

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	31 October 2012		
Application Number	11/02978/FUL		
Site Address	Mardrea, The Hyde, Purton, SN5 4DX		
Proposal	Erection of 4 no. detached houses		
Applicant	Mr Jackson		
Town/Parish Council	Purton		
Electoral Division	Purton	Unitary Member	Cllr Jacqui Lay
Grid Ref	409670 187722		
Type of application	FULL		
Case Officer	Tracy Smith	01249 706642	tracy.smith@wiltshire.gov.uk

Reason for the application being considered by Committee

Cllr Lay has requested that the application be considered by the committee to assess the private road serving many other houses. The access road is designated as a public footpath and there is no public vehicular access along the footpath only private access to the houses already on the route. There are also concerns about existing private sewers not being adequate to take further connections. With the new legislation for Water Authorities to take responsibility of private sewers reassurance is needed that the private sewers in this area will be a priority before any further developments take place. There are also concerns that one of the houses will be over powering to the host property.

1. Report Summary

To consider the above application and to recommend that planning permission be DELEGATED to the Area Development Manager for APPROVAL subject to:

- conditions; and
- subject to the applicant entering into a legal agreement under S.106 of the Town and Country Planning Act 1990 in respect of the provision of a financial contribution towards public open space; refuse/recycling bin provision on site and an indemnity agreement whereby vehicular access is permitted to all properties on the site.

2. Main Issues

The main issues in the consideration of this application are the acceptability of:

- The principle of development;
- The design and appearance;
- The impact of the development on the amenity of neighbouring occupiers;
- Parking, public footpath and highway safety;
- Impact of the development on trees;
- Provision of public open space; and
- Drainage.

The application has generated objection from Purton Parish Council and 22 letters of objection.

3. Site Description

The application relates to a plot of land currently forming the curtilage of Mardrea. Mardrea is a detached bungalow set at the eastern end of The Hyde, a private road. The site is roughly rectangular and extends to an area of 0.3 hectares, set within the defined Settlement Framework Boundary. The site is bound by residential to the north, south and west and characterised by a combination of bungalows and houses. Open countryside lies to the east.

4. Site History

There is no history of relevance to this application.

5. Proposal

The application seeks permission for the erection four, detached, two storey 4 bedroom properties. Each property would benefit from a detached double garage.

Since submission the scheme has been revised in respect of increasing the garage sizes, visibility splay details and more recently the revision of the access arrangements to provide further separation from those properties along the western boundary. In respect of this latter change immediate neighbours are currently being consulted on this change at the time of preparing this report.

The access within the site is to be maintained at 5.5 metre wide access incorporating turning facilities proposed to the west of this access. The development will facilitate turning for refuse vehicles.

The dwellings will have north/south aspects and will be constructed of render and reconstructed stone along with grey slate and plain brindled tiles.

The dwellings are all proposed to be uniform in appearance.

In terms of drainage the site itself is not served by public surface or foul water sewers. This is the same for many other properties in the vicinity. Considerable negotiations have taken place in respect of drainage to ascertain the acceptability of foul and surface water drainage in principle to enable conditions to be imposed in respect of this.

To this end the applicant submitted in September 2012 a Drainage Feasibility Study prepared by CPLC Water Ltd this considered mainly surface water drainage and confirms in respect of foul that connection to Thames Water mains is the preferred method.

6. Planning Policy

North Wiltshire Local Plan 2011

C3 – Development Control Policy
NE14 – Trees and the Control of New Development
H1 – Required level of Residential Development
H3 – Residential Development within Framework Boundaries
CF3 – Provision of Open Space

NPPF

7. Consultations

Purton Parish Council – Objects to the application for the following reasons:

The Parish Council is of the opinion that the proposed development contravenes Policy C3 of the Local Plan. The layout and scale is for four two storey dwellings being some 10 metres to the eaves, 16.5 metres to the ridge, there are open fields, large gardens on two sides and bungalows on the other two sides of the development site. Plot four is of particular concern as it is on higher ground and only 16.5 metres from the nearest bungalow (Mardrea). The Parish Council is concerned that the two storey dwellings will have an overbearing effect on the neighbouring bungalows and have a detrimental effect on the amenity value of the bungalows.

With regard to the access it would be preferable for a turning circle to be provided where the private drive adjoins Hyde Lane and should be suitable for heavy vehicles. Likewise if granted permission the access drive should be able to sustain heavy vehicles as it may have to accommodate fuel delivery vehicles as there is no gas supply in the area, also refuse vehicles etc.

Hyde Lane is an un-adopted road and is a designated footpath (No. 72) which raises questions about its use by vehicles. The lane is poorly surfaced with sporadic street lighting, the width of the lane is not consistent being only 2.7 metres (hard tarmac surface) wide at its narrowest points. There is no footway hence walking along the lane is hazardous for pedestrians. The access onto the junction of Church Street, The Square / Station Road is difficult. There is very limited visibility at this point due to the lack of visibility splays.

The existing sewerage network in the immediate area is already overloaded with dwellings in Kings Acre suffering problems due to the poor condition of pipe work and volume of sewage. Storm water discharge from the proposed dwellings and driveways is of concern and the effect it will have on Mardrea and No.24 The Hyde as both properties are lower than the development site.

Drainage Engineer – the application has been the subject of considerable discussions and negotiations in respect of the matter of drainage, correspondence in respect of this is available on the planning file.

Following the receipt of the Drainage Feasibility Study, the Drainage Engineer has confirmed the following in respect of surface water treatment:

“The use of permeable block paving for access road and driveways as well as garden areas will allow the proposed site to remain as greenfield. The houses and garages make up 20% of the site and surface water from here will be controlled via a well sized soakaway, unlike many other properties in Hyde Lane. This is the next item to point out is that all calculations and subsequent SUDS designs within the report cater for 100-year storm events plus a 30% allowance for climate change increase and; discharge from the site is not expected to exceed 2 litres per second during a 100yr event with 30% climate change allowance. Most new developments will only design drainage up to 30yr events as it is otherwise costly and pretty much difficult to defend against such events. Based on this, the proposed site will control normal rainfall events easily. Failing this, there is an option to use storage tanks (10m x 5m x 2m), which provides storage for 100m³ or split into 2 or 3 tanks.

*As for overland flows from the proposed site, I believe the report has covered this also, with a number of individual options or combined options. Overland flows created south of the site can be deflected towards the open fields with a bund. ... the scoping report shows surface water management required can be achieved. The **detailed** drainage report will determine the exact method of **how** this will be achieved.*

A detailed drainage scheme/report will be required prior to development commencing as drainage consent will be required from us.

The receiving ditch does not require reconditioning and no work is required on the culvert downstream to increase its capacity. Drainage consent will be required for discharge into the watercourse and this is provided by Wiltshire Council.

My recent investigations in Purton for my report update, suggest that existing drainage problems in Hyde Lane are caused by a poor (dated) drainage system, which is poorly maintained, including a poorly maintained ditch that has been piped in places with undersized pipes. This is without considering the condition of private systems, soakaway and pipes.

In terms of foul drainage, the applicant has confirmed their preference is for a connection to the mains and Thames Water sewers. Following this as well as the report, the officer comments this is the Council's preferred method also but also:

"...The sewage treatment plants are an option, but discharge to the spring fed watercourse may not be as the flow in the stream is quite low at times. The best option for STP discharge is into the field north of the site. However, recent enquiries have revealed that the current owner of the field has deceased and the new owner will need to be determined and approached."

County Highways – Recommends that no highway objection be raised subject to conditions which include retention of parking, turning spaces, visibility splays as well as a Construction Method Statement. Discussions with highways in response to questions being raised regarding the dual use of the private lane and footpath confirm that for private roads the frontages have rights off access and any dwellings by association.

Public Rights of Way Team – The only public right of way that is in the vicinity is Purton Footpath No.72 which basically runs along Hyde Lane, north of the planned development. From a public rights of way perspective there would be no objection to the application except to comment that once the entrance / exit is created that there is good visibility for all. Normally mechanically propelled vehicles are not allowed on public footpaths and would need permission from the landowner.

Given the footpath also serves as a private road, this is not wholly applicable.

