

WILTSHIRE COUNCIL
STRATEGIC PLANNING COMMITTEE

Date of Meeting	16 November 2011		
Application Number	11/00134/FUL		
Site Address	Westinghouse Recreation Ground, Park Avenue, Chippenham, Wiltshire		
Proposal	Redevelopment of Westinghouse Recreation Ground to provide 76 dwellings, associated landscaping and creation of new vehicular access following the demolition of dwellings 33 and 35 Park Avenue		
Applicant	Linden Homes LLP		
Town/Parish Council	Chippenham		
Electoral Division	Chippenham Cepen Park and Redlands	Unitary Member	Councillors Phillips and Rooke
Grid Ref	390855 173841		
Type of application	FULL		
Case Officer	S T Smith	01249706633	simon.smith@wiltshire.gov.uk

Reason for the application being considered by Committee

The Director of Development considers that this application raises issues that should be considered by the Strategic Planning Committee since, if granted planning permission, would involve the loss of sport, recreation and leisure facilities that are used by the wider rather than just the local community.

1. Purpose of Report

To consider the above application and to recommend that planning permission be GRANTED subject to the imposition of planning conditions.

The Chippenham Town Council object to the application. The following numbers of letters have been received as a result of local publicity: 125 in objection (plus petition with 250 signatories); 55 in support, plus petition (with 81 signatories).

2. Main Issues

To consider the proposed development in the context of the sites relationship to the northern approach to Chippenham and adopted North Wiltshire Local Plan 2011 policies C3 and H3. Specifically, to consider the following:

- Principle of development and policy context
- Loss of sporting facilities
- Density, layout, appearance

- Access and highways issues
- Impact upon neighbours

3. Site Description

The site comprises of 2.184 hectares (5.396 acres) of land, located south of Bristol road encompassed by Park Avenue on the Northern and Western boundaries. The site is currently accessed by a lane to the north of the site connecting to Park Avenue and another lane, which is the main existing site access, to the east of the site connecting to Bristol road.

The site predominantly consists of grass playing surfaces, which until recently was used by the private Westinghouse Sports Club: of four tennis courts, a bowling green, and cricket pitch. Several buildings are located on the site: most significantly the clubhouse used by the bowling club and pavilion, up until recently, used by the cricket team.

The site is lined with mature trees along its North Western boundary containing a mix of sycamore, horse chestnut, maple and lime. There are also two trees with Tree Preservation Orders (TPO) on the site one allocated on the west border (copper Beach) and the other on the south (sycamore).

Contextually, the site sits in a predominantly residential area. In general terms two storey, semi-detached suburban housing on the north, west and east of the site, and bungalows at the south. Adjoining the site to the south east is Redlands Primary School.

4. Relevant Planning History		
Application Number	Proposal	Decision
10/03997/SCR	Request for an opinion as to whether EIA is required in respect of residential development	EIA not required

5. Proposal

The proposal is for the redevelopment of the site to provide 76 dwellings, including 30% affordable housing and 5% low cost housing. The proposed development is to consist of a mixture of detached, semi-detached, terrace and apartments. The building heights will be predominately two storey, but with 4 no. blocks of flatted units to be of three storey height. Parking provision is to be made for 153 cars with vehicular and pedestrian access to be the via a new entrance into the site formed from the demolition of existing dwellings 33 and 35 Park Avenue.

Landscaping of the site is to take the form of two open space areas; each of approximately 0.2 hectares in area (0.4Ha in total). The two areas of open space are positioned, not co-incidentally, in locations subject to TPO trees or subject to no build covenants.

It should be noted that this application will need to be considered concurrently with a separately submitted application to provide additional sporting facilities at the Chippenham Rugby Club (11/00420/FUL refers). That application is, in effect, so as to allow, where considered necessary by Sport England, the replacement of those sporting facilities that would be lost as a redevelopment of the Westinghouse Sports Club site.

6. Consultations

Chippenham Town Council –

- *“Recommend refusal on the grounds that planning issues concerning style of dwellings, site access and highway matters, amenity loss and noise impact on the established surrounding communities have not been satisfactorily resolved. The application is prejudicial to progression of Wiltshire’s Local Development Framework with particular regard to the Core Strategy and the Green Infrastructure Strategy and has not resolved any outstanding major issues.”*

Spatial Planning Officer –

- Confirmation that the Westinghouse Sports Club site has been removed from the Core Strategy because it was not considered to be of strategic importance to deliver the emerging housing strategy for Chippenham. This decision was not in response to any request to remove the site.
- The fact that the application site is no longer identified in the emerging Core Strategy does not have a bearing on the determination of the current planning application.
- There is already an established policy framework within which the planning application should be determined.

