

**REPORT FOR STRATEGIC PLANNING COMMITTEE**

<b>Date of Meeting</b>	14 July 2021
<b>Application Number</b>	15/04736/OUT
<b>Site Address</b>	Land south east of Trowbridge
<b>Proposal</b>	Outline planning application for mixed use development comprising: residential (up to 2,500 dwellings - Classes C3 & C2); employment (Class E ('Business' only), B2, and B8); two local centres (Classes E, C2, and C3); two primary schools, one secondary school, ecological visitor facility, public open space, landscaping and associated highway works including for the 'Yarnbrook / West Ashton Relief Road' and the access junctions.
<b>Applicant</b>	Ashton Park Trowbridge Ltd & Persimmon Homes Ltd
<b>Town/Parish Councils</b>	NORTH BRADLEY / TROWBRIDGE / WEST ASHTON
<b>Electoral Divisions</b>	SOUTHWICK – Cllr Horace Prickett TROWBRIDGE PAXCROFT – Cllr Mel Jacob
<b>Grid Ref</b>	386358 157356
<b>Type of application</b>	Outline
<b>Case Officer</b>	Andrew Guest

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

In April 2018 the Strategic Planning Committee resolved to grant planning permission for this application subject to completion of legal agreements to secure the necessary mitigation from the developer for the development, including the provision of affordable housing and ecological measures. Unfortunately, it has not proved possible to complete the main section 106 agreement before now due to ongoing discussions about viability and the changing situation regarding the protection of bats that has seen the Council adopt the Trowbridge Bat Mitigation Strategy since the original meeting.

The original resolution required the provision of 30% affordable housing on the site. The viability of this level has been the subject of much discussion with both the Council and the applicant undertaking viability appraisals. To move matters forward and to safeguard/realise allocated public funding intended to ease early delivery of aspects of the development, the Director of Place & Environment is recommending that the original resolution by the Committee is amended to approve subject to completion of legal agreements, to include provision of a minimum of 20% affordable housing within the first 500 units, a minimum of 25% affordable housing within the next 500 units, and a minimum of 30% affordable housing within the remaining units; and subject to conditions, including some amended conditions. This level is agreed by both the Council and the applicant to be achievable.

As this remains a strategic development on a site allocated in the Wiltshire Core Strategy, is of significant scale, and is to be potentially partly supported by public funding, the final decision

on the recommended amendment remains a matter for the Committee to determine and not a matter for 'delegated powers'.

### **Purpose of Report**

The purpose of the report is to update the Committee on where the application has reached, and to consider the recommendation that the original resolution is amended to approve subject to completion of legal agreements, to include provision of a minimum of 20% affordable housing provision within the first 500 units, a minimum of 25% affordable housing provision within the next 500 units, and a minimum of 30% affordable housing provision within the remaining units.

All other conditions remain either as, or largely as, the original Committee report, with subtle changes only to some to address changes in legislation and/or for delivery, necessity or precision reasons.

The full 2018 Committee report is attached as annex 1 to this report.

### **Background and Report Summary**

The Committee is reminded that this is an outline planning application with all matters reserved except access. For the purposes of the application the 'access' includes specific points of access to the planned urban area *and* the entire proposed Yarnbrook and West Ashton Relief Road (YWARR) and associated works. It follows that full details of the YWARR accompany the application.

The Committee is further reminded that the application proposes to erect up to 2,500 dwellings on 57.4 ha of the site and employment development on 13.6 ha. It also proposes two primary schools and a secondary school, and two local centres and public open spaces (to include formal sports pitches (6.35 ha), 'destination play' area, equipped children's play space, 'major open space' and 'country park' (including an ecology education facility), other natural and semi-natural open spaces, and allotments) and the YWARR.

The proposed YWARR comprises a new approx. 1.8km section for the A350, notably by-passing the existing West Ashton traffic-signal controlled crossroads. Wiltshire Council has a broad objective to improve the A350 strategic road corridor through Wiltshire. Consequently, the Core Strategy includes a requirement for the new strategic growth at south east Trowbridge to facilitate delivery of strategic improvements to the A350, particularly at Yarnbrook and West Ashton where the existing junction arrangements are over capacity.

The YWARR element of the planning application will inevitably be costly to deliver. The Core Strategy recognises that the improvements to the A350 will have a wider benefit to the town and the strategic road network and confirms that responsibility for the improvements will be shared between the developers and Wiltshire Council. Thus – and on the basis of a shared approach – the cost of the improvements will be met by the developers of Ashton Park and through a forward-funding 'grant', care of the Homes England Housing Infrastructure Fund (HIF).

The HIF is a government capital grant programme intended to 'unlock' new housing on sites with complex infrastructure requirements. The fund provides marginal viability funding and forward funding where the costs of putting in infrastructure and building homes are great. The forward funding in this case would be eventually repaid by the developers to Wiltshire Council, for Wiltshire Council to then use on affordable housing projects. The fund is subject to 'use by' deadlines.

On viability in general the applicant has stated that even with the HIF funding viability is unachievable if the development is required to be fully policy compliant (notably Core Policy 43 expects provision of at least 30% affordable housing within the 30% affordable housing zone, which includes Trowbridge). To back this, a Viability Assessment (VA) has been prepared by the applicant. The VA has been subjected to independent scrutiny, the outcome of which is disagreement between the applicant's assessor and the independent scrutineer. To summarise, the applicant's VA concludes that viability would be achievable, or be closer to being achievable, with a reduction in affordable housing provision – to c. 11.1% rather than the 30% required by policy. Notwithstanding this, the applicant is agreeable to affordable housing provision being as set out in the recommendation. The independent scrutineer concludes that viability can be achieved with a higher percentage of 26%, plus a review mechanism. The applicant's VA and the independent review report are attached as annexes 2 and 3 respectively.

The proposal remains EIA development. The circumstances of the site and the proposal have not changed meaning that the Environmental Statement which accompanied the application in 2018 remains relevant. Likewise, the extant Appropriate Assessment decision under the Habitat Regulations remains relevant.

## Planning Issues

The acceptability of the development as a matter of principle is established by the extant resolution to approve, subject to legal agreements being completed, from April 2018. Circumstances have not changed to lead to a different outcome on the principle. Likewise, all matters of detail also remain acceptable and unchanged.