Senior Waste Technical Officer – in response to questions raised regarding the current means of refuse collection in the area where this part of The Hyde requires a refuse vehicle to reverse down to collect refuse from properties including Mardrea:

"We maintain that our drivers have had to alter the way they collect from existing because of access problems. We have had to respond to a number of missed bin cases in the area because of our inability to get along the access roads. These instances are inconvenient to residents and they add a cost to running our service because we have to divert vehicles from elsewhere in north Wiltshire to attempt to collect the next day.

However, given comments from colleagues in highways and further consultation of the plan, we can see that access to the site is technically feasible and therefore it would be difficult for us to justify objecting to the plans.

Our experience shows that what is technically feasible in plans and what happens in practice are often different things; one inappropriately parked car can hamper our operations significantly, as the missed bin cases show. The concerns we have expressed were offered with the intention of making sure that we can deliver services to customers effectively on their collection day.

The issue of the indemnity, as discussed in emails earlier, still applies to ensure that we can make collections from within the new development."

Principal Ecologist – No objections.

Public Open Space – It would be unreasonable to require the developer to provide a local park or LEAP and therefore an offsite contribution will be required.

This development generates a need for £29,600 in offsite Open Space Contribution to be used to upgrade facilities at Church Street Open Space and Play Area.

Thames Water –has no objection in principle to the development but does have concerns regarding how the development will dispose of sewage. We would recommend that if the development is granted planning approval it is done so with a Grampian planning condition along the following lines.

Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed”.

Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.

The consenting of sewage treatment package plants is a matter for the Environment Agency and I would therefore recommend you contact them for comment on the developer’s proposal

It would be Thames Water’s preference that the developer connect the development via gravity, to our assets but draw your attention to the fact that our assets are located some distance away. If a gravity connection was not appropriate then our second preference would be for the development to be pumped to public network.

8. Publicity

22 letters of objection have been received in response to the original proposals. In summary, the following concerns have been raised:

- The access road is private and residents have to maintain the surface;
- Foul water drainage facilities, there is no main sewer within 200 metres of the site;
- Construction and large vehicles and emergency vehicles will struggle to gain access;
- Increase in vehicular traffic;
- Density of development, would be out of keeping with surrounding area;
- The development would not make a contribution to improving the quality of life for existing residents;
- Loss of privacy;
- Loss of amenities due to additional traffic, noise and light pollution;
- Highway safety – Hyde Lane has no separation for pedestrians and vehicles;
- Application 09-1918 was rejected by the highways department on the basis of Hyde Lane being unsuitable for increased vehicular movements;
- Refuse vehicles will still have to reverse down this part of the lane because they are not able to turn right from The Hyde;
- The lane exit turning left in The Hyde / Parkside is a blind corner and not suitable for an increase in traffic;
- Shining of headlights into objectors property;
- The access point for the proposed development is close to the exit point of the driveway for No.25 The Hyde which is a blind exit onto the road;
- Believe it will affect the habitat of bats, deer, foxes and hedgehogs;
- Loss of light; and
- The road is a public right of way used by walkers and horses.

No consultation responses have yet been received in respect of the revised access arrangements.

9. Planning Considerations

Principle of Development

Policy H3 of the Local Plan states that proposals for residential development, including residential institutions and applications to renew permissions for residential development, within the Framework Boundaries will be permitted provided that a number of criteria are met including: priority is given to the re-use of previously developed land and buildings; and the most efficient use of the land is achieved compatible with the site's location, its accessibility and its surroundings.

Paragraph 53 of the NPPF states that Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

The emerging Wiltshire Core Strategy will supersede some of the policies contained within the current North Wiltshire Local Plan 2011 including policy H3. Core Policies 1 and 2 would replace policy H3 of the Local Plan. Core Policy 19 of the draft Core Strategy defines Purton as a large village. Core Policy 2 states that within the limits of development, as defined on the proposals maps, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages.

Whilst limited weight can be given to the Core Strategy in relation to this application it is a material consideration and it is important to note that the proposal complies with the requirements of Core Policy 2.

