sustained and where possible enhanced. The WCS goes further to explain that this must be in a manner appropriate to their setting. Core Policy 57 states that a high standard of design is required in all new developments. The NPPF stresses the importance of good design which should contribute positively to making places better for people.

The site is within the setting of a listed building and the area forms part of the Chippenham Conservation Area, being identified as part of the Monkton Park area. In the management plan the focus is on the river valley and restoration and extension of the public open space and other ecological assets along the valley. The plans show four detached properties with two semi-detached houses at the eastern end built using a mix of Ashlar stone, slate roofs and UPVC windows. The properties have two storey main elevations on Baydons Lane with three storeys to the rear facing the River Avon, except plot one which is two storey front and rear. The overall layout is similar to the general piecemeal and irregular development that characterises the Butts/Baydon Lane area and provides a set back and loose knit form of development which characterises the properties adjacent to the river in the vicinity.

A number of objectors have highlighted the important role the site plays in providing an area of open space in the Chippenham Conservation Area which positively contributes to the rural character and countryside and parkland appearance of this part of the town. While the development would introduce urban development it is not considered that the development is overly dense and will still provide a transition between the peripheral parts of the Chippenham Conservation area and the River Avon corridor and associated greenspace. The site will retain key features such as including mature trees and reinvigorate existing hedges and boundary treatment. The layout of the site of the houses is similar to that on the north side of Baydons Lane and beyond and the overall design and detailing is in character with

that surrounding area. The plans show natural stone frontages with simple glazing and three story rear elevation which are broken up by different roof pitches, dormer windows and balconies. The site has uniform approach that mirrors the wider character of the area with duly mimicking designs to provide a modern development in character in the surrounding properties.

Particularly important is the boundary treatments to the front and rear of the site. At the rear further planting will help screen the development and provide a better transition between the wildlife corridor next to the River Avon and built development in Chippenham. The rear of the properties will remain open by providing smaller picket style fencing to keep the area open. To the front the hedge and stone wall be reinstated in line with widening the road. This is highlighted in the Chippenham Conservation Area Management plan as a key improvement to be secured in this area. It is considered that the onsite improvements will provide an uplift to the character of the area to what is currently an overgrown and under used area. The design of the boundary treatments and the spacious nature of the layout ensures that area provides a suitable transition from the urban form of Chippenham to the Monkton Park and the River Avon Corridor. Improvements to the front of the site will implement the proposals of the Chippenham Conservation Area Management Plan. Overall it is considered that the development will enhance the area and provide a development in keeping with the general design character enhancing the appearance of the conservation area. The application is considered in accordance with Core Policies 57 and 58.

Foul and Storm Sewage, Flood Risk and Proposed Drainage

An addendum to the initial Drainage Report was received in June 2016 which addressed a number of issues highlighted in the Council's Drainage Officer's response in November 2015. It should be noted that the Council's Officer was not objecting to the scheme at this time but had some areas which need clarifying. The addendum also addressed issues highlighted by Wessex Water.

The site will provide two connections for foul water within Baydons Lane by means of a new adoptable manhole at each connection point. In terms of the report it also notes that due to the proximity of the Flood Zone 2 and the ground conditions, soakaways would not be a viable solution for surface water disposal. It is therefore proposed to connect into the existing 300mm diameter Wessex Water surface water sewer that is located along the eastern boundary of the site. Discharge from the site will provide the uplift required by policy and prevention from flooding will be achieved through the use of oversized attenuation pipe storage. Details of proposed maintenance regimes have also been provided.

Neither, the Council's Drainage Officer or Wessex Water has objected to the application and it is considered that the level of information supplied is now consistent with that required to ensure that the application can be approved. Nevertheless, the Council's Drainage team is recommending suitable conditions be applied in relation to the final storm and foul drainage schemes to ensure they meet the requirements and technical specifications of policy.

Ecology

The applicant submitted a revised ecological assessment in June 2016 to respond to the Council's request for further ecological information. As noted above, the sites value as greenspace has formed the basis of the majority of objections to the scheme and a number of these have highlighted the ecological value of the site. However the ecology report notes that the site does not support any priority habitat types and that current habitats appear to have deteriorated since the original survey (from 2011) and are now dominated by tall ruderals and bramble scrub.

Actions will need to be taken to protect roosting bats and the badger set to the western part of the site and a reptile survey has confirmed that the site supports reasonable numbers of slow worm which will require translocation prior to commencement of development. The Council's Ecologist is satisfied that the main ecological features can be protected and given the relatively small size of the population of reptiles that a suitable environmental construction management plan can alleviate the onsite removal of this species. This can be addressed by condition.

The plans include the re-instatement of the hedge along Baydons lane and retention of the large beech tree which occupies a prominent position on the site. The retention and improvement of these features are noted as important from a conservation perspective but will also enhance the site in terms of ecology and improve what is currently an overgrown and underutilised space that is receding in terms of ecological value. Again a suitable construction environmental management plan will be required in order to protect the beech tree and ensure that the hedge is properly maintained after being planted.

The management of the open space that forms the ecological barrier will be controlled by a S106 agreement which will provide funds for any management company. Further conditions will control both the means of enclosure to the rear of the properties and the submission of landscape management plans and ecological construction statements to ensure that these features and the open space behind the house including the rear amenity space of the properties is properly protected.

Highways

After much negotiation with the Council's Highways Officers a scheme to widen the lane and provide traffic calming measures has been agreed and which addresses concerns identified in this respect. The site provides the required parking arrangements for each dwelling and includes visitor parking. Given the revised proposals, including widening the lane and pedestrian facilities, with the insertion of proper safe access it is considered that these measures will provide adequately for existing non car users.