Highway Officer –

"The layout is generally acceptable with all the required pedestrian facilities in place. I have some details issues but these do not affect the layout and are such that can be addressed at the S38 stage if the roads are to be adopted. They primarily relate to the control of visitor parking and may result in some shuffling of parking allocations, although the no of spaces for each dwelling would not change.

Overall there is now no highway objection to this application subject to the following conditions being applied to any permission granted"

Urban Design Officer -

- The number of dwellings appears to have been reduced slightly to achieve side access to rear gardens from the road and ease the car parking which is an improvement in response to previously stated concern.
- It is unfortunate that the pedestrian link alongside the school has been removed
- ‘Secured by Design New Homes 2010’ (ACPO) discourages footpaths to the rear of properties in terms of safety and security and in this regard the long Wessex Water access drive located between rear gardens and without intermediate public access could be problematic if used as an open publicly accessible route into the development. If the route is to be retained by Wessex Water clear surveillance along the route from each end and operational access to it could be achieved by keeping the route largely free of shrubbery with robust but attractive high open barred steel gates at either end through which the route can be seen.

Police Architectural Liaison Officer –

- The existing access would attract unwanted attention, it could also cause issues for those existing houses backing onto it. Whilst a robust metal gate at both ends and signage would help, this type of set up could also act like a 'red rag to a bull' for youths wanting to gain entry to areas where they are not allowed. If this gating is to happen, suggest keeping the area as free from planting as possible to allow for natural surveillance across the site from the nearby new houses so at least some informal policing can take place. Ideally this area should be closed off totally and the path removed. Anecdotal evidence shows that these areas are open to abuse and generally fall into a bad state of repair.

- The Open land to the southern part of this site would be overlooked by a number of properties however the parcel of land at the rear of 5-10 could be abused as it is not overlooked and would be attractive to people wanting to gather covertly this would cause issues for the new houses (5-10) and also the rear of existing properties.
- The boundary fencing of units 5-10 need buffer zones to protect their boundary fencing, as does any property backing onto public access land.
- There are numerous alleyways on the site, some in between properties and some providing rear access. These need to be gated, and the ones between properties need gates flush with the front elevation to avoid recessed areas.
- Several parking areas are not overlooked (11-12, 57,63,70 and 61,62,76,75) also access to one of the rear parking areas appear to be via an under croft entrance. These types of access areas should be avoided as they can be open to abuse and gatherings unless gated.

NOTE: the issues raised above have since been addressed by the application to the satisfaction of the Police Architectural Liaison Officer (email of 30th August 2011). The issue of the existing access, the PLO acknowledges the need to keep it open for utilities.

Tree Officer –

Awaiting final comments in response to revised tree survey/protection plan (PHL237-1 rev.C) and accompanying information.

Housing Officer –

- Housing need in Chippenham is high – 1304 households on register seeking affordable housing in area
- The proposed mix of houses/apartments and tenure in the application reflects local housing need
- Proposed affordable housing will be provided in clusters of no more than 15 units, as required by policy
- Support the proposal to enable an increase in affordable housing in Chippenham to meet an identified housing need.

Council Ecologist –

- Considers the site, buildings and trees thereon to provide only limited potential to support bat roosts and is of the firm opinion that the Council would not breach the Habitats Directive in the event of planning permission being granted.
- The site does not provide a habitat for reptiles.
- Raises no objections subject to the imposition of planning conditions in respect of timing of development to avoid impact on breeding birds, lighting scheme to protect bat foraging areas/commuting corridors and provision of bat/bird boxes.

Environmental Health Officer –

- Analysis of historic maps reveal adjacent land was used as a quarry in the late C19th and early C20th, but had been filled in by 1923 with housing starting to be built on the land by 1936.
- Submitted desk study identified possible contamination of site and recommends further investigation.
- Given available historic information available and the age and location of adjoining filled land, concludes that reasonable for planning condition to be imposed on any planning permission to ensure investigation/remediation prior to the commencement of development.

Public Open Space –

- No objections subject to legal agreement ensuring laying out and maintenance of public open space.