In terms of density, based on the site plans submitted, the site would be approximately 0.3 hectares and the density would therefore equate to approximately 13 dwellings per hectare. This is well below the minimum density set out within Policy H3; however, it is acknowledged that the National Planning Policy Framework states that planning policies and decisions should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.

The surrounding area is generally characterised by relatively large properties within large plots and a density of 13 dwellings per hectare is considered acceptable in this instance.

The site is situated within the Settlement Framework Boundary and in relatively close proximity to Purton town centre and the range of services and facilities associated with this. The proposal would represent the more efficient use of land and is considered to be acceptable in principle.

Design and Appearance

Policy C3 of the Local Plan states that new development will be permitted subject to a number of criteria including amongst other things: respect for the local character of the area with regard to the design, size, scale, density, massing, materials, siting and layout of the proposal.

The surrounding residential area is characterised by properties of a mixture of architectural styles and designs, with some bungalows including the host property Mardrea and some two storey properties.

The properties would each be two stories in height measuring approximately 4.7 metres to the eaves and 8.4 metres to the ridge and constructed of natural colour render with stone lintels on a multi-red brick plinth and grey slate and plain brindled tiles. A condition requiring the submission of sample materials is recommended to ensure they are of sufficient quality.

The scale, massing and layout of the proposed dwelling would be acceptable and in accordance with policy C3 of the Local Plan.

Residential Amenity

Policy C3 of the Local Plan considers that new development will be permitted subject to a number of criteria including inter alia: avoid creating developments with unacceptable low levels of privacy and amenities and avoid the unacceptable loss of privacy and amenities to adjacent dwellings or other uses to the detriment of existing occupier's development.

In terms of the affects of development on the host property, Mardrea is a bungalow. Plot 4 would retain a distance of approximately 16.5 metres from the rear wall of Mardrea and would include no ground or first floor habitable room windows in the east elevation facing this property.

Plots 2 and 3 are some 30 metres distance of the rear elevation of Mardrea and this is considered well in excess of the 21 metres usually advocated and as such this is not considered objectionable.

The recently revised internal access is now some 11 metres from the western end of Mardrea and this is considered to be sufficient to avoid any noise nuisance concerns.

Turning to residential amenity considerations for adjacent properties, the properties to the west are considered first.

In response to officer concerns in respect of the proximity of the new access to 23b The Hyde, and Collingdale, the access was moved eastwards to ensure a separation of no less than 10 metres. This amendment enables the provision of suitable landscaping to assist in buffering the development from the above properties in the interests of neighbour amenity.

The first floor window in the front elevation of Plot 1 will have an oblique outlook towards the property known as Collingdale (a bungalow); however in light of the angle and distance of some 28 metres, this is considered to not be harmful. A first floor window in the side elevation of Plot 1 serves a bathroom and will be conditioned in respect of the need for it to have a limited ventilation stay as well as being obscure glazed.

Plots 2 is some 60 metres distance to the rear of Bramble Lodge and whilst the west elevation of plot 3 would include a first floor bedroom window facing Hyde View House, this elevation is situated approximately 51 metres from the rear elevation of this property. Accordingly, no loss of amenity is considered to be found in respect of this development on those existing dwellings.

For the avoidance of doubt in light of consultations on householder permitted development rights, it is considered appropriate to withdrawn permitted development rights for the 4 new dwellings.

It is accepted that the new access arrangements will result in an increase in activity in the vicinity of 24 and 25 The Hyde, but this is not considered to be sufficiently harmful as to warrant a refusal on this ground.

In consideration of the above the proposed development would not be materially detrimental to the amenities of neighbouring occupiers in terms of overlooking or overshadowing to substantiate any reason for refusal and its defence at appeal.

Parking and Highway Safety

Policy C3 of the Local Plan states that new development will be permitted subject to a number of criteria including amongst other things: have a satisfactory means of access, turning, car parking and secure cycle storage and not result in a detrimental impact upon highway or pedestrian safety.

In December 2010, new minimum car parking standards were introduced. As part of these standards, the Council has taken the view that garages are no longer allocated parking provision, except where there are overriding design considerations. Three car parking spaces are required for a four bedroom property.

Each property would have a double garage and space to park at least two vehicles.

The Hyde is a private road with public footpath. Frontages (not specific properties) of land off the lane automatically benefit from access rights. The highways team advise that considering the number of properties that are located using Hyde Lane / The Hyde, it is not considered that an additional four dwellings would represent a significant number of additional movements relative to the number of existing properties served off the Hyde and Hyde Lane, nor would it cause significant harm to the footpath and any users. On entering this part of the The Hyde it will be apparent to users of the residential properties and their associated accesses to treat the area with caution.

On balance, it is not considered that the introduction of a further 4 properties would exacerbate the existing situation in respect of the private road or footpath to such an extent as to create material harm to highway safety or warrant refusal of planning permission.

The concerns of residents in respect of the effects of the construction process and vehicles visiting the site are appreciated and to this end it is proposed to attach to any permission a condition in respect of the provision Construction Method Statement.

There will be no change to current refuse vehicle movements, however, the site does facilitate collection of refuse and waste and the ability to enter the site and leave it in a forward gear. Thus after much consideration, no objection is raised in this respect. The applicant is required to enter into an agreement whereby future owners will not deny access to such vehicles.

Drainage

The site is situated within flood zone 1 (lowest probability of flooding). Flood Risk Assessments are not required on sites within flood zone 1 unless they exceed 1 hectare in size. The site extends to approximately 0.3 hectares.

Although the site is situated within flood zone 1, the Environment Agency does not show flooding from surface water on their published maps just fluvial flooding. The area is well known, has very poor drainage and experiences flooding problems particularly downstream of the site. The soil is not well drainage as it is made up of clay and there is a high water table. As a result any increase in runoff will add to the problem downstream.

The issue of drainage has been discussed at length between the officers, local member and the applicant's drainage agent.

Arising from these negotiations was the need for percolation tests which were carried out in accordance with BRE365, the industry standard method to determine size and site suitability for Soakaways. These tests were supported by documented results and then informed the Drainage Feasibility Report.

The report concluded that full attenuation may be achieved through a combination of methods, according to the percolation test information provided. It was the purpose of the report to establish broad principles in light of overwhelming objection to the proposals. Given the cost implications for the applicant in light of objections not solely on drainage grounds, there is reluctance to undertake more detailed assessment. Further following the establishment of principles, a detailed design assessment can be conditioned.

All drainage calculation and design has accounted for a 100 yr return period design event including a 30% allowance for climate change. The scheme has been designed through the use of permeable block paving for the access road and driveways and grassed garden areas to allow the site to remain as greenfield for the purpose of calculating run-off rates.

The houses and garages make up 20% of the site and surface water from here will be controlled via a well sized soakaway Thus the standard of surface water drainage that can and will be

applied to this development is better than much of the surrounding development and will not exacerbate the already poor situation. Accordingly, the proposed sites will control normal rainfall events easily and there is also an option for the use of storage tanks (10m x 5m x 2m) which provides storage for 100m³ or split into 2 or 3 tanks.

Overland flows can be managed and the detailed drainage report will determine the exact method of how this will be achieved.

A receiving ditch does not require reconditions and work is required on the culvert downstream to increase its capacity. Separate drainage consent is required for discharge into the watercourse and this is provided by Wiltshire Council.

The detailed drainage assessment to be conditioned and as part of this assessment further site specific tests i.e. borehole tests to check for clay pockets, levels depth and groundwater. This will provide further clarification and identify the potential for deeper storage solutions/soakaway areas and/or the necessity to use impermeable storage structures. Such tests cannot locate springs; there is no assured method to defend against springs which are reported in the area.

In terms of the foul drainage, the applicants maintain their preference for mains connection to the Thames Water system and Thames Water raises no objections subject to conditions. There are some 9 properties in The Hyde in need of mains connection. The nearest connection point to Mardrea and the proposed houses would be through the gardens of Collingdale and Sunnyside to reach the Hyde at manhole 5603.

However, a sewage treatment plant (STP) is considered as another option in the event no mains connection can be achieved. STPs do not require discharge onto land for infiltration. To determine suitability Independent Drainage were instructed to advise both by CPLC Water as well as the Council's Drainage Officer who confirmed the operation could take place at the site.

There are known problems upstream of Mardrea which have septic tank systems which be causing existing problems. Mardrea has a system which is not causing problems.

In response to ongoing concerns from neighbours, water from STPs will probably not get piped to a watercourse. However, this would be for the determination of the Environment Agency. The flow in the stream is anticipated as being too low and thus land might need to be acquired from the adjacent agricultural field which is an ideal alternative to the watercourse if landowner consent is established. The Environment Agency would approve the STPs.

The stream would not need reconditioning or reinstatement.

Questions have been raised by neighbours regarding the credentials of the plumbing comments made in the Study regarding time constraints. These time constraints are essentially related to the application process and the need for a resolution to the issues relating to this site.

Sufficient information has been submitted to establish that surface water management required can be achieved. As such a condition relating to the detailed drainage report will determine the exact method for foul disposal and surface water drainage. In light of other in principle objections from residents and the Parish Council to this development, it would be unreasonable to require the applicant to submit a detailed study, drainage design and recommendations at this stage. No such approach has been required by officers in respect of any other development of a comparable scale in Purton.

Trees

Policy NE14 of the Local Plan states that permission will not be granted for proposals that would result, or be likely to result, in the loss of trees, hedges, lakes / ponds or other important landscape

or ecological features that could be successfully and appropriately incorporated into the design of the development.

A tree survey has been submitted in support of the application, this includes an Arboricultural Implications Assessment, a Preliminary Arboricultural Method Statement and a Tree Protection Plan.

It is proposed that 8 trees be felled as part of the development to facilitate the proposed new access. These trees include: an overgrown Hawthorn hedge alongside Hyde Lane; 4 Norway Spruce; a Laburnum; and 2 Norway Maple. Each of these trees is categorised as a Category C tree (those trees of low quality and value). The Council's tree officer has advised that none of these trees are considered worthy of retention as they are growing very close to each other and their visual amenity has been compromised as a result.

It is proposed that a Field Maple to the east of the existing driveway and a Silver Birch on the boundary with 23b Hyde Lane be retained. These are both categorised as Category B trees (those trees of moderate quality and value). The tree officer has advised that the Silver Birch does have a high amenity value and is currently physically separated from the rest of the tree ground by a section of close boarded fencing. This should be retained, as should the Field Maple which is a mature specimen and has a good shape even though its root area is limited due to the current access onto the site.

Conditions relating to a landscaping scheme, tree protection and submission of a detailed arboricultural method statement are recommended. Subject to these conditions, the proposed development would comply with the requirements of policy NE14 of the Local Plan.

Additionally, since the conditions referred to above are only relevant once development commences, another condition is proposed to prevent removal regardless of development commencing.

Planning Contribution

Policy CF3 of the Local Plan requires new housing development to make provisions for open space. Where it is not possible to make that provision directly, the Council will accept financial payments to remedy deficiencies in the quantity or quality of that space. The reasoning accompanying the policy emphasises that all residential developments, regardless of scale, have the potential to contribute to an increased need for open space.

This development generates a need for £29,600 in offsite Open Space Contribution to be used to upgrade facilities at Church Street Open Space and Play Area.

In addition, a contribution is required in respect of waste and recycling provision based on guidance contained in the Wiltshire Council Waste Collection Guidance for New Developments published in 2011. The contribution is £121 per dwelling, totalling £484.

The applicants have confirmed that they are willing to enter into a Section 106 agreement under the terms outlined above and subject to this, the proposal would be acceptable in this respect.

10. Recommendation

DELEGATE to the Area Development Manager for APPROVAL subject to:

- the receipt of a revised red line plan to include the new access provisions;
- the expiry of the associated consultation period in respect of the revised red line on the basis that no new issues are raised; and
- subject to the applicant entering into a legal agreement under S.106 of the Town and Country Planning Act 1990 in respect of the provision of a financial contribution towards public open space, refuse/recycling bin provision on site and an indemnity agreement.

For the following reason:

The scale and layout of the proposal is considered to be acceptable in the context of the surrounding area and the proposal is not considered to result in an unacceptable impact upon the residential amenity of surrounding properties. Sufficient car parking and manoeuvring space is provided within the site and the proposed development would not be detrimental to highway, rights of way or pedestrian safety. The proposed development would not be harmful to existing trees and would not be subject to an unacceptable risk of flooding or materially increase the risk of flooding elsewhere. In this way the proposed development is considered to comply with the provisions of policies C3, NE14, H3 and CF3 of the adopted North Wiltshire Local Plan 2011 and the guidance contained within the National Planning Policy Framework.

And 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 and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

POLICY - C3 of the North Wiltshire Local Plan 2011.

3. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- (a) indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (d) finished levels and contours;
- (e) means of enclosure;
- (f) hard surfacing materials;
- (g) bin stores and collection points

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

POLICY - C3 of the North Wiltshire Local Plan 2011.

4. 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.

POLICY - C3 of the North Wiltshire Local Plan 2011.

5. No retained trees shall be cut down, uprooted, or destroyed, nor shall any retained trees be topped or lopped other than in accordance with the approved plans and particulars without prior written approval of the Local Planning Authority. Any topping or lopping approval shall be carried out in accordance with BS 3998 2010 British Standard for Tree Work or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practice.

If any tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place at a size and species planted at such time that must be agreed in writing with the Local Planning Authority.

The protective fencing shown on Tree Protection Plan Dwg No. 111114-MHL-TPP-LI&AM 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 without prior written approval by the Local Planning Authority.

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

No fires shall be lit within 15 metres of the furthest extent of the canopy of any tree or group of trees to be retained on the site 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.

REASON: To prevent trees being retained on or adjacent to the site from being damaged during the construction works and in the interest of visual amenity in accordance with policy NE14 of the North Wiltshire Local Plan 2011.

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

- A specification for scaffolding and ground protection within tree protection zones in accordance with BS5837:2005;
- Details of general arboricultural matters such as the area for the storage of materials, concrete mixing and use of fires;
- Plans and particulars showing the siting of the service and piping infrastructure;
- A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification;
- Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and

procedure for notifying the Local Planning Authority of the findings of the supervisory visits;
and

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

REASON: In order than the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with policy NE14 of the North Wiltshire Local Plan 2011 and the current best practice and Section 197 of the Town and Country Planning Act 1990.

7. The development shall be carried out as specified in the approved Arboricultural Method Statement and shall be supervised by an arboricultural consultant.

REASON: To prevent trees on site from being damaged during construction works in accordance with policy NE14 of the North Wiltshire Local Plan 2011.

8. No development shall commence 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 in accordance with policy C3 of the North Wiltshire Local Plan and the guidance contained with the National Planning Policy Framework.

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 part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans (LPC 2805.11.03 'Proposed Residential Development' dated 3rd August 2011). The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety in accordance with policy C3 of the North Wiltshire Local Plan 2011.

11. The development hereby permitted shall not be first brought into use until the first ten metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety in accordance with policy C3 of the North Wiltshire Local Plan 2011.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To safeguard the amenities and character of the area and in the interest of highway safety in accordance with policy C3 of the North Wiltshire Local Plan 2011.

13. 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/extensions or external alterations to 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 external alterations.

14. Before the development hereby permitted is first occupied all bathroom and ensuite windows at first floor level shall be glazed with obscure glass only and fixed with a ventilation stay restricting the opening of the window and shall be permanently maintained as such at all times thereafter.

REASON: In the interests of residential amenity and privacy.

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.

- LPC.2805.10A – Site plan, date stamped 27 September 2012
- PLC.2805.10A – Site plan with red line date stamped 16 October 2012
- LPC.2805.11.04A – Site plan visibility splay and refuse vehicle, date stamped 27 September 2012
- LPC.2805.11.05A – Floor plans, plots 1, 2 & 3 – plot 4 handed, date stamped 3rd October 2011
- LPC.2805.11.06 – Elevations plot 3, plot 4 handed, date stamped 1st September 2011
- LPC.2805.11.07 – Elevations plots 1 & 2, date stamped 1st September 2011

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

Informatives

1. Thames Water will aim to provide customers with a minimum pressure of 10 m head (approximately 1 bar) and a flow rate of 9 litres / minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.