Since the decision in 2018 much time and effort has been spent negotiating the terms of the legal agreements. Some matters have taken longer to resolve than was originally anticipated – notably those relating to the delivery of ecology mitigation and associated land transfers and management. The public funding care of the HIF funding stream has been able to accommodate the time taken. However, it remains subject to an end 'use by' date.

## Viability

On viability in general, the applicant has provided the viability assessment (VA) and addendums. It concludes that the development is not viable based on a fully policy compliant proposal; it sets out what it considers to be the break-even point of viability, factoring in the public funding. Key paragraphs from the applicant's VA and addendums, including the methodology used, follow –

### 4. VALUATION METHODOLOGY

- 4.1 *The Structure of my Residual Appraisals produces a Residual Land Value<sup>1</sup> (RLV) which is then compared with an adopted Benchmark Land Value<sup>2</sup>. If the RLV exceeds the Benchmark Land Value, a surplus is generated and the scheme can be deemed "Viable". However, if the RLV is less than the Benchmark Land Value, a deficit is produced and the scheme should be considered "Non-Viable".*

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<sup>1</sup> RLV is the value of the land that remains after any, and all, deductions associated with the cost of developing, maintaining or reselling the land.

<sup>2</sup> BLV is the value of a site in its existing use.

4.2. *The issue of what is deemed to be an appropriate Benchmark Land Value for inclusion within viability studies is at present a highly topical subject. Planning appeal decisions and government guidance dictate that one has to ignore the amount that is actually paid for a development site and instead adopt an appropriate Benchmark Land Value (BLV).*

And the conclusions from the VA (updated to take account of the withdrawn LEP funding and discussions with the independent scrutineer, and set out the VA Second Addendum), are as follows –

## **2. UPDATED CONCLUSIONS**

2.1. *As can be seen from the below summary table, all other inputs remaining unchanged, the aforementioned amendments have had the effect of increasing the ‘break even’ level affordable housing from 8.8% to 11.1% (245 dwellings of which 145 are Affordable Rent and 100 are Shared Ownership):-*

<b>Tab</b>	<b>Scenario</b>	<b>RLV</b>	<b>BLV</b>	<b>Surplus/ Deficit</b>	<b>Viable/ Non-Viable</b>
<b>1A</b>	<b>30.0% Affordable</b> <i>Policy Position</i>	£20.504m	£44.762m	<b>-£24.258m</b>	<b>NON-VIABLE</b>
<b>1B</b>	<b>20.0% Affordable</b>	£31.903m	£44.762m	<b>-£12.859m</b>	<b>NON-VIABLE</b>
<b>1C</b>	<b>11.1% Affordable</b>	£44.824m	£44.762m	<b>£61,814</b>	<b>VIABLE</b>

Notwithstanding the VA's conclusion that break-even occurs at 11.1% affordable housing provision, the applicant is agreeable to providing the affordable housing in the terms set out in the recommendation – that is, a minimum of 20% affordable housing provision within the first 500 units, a minimum of 25% affordable housing provision within the next 500 units, and a minimum of 30% affordable housing provision within the remaining units, with no review mechanism.

The independent review of the applicant's VA comes to a different conclusion. The review concludes as follows –

### **21. Conclusions**

*Following a response to my initial ‘stage reports’ dated 15 February 2021 and 26*

*March 2021, I have carried out a detailed revised analysis as set out in this report.*

*A good deal of the inputs into the financial viability modelling are agreed and have*

*been adopted in my assessment. The principle areas of divergence remain in regard to BLV, and finance calculation (including expenditure and income profiling).*

*As detailed in the viability assessment results outlined above, I am of the*

*opinion*

*that the scheme is not financially viable when contributing fully to planning policy*

*required s106, including 30% on-site affordable housing, comprising 395 units for*

*affordable rent, and 267 units as shared ownership. My analysis of a planning policy compliant scheme yields a residual land value in the region of £24, 438, 000, and therefore a significant deficit of circa £3, 957, 000 against a target BLV of £28, 395, 000.*

*In the light of this finding, I have sought to ascertain the level of s106 that could*

*in my opinion be supported by the proposed scheme. My conclusions are detailed in my appraisal summary attached at appendix B to this report. In my opinion, the scheme achieves a financial balance when contributing fully to financial s106 contributions, however with a lower on-site affordable housing contribution of 572*

*units, split as 340 for affordable rent, and 232 for shared ownership. This assessment assumes maintenance of your Authority's target split of unit types as*

*far as possible and amounts to a 26% proportion of the total housing provision in*

*the scheme against a planning policy requirement of 30%.*

The Independent assessor's recommendation includes the following statement -

*Given the financial viability conclusions as detailed in this report; should your Authority be minded to grant permission on the basis of a reduced s106 contribution, we would recommend that a review clause is inserted into any agreement to allow for staged reviews of viability during the life of the scheme. This would potentially allow further contributions up to a maximum of planning policy compliance should market conditions improve, and/or costs are mitigated.*

### National Planning Policy Framework & Guidance

In general, government guidance on viability advises that where up to date policies have set contributions expected from development, planning applications that fully comply with them should be assumed to be viable. It continues that it is up to the applicant to demonstrate whether particular circumstances justify the need for viability assessment at the application stage. In this case it is accepted that there are particular circumstances that justify a standalone VA – specifically, the unique infrastructure here in the form of the YWARR and the complex ecology protection measures.

Key statements from Planning Practice Guidance are as follows –

*How should site promoters engage in viability assessment in plan making?*

*Plan makers should engage with landowners, developers, and infrastructure and affordable housing providers to secure evidence on costs and values to inform viability assessment at the plan making stage.*

*It is the responsibility of site promoters to engage in plan making, take into account any costs including their own profit expectations and risks, and ensure that proposals for development are policy compliant. Policy compliant means development which fully complies with up to date plan policies. A decision maker can give appropriate weight to emerging policies. It is important for developers and other parties buying (or interested in buying) land to have regard to the total cumulative cost of all relevant policies when agreeing a price for the land. Under no circumstances will the price paid for land be a relevant justification for failing to accord with relevant policies in the plan.*

And ....

*How should viability be reviewed during the lifetime of a project?*

*Plans should set out circumstances where review mechanisms may be appropriate, as well as clear process and terms of engagement regarding how and when viability will be reassessed over the lifetime of the development to ensure policy compliance and optimal public benefits through economic cycles. Policy compliant means development which fully complies with up to date plan policies. A decision maker can give appropriate weight to emerging policies.*

*Where contributions are reduced below the requirements set out in policies to provide flexibility in the early stages of a development, there should be a clear agreement of how policy compliance can be achieved over time. As the potential risk to developers is already accounted for in the assumptions for developer return in viability assessment, realisation of risk does not in itself necessitate further viability assessment or trigger a review mechanism. Review mechanisms are not a tool to protect a return to the developer, but to strengthen local authorities' ability to seek compliance with relevant policies over the lifetime of the project.*

### The 'Planning Balance'

As is evident from the applicant's VA and the scrutiny review, there is a wide gap between the conclusions of the assessors. The applicant concludes that the break-even point is at c. 11.1% affordable housing provision whereas the independent scrutineer sees it at c. 26%. The applicant's is agreeable to providing 20% affordable housing provision in the first 500 units, 25% provision in the next 500 units, and 30% provision in all remaining units. Core Policy 43 (Providing Affordable Housing) normally expects at least 30% provision, although with an allowance for viability.

Ashton Park is the largest allocated site in the Wiltshire Core Strategy, anticipated to deliver c. 2,600 homes and c. 15 ha of employment land, and related essential infrastructure including schools, community hubs, open spaces and the improvements to the A350 c/o the YWARR. The applicant's planning application covers the larger part of the allocation – for up to 2,500 of the homes, all of the employment land, the schools (including a secondary school) and the A350 improvements. The A350 improvements will have wider strategic benefits beyond just Ashton Park; the schools, and notably the secondary school, will also have wider beneficial consequences – for example, helping to reduce cross-town traffic within Trowbridge. It follows that Ashton Park is a very important site, both in terms of the quantum of development it is planning to deliver and the knock-on benefits to the surrounding local and wider communities.

The delivery of Ashton Park is proving to be a slow process. Complex planning issues have delayed the planning permission, notably relating to ecology. The disagreement on viability is now adding further to the delays. The consequence of this is that the anticipated benefits of the development are not being realised. In the short term the delays put at risk the HIF funding which itself is intended to assist in addressing viability; and in the longer term the delays also

present potential issues for the supply of housing in the wider housing market area. These are important material considerations to be weighed in the planning balance.

With the above in mind – notably the stalemate situation reached in the viability assessments which is now further delaying the development – it is considered appropriate in this instance to agree to the different approach for the delivery of the affordable housing across the site (an approach which is not strictly in accordance with the Core Strategy’s affordable housing policy, but which will still deliver appropriate levels of affordable housing), this to expedite a planning permission. The applicant’s agreement to staged provision of the affordable housing at the percentages set out would still deliver c. 26% affordable housing overall, albeit with lower numbers in the earlier phases of the development. Accordingly, this is considered to be a reasonable and appropriate approach under the circumstances. No review mechanism would be used; instead the fixed, higher levels of affordable housing would be achieved in later phases of the development c/o the staged increases in fixed percentages (at 500 units, 1000 units, etc.).

In terms of the effects of this change, it would still deliver a minimum of 670 affordable houses in a 2,500 unit scheme across the overall site; as alluded to above, this equates to 26.8% provision which is around the viability level calculated by the independent assessor in any event. In addition, the HIF forward-funding would also be returned to Wiltshire Council, for its re-use for the delivery of further affordable housing.

The recommendation to the Committee is, therefore, to grant planning permission, subject to the requirement for affordable housing being changed to 20% provision in the first 500 units, 25% provision in the next 500 units, and 30% provision in all units thereafter.

In addition, in the event that the application does not now progress in a timely manner in terms of the completion of the S106 agreement, then the recommendation to the Committee is also that the application should - only in these circumstances - be refused planning permission by the Head of Planning Services using delegated powers, this in view of its failure to comply with local and national planning policy on matters relating to the delivery of essential infrastructure.

## **RECOMMENDATION –**

**Having taken into account the environmental information, the recommendation is to amend the April 2018 decision of this Planning Committee as follows –**

**That the Strategic Planning Committee authorises the Head of Development Management to ....**

**Either GRANT planning permission, this subject to the following ‘legal agreements’ being first entered into:**

1. an obligation under Section 106 of the Town and Country Planning Act 1990 between the applicant and Wiltshire Council requiring provision of the following:
  - minimum 20% affordable housing provision in the first 500 units; minimum 25% affordable housing provision in the next 500 units; and minimum 30% provision in all units thereafter;
  - Two new primary school sites of at least 1.8 ha each. Primary education financial contribution (of £9,509,390 (2017 figure) based on 2,500 dwellings; adjusted accordingly depending on final numbers) completion of two schools;

- One new secondary school site of 5.24 ha. Secondary contribution (of £8,463,708 (2017 figure) based on 2,500 dwellings; adjusted accordingly depending on final numbers);
- 'Early Years' education contribution (of £3,863,313 (2017 figure) based on 2,500 dwellings; adjusted accordingly depending on final numbers) or on-site provision;
- Health / dental care contribution of £1,108,500 (2015 figure, to be adjusted for indexation), to be used for sites in Trowbridge Community Area only and subject to such sites remaining in NHS/public ownership;
- Elements of open space (equipping/phasing/maintenance contributions/etc.);
- Ecological mitigation, to be set out in a Biodiversity Management Plan covering the management, mitigation, monitoring and enhancement of all habitats and species affected by the development during the pre-construction, construction and operational phases, both within the application boundary and on land owned by Wiltshire Wildlife Trust. To include –
  - Provision of, and/or provision of funding for, a Steering Group to oversee implementation of the Biodiversity Management Plan;
  - Provision of, and/or provision of funding for, visitor facility, and related land transfer arrangements;
  - Provision of ecology Green Infrastructure, related maintenance/long term management contributions, ecological monitoring including remedial works triggered by monitoring and related land transfer arrangements;
  - Provision of, and/or provision of funding for, full time wildlife warden, and mechanism for his/her perpetual funding;
  - Agreement that no public access will be allowed through the agricultural land identified for employment use other than to areas which have been developed for that purpose. An impenetrable barrier will be maintained between housing and employment land on the east side of West Ashton Road until at least 75% of the employment site has been completed at which point a public footpath will be provided between the two which will breach the impenetrable barrier at a single point.
  - Financial contribution towards the cost of monitoring implementation and maintenance of mitigation, with bond or other means of security secured against non-delivery and/or non-maintenance of mitigation.
  - Provision for revision of the Green Lane and Biss Woods Management Plan to incorporate requirements arising from the Biodiversity Management Plan and the Habitats Regulations Assessment (including Appendix 2).
- Elements of transport infrastructure in line with the Trowbridge Transport Strategy, notably –
  - Completion of funding agreement with Wiltshire Council for the provision of YWARR and commuted sum for structures maintenance;
  - Provision and completion of Yarnbrook and West Ashton Relief Road (including works to redundant A350 and all other associated highway works), phased or in entirety, subject to the timescales set out by the HIF and LEP;
  - Provide and deliver a Bus Strategy for the site, identifying how a half hourly service between the site and the town centre can be achieved, firstly through the negotiation with commercial operators for a commercial service, or,



secondly, and in the event that a commercial service cannot be initiated and/or maintained, by a supported service, funded at the reasonable cost of the developer. The bus service shall be provided for a period from occupation of the 50<sup>th</sup> dwelling to up to three years following occupation of the 2,450<sup>th</sup> dwelling, the exact period dependent on the commercial viability or otherwise of the service at the time. The Bus Strategy shall set out how the funding arrangements will work in the event that a supported service is required;

- Provision of travel plans for the separate land uses on the site;
  - Financial contributions towards the legal costs associated with making of traffic regulation orders at a cost of £6,000 per identified TRO;
  - Implementation of all made legal orders relating to highways and transport issues associated with the site;
  - 'Contingency Plan' for planned diversion of public footpaths NBRA9 and NBRA11;
  - Design and provide a wayfinding scheme aligned to the phasing of the development;
  - Construction and improvement of off-site highway works associated with the Yarnbrook and West Ashton Relief Road, alterations to West Ashton Road and improved connectivity to the town centre and to the White Horse Business Park;
  - Connectivity (vehicular) between Drynham Lane and site, unless secured by alternative means;
- Waste collection facilities contribution.
2. A legal agreement between Wiltshire Wildlife Trust and Wiltshire Council to achieve implementation and maintenance of ecology mitigation measures relevant to the Trust via a revised Management Plan for Green Lane and Biss Woods covering the following:
- To provide an account of the role the site plays in achieving the conservation objectives of the Bath and Bradford on Avon Bats SAC, and a specific objective to maintain the population of Bechstein's bats through maintenance of the structure and function of the habitats within the plan area;
  - To incorporate all relevant land transfers to WWT and commit the trust to managing these in line with the objectives of the revised plan;
  - To define the operating constraints for the ecological visitor centre and car parking arrangements which arise from the potential for recreational pressure to reduce the value of the site for Bechstein's bats;
  - To set out types and levels of acceptable amenity and educational use and the means by which these will be monitored and reviewed;
  - To set out what constitutes acceptable and unacceptable fire making and a protocol to be followed to minimise and deal with the latter;
  - To include an objective regarding the maintenance, and where necessary, replacement, redesign and / or repositioning of bat boxes for Bechstein's bat use;
  - To recognise the role of the Steering Group in reviewing the implementation of relevant aspects of the management plan, monitoring results and implementation of remedial measures;
  - To anticipate the potential effects of increased visitor numbers and identify monitoring to be undertaken, thresholds for unacceptable change and remedial measures.

Management Plan to be implemented by Wiltshire Wildlife Trust with governance of relevant elements by the Steering Group.

The agreement will also commit the Trust to employ a full time warden to implement the plan and to engage with local residents in order to enhance understanding of local ecological features with a view to reducing impacts from potentially damaging behaviours.

**Or in the event that the S106 is not now completed in a timely manner and in the above terms, to authorise the Head of Planning Services to then - in these circumstances - REFUSE planning permission for the following reason –**

1. The planning application fails to make provision for essential infrastructure made necessary by the proposed development – namely, affordable housing, education facilities, health facilities, open spaces, ecology mitigation, highways infrastructure and waste collection facilities. With particular regard to affordable housing, the planning application fails to make adequate provision for affordable housing in accordance with adopted affordable housing policy and/or fails to offer a means of achieving compliance with adopted affordable housing policy over the lifetime of the development.

This is contrary to Core Policy 3 ('Infrastructure Requirements') and Core Policy 43 ('Providing Affordable Housing') of the Wiltshire Core Strategy and national planning policy (paragraph 57 of the National Planning Policy Framework and 'Viability' guidance in the Planning Practice Guidance).

**A planning permission will be subject to the following planning conditions –**

- 1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 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 following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The scale of the development;
- (b) The layout of the development;
- (c) The external appearance of the development;
- (d) The landscaping of the development;

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 3 An application(s) for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of fifteen years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4 The outline element of the development hereby approved shall make provision for the following:

- (i) At least 13.6 ha of land for employment purposes (Class E ('Business' only), B2 and/or B8 uses);
- (ii) Two separate sites of at least 1.85 ha each and two separate 14-class primary schools thereon, and a single serviced site of at least 5.24 ha for a secondary school;
- (iii) Two separate sites of at least 1 ha and 0.2 ha respectively for two separate 'local centres'; in combination the local centres to provide suitable premises for a mix of convenience shops and small other shops, community facilities, 'early learning' facilities and 'food & drink' premises (Class E), 'drinking establishments' (Class A4) and 'hot food & takeaway' uses (Class A5);
- (iv) Sites for public open space to be sited, laid-out and equipped in accordance with the specifications set out in the West Wiltshire Leisure and Recreation DPD (or any subsequent replacement DPD); and to include at least 6.35 ha of formal sports pitches with pavilion / changing rooms, at least 1.2 ha of 'designation play' area, at least 44.4 ha of major open space or country park (to include an Ecological Visitors Facility), at least 14.4 ha of natural and semi-natural open space including structural planting, and at least 0.9 ha of allotments;
- (v) An 'Ecology Visitors Facility'; and
- (vi) Up to 2,500 dwellings of which no more than 315 (including within the 'local centre') are to be provided on the north-east side of West Ashton Road.

The 'layout of the development' (as to be submitted and approved under condition no. 2) shall accommodate all of the above broadly in accordance with the 'Indicative Masterplan' (drawing no. A.0223\_77-01 Rev AB) dated 20/04/17 and the related parameters plans set out in the Design and Access Statement.