Education –

- Require a financial contribution to be brought forward in the order of £257,397 and £50,000 for primary and secondary school provision respectively.

County Archaeologist – No objections subject to conditions.

Wessex Water –

- Surface water strategy has been agreed with developers – includes a new length of sewer existing site via track at the Eastern corner of the field connecting to public surface water sewer prior to outfall at Hardenhuish Brook.
- Expectation that a planning condition be imposed on any planning permission to ensure a suitable point of connection is established for foul drainage of the site prior to the commencement of works.
- Confirmation has now been received that drainage of existing properties along Park Avenue is drawn to the front of the houses where it connects to the existing public sewers. Following demolition of Nos. 33/35 Park Avenue, existing properties adjacent the access will either connect to the existing public sewer or the new sewerage network part of the proposed development.
- Expectation that new surface water sewer to be routed via the existing access track would remain open (not disposed of to adjoining neighbours) so as to secure access for future operational maintenance and repair.

Sport England –

- Following submission of further supporting evidence, it has been established that: (a) existing tennis clubs in Chippenham do have spare capacity to accommodate new members displaced from redevelopment of the application site plus any increased demand in the future; and (b) existing bowls clubs in the town would welcome new members displaced from the redevelopment of the application site – confirmed by England Bowls.
- That the proposed mitigation measures for the Chippenham Rugby Club site to compensate, *inter alia*, for the loss of cricket facilities through redevelopment of the application site, are considered satisfactory.

Environment Agency –

- Following receipt of suitable Flood Risk Assessment, raise no objections subject to conditions.

7. Publicity

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

Fifty three (55) letters of support received, including a petition of support raised eight (81) signatures and letters of support from the ECB and RFU with regard to the mitigation package for Westinghouse cricket Club relocation to Chippenham rugby Club. Summary of key relevant points raised:

- Provides the cricket club with great facilities
- Ensure the long term survival of the cricket club
- Improve the rugby facilities
- It will benefit the sporting youth of Chippenham and encourage participation
- Boost the local economy
- Provision of affordable housing
- Provision of local amenities
- The development will provide open space for public use

One hundred and twenty five (125) letters of objection received and a petition of two hundred and fifty signatures (250) received. Main issues raised:

- Loss of recreational facilities; bowling green and tennis courts
- Increased road congestion, and enhanced parking problems
- Queries the capability of current drainage and sewerage systems
- Proposal contradicts principles in PPS3
- Issues with building density and building heights (3 storey)
- The demolition of two houses on Park Avenue
- Issues with the boundary fence; why is it being kept? Who will be responsible for its maintenance?
- Current local primary schools already at maximum capacity
- The proposal is being built on Greenfield land not Brownfield
- Questions over the demand for the housing proposed
- Trees on site have TPO's
- Wildlife conservation- Bats
- The design of the proposal will promote anti social behaviour; disused lanes
- Existing properties adjacent the site overlooked by the new proposed dwellings

8. Planning Considerations

Principle of development and policy context

Some local objection has been received on the basis that development of the site would prejudice the ability of the Council to properly plan and deliver future housing development in Chippenham. Indeed, it has been argued that granting planning permission for development of this site would undermine the formulation of the Core Strategy and other associated policy documents as the Green Infrastructure Strategy.

However, it is the view of Officers that such an approach would be entirely incorrect, and if used as a basis to refuse planning permission would be unreasonable, and by extension, present all the

attendant difficulties in a potential appeal situation. National guidance in PPS1 precisely warns Local Planning Authorities of the potential unreasonableness of refusing planning permission purely on grounds of prematurity, particularly where the proposal for development has an impact only on a small area (paragraph 17).

It is the case that there is an established policy framework within which this application should be determined. The site is within the Settlement Framework Boundary of Chippenham, where the principle of residential development is already established as acceptable. In this context there is no reason to look beyond planning policy that is already in existence in the form of the adopted North Wiltshire Local Plan 2011 in order to reach a conclusion on this application. There may be convincing reasons why the Development Control Committee may resolve to refuse planning permission, but what any emerging Core Strategy document may or may not say at some point in the future should not be one of them. Equally, whether the site is defined as "brownfield" or "greenfield", as assessed against the definition contained in PPS3, is considered to be largely inconsequential.

Loss of sporting facilities

Although in private ownership, the application site is in planning terms nevertheless still considered a sports facility, comprising pitches, playing field, courts and associated buildings. Not only that, it is a sports facility positioned in a centralised position in the town, geographically accessible by much of the population. Its closure in recent years does not dilute the significance of the site from a land use planning perspective and it is this loss through residential re-development which must be addressed by mitigation and compensation. The approach and concept of appropriate mitigation and compensation is set out in Policy CF2 of the adopted Local Plan, national planning guidance in PPG17 as well as the national Playing Field Policy operated by Sport England.

The application site provides facilities for the following activities: cricket pitch and related pavilion and changing facilities, bowling green, 4 no. tennis courts, clubhouse and car parking. The planning application has been submitted complete with a package of information and measures to ensure re-development of the site would not strip the town of needed sporting facilities. It comprises two components:

1. Survey and investigation to prove that existing tennis and bowls clubs in the town do have spare capacity and would welcome new members displaced from the Westinghouse site.
2. A proposed creation of new cricket pitch and associated facilities at the Chippenham Rugby Club site – also involving an extension to the rugby pavilion and floodlighting so as to allow the two sports to co-exist and be properly managed. This proposal has been the subject of a separate planning application (reference 11/00420/FUL) to be considered concurrently.

Based upon the above, Sport England have signalled their satisfaction with the proposal and conclude that the replacement sporting facilities at the Rugby Club site would adequately make up for the loss of the application site as such. The Council's own Sports Development Manager has also confirmed that, in his view, existing tennis and bowls provision in the town is sufficient and would not require replacement.

Sport England's consideration of the adequacy of the replacement sporting facilities to compensate for those lost on the development site is based upon the quantity and quality of the provision, but also upon their accessibility. In the context of a non-objection from the acknowledged expert body, any residual concerns over the unfavourable comparison between the Westinghouse site and the Rugby Club sites in terms of the location characteristics in relation to the town, cannot reasonably be used as a reason to refuse planning permission.

Clearly, in the event of the Development Control Committee resolving to grant planning permission, an agreement under s106 of The Act must be entered into by all parties to ensure delivery of the replacement sporting facilities at the Rugby Club site.

Density, layout, appearance

The development of 76 units on a site of 2.14Ha in area results in a density of 35.5dph. However, whilst excluding land for the existing accesses, it does include the 0.4Ha given over to open space on the site. Therefore as a means of assessing acceptability of a proposal, a density calculation merely produces an arbitrary number and does not in itself allow for a realistic judgement to be reached over whether a proposal is appropriate to its locality.

A visual comparison of the submitted layout with the surrounding context easily reveals the new development to consist of houses with generally smaller gardens than the majority of those existing dwellings surrounding the site – Beechwood Road, Park Avenue and Bristol Road in particular, perhaps being more comparable to the bungalows on Redland. Discounting the proposed public open space on the site, it is likely that the proposed density of development would indeed exceed that of its surroundings. However, this does not also therefore mean that the proposed development would appear incongruous or out of character.

Although as of June 2010, guidance in PPS3 no longer requires new development to have regard to an indicative minimum (previously 30dph), it does continue to advocate the efficient use of land and the need to not automatically conclude that an intensification of development is unacceptable (paras. 45-51). Rather, PPS3 requires a judgement to be made over whether a proposed development is well designed, laid out and built in the right location: would the proposal successfully integrate into the locality. In this particular instance whilst the density may be above existing development in the immediate vicinity, it is not inappropriately so. Rather, the proposed development is more likely to be perceived as the most recent phase of development in an environment where there is development of varying ages, design approach and density.

The layout of development relies upon a singular point of access from Park Avenue, which has been formed by the demolition of a pair of semi-detached properties. It follows that the layout is defined by an adopted two way road leading to a series of individual driveways, parking courts and eventually a cul-de-sac turning area. The dwellings themselves predominantly front onto the internal road providing for a strong street scene and a series of focal points as the road turns which good urban design demands. Two areas of public open space are to be provided at the Eastern and Western extremities, totalling 0.2Ha, and securing the future of the TPO and other trees at the boundaries.

The dwellings consist of a balanced mix of detached, semi-detached and flatted units, a total of 22 of which are to be affordable (approximately 30% of total). Their aesthetic is considered to display more character than the average house found on many modern housing estates – with welcome features such as dominant hipped roofs and nicely proportioned fenestration, typically found on inter-war housing that can be seen in Park Avenue and Bristol Road.

