

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

<b>Date of Meeting</b>	08 March 2017
<b>Application Number</b>	16/11427/FUL
<b>Site Address</b>	Land adjacent to Sharplands, Sutton Lane, Sutton Benger, Chippenham, SN15 4RS
<b>Proposal</b>	Proposed development of fourteen new houses
<b>Applicant</b>	Stonewater
<b>Town/Parish Council</b>	Sutton Benger
<b>Electoral Division</b>	Kington – Cllr Greenman
<b>Grid Ref</b>	394969 178456
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Mark Staincliffe

**Reason for the application being considered by Committee**

The application has been called into committee at the request of Cllr Greenman to consider the development in the context on Policies CP1 & CP2 of the Wiltshire Core Strategy.

**1. Purpose of Report**

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation 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 and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing, Waste and Education and is therefore contrary to Policies CP3 & CP43 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 key issues in considering the application are as follows:

- Principle of the development.
- Conflict with the emerging neighbourhood plan
- Whether the development constitutes over development of the site.
- Impact on residential amenities of adjoining neighbours.
- Highway Safety
- Impact on character and appearance of the area.

Sutton Benger Parish Council object to the proposed development and 10 letters of objection have been received and 0 letters of support.

### 3. Site Description

The application site is located to the East of Sutton Benger, a village and parish within the Chippenham Community area of Northern Wiltshire. The site is located outside of the defined Settlement Boundary of Sutton Benger and beyond the designated Conservation Area.

The Northern and Weston boundaries are defined by existing built development, with the Eastern boundary bounded by agricultural land. The Southern boundary is adjacent to allotments and open countryside.

Stonewater Housing Association own the development site and the existing housing known as 'Sharplands', through which the site is accessed. Sharplands is a development of two storey houses comprising a mix of three detached and four semi-detached properties. Sharplands development was granted permission in 2010, is fully occupied and was 100% affordable housing.

### 4. Planning History

N/09/02245/FUL Proposed Residential Development of 7 Affordable Houses, Carports and Associated Works. Planning permission **GRANTED**

### 5. The Proposal

This application seeks full planning permission for the construction of 14 residential dwellings. The application will provide 40% affordable and 60% open market dwellings with associated highway infrastructure, parking, and landscaping.

### 6. Local Planning Policy

Wiltshire Core Strategy Jan 2015:

Core Policy 1-	Settlement Strategy
Core Policy 2-	Delivery Strategy
Core Policy 3-	Infrastructure Requirements
Core Policy 10-	Spatial Strategy: Chippenham Community Area
Core Policy 41-	Sustainable Construction and Low Carbon Construction
Core Policy 43-	Providing Affordable Homes
Core Policy 45-	Meeting Wiltshire's housing needs
Core Policy 50-	Biodiversity and Geodiversity
Core Policy 51-	Landscape
Core Policy 57-	Ensuring high quality design and place shaping
Core Policy 58-	Ensuring the Conservation of the Historic Environment
Core Policy 60-	Sustainable Transport
Core Policy 61-	Transport and Development
Core Policy 62-	Development impacts on the transport network
Core Policy 63-	Transport Strategies
Core Policy 64-	Demand Management
Core Policy 67-	Flood Risk
Appendix D	
Appendix E	
Appendix G	

Saved Policies of the North Wiltshire Local Plan:

NE18- Noise and Pollution

T5- Safeguarding

H4- Residential development in the open countryside

- CF2- Leisure facilities and open space
- CF3- Provisions of open space

National Planning Policy Framework 2012:

Achieving sustainable development – Core Planning Principles (Paragraphs 7 14 & 17)

Chapter 1- Building a strong, competitive economy (Paragraphs 18 & 19)

Chapter 6- Delivering a wide choice of high quality homes (Paragraphs 47, 49, 50 & 55)

Chapter 7- Requiring Good Design (Paragraphs 56, 57, 60, 61, & 64)

Chapter 8- Promoting healthy communities (Paragraph 75)

Chapter 11- Conserving and enhancing the natural environment (Paragraphs 109, 112, 118 & 123)

Chapter 12- Conserving and enhancing the historic environment (Paragraphs 126, 128, 129, 132, 133 and 139)

## **7. Summary of consultation responses**

Sutton Benger Parish Council- Object for the following reasons:

1. The development sits outside the Framework Boundary and is in conflict with Policy H4 of North Wiltshire Local Plan 2011.
2. The application is not supported by the emerging NDP as no genuine local need for more affordable housing in the village has been identified, contrary to Core Policy 44.
3. The lack of pavements and street lighting along Sutton Lane is considered hazardous and to the detriment of the local residents, contrary to Core Policy 48.

Drainage- Additional information has overcome the concerns raised in the holding objection. No objection subject to conditions.

Archaeology- No objection

Education- The relevant funding for providing additional school places will be sought via CIL

Ecology- No objection

Housing- Based on a scheme of 14 units, 40% Affordable Housing would equate to 6 affordable units required on site with a tenure split of 60% Affordable Rent (4 units) and 40% Shared Ownership (2 units) in order to reflect current demonstrable need and policy approaches. The application does reflect this tenure/mix requirement and the size of the units proposed would also meet current demonstrable need.

Highways- No objection subject to conditions

## **4. Publicity**

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

The application has generated 10 letters of objection and 0 letters of support. A summary of the comments is set out below:

- Access isn't safe

- Two pinch points within the site- two cars are unable to pass in two separate locations
- No pavement or lighting on this busy road
- The increased volume of traffic will be a danger to children playing in the road
- Development will place further burden on the local infrastructure
- Possible flooding problem
- Access not wide enough
- Affordable housing not needed. Has been delivered on other sites
- Premature to make a decision on this application, need to wait for neighbourhood plan to be complete.
- Development outside of framework boundary
- Insufficient off street parking provided

## **5. Planning Considerations**

### Principle of Development

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

In this case, the Wiltshire Core Strategy, including those policies of the North Wiltshire Local Plan saved in the WCS, forms the relevant development plan for the Chippenham Area. The emerging Neighbourhood Plan is at an early stage. Due to its limited progress to date, this document can only be afforded limited weight.

Important material considerations in this case include the requirement in the National Planning Policy Framework (NPPF) to assess whether the Council has a five year housing supply for the north and west housing market area that includes Sutton Benger.

The National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) are material considerations which can be accorded substantial weight.

### Wiltshire Core Strategy CP1, CP2 and CP10 and Saved Policy H4

CP1, CP2 and CP10 deal with the broad issues of settlement strategy and delivery. Other relevant policies of the Development Plan are otherwise discussed later in the Report under topic heads.

Core Policy 1 and Core Policy 2 of the WCS set the foundations for how 'sustainable development' is defined and applied in Wiltshire. The strategy recognises the importance of delivering new jobs and infrastructure alongside future housing. The delivery strategy seeks to deliver future development in Wiltshire between 2006 and 2026 in the most sustainable manner by making provision for at least 178 ha of new employment land and at least 42,000 homes.

Chippenham is identified within the WCS as one of the three Principal Settlements which act as a strategically important employment and service centres for a number of villages in the immediate area and beyond. Chippenham is to be a focus for development (Core Policy 1). The principal settlements will provide significant levels of jobs and homes, together with supporting community facilities and infrastructure meeting their economic potential in the most sustainable way to support better self containment.

Sutton Benger is identified as a large village in the core strategy. A proposal of 14 units is contrary to the Core Strategy and in particular core policies CP1 and CP2 which set out the overarching strategy for Wiltshire. According to CP1 'development at large Villages will be

limited to that needed to help meet the housing needs of settlements and to improve employment opportunities, services and facilities.'

Paragraph 4.15 says:

*'At the settlements identified as villages, a limited level of development will be supported in order to help retain the vitality of these communities. At Large Villages settlement boundaries are retained, and development will predominantly take the form of small housing and employment sites within the settlement boundaries. These settlement boundaries will also be reviewed as part of the Housing Site Allocations DPD as set out in the Council's Local Development Scheme, in order to ensure they remain up to date and properly reflect building that has happened since they were first established.'*

Core Policy CP2 states that development outside of the limits of development of existing settlements will only be permitted in exceptional circumstances, or if the site is identified for development through a site allocation document or a Neighbourhood Plan. The exceptional circumstances are set out in paragraph 4.25 of the Core Strategy. In this case, the site lies outside of the limits of development for Sutton Benger. The proposal does not meet any of the exceptional circumstances identified in WCS paragraph 4.25 where development outside limits of development is acceptable. Similarly, as it lies beyond the limits of development, it does not comply with saved policy H4 of the North Wiltshire Local Plan as it does not meet the exceptions, such as agricultural needs, set out in that policy. The proposal is therefore in conflict with the development plan in this respect.

The application site is located outside the settlement boundary for Sutton Benger. The proposal for 14 dwellings exceeds the level of development envisaged for large villages such as Sutton Benger i.e. Small housing sites involving less than 10 dwellings. Whilst the settlement boundaries are being reviewed as part of the Housing Site Allocations DPD it is too early to say whether the boundaries at Sutton Benger will be amended and/or whether this site will be identified as a housing site.

The context provided through the core strategy specifically for large villages around Chippenham is that an element of growth is possible and can be accommodated due to the desire to improve self containment of settlements and thus reduce the need for out commuting. The village of Sutton Benger has, in recent times, delivered residential units and permitting further development prior to the adoption of a site allocation DPD or Neighbourhood plan would be, strictly speaking contrary to the Core Strategy. This is a matter that weighs against the proposal in the planning balance.

#### Housing Land Supply

Housing land supply has to be regularly assessed. The Council cannot currently demonstrate a 5 year housing land supply in the North & West HMA, and the current calculation is that the Council does not have a 5YHLS. This figure does not include the proposed site allocations in the Chippenham Site Allocations DPD. In these circumstances, NPPF Paragraph 49 advises that policies relevant for the supply of housing should not be considered up-to-date. As a result the presumption in favour of sustainable development as set out at Paragraph 14 of the Framework is engaged so that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

It can be seen therefore that CP1, CP2, CP10 and Saved Policy H4 are all relevant for the supply of housing and are to be considered out-of-date. This does not mean, however, that these policies carry no weight or even only limited weight. A recent court of appeal judgement that specifically examined how to apply and interpret paragraph 49 (C1/2015/0583 Suffolk Coastal District Council and Hopkins Homes Limited and

C1/2015/0894 Richborough Estates Partnership LLP vs Cheshire East Borough Council First).

There are a number of important statements and points of clarity provided in the above decisions that are important to framing any discussion on this application and the degree of conflict with the WCS. Particularly relevant are the statements in the court of appeal decision, paragraphs 42 to 48 ('How is the policy in paragraph 49 of the NPPF to be applied?'), which highlight a number of key points.

First, it is up to the decision maker to judge whether a plan policy is or is not a relevant policy for the supply of housing, this can include restrictive policies not necessarily related to housing specifically; however that may have the effect of limiting housing. Furthermore, the appeal court decision confirms that in their view there will be many cases in which restrictive policies are still given sufficient weight to justify the refusal of planning permission, despite their not being up-to-date under the auspices of paragraph 49.

In conclusion, the appeal court decision confirms that ultimately it will be up to the decision-maker to judge the particular circumstances of each application and how much weight should be given to conflict with policies for the supply of housing that are 'out-of-date', and, that the fundamental purpose of paragraph 49 is not to punish Councils (and by extension local communities), but to provide an incentive to boost housing land supply.

An important point to take from the above Appeal Court judgement is that there is a clear Development Plan policy that Sutton Benger is a Large Village and some level of growth is expected during the plan period.

In summary, it is concluded that while limited weight only can apply to the fact of breach of settlement boundaries given the shortfall in the housing land supply and the clear need to meet a need of future housing beyond existing settlement boundaries, the fact that Sutton Benger is to be a focus for limited development and is considered to be a sustainable location should carry some weight in the decision-making process.

#### Highway Matters

As the road within the development is not intended for adoption by the local authority and is to remain private there is no objection in principle to the proposal. Originally the widening of the access was to be controlled by condition. However, amended plans have been received showing the access arrangements. The condition is therefore no longer required.

Amended plans have also been received amending the location of the fencing for the secure foul pump station/ tanker enclosure. The fencing has been moved back two metres from the edge of the carriageway to allow for visibility on the corner.

The level of offstreet parking is considered to be acceptable and in accordance with the Council's parking standards.

#### Housing Need & Affordable Housing

The Council's Housing officer has confirmed that there is demonstrable need for affordable housing in this location and that a 40% on-site affordable housing contribution at nil subsidy should be requested. Furthermore the housing officer has confirmed that this site was identified as suitable for residential development in the Strategic Housing Land Availability Assessment (SHLAA).

Core Policy 43 states the Council will seek to negotiate an element of affordable housing to meet local needs on all housing developments of 5 or more dwellings. The applicant has agreed to provide 40% onsite affordable housing with a 60% affordable rent and 40% shared

ownership tenure split. The provision secured by the planning obligation accords with the policy and meets the relevant tests set out in the CIL regulations. The proposed development therefore accords with Core Policy 43 and this is a matter which weighs in favour of the proposal.

#### Whether a Sustainable Location

The site, which comprises undeveloped agricultural land, lies on the edge of Sutton Benger, in close proximity to the main road and location amenities. The Council's strategy for housing is to focus growth in the principal settlements of Chippenham, Trowbridge and Salisbury. But the large villages are expected to accommodate limited new housing development.

Whilst the loss of countryside would cause some environmental harm, the Council is unable to meet the full housing requirement for Chippenham without development taking place on greenfield land.

In terms of accessibility, a Primary School is located within the village and will offer easy access by foot for the residents of the proposed development. Secondary Schools are located in Chippenham but are not walk able and vehicular transport is almost certain to be required.

The weekly shopping trip would be difficult on foot or cycle and would generally be undertaken by car in any event, often in conjunction with other activities. Limited employment opportunities are located within Sutton Benger and the immediate locality, with the main employment located in Chippenham including town centre employment and Langley Park Industrial Estate. Other employment opportunities in Chippenham include Bumpers Farm & Methuen Park industrial estates but only limited employment opportunities exist within the village.

The nearest bus stops are located less than 1 kilometre walk of the site. These buses offer access to other settlements such as Chippenham, Swindon, Royal Wootton Bassett, Calne and where facilities and employment opportunities are available.

To conclude on this issue, the development would not prejudice the fulfilment of sustainable development objectives as set out in local and national planning policy. It is therefore considered to be a sustainable location for new housing development, as is recognised by the Core Strategy and in particular policies CP1, CP2 & CP10. This matter weighs in favour of the proposal.

The issue of whether Sutton Benger was an appropriate location for development was covered in paragraphs 26-37 of the 'Arms Farm' appeal decision and it concluded that the level of development was not unsustainable and the Village of Sutton Benger was an appropriate location for development.

#### Impact on residential amenities

The application has been submitted in full. The layout of the development is therefore fixed. The submitted layout clearly demonstrates that the proposal will not result in adverse residential amenities for existing or future occupants of the existing or proposed. Taking into consideration the existing character of Sharplands and the other surrounding residential development it is considered that the proposal will not have a significant adverse impact on the residential amenities of adjoining properties in terms of loss of sunlight daylight or privacy. It is acknowledged that there will be an impact on some properties outlook but the separation between existing and proposed dwellings would be sufficient to ensure that there will not be a conflict with CP57 and the NPPF.

### Ecology

The site is comprised of species poor grassland of limited ecological value. The habitat is potentially suitable for reptiles, however a survey of the site did not record any animals. The report identified a number of ponds in the local area, however a previous assessment confirmed that these were broadly unsuitable for breeding great crested newt; it is therefore considered unlikely that this species would be affected by the proposals.

### Impact on Heritage Assets

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

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

The site is located a significant distance from any listed buildings and it is considered that the proposal will have no adverse impact on the setting of any listed building. However the site is also located in close proximity to the Sutton Benger conservation area.

Having taken into consideration existing site circumstances, the quantum of development proposed, location of the development and proximity to the conservation area, Officers are satisfied that the proposal will preserve the character and appearance of the Conservation Area. The development therefore accords with Core Policy 58 of the Core Strategy and the NPPF.

### Prejudice to plan making

A local resident is concerned that approval prior to the competition of the site allocations DPD or Neighbourhood Plan would be premature. The PPG advice on the issue of prematurity is as follows:

*"Arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:*

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and*
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area." (PPG 21b/14)*

For the reasons set out above it would be very difficult to sustain a reason for refusal based on prematurity. So far as the Neighbourhood Plan is concerned, this is at a very early stage in its preparation.

There is, however, no rule of law that a development control decision cannot pre-empt a local community's adoption of a neighbourhood plan. The application is not in conflict with any published neighbourhood plan or up to date policies in the local plan. Moreover, as is



made clear in the "Planning Balance" section below, the proposals bring forward a series of planning benefits which make the proposal acceptable in its own terms and justify approval of this application now.

### Design

As set out above, the site is located in close proximity to the Sutton Benger Conservation Area. The NPPF seeks positive improvement in conservation areas. Most explicitly paragraphs 126 and 131 require that local planning authorities should take into account "the desirability of new development making a positive contribution to local character and distinctiveness".

Paragraph 9 says that pursuing "sustainable development involves seeking positive improvements in the quality of the...historic environment...". The design policies further reinforce the objective of enhancement of an area's character and local distinctiveness, concluding that "Permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area..."

Compliance with both the statutory consideration and the NPPF policies therefore, generally speaking, requires account to be taken of the desirability of taking opportunities to enhance the character and appearance of a conservation area.

Paragraph 120 of the NPPF requires that development should preserve or enhance the established character of the conservation area. The existing site is currently agricultural land but is located in close proximity to varying property types, each of these being of differing quality. The area is characterised by bungalow, semi detached houses and static caravans. The NPPF states that good design should contribute positively to making places better.

The proposed dwelling would respect the informal building lines that have been adopted within the street, and overall proportions and of context of the dwellings within Sharplands. The proposed dwellings would be of traditional proportions both vertically and horizontally and their fenestration would have a strong vertical emphasis. At second floor level this would include windows, which would be consistent with the modest sized windows on other properties within the locality. Similarly the proposed pitched roof would pick up on the design characteristics within Sharplands and conforming to principles set out within this recent extension to the village of Sutton Benger.

Overall the proposed dwellings would respect the topography of the street, the character of the area, and would improve the visual character of the area. It is recognised that some of the modern (20<sup>th</sup> Century) buildings in the immediate area are uninspiring and in some instances have a negative impact on the character or appearance of the Conservation Area. However as with all buildings, whether traditional or contemporary, the success with which they blend in with and make a positive contribution to the street scene is dependent on the quality of the design and the precise nature and quality of the materials used.

In this instance the scheme is considered to be high quality, which responds to local character and reflects the identity of local surroundings and materials. Provided it is constructed from high quality materials it would make a positive contribution to the character and appearance of the Area including long distance views from the open countryside. It would therefore comply with the National Planning Policy Framework and Core Strategy.

The NPPF indicates that good design is fundamental to using land efficiently. For the reasons set out above the development is considered to be acceptable.

### **6. S106 contributions**

The following will be required:

- A contribution for householder bin/recycling facilities (£91 per unit = £1274)
- 40% affordable housing units

## 7. Conclusion (The Planning Balance)

It can be seen from the analysis in the body of the report that a number of Development Plan policies are offended by the proposal and that the proposal, not least because it is beyond settlement limits and in an area classed as countryside, is not Development Plan compliant. However, as also noted, various key policies are deemed out-of-date by reason of Paragraph 49 of the NPPF so that Paragraph 14 of the NPPF is engaged so that permission should be granted 'unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed' against the NPPF as a whole.

The benefits of the scheme are clear. It would bring forward much needed market and affordable housing. These matters are consistent with the CS. The fact that the council is not delivering development as envisaged by the Core Strategy emphasises these benefits to which significant weight should attach. Significant weight should also attach to the economic benefits immediately associated with the proposal in terms of job creation and/or maintenance and spend in the local economy. Similarly, the provision of affordable housing and the CIL contributions generated by the development.

Set against these benefits there is acknowledged harm to the immediate rural landscape. Weight has to be attached to the identified harm, but it does not outweigh the significant benefits that arise from providing much needed housing in the Housing Market Area. On balance, the public interest is best met by resolving to approve the application.

## RECOMMENDATION

**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 and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing, Waste and Education and is therefore contrary to Policies CP3 & CP43 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 No development shall commence on site until details of the bricks, roof tiles and the hard standing to be used on the development 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/or [DELETE as appropriate] 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

- 3 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

- 4 The development hereby permitted shall not be occupied until details of the storage of refuse, including...details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority, and; the approved refuse storage has been completed and made available for use in accordance with the approved details. The approved refuse storage shall thereafter be maintained in accordance with the approved details.

REASON: In the interests of public health and safety.

- 5 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.

- 6 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be 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/or [DELETE as appropriate] 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.

- 7 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/or [DELETE as appropriate] 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.

- 8 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.

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

16036/01 REV A Received 23 November 2017

16036/05 REV B Received 09 February 2017

16036/06 REV A Received 20 February 2017

16036/07 REV B Received 09 February 2017

16036/15 REV A Received 23 November 2017

16036/16 REV A Received 23 November 2017

16036/17 REV A Received 23 November 2017

16036/20 REV A Received 23 November 2017  
16036/21 REV A Received 23 November 2017  
16036/22 REV A Received 23 November 2017  
16036/23 REV A Received 23 November 2017  
16036/25 REV A Received 23 November 2017  
16036/26 REV A Received 23 November 2017  
16036/27 REV A Received 23 November 2017  
16036/28 REV A Received 23 November 2017

10641-0050 REV A Received 23 November 2017

Drainage Strategy Received 09 February 2017

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

- 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), 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 OR forward of any wall of the dwelling(s) (including a rear or side wall)] which fronts onto a highway, carriageway or footpath].

REASON: In the interests of visual amenity.

- 11 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.

- 12 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.

13      **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.