A large number of consultation responses on this application have noted that the increase in traffic would not be acceptable and is likely to exacerbate existing problems connected to the car parking facilities as well as parking problems themselves. Furthermore it is noted that Baydons Lane now forms part of national cycle network and again responses have highlighted inherent safety issues with the use of the lane by more cars. Comments around safety of the lane and transport users other than cars are noted. However, the improved width of the lane and traffic calming measures will generally help in terms of safety and as noted by the majority of objectors the lane is already in heavy use and therefore improvements must be seen as significant benefit to the area and its use as a national cycle route. Further comments about construction traffic are noted. However, construction traffic would only see a temporary disruption and can be mitigated, especially as the lane is a deadend. It should be noted in this context that Highways Officers do not raise objection following the scheme revisions and similarly the Rights of Way Officer raise no objection.

A construction management plan will be condition in order to make sure that local residents are not unduly affected and access along Baydons Lane is not obstructed during construction of the site.

10. S106 contributions

Contributions to form management company for public open space

11. Conclusion (The Planning Balance)

The site is acceptable in terms of ecology and flooding, and there no other site constraints identified that makes this site unsuitable for development. It is considered that the site provides significant improvements in terms of transport and will enhance the character of the Chippenham Conservation Area by reinstating key features and providing a more coherent transition between the built form of Chippenham and the Monkton Park area. The site is acceptable in principle and is within walking distance of the town centre. The site is considered to be in conformity with planning policy and the development plan and is recommended for approval.

RECOMMENDATION

To recommend that authority is delegated to the Head of Development Management 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 Head of Development Management to **REFUSE** planning permission for the following reason:-

The application proposal fails to provide the necessary mitigation in line with Policies CP50, CP51 and CP58 of the Wiltshire Core Strategy (Adopted January 2015) and Paras 7, 14 & 17 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:

Drawing No: 1631 - 01 (as submitted 20/09/2016) - Site Plan
Drawing No: 1631 - 02 (as submitted 20/09/2016) - Site Layout
Drawing No: 1631 - 05 (as submitted 20/09/2016) - Parking Provision
Drawing No: 1631 - 06 (as submitted 20/09/2016) - Drainage Strategy
Drawing No: 1631 - 07 (as submitted 20/09/2016) - Landscaping Layout
Drawing No: 1631 - Plot1fp (as submitted 20/09/2016) - Plot 1 Floor Plan and Elevations
Drawing No: 1631 - Plot2el (as submitted 20/09/2016) - Plot 2 Floor Plan and Elevations
Drawing No: 1631 - Plot3fp (as submitted 20/09/2016) - Plot 3 Floor Plans
Drawing No: 1631 - Plot3el (as submitted 20/09/2016) - Plot 3 Elevations
Drawing No: 1631 - Plot4el (as submitted 20/09/2016) - Plot 4 Elevations
Drawing No: 1631 - Plot4fp (as submitted 20/09/2016) - Plot 4 Floor Plan
Drawing No: 1631 - Plot5/6fp (as submitted 20/09/2016) - Plot 5 & 6 Floor Plan
Drawing No: 1631 - Plot5/6el (as submitted 20/09/2016) - Plot 5 & 6 Elevations
Drawing No: 1631 - gar/encl (as submitted 20/09/2016) - Garages and Enclosure plans.
Drawing No: 0700 Rev P2 (Sept 16) Engineering Layout and Details

Extended Phase 1 Habitat Survey and Assessment by Alder Ecology (May 2013)
Ecological Assessment by Tyler Grange (June 2016)
FRA Addendum Report by Craddys (June 2016)

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

- 3 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 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

- 4 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) measures to control the emission of dust and dirt during construction;
- f) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- g) hours of construction, including 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 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 construction phase.

- 5 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before commencement of the development. The content of the LEMP shall include, but not necessarily be limited to, the following information:

- a) Description and evaluation of features to be managed;
- b) Landscape and ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work);
- g) Details of the body or organisation responsible for implementation of the plan;
- h) Ongoing monitoring and remedial measures;

i) Details of how the aims and objectives of the LEMP will be communicated to future occupiers of the development.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented.

The LEMP shall be implemented in full 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 adequate protection, mitigation and compensation for protected species, priority

6 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) Protection of trees including details of root protection areas and fencing;
- b) Mitigation for any potential tree bat roosts to be removed;
- c) An updated badger survey and mitigation strategy;
- d) A reptile mitigation strategy including methods to be applied during the construction phase and details of the proposed receptor site including long-term maintenance.
- e) Protection of breeding birds.
- f) 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.

7 No demolition, site clearance or development shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees has been submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following:

- * A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2012 and a plan indicating the alignment of the protective fencing;
- * A specification for scaffolding and ground protection within tree protection zones in

accordance with British Standard 5837: 2012;

* A schedule of tree works conforming to British Standard 3998: 2010;

* Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;

* A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification;

* Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and

* Details of all other activities, which have implications for trees on or adjacent to the site.

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, in order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

- 8 The development hereby permitted shall not be occupied until the approved foul sewage disposal and drainage 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.

- 9 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 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.

- 10 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.

- 11 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 anywhere on the site.

REASON: In the interests of visual amenity.

- 12 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.

- 13 There must be no ground raising or obstruction to flow on existing land at or below the 1 in 100 year flood level (45.57mAOD).

REASON: In the interests of flood prevention

- 14 The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.

- 15 **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.

- 16 **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].

- 17 **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.

- 18 **INFORMATIVE TO APPLICANT:**
The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

- 19 **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.
- 20 **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/communityinfrastructuralevy.