Although predominantly two storey properties, some concern locally has been raised about the appropriateness of the 4 no. three-storey blocks of flats to be arranged at the southern third of the site. It has been commented that three storey development flatted development (approximately 8.3m to eaves and 10.8m to ridge) is incongruous in the locality, which without exception is defined by two storey individual houses.

It is undeniable that existing development surrounding the site definitively does not consist of three storey development or flats and that this element of the proposal would represent a departure from that norm. However, such a difference should in the first instance be seen as merely a difference and not an automatic reason to refuse planning permission. Paragraphs 49 and 50 of PPS3, in effect, warn that a slavish following of existing developments design, layout or intensity is not

always necessary. Rather a balanced consideration is required as to appropriateness of the proposed development, with the quality and actual visual effect of what is being proposed given due weight. In this particular case, the three storey elements of the development are positioned deep within the site, the development itself and not the existing properties surrounding the site, forming its context. This considered to allow for a perceived gradation of change when entering the site from Bristol Road and Park Avenue and not an abrupt in character and style as is suggested by many of the objections received. Ultimately, however, this is a judgement that the Development Control Committee must reach.

Access and highways issues

Consistently, all iterations of the layout have made use of a newly created vehicular access to the site via existing properties Nos.35/37 Park Avenue, which are to be demolished. All other accesses to the site, including the existing, are to be extinguished. The Council's Highway Officer has raised no objection to the principle of development nor to the singular point of entry to the site from Bristol Road/Park Avenue. The concerns of local residents over the capacity of the junction at Bristol Road to cope with additional traffic or the number of cars parked on Park Avenue that may create a highway safety issue are understood, but of course, in the context of a lack of objection from the Highway Officer, it is not considered reasonable to refuse planning permission on such grounds.

The scheme includes an intention to retain the existing access as open land, albeit securely closed to all forms of access at either end. This is a direct consequence to the proposed routing of the surface water sewer along its length for connection to existing public sewer on Bristol Road.

Concerns regarding the potential for the retention of the existing access as open land (as opposed to it being closed and disposed to adjoining neighbours gardens) to become a magnet for crime and anti-social behaviour have long been raised - a point debated by the Police Architectural Liaison Officer. However, it is clear that Wessex Water do require that land to remain open and available for operational maintenance if and when necessary (known as "easement") - difficult to ensure if the land is in several private ownerships. Wessex Water do point out that, for these very reasons, their own design guidance specifically requires new sewers to be routed through accessible land and away from rear gardens.

Equally, to simply require a different routing of the new sewers to connect at Bristol Road would be complicated by relative land levels (to achieve appropriate fall) and, inevitably, cost and viability. An alternative routing of the sewer (even if it were possible) via Park Avenue itself would also involve extensive construction works and all the additional disturbance that would cause.

In the context of the above, and the ability to robustly secure either end of the existing access (as pointed out of the Police ALO), this issue is not thought to justify a reason to refuse planning permission.

Impact upon neighbours

The development site shares common boundaries with existing properties at Park Avenue, Beechwood Road and Redlands. It is undeniable that existing residents looking out across the site will experience an abrupt and significant change to their view – from large open playing field to urban form. However, a change to an existing outlook is simply that, and does not necessarily result in an unacceptably oppressive form of development, loss of amenity or, therefore, a reason to refuse planning permission.

To a large extent the amenities of existing residents at Park Avenue backing onto the site are protected by reasonable rear gardens and intervening public open space, out-buildings and boundary treatments (nevertheless, a specific planning condition requiring an alteration to window positioning in plot 01E is considered necessary). Similarly, residents at Beechwood Road are protected against direct and unacceptable overlooking by the positioning and orientation of the proposed new units.

The Westlea Bungalows at Redlands are positioned close to the southern boundary of the site, with truncated rear gardens. As such, the proposed layout has needed alteration so as to ensure overlooking and any feeling of oppression from built form. Overlooking has been avoided through a combination of distance, positioning of windows and out-buildings so as to block direct view.

Noise and disturbance to immediate neighbours from use of the proposed new access to the site has been considered a potential concern. Such disturbance could be from the general increase in activity, car headlights or, for instance, children playing. In order to assess this potential, the applicants have submitted a Noise Assessment document which attempts to use scientific method to compare the existing situation with that proposed. However, it is often the case that noise and disturbance from such sources is rather more intangible and less easy to meaningfully define through a simple measure of decibels. Nevertheless, the broad conclusions of the submitted Noise Assessment are thought to be sound when consideration is given to the Park Avenue and Bristol Road, which, presumably, must already be a substantial generator of noise and disturbance from manoeuvring cars, headlights, pedestrians and children playing etc.

9. Conclusion

The level and nature of local concern and objection to this proposal is entirely understandable since it involves taking an open and largely undeveloped sports facility and turning it into hard urban form. However, those objections do not readily translate into material planning considerations or defensible reasons to refuse planning permission. Indeed, on the substantive question of the loss of the site as a sports/recreational facility, it is clear that effective mitigation can be put in place to ameliorate such a loss.

The application must be considered against established planning policy. Any prediction over the future scope, meaning and interpretation of emerging planning policy should not greatly influence the process of determining this application or any conclusions reached.

In coming to this recommendation, regard has been had to the Draft National Planning Policy Framework document, recently issued for consultation. However, this document is still in draft form and is likely to be changed as a result of the consultation process. As such, at this point in time, little weight can be afforded to it in the context of this planning application.

10. Recommendation

Subject to all parties entering into a legal agreement under Section 106 of The Act in respect of the following issues:

- Financial contribution towards the provision of education facilities
- Provision and maintenance of public open space
- Provision of affordable housing on site
- To ensure mitigation package of replacement sporting facilities proposed under planning application 11/00420/FUL is provided prior to development taking place

Then:

Planning Permission be GRANTED for the following reason:

The proposed development is considered to be of a density, layout, scale and appearance that is appropriate to the context of its surroundings and without significant impact upon amenities of existing residential occupiers. Subject to the imposition of appropriately worded planning conditions and, critically, a legal agreement that ensures delivers community infrastructure and a compensatory package of replacement sporting facilities that would be lost as a result of redevelopment of the application site, the proposal is considered to comply with the provisions of adopted North Wiltshire Local Plan policies C2, C3, NE11, NE14, NE17, T3, H3, H5, CF2 and CF3 together with national policy guidance contained in PPS3, PPS9, PPS17, PPS23 and PPS25.

Subject to the following 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 on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied / brought into use.

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

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

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

4 (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

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

5. No dwelling on the development hereby approved shall be occupied until sufficient space for the parking of 153 vehicles together with a vehicular access thereto has been provided in accordance with details submitted to and approved in writing by the Local Planning Authority. The said space shall not be used other than for the parking of vehicles or for the purpose of access.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

7. No development shall commence on site until details of the storage of refuse, including details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved refuse storage has been completed and made available for use in accordance with the approved details and it shall be subsequently maintained in accordance with the approved details thereafter.

REASON: In the interests of public health and safety.

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

REASON: To ensure that the development can be adequately drained.

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

REASON: To ensure that the proposal is provided with a satisfactory means of drainage.

10. No development shall commence on site until a scheme to deal with contamination of the land has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the public, buildings and the environment when the site is developed. The site shall be fully decontaminated in accordance with the approved scheme before any part of the development is first occupied.

REASON: In the interests of public health and safety.

11. No development shall commence within the application site until:

- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and

- b) The approved programme of archaeological work has been carried out in accordance with the approved details.

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

12. Prior to the commencement of development full and complete details of the proposed treatment of the existing access to the site shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall include means of enclosure at each end, surfacing of the land and method of ensuring future security of the land so as to prevent the land becoming a focus for noise, disturbance and anti-social behaviour. Development shall be carried out in complete accordance with the details so agreed.

REASON: So as to secure a satisfactory treatment of this part of the application site and to prevent an adverse impact upon the amenities of neighbouring residents.

13. Prior to the commencement of development an Ecological mitigation Plan shall have been submitted to and agreed in writing by the Local planning Authority. Such a Plan shall include: (a) the timing and supervision of construction works so as to avoid unnecessary damage to active birds nests; (b) a scheme for lighting across the site (both construction and any permanent lighting) to ensure protection of bat foraging areas and commuting corridors; (c) the provision of bat and bird boxes within the development. Development shall be carried out in complete accordance with the agreed details.

REASON: To mitigate against the loss of existing biodiversity and nature habitats.

14. Notwithstanding that demonstrated on submitted plan reference 3341/205 – type E rev.A, the first floor bedroom 1 window in the rear elevation of plot 01 E shall not be created and shall instead be substituted with an alternative window inserted in to the south-east side facing elevation of that property. Development shall be carried out in complete accordance with this planning condition unless otherwise agreed in writing with the Local Planning Authority prior to the commencement of construction of plot 01 E.

REASON: In the interests of securing the amenity of existing residents in Park Avenue.

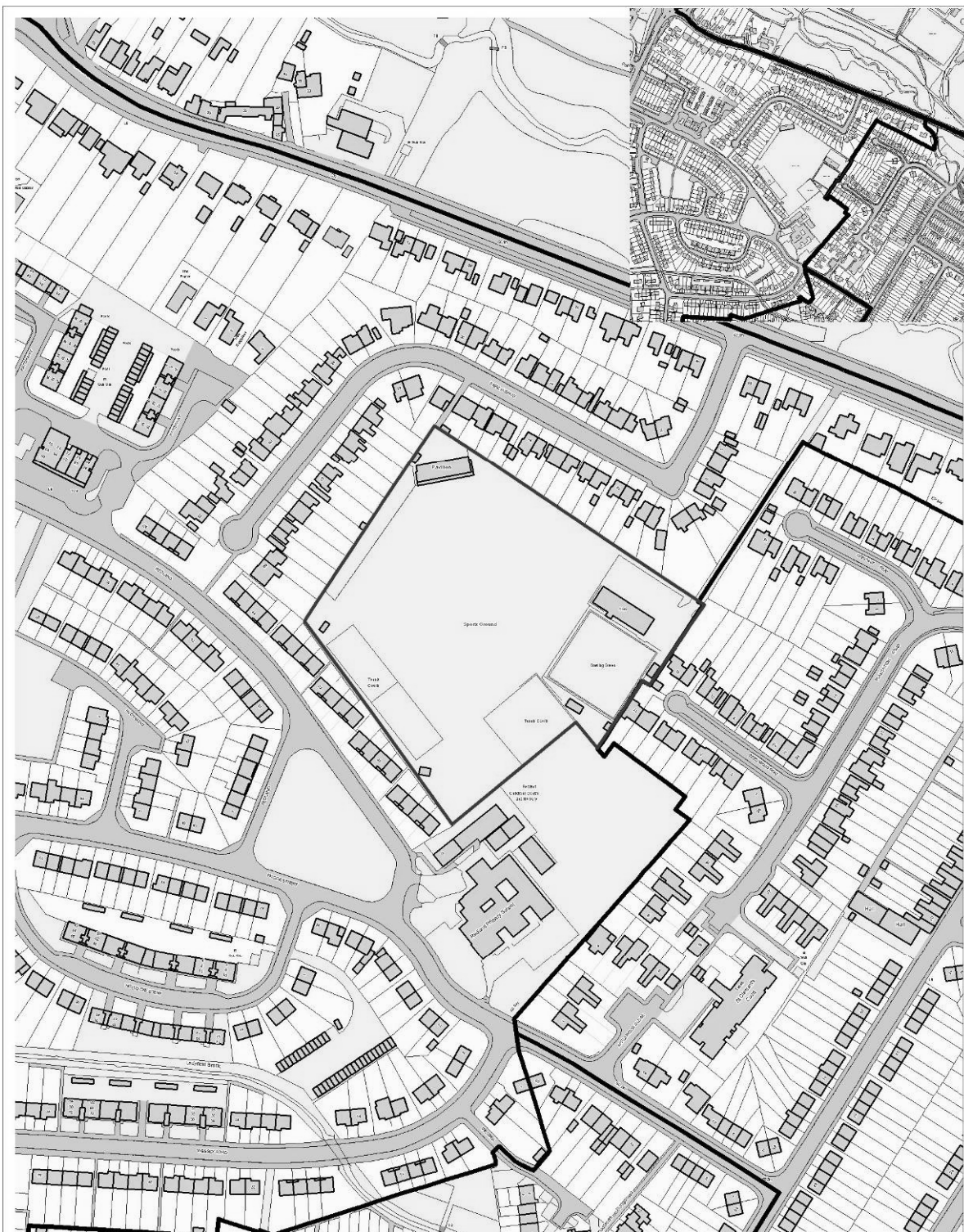
15. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

Location plan 3341/101 rev.A (date stamped 14th January 2011)
Site plan 3341/103 rev.T (date stamped 29th July 2011)
Adoption and management 3341/110 (date stamped 29th July 2011)
Site survey 3341/102 (date stamped 14th January 2011)
Existing trees plan 3341/105 rev.A (date stamped 14th January 2011)
Existing buildings to be demolished 3341/106 rev.A (date stamped 14th January 2011)
Street elevations sections AA-CC 3341/108 rev.B (date stamped 29th July 2011)
Street elevations sections DD-FF 3341/109 rev.B (date stamped 29th July 2011)
House type A floor plans and elevations 3341/201 rev.B (date stamped 14th January 2011)
House type B floor plans and elevations 3341/202 rev.B (date stamped 14th January 2011)
House type C floor plans and elevations 3341/203 rev.A (date stamped 14th January 2011)
House type D floor plans and elevations 3341/204 rev.A (date stamped 14th January 2011)
House type E floor plans and elevations 3341/205 rev.A (date stamped 14th January 2011)
House type F floor plans and elevations 3341/206 rev.A (date stamped 14th January 2011)
House type G floor plans and elevations 3341/207 rev.B (date stamped 14th January 2011)
House type H floor plans and elevations 3341/208 rev.A (date stamped 14th January 2011)
House type J floor plans and elevations 3341/209 rev.A (date stamped 14th January 2011)
House type K floor plans and elevations 3341/210 rev.A (date stamped 14th January 2011)
House type L floor plans and elevations 3341/211 rev.A (date stamped 14th January 2011)

House type M floor plans and elevations 3341/212 rev.A (date stamped 14th January 2011)
Apartments block 1 floor plans 3341/301 rev.A (date stamped 14th January 2011)
Apartments block 2 floor plans 3341/302 rev.A (date stamped 14th January 2011)
Apartments block 3 (affordable) floor plans 3341/303 rev.C (12th May 2011)
Apartments block 1 elevations 3341/304 rev.A (date stamped 14th January 2011)
Apartments block 2 elevations 3341/305 rev.A (date stamped 14th January 2011)
Apartments block 3 elevations 3341/306 rev.C (date stamped 12th May 2011)
Single garage floor plans and elevations 3341/401 rev.A (date stamped 12th May 2011)
Double garage floor plans and elevations 3341/402 (date stamped 14th January 2011)
Triple garage floor plans and elevations 3341/403 rev.A (date stamped 12th May 2011)
Cycle store units 33-44 floor plans and elevations 3341/404 rev.A (date stamped 12th May 2011)
Cycle store units 15-26 floor plans and elevations 3341/405 rev.A (date stamped 12th May 2011)
Sheds floor plans and elevations 3341/406 (date stamped 14th January 2011)
Quad garage floor plans and elevations 3341/407 (date stamped 29th July 2011)
Single garage – type 02 floor plans and elevations 3341/408 (date stamped 29th July 2011)
Double garage – type 02 floor plans and elevations 3341/409 (date stamped 29th July 2011)
Landscape principles PHL237-1 rev.C (date stamped 14th July 2011)
Drainage Strategy 10051-C001 rev.D (date stamped 30th August 2011)

Planning Supporting Statement (date stamped 14th January 2011)
Design and Access Statement (date stamped 14th January 2011)
Design and Access Statement addendum (dated August 2011)
Sustainability Statement (date stamped 14th January 2011)
Construction Management Plan (date stamped 14th January 2011)
Site Waste management Plan (date stamped 14th January 2011)
Flood Risk Assessment (date stamped 14th January 2011)
Archaeological Desk-Based Assessment (date stamped 14th January 2011)
Transportation Assessment (date stamped 14th January 2011)
Statement of Community Engagement (date stamped 14th January 2011)
Hydrock Desk Study (date stamped 14th January 2011)
Additional letters and information Hydrock/Wessex Water (date stamped 24th February 2011)
Ecology and Protected Species Survey (date stamped 14th January 2011)
Reptile Survey (date stamped 14th June 2011)
Arboricultural Implications Assessment (date stamped 14th January 2011)
Westinghouse Sports Ground Mitigation Package (date stamped 14th January 2011)
Supporting Evidence Tennis and Bowls Provision (date stamped 11th March 2011)
Westinghouse Mitigation Package Appendix 1 (date stamped 14th January 2011)
Westinghouse Mitigation Package Appendix 2 (date stamped 14th January 2011)
Westinghouse Mitigation Package Appendix 3 (date stamped 14th January 2011)
Westinghouse Mitigation Package Appendix 4 (date stamped 14th January 2011)

REASON: To ensure that the development is implemented as approved.



Wiltshire Council
Where everybody matters

SCALE:

19/10/2011

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