REASON: To ensure the creation of a sustainable and balanced urban extension, in accordance with the requirements of the Wiltshire Core Strategy and the intentions of the Design and Access Statement accompanying the planning application.

5 No application for reserved matters shall be submitted until there has been submitted to and approved in writing by the local planning authority a detailed Phasing Plan for the entire application site indicating geographical Phases and/or Sub Phases for the entire development. Where relevant these Phases or Sub Phases shall form the basis for the reserved matters submissions. Each Phase or Sub Phase shall include within it defined areas and quantities of housing and infrastructure relevant to the Phase or Sub Phase. No more than 50% of the houses (or no more than a meaningful percentage of the houses to be first agreed in writing by the local planning authority) to be built in any Phase or Sub Phase shall be occupied until the infrastructure relevant to the Phase or Sub Phase has been completed.

The development shall be carried out strictly in accordance with the approved Phasing Plan.

REASON: To ensure the proper phasing and delivery of the development, and in particular the affordable housing and essential infrastructure the development has made necessary, in accordance with the overall proposal and good planning in general.

[For the purposes of this condition 'infrastructure' is defined as the affordable housing, schools, local centres, open space, and ecology visitors centre; and the 'means of access' to the site including the entire Yarnbrook & West Ashton Relief Road and its related new roundabout junctions, the alterations to the existing West Ashton Road/Bratton Road/A350 junction, the new roundabout 'R4', the new spur roads and related bridges (from West Ashton Road and new roundabout R2)].

6 With the exception of the Yarnbrook & West Ashton Relief Road, before any other parts of the development hereby approved are commenced the following shall have been carried out:

(a) The submission to the local planning authority for approval in writing of detailed schemes for 'advance ecology mitigation', broadly in accordance with the Green Infrastructure & Biodiversity Strategy dated September 2017, as follows -

(i) a scheme for strengthening of the hedgerow alongside West Ashton Road to the south-west corner of Biss Woods with thorny planting and fencing, and provision for future maintenance;

(ii) schemes for the 100m buffer between Biss Woods and the employment land and between the employment land and the east of West Ashton Road housing land, to include landscaping with appropriate impenetrable fencing and hedge planting and provision for future maintenance in accordance with Figure 6.2 of the ES Addendum Volume 1;

(iii) a scheme for the Attenuation pond based on Figure 6.1 of the ES Addendum Volume 1, creating a barrier to pedestrian access between the Green Lane Nature Park Extension and the east of West Ashton Road residential area to include landscaping, fencing and provision for future maintenance;

(b) The implementation and completion of all of the above schemes as approved and continuing maintenance thereafter in accordance with the maintenance elements of the schemes.

Before 150 of the dwellings on that part of the application site to the east of West Ashton Road are first occupied the following shall have been carried out:

(a) The submission to the local planning authority for approval in writing of detailed schemes for 'further ecology mitigation', broadly in accordance with the Green Infrastructure & Biodiversity Strategy dated September 2017, as follows -

(i) A scheme for a circular pedestrian footpath route which will be at least 3km in length and link the Green Lane Nature Park with the River Biss (with minimal use of roads). The scheme will include details of the footpath - its width, surfacing materials, fencing and signposting.

- (ii) a scheme for the laying out and equipping of the 'Biss River Corridor' and enhanced planting between Biss Woods and the River Biss and the Green Lane Nature Park Extension, to include landscaping, boundary treatments and provision for future maintenance, where relevant in accordance with the specifications set out in the West Wiltshire Leisure and Recreation DPD (or any subsequent replacement DPD);

(b) The implementation and completion of all of the above schemes as approved.

REASON: To safeguard ecological interests, and specifically bats and their habitats.

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The 'means of access' to the site (which for the purposes of this condition includes the entire proposed Yarnbrook & West Ashton Relief Road and its related new roundabout junctions, the alterations to the existing West Ashton Road/Bratton Road/A350 junction, the new roundabout 'R4', the new spur roads and related bridges (from West Ashton Road and new roundabout R2), and the West Ashton Road Cycleway Provision) shall be constructed substantially in accordance with the following 'PFA Consulting' drawings:

- P480/100 Figure 6.5 Rev F (Yarnbrook & West Ashton Relief Road Sheet 1 of 4) dated 18/08/17
- P480/101 Figure 6.6 Rev G (Yarnbrook & West Ashton Relief Road Sheet 2 of 4) dated 18/08/17 (as amended through an email from Aspect Ecology (AB to LK) dated 2/3/18)
- P480/102 Figure 6.7 Rev F (Yarnbrook & West Ashton Relief Road Sheet 3 of 4) dated 28/07/17
- P480/103 Figure 6.8 Rev E (Yarnbrook & West Ashton Relief Road Sheet 4 of 4) dated 18/08/17
- P480/104 Rev D (Central Roundabout (R4) Access on West Ashton Road) dated 18/08/17
- P480/105 Rev E (Northern Site Accesses & Cycleway Provision) dated 08/09/17
- P480/106 Figure 6.4 Rev F (Yarnbrook & West Ashton Relief Road Overview) dated 18/08/17
- P480/107 Rev E (Northern Junctions & Cycleway Provision Overview) dated 08/09/17
- P480/108 Figure 6.9 Rev B (Typical Section H-H through Relief Road with Elevation of Culvert) dated 07/07/17
- P480/109 Rev C (West Ashton Road Northern Cycleway Improvements) dated 09/09/17
- P480/110 Figure 6.10 Rev E (Yarnbrook & West Ashton Relief Road. Possible Planting Along Existing A350) dated 18/08/17
- P480/111 Rev C (Typical Section Through Relief Road (Roundabout R1-R2)) dated 18/08/17
- P480/112 Rev F (Primary Highway Works Plan) dated 08/09/17
- P480/113 Rev C (Access Junctions Swept Paths) dated 18/08/17
- P480/26 Figure 6.11 Rev D (Yarnbrook & West Ashton Relief Road Indicative Bridge General Arrangement) dated 18/08/17
- P480/41 Figure 6.12 Rev D (Yarnbrook & West Ashton Relief Road Southern Access Bridge General Arrangement) dated 18/08/17
- P480/51 Figure 6.13 Rev A (Northern Access Bridge General Arrangement) dated 02/04/14
- P480/114 Rev A (Highway Long Sections Sheet 1 of 4) dated 07/07/17
- P480/115 Rev B (Highway Long Sections Sheet 2 of 4) dated 07/07/17
- P480/116 (Highway Long Sections Sheet 3 of 4) dated 04/14

- P480/117 Rev A (Highway Long Sections Sheet 1 of 4) dated 07/07/17
- P843/08 Rev A (Biss Wood Scout Camp Site Access Visibility) dated 02/01/18
- P480/118 (Yarnbrook and West Ashton Relief Road. Minor amendment to R1 to access Paddock) dated 25/01/18

The means of access shall be provided in accordance with the Phasing Plan and Order of Delivery Schedule to be submitted and approved under condition 5.

REASON: To ensure proper and timely delivery of the means of access in accordance with the agreed scheme and in the interests of highway safety.

8 With regard to the reserved matter relating to the landscaping of the site, the details to be submitted for each Phase shall be in accordance with the following documents forming part of the application:

- Green Infrastructure and Biodiversity Strategy (September 2017);
- ES Addendum Volume 1 Figures 6.1 and 6.2 showing details of design of attenuation ponds and buffer between employment and residential land;
- ES Addendum Volume 1 Figures 6.4, 6.17, 6.18 and 6.19 showing details of dark corridors through mixed use development.

The details themselves shall include where relevant the following:

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any trees and hedgerows to be retained, together with measures for their protection in the course of development;
- a detailed planting specification for new planting showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

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 a satisfactory landscaped setting for the development and the protection of existing important landscape and ecology features.

9 Notwithstanding the landscaping details submitted for the 'access' elements of the application (including the Yarnbrook / West Ashton Relief Road), no development within any Phase or sub Phase relevant to that part of the access shall commence until a scheme of soft landscaping for that part of the access has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-

- location and current canopy spread of all existing trees and hedgerows on the land;

- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- minor artefacts and structures (e.g. signs, etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

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

- 10 All soft landscaping comprised in the approved details of landscaping for any particular Phase or sub Phase of the development shall be carried out in the first planting and seeding season following the first occupation of any building within the Phase or the completion of the Phase or sub Phase 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.

- 11 No demolition, site clearance or development shall commence on site within any particular Phase or sub Phase, and; no equipment, machinery or materials shall be brought on to site for the purpose of development within the particular Phase, 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 date of commencement of the Phase or sub Phase].

REASON: To safeguard trees to be retained in the interests of amenity.

12 Where a particular Phase or sub Phase of the development includes a play area(s), before 50% of the dwellings in that Phase or sub Phase are first occupied (or before a percentage/number to be otherwise agreed in writing by the local planning authority are first occupied) the following shall have been carried out:

- a) The submission to the local planning authority for approval in writing of a scheme for the laying out and equipping of the play area(s), to include landscaping, boundary treatment and provision for future maintenance and safety checks of the equipment; and
- b) The laying out and equipping of the play area in accordance with the approved scheme.

REASON: To ensure that the play areas are provided in a timely manner in the interests of the amenity of future residents.

13 Before the first occupation of 1,250 dwellings on any part of the application site (or before a percentage/number to be otherwise agreed in writing by the local planning authority are first occupied) the following shall have been carried out:

- (a) The submission to the local planning authority for approval in writing of a scheme for the marketing of the 'Proposed Employment' land and the commercial elements of the 'Proposed Local Centres';
- (b) Implementation of the marketing scheme in accordance with the approval;
- (c) Construction and operation of the roundabout junction (R4) and at least 20m of the spur road and related services into the 'Proposed Employment' land.

REASON: To accord with the proposal and the requirements of the Wiltshire Core Strategy in that it allocates part of the application site for employment development.

14 With the exception of the 'Advance Ecology Mitigation', prior to the commencement of the development Stage 2 Road Safety Audit(s) shall be carried out for the Yarnbrook & West Ashton Relief Road and all other elements of the 'access' (either singly or in combination), and this/these shall be submitted to the local planning authority for approval in writing before any highway construction works begin. Thereafter, no development shall commence in any particular Phase or sub Phase of the development until full construction details/drawings of the means of access within that Phase or sub Phase have been submitted to and approved in writing by the local planning authority. Following approval the 'access' shall be constructed in accordance with the approved details/drawings and agreed Stage 2 Road Safety Audit(s).



REASON: In the interests of highway safety.

- 15 Notwithstanding the references in the Design and Access Statement, the development hereby approved shall make provision for vehicle parking in accordance with the Wiltshire Council Local Transport Plan 3 dated 2015. In this Strategy domestic garages will only count towards the parking provision if the minimum dimensions specified in the Strategy are achieved.

REASON: To ensure sufficient vehicle parking in the development in the interests of highway safety.

- 16 No development shall commence within any particular Phase or sub Phase of the application site until:

- (a) A written programme of archaeological investigation for the Phase, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
- (b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: The application contains insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to enable the recording of any matters of archaeological interest.

- 17 = No development hereby approved (save for the construction of the Yarnbrook & West Ashton Relief Road) shall commence in any sub Phase of the development which includes land either adjacent to the railway line or adjacent to the 'green corridor' alongside the railway line until details of measures to safeguard the amenities of future occupants of the development within the sub Phase from potential noise disturbance from trains 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 railway line will be a potential source of noise disturbance to future nearby occupants of the development. This disturbance can be removed and/or reduced to acceptable levels through appropriate design and layout.

- 18 The application is supported by evidence which demonstrates that the potential for significant concentrations of contaminants to be present within the application site is low. However -

- (a) If, during any Phase or sub Phase of the development, any evidence of historic contamination or likely contamination is found, the developer shall immediately cease work within the Phase or Sub Phase and contact the Local Planning Authority in writing to identify what additional site investigation may be necessary; and -
- (b) In the event of unexpected contamination being identified, all development within the relevant Phase or sub Phase of development shall cease until such time as an investigation has been carried out and a written report submitted to and

approved in writing by the Local Planning Authority, any remedial works recommended in that report have been undertaken and written confirmation has been provided to the Local Planning Authority that such works have been carried out. Construction shall not recommence until the written agreement of the Local Planning Authority has been given following its receipt of verification that the approved remediation measures have been carried out.

REASON: To ensure that potential land contamination is dealt with adequately in the interests of protecting the environment.

- 19 Prior to the commencement of any Phase or Sub Phase of the development which includes or affects any public rights of way within the Phase or Sub Phase, detailed schemes for the improvement of these rights of way (including widening and/or re-surfacing) and a programme for implementing the improvements shall be submitted to the local planning authority for approval in writing. Thereafter the development shall be carried out strictly in accordance with the approved improvements and the programme.

REASON: Improvements will be required to these public rights of way as a consequence of the additional use they will endure due to the development. The improvements will ensure the continued safe use and enjoyment of the footpaths by members of the public

INFORMATIVE: The Design & Access Statement indicates that parts of a number of public rights of way may be re-routed due to the development. No works directly affecting any rights of way may commence until a permanent diversion or extinguishment order has come into effect. The applicant must apply separately to Wiltshire Council for such an order, it cannot be presumed that the granting of this planning permission will automatically be followed by the making of the order. If Wiltshire Council makes an order and any objections to it cannot be resolved, the matter will be referred to the Secretary of State for determination. The Planning Inspectorate will make the determination on behalf of the Secretary of State. The LPA may agree to a temporary closure or temporary re-routing of the rights of way on the grounds of safety if necessary.

- 20 Prior to the commencement of development of any residential units in any Phase or Sub-Phase of the development an application for the stopping up and/or diversion of public rights of way NBRA9 and/or NBRA11 shall be submitted to Wiltshire Council. Following which no residential development within any Phase or Sub-Phase crossed by these rights of way shall commence unless either:

- i) A footpath diversion and stopping up order that incorporates the stopping up of the existing footpath route across the railway at level has been made and confirmed by the local planning authority or the Secretary of State, or
- ii) the Secretary of State, upon consideration of a stopping up order made by the local planning authority as aforementioned in (i) above does not confirm the order.

Upon any confirmed diversion and stopping up order coming into force, the new footpath route shall be fully completed prior to the occupation of units within any Phase or Sub-Phase crossed by public rights of way NBRA9 and/or NBRA11.

REASON: To ensure the continued safe operation of the rights of way network.

INFORMATIVE: Network Rail will provide the developer with all the appropriate information to ensure railway safety issues concerning the White Horse and Yarnbrook railway level crossings are fully considered before a decision on the stopping up or diversion of the public rights of way NBRA9 and NBRA11 is taken by the local planning authority or Secretary of State.

- 21 Prior to first occupation of the first 150 houses on the development hereby approved, a Public Art Strategy shall be submitted to the local planning authority for approval in writing. The Strategy shall set out how public art will be provided as part of the development, and a programme for this. Thereafter the development shall be carried out in accordance with the approved Strategy and programme.

REASON: To achieve a high quality living environment in the interests of amenity, and to accord with policies CP3 and CP57 of the Wiltshire Core Strategy.

- 22 No development shall take place within individual Phases or sub Phases of the development until a site specific Construction Environmental Management Plan, or Plans, (CEMP(s)) for that Phase or sub Phase, or an overarching CEMP for the entire application site, has been submitted to and approved in writing by the local planning authority. The CEMP(s) must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan(s) should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- Arrangements for liaison with the Council's Public Protection Team;
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08:00 Hours and 18:00 Hours on Mondays to Fridays and 08:00 and 13:00 Hours on Saturdays and; at no time on Sundays and Bank Holidays;
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above;
- Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works;
- Procedures for emergency deviation of the agreed working hours;
- Control measures for dust and other air-borne pollutants;
- Measures for controlling the use of site lighting whether required for safe working or for security purposes;
- Construction traffic routing details.
- Ecology mitigation measures to cover -
  - protection of retained habitats;
  - creation of new habitats including provision of bat boxes;
  - management and monitoring of created and retained habitats (until taken over by management company or WWT);
  - precautionary working method statements and works to be overseen by an ecologist; monitoring requirements and details of frequency of monitoring, thresholds, remedial measures and timescales for remediation;
  - monitoring requirements for habitats, mitigation features and species including details of frequency of monitoring, thresholds, remedial measures and timescales for remediation (to cover amongst other things, establishment / width of hop-overs, habitat structure / composition of woodland in Biss and Green Lane Woods, bat use of underpasses);

- testing and adjusting lighting, in accordance with monitoring results';
  - compliance procedures.
- And with particular regard to the Yarnbrook & West Ashton Relief Road the following specific ecology mitigation information -
    - Long and cross sections for each underpass based on site surveyed; measurements showing the relative positions of hedgerows, existing ground levels, earthworks and underpass;
    - The timetable of works required to complete the culvert works having regard to seasonal ecological and planting constraints;
    - The programme of construction works to demonstrate how the ecological constraints of the culverts works have been fully integrated into the project programme (i.e. Gantt chart) and how it affects the critical path.
    - A protocol for constructing underpasses and hop-overs including exact timescales, demonstrating removal of as little hedgerow as possible, erection of 4m high bat fencing and establishing new planting.

The approved CEMP(s) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

A report prepared by the Ecological Clerk of Works certifying that the required ecology mitigation and/or compensation measures identified in the CEMP(s) have been completed to their satisfaction, and detailing the results of site supervision and any necessary remedial works undertaken or required, shall be submitted to the Local Planning Authority for approval within 3 months of the date of substantial completion of the development or at the end of the first planting season following this, whichever is the sooner. Any approved remedial works shall then be carried out under the strict supervision of a professional ecologist following that approval.

REASON: In the interests of the amenities of surrounding occupiers and of wildlife during the construction of the development.

23

A Landscape and Ecological Management Plan (LEMP), or individual Plans, (LEMPs) for the 'River Biss Corridor', the '100m buffer' between Biss Woods and the employment land, the 'Green Lane Nature Park Extension', the 'Attenuation pond ... creating barrier to pedestrian access', other barriers to control access to Biss Woods, dark corridors through the mixed use development, and the Yarnbrook & West Ashton Relief Road shall be submitted to, and approved in writing by, the Local Planning Authority before commencement of the relevant element of the development to which the LEMP or LEMPS applies. The content of the LEMP(s) shall include 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 plan);
- 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(s) 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 LEMP(s) shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP(s) are not being met) how contingencies and/or remedial action will be identified, agreed and implemented.

The LEMP(s) 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.

- 24 No development in any particular Phase or sub Phase of the development or associated with the Yarnbrook and West Ashton Relief Road in isolation shall commence on site until a scheme for the discharge of surface water from the Phase or sub Phase or from the Relief Road in isolation, incorporating sustainable drainage details, and any related programme for delivery, has been submitted to and approved in writing by the Local Planning Authority. The development within the Phase shall not be first occupied and/or the Relief Road shall not be first used by non-construction traffic until surface water drainage has been constructed in accordance with the approved scheme(s) and related programme(s).

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

- 25 No development shall commence on site (save for the construction of the Yarnbrook & West Ashton Relief Road) until details of the works for the disposal of sewerage, including the point of connection to the existing public sewer and any off-site works, and any related programme for delivery have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved details have been implemented in accordance with the approved plans and related programme.

REASON: 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.

- 26 There shall be no surface water drainage connection from this development to the foul water system.

REASON: To safeguard the integrity of the foul water system.

- 27 No external lighting (other than normal domestic lighting) shall be installed on site within each Phase or sub Phase until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication Guidance Notes for the Reduction of Obtrusive Light (ILE, 2005) (or any standards updating or replacing these standards), for that Phase have been submitted to and approved in writing by the Local Planning Authority.

Where lighting is proposed in ecologically sensitive areas (such as the 'dark corridors' for bats) the lighting details and related scheme shall ensure minimum impact on the ecological interests of these areas and accord with:

- 'Interim Guidance Recommendations to help minimise the impact of Artificial Lighting' (Bat Conservation Trust 03/06/14);
- ES Addendum Volume 1 Figures 6.4, 6.18 and 6.19 showing principles of lighting design;
- Lighting of the Yarnbrook & West Ashton Relief Road to be in accordance with Figure 6.17 and 6.20 of the ES Addendum Volume 1.

The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall then be installed.

In addition there will be no lighting above or beneath bridges except at B3 where lighting will be in accordance with Figure 6.17 and 6.20 of the ES Addendum Volume 1.

REASON: In the interests of the amenities and ecological interests of the area and to minimise unnecessary light spillage above and outside the development site.

- 28 With the exception of the Yarnbrook and West Ashton Relief Road, no development shall commence in any particular Phase or sub Phase of the development hereby approved until a scheme for the provision of fire hydrants to serve the Phase or sub Phase and any related programme for delivery has been submitted to and approved in writing by the local planning authority. Thereafter no dwelling shall be occupied within the Phase or sub Phase until the fire hydrant serving the dwelling has been installed as approved.

REASON: To ensure the safety of future occupiers of the dwellings.

- 29 Notwithstanding the information set out in the Waste Management Strategy (May 2015) accompanying the planning application, a further more detailed waste management strategy or strategies shall be submitted to the local planning authority for approval in writing prior to commencement of the development. The more detailed strategy or strategies will add detail to the initial Waste Management Strategy, specifying in particular where and how construction waste (notably the waste material excavated from the site to enable construction works) will be, in the first place, re-used on site (including estimates of quantities to be re-used and where); and, in the second place, removed from the site (including quantities, end disposal locations and transportation routes thereto). Additionally, the detailed strategy or strategies will provide a 'plan' for the management of other waste arising from civil and building construction, including measures to minimise such waste generation in the first place and to re-cycle wherever possible. The development shall be carried out strictly in accordance with the original Waste Management Strategy (May 2015) and the subsequent approved and complementary more detailed waste management strategy or strategies.

REASON: The original Waste Management Strategy contains insufficient detail to enable waste management to be agreed at this stage. The requirement for a more detailed waste management strategy arises from Wiltshire Council's Waste Core Strategy Policy 6 (Waste Reduction and Auditing), and in particular its requirement to demonstrate the steps to be taken to dispose of unavoidable waste in an

environmentally acceptable manner and proposals for the transport of waste created during the development process.

INFORMATIVE: The reason for allowing the potential for more the one waste management strategy is in the event of the Yarnbrook and West Ashton Relief Road requiring a standalone strategy for the management of its waste.

- 30 Prior to commencement of the development hereby approved a strategic level scheme for the provision of ultra low energy vehicle infrastructure (electric vehicle charging points) and a programme for delivery shall be submitted to the local planning authority for approval in writing. The approved scheme shall inform the subsequent reserved matters applications, and shall be implemented as approved and in accordance with the programme.

REASON: In the interests of air quality and reducing vehicular traffic to the development.

INFORMATIVE: It is recommended that the ultra low energy vehicle infrastructure should be provided at appropriate publicly accessible locations such as the local centres but not for individual residential dwellings.

- 31 Prior to the commencement of each Phase or sub Phase of the development or commencement of the Yarnbrook and West Ashton Relief Road hereby approved, a scheme or schemes of ecology enhancement measures as identified in the Environmental Statement Addendum Volume 1, to include (as appropriate) designs, locations, numbers and sizes of each measure and a programme for their delivery, for each Phase or sub Phase of the Yarnbrook and West Ashton Relief Road shall be submitted to the local planning authority for approval in writing. The scheme or schemes shall be implemented as approved in accordance with the programme and maintained thereafter.

REASON: In the interests of safeguarding other ecological interests.

- 32 With the exception of the Yarnbrook and West Ashton Relief Road, no development in any Phase or Sub Phase of the development hereby approved shall commence until a scheme for water efficiency relevant to all the buildings within the Phase or Sub Phase has been submitted to and approved in writing by the Local Planning Authority. Thereafter no building within the Phase or Sub Phase shall be first occupied until the water efficiency measures relevant to the building have been installed and are operational in accordance with the approved scheme.

REASON: In the interests of sustainable development and climate change adaptation.

INFORMATIVE: The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. An appropriate submitted scheme to discharge the condition will include a water usage calculator showing how the development will not exceed a total (internal and external) usage level of 110 litres per person per day.

- 33 With the exception of the Yarnbrook and West Ashton Relief Road, no development hereby approved shall commence until a scheme setting out a strategy for the control / removal of Himalayan balsam has been submitted to and approved in

writing by the local planning authority. The scheme shall include a programme for the implementation of the strategy. The strategy shall be implemented in accordance with the approved scheme and programme.

REASON: In the interests of ecology and to ensure compliance with the Wildlife & Countryside Act 1981 (as amended).

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**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/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy).