

## REPORT FOR WESTERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	07.03.2018
<b>Application Number</b>	17/05669/FUL
<b>Site Address</b>	Former West Wiltshire District Council Office site, Bradley Road, Trowbridge, Wiltshire BA14 0RD
<b>Proposal</b>	Erection of 79 dwellings and associated works (following the demolition of existing buildings)
<b>Applicant</b>	Newland Homes
<b>Town/Parish Council</b>	TROWBRIDGE
<b>Electoral Division</b>	TROWBRIDGE DRYNHAM – (Cllr Graham Payne)
<b>Grid Ref</b>	385336 156347
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Eileen Medlin

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

The application has been called to the area planning committee by Cllr Payne for the following reasons:

- The loss of mature trees that are the subject to a Tree Preservation Order;
- Overdevelopment of the site. 82 dwellings are too many to be built along/off an access road that serves the existing pre-school nursery;
- The loss of the original hedgerow along the boundary with Halfords.
- Poor highway provision including a questionable secondary vehicular access to be formed off Wiltshire Drive.
- Insufficient car parking space provision on site for residents and their visitors in an area with widespread parking restrictions.
- Loss of amenity to neighbours.

The committee call in was maintained following receipt and consultation of revised plan drawings which reduced the housing quantum to 79, removed the second access and retained more of the original trees on the boundary with Halfords as well as other changes.

### **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 the application be approved.

### **2. Report Summary**

The key determining planning issues for this application are considered to be as follows:

- The principle of development
- Urban design matters and impacts on trees
- Residential amenity impacts
- Highways and Parking matters
- Housing and Affordable Housing

- Ecology matters
- Education provision

### 3. Site Description

The application site is located on the corner of Bradley Road and Wiltshire Drive within the settlement boundary of Trowbridge. The area around the site is predominantly residential with the exception of the Halfords and B&Q retail warehouses located to the south

The site is that of the former 1970s built West Wiltshire District Council offices which was demolished in 2013/14 as well as the Trowbridge Driving Test Centre which still occupies the site, although this building is vacant. An existing day nursery is accessed through the site. The following aerial view illustrates the site extent and its immediate environs (looking south).



A number of trees on the site are the subject of a Tree Preservation Order. There are ten individual TPOs covered by the order reference W/08/00033/MIXED T1 to T10; and two group TPOs covered by the order: W/08/00033/MIXED G1 and G2.

59 trees and the groups of trees (including the above) are identified and appraised by a Tree Survey submitted in support of the application.

The application site is owned by the Council and has been the subject of site marketing. The site purchase has been subject to separate discussions held with the Council's Estates team. The applicant served notice on the Council as part of the application submission process.

#### 4. Planning History

W/13/01018/DEM - Demolition of former Wiltshire Council Offices and Caretakers house – Approved 31/05/2013

#### 5. The Proposal

This negotiated and revised detailed application seeks to erect 79 two-storey dwellings (some of which would have accommodation provided in the roof). 57 would be open market units comprising 7 x 1 bed, 5 x 2 bed, 28 x 3 bed and 17 x 4 bed; and 22 affordable units comprising 4 x 1 bed units, 10 x 2 bed units, 7 x 3 bed units and 1 x 4 bed unit and includes both shared ownership and affordable rented units. The proposed development would utilise the existing access with modifications and maintain vehicular and pedestrian access through the site to the neighbouring nursery. The proposal includes a number of areas of open space around the retained protected trees on site. The plan insert below illustrates the proposed layout.



#### 6. Planning Policy

The Wiltshire Core Strategy (WCS) was adopted on 20th January 2015 and therefore holds full weight in planning terms. The following Core Policies (CP) are relevant when assessing this proposal:

CP1 (Settlement strategy), CP2 (Delivery strategy), CP3 (Infrastructure requirements), CP28 (Trowbridge Central Areas of Opportunity), CP29 (Trowbridge Area Strategy), CP35 (Existing employment land), CP36 (Economic regeneration), CP41 (Sustainable construction and low carbon energy), CP43 (Providing affordable homes), CP45 (Meeting Wiltshire's housing needs), CP46 (Meeting the needs of Wiltshire's vulnerable and older people), CP50 (Biodiversity and geodiversity), CP51 (Landscape), CP52 (Green Infrastructure), CP55 (Air Quality), CP56 (Contaminated Land), CP57 (Ensuring high quality design and place shaping), CP58 (Ensuring conservation of the historic environment), CP60 (Sustainable Transport), CP61 (Transport and Development), CP62 (Development impacts on the transport network), CP64 (Demand Management), CP67 (Flood Risk)

## Wiltshire Waste Core Strategy - WCS6 (Waste Audit)

When adopting the WCS, some policies continue in force from the West Wiltshire District Local Plan (1st Alteration) (WWDLP) were saved. Those which are relevant to this application include: Policy U1a (Foul Drainage/sewerage treatment), I2 (Arts), and Policy I3 (Access for everyone)

The following are also material to the assessment of this application:

- Open Space provision in New Housing Developments – A Guide (Supplementary Planning Guidance)
- Affordable Housing Supplementary Planning Guidance adopted August 2004
- Leisure and Recreation Development Plan Document
- Wiltshire Council's Transport Plan and Car Parking Strategy
- Wiltshire Council Waste Collection Guidance for New Development
- Wiltshire CiL Charging Schedule (May 2015); CiL Obligations SPD (May 2015); CiL 123 List (Sep 2016) and CiL Instalments Policy (May 2015)
- The National Planning Policy Framework 2012 (NPPF) and National Planning Practice Guidance (NPPG)

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

Trowbridge Town Council – No objection

Trowbridge Civic Society – Supportive subject to some suggested amendments

Wiltshire Council Spatial Planning Team - Supportive

Wiltshire Council Urban Design Officer – Supportive

Wiltshire Council Highways Officer – Supportive

Wiltshire Council Education Team – Objects due to lack of primary school places in Trowbridge

Wiltshire Council Open Space Team – No objections. Financial contributions are required for off-site play provision and sports pitch provision – which need to be secured by s106.

Wiltshire Council Environmental Health /Public Protection Team – No objection subject to conditions

Wiltshire Council Affordable Housing Team – Supportive subject to the affordable housing provision being secured by s106

Wiltshire Council Drainage Team – Supportive subject to conditions

Wiltshire Council Waste Collection Team – Supportive subject to a s106 contribution

Wiltshire Council Tree Officer – Support subject to conditions

Wiltshire Council Archaeologist – Support subject to conditions

Wiltshire Council Arts Officer – Public art should be integrated into the development

Dorset and Wiltshire Fire and Rescue Service– Requested use of conditions to secure water supply for fire-fighting.

## **8. Publicity**

The application was advertised by site notice and by neighbour notification letter on the 28/06/2017 and again on the 07/12/2017 following receipt of revised plans. Third party representations were received from 14 neighbouring residential occupiers who raised the following summarised concerns:

Adverse impact on the character and appearance of the area

Cramped form of development

Loss of trees

Loss of green spaces

Over development of the site

No open spaces for play or recreation

No play ground

Building line too close to Bradley Road

Footpath along Halfords boundary should be retained  
Development should be reduced to 55  
Access to nursery unsafe  
Second site access unsafe  
Increased transport on existing access unsafe  
Inaccurate traffic surveys  
Traffic will increase  
Existing and proposed bus stops not shown  
Insufficient and inconvenient parking provision  
Residents will park on surrounding streets  
Enforcement of parking provision to ensure it is provided and made available for use  
Loss of privacy  
Impact on infrastructure such as school places.

Notwithstanding the concerns summarised above none of the letters received objected to the principle of developing this brownfield site for housing with many either expressing support or an acceptance that the site should be developed for housing subject to addressing the concerns summarised above.

## **9. Planning Considerations**

9.1 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.

**9.2 Principle of Development** - The application site is a 'previously developed' brownfield site within the settlement boundary of Trowbridge and as such, the principle of redeveloping the site for housing would be in accordance with the settlement and delivery strategies as set by Core Policies 1 and 2 of the Core Strategy.

Both the former West Wiltshire District Council offices and the Driving Test Centre are considered to have been 'sui generis' uses (i.e. buildings that do not fall within a particular planning land use class, and instead are classed as being a use of their own kind). This being the case, the proposed development does not need to satisfy or be tested against the criteria set out within Core Policy 35 which specifically seeks to protect land or buildings currently or last used for activities falling within use classes B1, B2 and B8 (which comprise business, general industrial and storage and distribution uses).

In terms of the former West Wiltshire District Council office use, officers have had regard to the following court ruling: London Residuary Body v Secretary of state for the Environment [1988] JPL 637 (CA) which found that London's County Hall did not fall within an office use class, as its 'office use' was incidental to the wider local government function; and, with this in mind, officers argue that the demolished former West Wiltshire District Council local government headquarters existed and functioned beyond that of an office and a sui generis land use would be most appropriate in terms of appreciating the historic land use planning classification.

In terms of development principle, residential development would be entirely consistent with the prevailing residential character of the area and the site regeneration is supported by Core Policy 28 (Trowbridge Central Area of Opportunity) and Core Policy 36 (Economic Regeneration).

The proposal would also make a valuable contribution towards meeting and bolstering the housing land supply and satisfying housing needs, including the much needed 22 extra affordable housing units.

Therefore it is duly argued that the principle of residential development is acceptable.



**9.3 Urban Design and Trees** - There are a number of constraints affecting this site in the form of a number of trees (including protected trees); a through road that serves the existing nursery located to the southeast of the site boundary; the western, northern and partial eastern site boundary abuts public highway as well as being a close neighbour to residential properties and the Halfords/B&Q retail warehouses.

Core Policy 57 requires a high standard of design in all new developments and sets a number of criteria against which new development proposals should be assessed against. In terms of urban design, it is submitted that the negotiated revised housing layout is underpinned by good urban design principles with the retention of the best trees that would establish focal points within the development. The Council's urban designer is supportive of the scheme and officers accept the proposed mix of house types, boundary treatments, parking provision and elevational treatment and materials and consider it to be policy compliant.

It is considered that the proposal represents a high quality, attractive form of development responding to both the constraints and opportunities of the site and would be in accordance with Core Policy 57 and the NPPF in terms of design.

There are a number of TPOs on the site which include a row of 19 Norway Maples (T20 – T39) situated along the site boundary with Halfords, a group TPO of 5 trees (T55 to T59) to the west of the site access on Wiltshire Drive and 10 individual trees within the site (5 along Bradley Road (T42, T43, T44, T47 and T48), 4 along Wiltshire Drive (T01, T02, T03 and T06), and 1 in the middle of the site (T17).

It is proposed to remove 39 trees and 3 tree groups which would include 12 trees from the group TPO on the boundary with Halfords, 3 from the group TPO to the west of the site access and 3 of the individual TPO'd trees.

The Council's tree officer has taken an active involvement in the negotiated revisions and after meeting with the applicant's arboricultural consultant on site and inspecting the trees, he raises no objection to the proposed development and comments positively on the relationship of the proposed development with the retained trees. The loss of trees including TPO trees has been justified and carefully negotiated and agreed with the council's tree officer.

The proposal would retain every category A tree on the site, but the scheme would result in the loss of 9 category B trees with the remainder of those being lost being either Category C or unclassified.

Some of the trees which provide screening along the boundary with Halfords are of poor physiological form and their life expectancy under current growing conditions and surrounding land use pressures, are significantly limited; and with this in mind, officers agree that it is reasonable and appropriate to allow the removal of those trees with the least amount of long term potential so that any gaps created along the southern site boundary can be planted with more suitable species able to adapt to the local environment. The compensatory replacement tree species proposed would include Field Maple, Brewers Spruce and Wild Cherry. These replacement trees once established would be subject to a new TPO.

Of the five protected trees along the Bradley Road frontage of the site, two would be removed because of their poor condition.

A single tree protected by TPO (T02) would be removed on the northern Wiltshire Drive site frontage to lengthen the lifespan and advantage of the retained protected tree (T03). The group TPO to the west of the vehicular access would retain the best 2 trees (T58 and T59) and remove the remainder of trees in this group to improve the growing conditions for the retained trees.

The protected Oak tree located in the centre of the site would form a key focal point for the scheme and the proposed houses would have an acceptable relationship with this retained tree. The other retained TPO's are also integrated into the design of the layout and are located in landscaped areas on the site boundary with Bradley Road and Wiltshire Drive.

Other trees on the site not subject of a TPO would be removed to facilitate the development but again their loss would be compensated for through replacement planting as part of a robust landscape scheme which includes the planting of over 100 trees, shrubs and hedges – which the insert plan illustrates:



The application is supported by a robust and acceptable landscaping scheme. The site redevelopment would be appropriate in terms of density which would be consistent with the prevailing character and would constitute as an efficient use of the previously developed land and contribute greatly to the town's sustainable growth and housing delivery with sufficient compensatory provision on site to mitigate the amount of tree loss.

**9.4 Residential Amenity Impacts** - The development proposals would be compatible in terms of respecting the immediate prevailing character and land uses; and, the development would not result in substantive harm to residential amenity. The neighbouring occupiers who would be most affected by the development, would be the properties on Wiltshire Drive facing onto the north eastern corner of the site and those on Elcombe Close which share a boundary with the site. Numbers 4, 6, 8, 10 and 12 Wiltshire Drive face directly onto the site. With the exception of No 12, these properties would continue to have an unobstructed outlook over an area of open space. The rear garden of Plot 59 would partially obscure the view from No 12. However, it is considered that this would not have an unacceptable impact on the amenities of the occupiers

of No 12 who would still enjoy a pleasant outlook with a 10m separation between their front elevation and the rear fence of Plot 59.

No 6 Elcombe Close shares a rear and side boundary with the development site and No 5 Elcombe Close shares a rear boundary. With regards the side boundary of No. 6 Elcome Close, proposed plots 54 to 59 are all in excess of 10m to the boundary which is considered to be an acceptable relationship. The proposed flats over garages (FOGs) would have habitable room windows that would face in the direction of the rear gardens of Nos 5 and 6. The front elevation of the flats would be 13m from the boundary of the site but there would be over 25m window to window separation at first floor level. This relationship is acceptable and there would be no conflict with Core Policy 57 in terms of residential impacts.

The other nearest neighbouring occupiers are separated from the site by Wiltshire Drive and Bradley Road and at these locations, the development proposal would not have an adverse impact on existing residential amenity.

The residential amenity of future occupants within the site has been considered in terms of appraising the effects of the existing road network and the neighbouring retail warehousing. A noise report was submitted with the application which concluded that acceptable levels of amenity could be achieved subject to implementation of mitigation measures. These measures largely relate to insulation measures to the fabric of the buildings and the siting of walls. These measures can be adequately secured by planning condition.

On the basis of the above, the proposed development would ensure adequate levels of amenity for existing and future occupiers in accordance with Core Policy 57 of the Wiltshire Core Strategy and paragraph 17 of the NPPF.

**Parking/highways** – The development proposal would retain the existing vehicular point of access with modifications to reduce the radius. The access and internal road layout are considered to be well planned and would provide adequate manoeuvring for service vehicles as well as retaining a safe pedestrian and vehicular access to the nursery site. In regards the nursery site, developer contributions should be secured by a s106 should a TRO be needed to prevent on street parking at the junction to the nursery access.

The proposed residential parking scheme would be in line with the Council's parking strategy as required by Core Policy 64. Public transport and pedestrian improvements are considered necessary to make the development acceptable. A new bus shelter on Wiltshire Drive and pedestrian improvements around the site need to be secured as part of any permission. A Travel Plan to encourage sustainable means of travel should also be secured by condition or by s106 agreement.

The increase in traffic resulting from the development would not result in unacceptable pressure on the surrounding road network or pose a risk to highway safety.

Overall the proposal is considered to be in accordance with Core Policies 60, 61, 62, 63 and 64.

**Housing** – The proposed delivery of 79 dwellings at this brownfield urban location would make a valuable contribution towards meeting the indicative housing target for Trowbridge and bolster the rolling Council's 5 year housing land supply provision. This site lies within the 30% affordable housing zone and as such Core Policy 43 (CP43) requires affordable housing provision of at least 30% net. However, this policy must be appraised alongside the application of a vacant building credit which applies to the site due to the presence of the vacant Driving Test Centre facility. Through applying the vacant building credit and holding discussions with the Council's affordable housing team, the affordable housing provision requirement is 22 (as opposed to 24).



Based on local housing need evidence, 14 affordable rented units are required and should comprise 4 x 1bed (2 person apartments); 6 x 2bed (4 person houses), 3 x 3bed houses and 1 x 4bed house; and, the remaining A/H units shall constitute 9 shared ownership units taking the form of 6 x 2bed (4 person houses) and 3 x 3bed (5 person houses).

The affordable housing proposed on site is in line with this requirement and are pepper potted throughout the site and are indistinguishable from the market housing all of which has the support of the Council's housing team.

Core Policy 45 (CP45) requires a mix of housing types in line with the SHMA. It is considered that the proposed mix of units is in accordance with policy. Core Policy 46 (CP46) also requires developers to demonstrate how their proposals respond to the needs of an ageing population through features such as Lifetime Home Standards.

The proposed mix aligns with the SHMA and includes the provision of 2 wheelchair adaptable ground floor units. The affordable housing provision requirements would need to be secured via S106.

**Ecology** - Core Policy 50 advises that development proposals must demonstrate how they protect features of nature conservation and geological value as part of the design rationale. An Extended Phase 1 Ecological Survey was submitted with the application and the mitigation measures proposed in the Survey can be secured by condition. A licence from Natural England would be required prior to the demolition of the former Driving Test Centre due to the presence of Bat Roosts within the building. The Ecology Survey advises that these are common species of Bat. The survey also found nesting swallows. Mitigation is proposed in the form of native planting as part of the landscaping scheme and Bird and Bat boxes would be provided across the development which can be secured as part of any consent.

**Education** – Whilst it is duly noted that the education team have lodged an objection to this application, it must be balanced against the benefits of the scheme. The 79 units proposed would generate a need for 20 primary school places and the applicants are willing to pay a financial contribution of just under £351k to fund the additional pupil product this development would generate. Although there is some capacity at Holbrook School a contribution towards primary school places in Trowbridge is considered necessary to address the capacity issues in the town as a whole. Financial contributions amounting to £326k is required for secondary school provision and £153k for early year's/nursery provision.

**Other Matters** – Conditions would be necessary to ensure this development is acceptable in planning terms in respect of archaeology, land drainage, waste and recycling provision and land contamination to ensure satisfactory development of the site; and a s106 to secure the necessary obligations it generates in the form of affordable housing, education, waste and recycling, public open space, play space and off-site highway improvements.

#### **10. S106 Developer Obligations and Infrastructure Benefits**

Based on the 79 residential units proposed the following s106 contributions have been requested and agreed by the applicant:

Affordable Housing – 22 units (13 affordable rented (including 2 wheelchair adaptable units) and 9 shared ownership units);  
Primary School Places - £350,900.00 developer contribution;  
Secondary School Places - £326,424.00 developer contribution;  
Early Years - £153,171.00 developer contribution;  
Waste - £7,189 developer contribution;  
On-site public open space – 2759.31m<sup>2</sup> on-site provision;

Off-site play space – £20,415.18 developer contribution to upgrade play space in the vicinity of the development;

Off-site sports pitch contribution - £18,644 developer contribution to upgrade the playing pitch surface at Woodmarsh;

A developer contribution of £6000 should a traffic regulation order (TRO) be needed to prevent on street parking at the junction to the nursery access;

A Travel Plan; and,

Off-site highway infrastructure comprising provision of a Bus Shelter and pedestrian improvements.

The development would also generate a CIL payment of approximately £300,000 and of this sum, 45k (15%) would be re-directed to the Trowbridge Town Council. In addition, the scheme would generate a New Homes Bonus paid to the Council – to be calculated on the Council tax receipts at a future date.

**11. Conclusion (The Planning Balance)** The proposal represents a sustainable form of development on a brown field site in a central location and would contribute 79 dwellings to the council's housing land supply including 22 affordable units. The layout and form of development is considered to be of a high quality and the proposal is policy compliant in all other regards. Whilst there is a shortage of primary school places it is considered that this would not justify the refusal of the application.

**RECOMMENDATION** – It is recommended that the committee delegates authority to the head of development management to grant full planning permission subject to the planning conditions and informatives listed below following the completion of a s106 agreement to cover the developer obligations as summarised within section 10 above, and;

To delegate authority to the head of development management to refuse the application, if the s106 is not completed.

**Conditions:**

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 within the area indicated (proposed development site) until a written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority. The approved programme of archaeological work shall be carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

NOTE: The work should be conducted by a professional archaeological contractor to which there will be a financial burden for the applicant.

3. No development shall commence on site until a scheme for the discharge of foul water from the site, and abandonment of existing sewers within site not being re-used, has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

4. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details and appropriate attenuation measures, limiting the runoff to a maximum of 47.7 l/s and relevant permission for diversion of existing storm sewers, has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. The development shall not be first occupied until surface water drainage, including diversions of existing storm sewers has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

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

Step (i) Site Characterisation:

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

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

If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants;

- An assessment of the potential risks to
  - human health,
  - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - adjoining land,
  - groundwater and surface waters,
  - ecological systems,
  - archaeological sites and ancient monuments;

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

Step (ii) Submission of Remediation Scheme:

If any unacceptable risks are identified as a result of the investigation and assessment referred to in step (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, should be submitted to and

approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

**Step (iii) Implementation of Approved Remediation Scheme:**

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

**Step (iv) Reporting of Unexpected Contamination:**

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

**Step (v) Verification of remedial works:**

Following completion of measures identified in the approved remediation scheme a verification report must be produced. The report should demonstrate the effectiveness of the remedial works.

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

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

**Step (vi) Long Term Monitoring and Maintenance:**

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

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

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

6. No development shall commence on site until details of the estate roads, footways, footpaths, cycle bollards, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The development shall not be first occupied until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture have all been constructed and laid out in

accordance with the approved details, unless an alternative timetable is agreed in the approved details.

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

7. No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4m metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 43m in both directions from the centre of the access in accordance with the approved plans 'External Works Layout' (1 of 3) 750-141-1 Rev B received on the 15th February 2018. 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.

8. No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:
  - a) the parking of vehicles of site operatives and visitors;
  - b) loading and unloading of plant and materials;
  - c) storage of plant and materials used in constructing the development;
  - d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - e) wheel washing facilities;
  - f) measures to control the emission of dust and dirt during construction;
  - g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
  - h) measures for the protection of the natural environment.
  - i) 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: 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.

9. No development shall commence on site until a waste audit regarding the construction of the site (part a – g) of Policy WCS6 of the Waste Core Strategy) has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to the grant of planning permission.

10. No development shall commence on site above ground floor slab level until 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: In the interests of visual amenity and the character and appearance of the area.



11. All demolition, site clearance and development works shall be carried out in strict accordance with the approved details contained in the Arboricultural Report containing: Arboricultural Constraints, Arboricultural Impact Assessment (AIA), Tree Protection and Arboricultural Method Statement prepared by Silverback Arboricultural Consultancy and received by the council on 8<sup>th</sup> December 2017.

The Tree Protection Fencing shown on Tree Protection Plan Phase 1 included in the above report shall remain in place until a full 'No-Dig' specification for works within the root protection area/canopies of protected and retained trees has been submitted and approved in writing by, the Local Planning Authority. The construction of the surface shall be carried out in accordance with approved details and thereafter retained.

REASON: 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.

12. No dwelling shall be occupied until the means of site/plot enclosures as shown on the approved plans have been provided in accordance with the approved plans.

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

13. No dwelling shall be occupied until the associated car parking spaces outlined on the approved plans and Parking Allocation schedule (750-106 Rev C received 16<sup>th</sup> February 2018) have been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

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

14. No dwelling shall be occupied until a public art scheme for the site and a timetable for its subsequent installation have been submitted to and approved in writing by the local planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to the grant of planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure the proposal complies with the relevant public art policies.

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

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

16. No dwelling shall be first occupied until the approved refuse storage for that dwelling has been completed and made available for use in accordance with the approved details and it shall be retained in accordance with the approved plans thereafter.

REASON: To ensure adequate facilities are in place upon occupation of the development

17. No dwelling shall be first occupied until the cycle parking facilities as shown on the approved plans have been provided in full and made available for use. The cycle parking facilities shall be retained for use in accordance with the approved details at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

18. No dwelling shall be first occupied until the works comprised in the scheme for mitigating the effects of noise for that dwelling as set out in the Noise Impact Assessment prepared by Matrix Acoustic Design Consultants received by the council on the 16<sup>th</sup> February 2018 have been completed.

REASON: To minimise the disturbance which that could otherwise be caused to incoming occupiers by noise from the nearby noise sources.

19. No dwelling shall be first occupied until the mitigation measures set out in The Extended Phase 1 Ecology Report prepared by Stark Ecology received by the Council on the 7<sup>th</sup> December 2017 are implemented. The mitigation measures shall be retained on site thereafter.

REASON: To ensure adequate ecological mitigation for the development for foraging and roosting bats and nesting sparrows.

20. 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 buildings or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained in accordance with the 10 Year Maintenance Programme prepared by Peter Quinn Associates, received by the Council on the 20<sup>th</sup> December 2017. 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.

21. 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 garage hereby approved which is required to satisfy on-plot parking standards (as identified Parking Allocation schedule - 750-106 Rev C received 16<sup>th</sup> February 2018) shall be converted to ancillary habitable accommodation without first obtaining planning permission.

REASON: To safeguard the amenities and character of the area and in the interest of highway safety and to ensure there is adequate car parking provision.

NOTE: Future PD rights to convert garaging into additional ancillary habitable accommodation would still apply to plots that can accommodate the requisite parking

provision on-site. This condition would only apply for plots/properties that rely on the garaging for off-street car parking

22. The development hereby permitted shall be carried out in accordance with the approved plans contained within the plan list schedule set out in the letter received from PlanningSphere and dated 22 February 2018.

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

**INFORMATIVES:**

1. This permission shall be read in conjunction with an agreement made under Section 106 of the Town and Country Planning Act, 1990 (and to be dated).
2. Bats have been found roosting in the former Driving Test Centre and a licence from Natural England is required before its demolition. Please note that this consent does not override the statutory protection afforded to any such species. All British bat species are protected under The Conservation of Habitats and Species Regulations 2010 (as amended) which implements EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not.
3. The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website [www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy)