

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	13.02.2013		
Application Number	W/12/00687/OUT		
Site Address	Land East Of Damask Way Smallbrook Lane Warminster Wiltshire		
Proposal	Demolition of 66 Damask Way and erection of 23 dwellings (Outline application to determine access)		
Applicant	Greatworth Developments Ltd And JV, PW & NV Robinson		
Town/Parish Council	Warminster		
Electoral Division	Warminster East	Unitary Member:	Andrew Davis
Grid Ref	387742 144160		
Type of application	Outline Plan		
Case Officer	Mrs Judith Dale	01225 770344 Ext 01225 770245 judith.dale@wiltshire.gov.uk	

Reason for the application being considered by Committee

Councillor Davis has requested that this item be determined by Committee due to:

- * Scale of development
- * Visual impact upon the surrounding area
- * Relationship to adjoining properties
- * Environmental/highway impact

1. Purpose of Report

To consider the above application and to recommend that planning permission be granted.

Neighbourhood Responses:

These are reported in section 9 below

Town Council Response:

This is reported in section 7 below

2. Report Summary

The main issues to consider are:

- The principle of the development
- Highway and access considerations
- Visual impact in the landscape
- Drainage considerations and impact on biodiversity
- Impact on heritage assets
- Impact on residential amenity
- Contributions

3. Site Description

The application site comprises an irregularly shaped area of land located immediately to the rear of Damask Way, a residential cul de sac marking the south east extent of the built up area in this part of the town. The site measures just under a hectare and forms the western end of a much larger area of land within the same ownership which extends from the River Were to the north, to Upper Marsh Road/Smallbrook Road to the south.

The development land is currently rough grassland, generally level, and has the appearance of a flat topped plateau which rises steeply up from the adjoining river valley and road network. With the exception of the western boundary which is marked by the fenced rear gardens in Damask Way, the site is undefined on the ground, but generally reflects the existing pattern of contours which extend along this ridge. Access to the land is currently via a privately owned and gated unmade track which emerges onto Upper Marsh Road in the extreme south west corner; pedestrian access is currently possible (but not authorised) from a largely unmarked public footpath (WARM53) which crosses the applicant's land from north to south as part of a wider network.

There are extensive views out from the site but views from public viewpoints are largely limited to those from the nearby footpath.

In terms of the wider planning context, the site is within the town boundary limit and is not covered by any formal landscape or conservation designation.

4. Relevant Planning History

There is no formal or relevant planning history on the site.

5. Proposal

This is an outline application which proposes the demolition of no 66 Damask Way located at the head of the cul de sac to enable an extension to the road and the erection of 23 dwellings on land to the rear. All matters are reserved with the exception of the access arrangements.

An indicative drawing shows a T-shaped road emerging from the northern site boundary with the proposed residential units fronting directly onto the 3 separate 'arms'. This layout proposes a mixture of 2-5 bed units, with a predominance of 3 and 4 no bed dwellings, in a combination of detached, semi detached and terraced forms. The development will be limited to 2 storeys in height with typical elevations indicating heights in the region of 8m. Parking is suggested as being predominantly within garages with a limited number of parking spaces where necessary.

An emergency access route for vehicles is shown utilising the existing access onto Upper Marsh Rd to link with the head of the proposed cul de sac; the existing pedestrian right of way to the east of the site will remain unaltered.

The application was originally supported by a Planning, Design and Access Statement; Foul and Surface Water Drainage Assessment; Ecological Impact Assessment; Landscape and Visual Appraisal and Landscape Strategy; Arboricultural Implications Assessment, Tree Constraints and Protection Plans; and Transport Statement. An Archaeological Evaluation and Trial Trenching Survey; Daytime Bat and Nesting Bird Survey Report, long and cross sections of the access road; updated Foul and Surface Water Drainage Assessment, and typical house elevation details were subsequently submitted as part of the application process.

6. Planning Policy

(i) Government Policy

National Planning Policy Framework (NPPF)

- states a presumption in favour of sustainable development which means 'approving development proposals that accord with the Development Plan without delay'
- promotes economic, social and environmental gains to deliver sustainable development which includes providing the supply of housing required to meet the needs of present and future generations
- states that housing applications should be considered in the context of the presumption in favour of sustainable development

(ii) Development Plan

Wiltshire Structure Plan 2016

DP1 – Priorities for Sustainable Development

DP4 – Housing and Employment Proposals

DP7 – Housing in towns and main settlements

West Wiltshire District Plan 1st Alteration 2004

C4 – Landscape Setting

C31a – Design

C32 – Landscaping

C38 – Nuisance

R11 – Footpaths and Rights of Way

H1 – Further Housing Development within Towns

H2 – Affordable Housing within Towns and villages

H24 – New Housing design

S1 – Education

T12 – Footpaths and Bridleways

I1 – Implementation

U1a – Foul Water Disposal

U2 – Surface Water Disposal

West Wilts Leisure and Recreation DPD

LP4 – Providing recreation facilities in new development

(iii) Emerging Development Plan

Wiltshire Core Strategy (WCS)

Warminster Area strategy – 'to increase the level of employment, town centre retail and service provision, along with residential development, as part of sustainable growth.' (para 5.154)

CP31 – Spatial Strategy: Warminster Community Area

...states that between 2006 to 2026, at least 1770 new homes will be provided within the community area of which 1650 will be at Warminster with 180 on windfall sites still to be identified.

CP43 – Providing affordable homes

CP45 – Meeting Wiltshire's housing needs

CP50 – Biodiversity and geodiversity

CP51 – Landscape

CP57 – Ensuring high quality design and place shaping

CP21 – Transport and Development

CP69 – Protection of the River Avon SAC

(iv) Supplementary Planning Guidance

SPG – Design Guidance – Principles

SPD – Residential Design Guide

7. Consultations

Warminster Town Council

Original plans/information:

Objection – ‘The proposed main site access by demolition of number 66 creates an unacceptable extension of this small housing estate of Damask Way. The demolition will result in a sharp dangerous corner with an adverse camber. Furthermore the so-called “emergency vehicle access” at its point of entry to Upper Marsh Road is unacceptable as it occurs at a very narrow pinch point’.

Attached to this response is an extract from the Council minutes which notes that 70 members of the public attended the meeting, 9 spoke against the proposal and a petition with 271 signatories was handed in to the meeting.

Additional information:

Re-iterates earlier objection

Spatial Planning Officer

‘There are no strategic policy objections to the principle of development on this site; however site specific issues must be fully and adequately addressed to the satisfaction of the relevant specialist officers before the proposals can be completely supported.’

Highway Officer

Notes that the development site is within the town boundary; that the proposed road layout and junctions conform to existing guidance; that the development includes an emergency access which can be properly controlled; that walking distances to the nearest bus stop are no greater than existing dwellings in Damask Way; that trip rates within the existing residential site are lower than the national average and the road network can accommodate the proposed increase in vehicles.

Consequently, raises no objection on grounds of highway safety subject to conditions requiring subsequent approval of road and other highway details and an informative expanding on the detail required.

Environment Agency

Original plans/information:

No objection to proposed development but notes that the site will have implications for surface water drainage. Recommends condition requiring surface water drainage scheme to be approved and informatives relating to this drainage scheme, necessary Flood Defence Consent for any works within 8m of the top of the bank of the Swan River and the prevention of pollution during construction.

Additional information:

Notes conclusions of Foul and Surface Water Drainage Assessment and re-advises previously recommended condition regarding surface water drainage scheme.

Wessex Water

Original Plans/information:

Commented that for water supply purposes, an off site mains extension would be required; there are no storm water sewers and the land drainage authority’s consent would be required to drain to the water course to the north east; no building works would be permitted within 6m of the existing foul pumping main; new development will be required to provide additional storage at pumping station site; existing water main in Damask Way may need to be lowered; a new storm sewer to the north east of the site may ‘clash’ with an existing asbestos cement foul main; demolition of no 66 will require existing connections to be sealed off; there are inaccuracies within the submitted information which claim there are no issues regarding foul drainage

Additional information:

Notes that the revised drainage assessment recognises the need for Wessex Water to revise the impact on the downstream pumping station; additional works, improvements and contributions will be agreed under a S104 adoption agreement.

Archaeologist

Original plans/information:

Notes the site is of archaeological interest with the majority of the red line within the medieval settlement of Henfords Marsh. Recommends an archaeological field evaluation is carried out prior to determination in accordance with NPPF advice.

Additional information:

Notes that the result of the evaluation has revealed important archaeological remains dating from the early Neolithic period with pottery, burnt flint and charcoal indicative of domestic use. While these may be discreet and isolated features, further features may be present and it is recommended that a condition is attached requiring a programme of archaeological investigation.

Natural England

Original plans/information:

Objects to the application as there is insufficient information to determine whether the proposal is likely to have a significant effect on the River Avon SAC and River Avon System SSSI. In respect of protected species and wildlife habitats, refers to the Council's Ecologist's comments and welcomes biodiversity enhancements; in respect of landscape issues, welcomes landscape analysis, recommends consultation with AONB unit and advises use of native and local flora in planting schemes

Additional information:

Foul and Surface Water Drainage Assessment demonstrates that water draining from the development can be attenuated via soakaways and drainage from highways accommodated within the existing/upgraded system; also potential for all footways, driveways and patios to be surfaced with permeable paving. On the basis of this mitigation, withdraws its objections to the proposal subject to conditions requiring submission of a surface water drainage scheme and the development providing/funding additional storage at Warminster pumping Station and other improvement works to satisfaction of Wessex Water.

In respect of bat survey, refers to advice from Council's Ecologist.

Ecologist

Original plans/information:

Inadequate information submitted

- to enable a proper assessment on the River Avon SAC; further details required on surface water drainage scheme and SUDs
- to demonstrate proposals will not have detrimental impact on Smallbrook Meadows County Wildlife Site (CWS)/Local Nature Reserve (LNR)
- on presence of roosting bats in dwelling to be demolished

Additional information:

- confirms that an adequate drainage scheme can be implemented to prevent any significant impact on the River Avon SAC or County Wildlife Site and supports proposed condition recommended by EA;
- potential for detrimental impact on CWS from increase in recreational pressure can be mitigated by additional recreational space to east of residential area, buffer planting and other measures to be considered as part of future landscape plans
- Regarding impact on protected species recommends conditions requiring Construction Method Statement and an update inspection of the building prior to demolition for the presence of bats.

Wiltshire Wildlife Trust

Original Plans/information:

- Objection to the development on grounds of potential impact on adjacent Smallbrook Meadows Nature Reserve and nearby River Avon SAC; - - Ecological Impact Assessment is deficient in assessing impact of elevated phosphate levels from additional sewage discharges and no assessment of potential impacts on local hydrology and wetland nature reserve.

Spatial Landscape Officer

Comments that the submitted Landscape and Visual Appraisal has explored the 5 key landscape constraints identified at pre-application stage and developed a robust design solution which will 'provide overall enhancement to the edge of Warminster and its wider landscape setting'.

Landscape Officer

No reason to refuse this application on arboricultural or landscape terms; recommends conditions relating to implementation of method statement and tree protection plan, arboricultural supervision, approval of landscaping details and implementation of landscaping details.

Leisure Manager

- Requests contribution of £16024 towards leisure provision; in accordance with Leisure Services Strategy (Indoor Facilities Action Plan), would normally advocate contribution spent on projects at Warminster Sports Centre, but due to location of site close to Warminster Park, requests contribution be directed towards development of Tennis Pavilion.
- Requests contribution of £15,297 towards open space provision and for upgrade of skate park in Warminster Park

Rights of Way Officer

Notes an existing right of way which passes to the east of the site (WARM 53) and likely demand from residents of the new development to access this directly; initially requested that a link, together with appropriate way marking was considered as part of the scheme, but following confirmation that this would involve third party land, does not have any overall right of way concerns.

Education Officer

- Notes that the development generates the need for an additional 7 primary and 5 secondary places at the designated schools which are Sambourne Primary and Kingdown Secondary
- Sambourne Primary has very limited capacity in permanent accommodation (27) and contributions are required from all developments within the designated area to upgrade to provide permanent places; required contribution to 7 primary places (£12713) of £88,991
- Kingdown School is currently full and required contributions to 5 places (£19155) of £95,755; this figure does not take account of the pupil product from other small developments in the area requiring a further 7 places.

Arts Development Officer

Requests a contribution to a 'creative arts programme as part of community engagement' of £6900.

8. Publicity

The application was advertised by site notice, press notice and neighbour notification and has attracted a great deal of local objection.

Summary of points raised:

Some 60 individual letters of objection (this includes several from same respondents) have been received raising the following points:

- loss of surrounding open environment
- unacceptable increase in traffic on local roads which are already inadequate
- increase in roadside parking and consequent road congestion on narrow roads
- increase in delivery vehicles
- unacceptable vehicular access through Damask Way instead of from Upper Marsh Road
- in the event of the development going ahead, a 20mph zone would need to be declared within Damask Way

- exacerbation of already dangerous highway situation in Upper Marsh Road
- highway safety concerns for children who play within the existing cul de sac and learner drivers and cyclists
- requirement to provide separate emergency access confirms proposed situation within Damask Way is not suitable
- inadequacy of existing drainage system to accommodate additional dwellings
- exacerbation of flooding within Smallbrook Lane
- impact on stability/structure of existing bungalows
- impact on existing utility services
- impact on wildlife in adjoining Smallbrook Meadows; reference has been made to badgers, foxes, deer, mayflies, dragonflies, damselflies, water voles, squirrels, common snipe, water rail, kingfishers, dippers, buzzards, magpies, hedgehogs, wild orchids
- impact on existing public footpath network
- unnecessary loss of existing bungalow to allow for proposed access
- safety issues during construction
- proposed terraced units and form of development would be out of keeping in area
- permission will lead to future development of rest of field
- loss of trees
- NPPF places emphasis on localism and the application should be balanced against the views of the affected community (which opposes the development)
- the site is not allocated for development
- target growth figures for new housing could be met elsewhere within the town
- concerns over the description of the development site
- concerns that this application is a 'political formality' and that a decision has already been made to approve the scheme

In addition, there has been submitted:

- a petition with 271 signatories including signatures from residents in the area and staff and parents of Weymouth St playgroup (26); the petition refers to additional volumes of traffic along Upper Marsh Road and Damask Way, accident black spots in Upper Marsh Road, potential damage to surface of Damask Way from construction lorries, the need for a separate emergency access into the site; the likelihood of this application being a forerunner of further application to develop the rest of the land.
- a detailed and comprehensive submission on behalf of family members who are residents of Damask Way; this considers development plan policy, highway safety & traffic, design, appearance & layout, impact on levels of daylight & privacy, conservation of buildings, trees & open land, impact on the countryside and noise, disturbance & smells.
- a letter of objection from the Warminster Civic Trust on the grounds that the original Damask Way development did not envisage any proposed extension, the loss of a 'perfectly good dwelling', the increase in traffic, creation of piecemeal development, the detrimental impact on the surrounding environment and existing residential amenities. In the event of the site being considered suitable for development, it should be self contained 'with its own entrance and exit from the main road'.

9. Planning Considerations

Principle of development

This site has been the subject of very considerable pre-application discussion on the principle of releasing this site for housing development and notwithstanding the prevailing local view, there is no fundamental spatial planning objection to the principle of this scheme.

- the site is located well within the adopted Town Boundary Limit where appropriate proposals for residential development are acceptable in principle (H1)
- one of the relevant criteria within policy H1 is that housing developments do not result in the loss of an open area or visual gap important for recreation or amenity reasons. While the land is clearly an open area, it could not be regarded as a gap between development lying as it does between

countryside to both north and south, and as an unmanaged area of grassland, it has limited intrinsic amenity value other than its openness. In terms of its recreational value, since it is an unfenced area of land which lies close to an undefined PROW, it has been used informally over the years by pedestrians and dog walkers. However, this accidental usage does not define it as a public recreational facility and its development will not involve the loss of any public open space.

- as part of the Inquiry into the current West Wiltshire District Plan, the Inspector directed that boundary limits should be drawn around the 5 major towns including Warminster; no objections were raised to the inclusion of the application site within the proposed boundary line and the Inspector did not consider it necessary to reconsider the position of the boundary or inclusion of this land with potential for development.

- the emerging Wiltshire Core Strategy (WCS) identifies the need for an additional 1,770 dwellings in the Warminster Community Area in the plan period (2006-2016) of which 1,650 would be expected in Warminster. Once existing completions, permissions and strategic allocations are considered, there remains a requirement for a further 180 dwellings to be identified on windfall sites within the town, of which the current scheme could deliver 23.

- the WCS does not include any proposal for altering the existing boundary for the town which reinforces the historic policy position and provides an up to date presumption that the land remains suitable, in principle, for housing development.

- as part of the evidence underpinning the preparation of the WCS, the Strategic Housing Land Availability Assessment (SHLAA) has identified the application site together with a larger parcel to the east as suitable for residential development within the next 5 years. The application site straddles areas 606 and 259 which together identify a total of just under 5 hectares to potentially deliver 111 dwellings at a density of approx 22dph. The current proposal to deliver 23 units on part of that identified land (at a similar density) would clearly be in accordance with future planning policy for this area.

- the WCS states that within the Warminster Community Area, there will be 'an increase in future housing in Warminster, compared to historic trends ..' by 2026; this presumes, and depends on, appropriate sites such as the current application site coming forward for development.

- The NPPF states clearly in para 14 that there is presumption in favour of sustainable development which for decision making, means 'approving development proposals that accord with the development plan without delay'; in terms of the current plan (and emerging Core Strategy) which would consider this site to be suitable in principle, government policy would support this development.

It is accepted that there are a number of constraints to development on the site including the proximity to the flood plain, proximity to areas of importance for wildlife, a nearby Special Landscape Area and a historic use of the land by the public for informal recreation; it is also accepted that there are a number of site specific issues which require to be addressed and these are considered in greater detail in the following sections of the report. Notwithstanding, it is clear that there are no strategic policy objections to the residential development of the land and no fundamental reason for refusal of this application.

Highway and access considerations

A - Vehicular access

Although this is an outline application, access is included for determination at this stage although precise details relating to the internal road layout, level of parking, and location of driveways would be for determination at the reserved matters stage.

There are 2 vehicle access elements to this proposal – the main proposed access to the development through the head of the cul de sac in Damask Way and the separate provision of a secondary emergency access onto Upper Marsh Road. The main access will require the demolition of no 66 and the extension of the side of the existing turning head to link directly into the development site in its northern corner with a 5.5m wide roadway and a single 1.8m footway on its south western side. The

indicative layout shows the new internal road as a T-shaped cul de sac generally following the triangular shape of the site.

The secondary emergency access would extend from the head of the new road and through the southern boundary of the site broadly following the line of an existing surfaced and sloping farm track which emerges onto Upper Marsh Road. This is to comply with the Council's Residential Road Design Guide which requires that culs de sac serving more than 50 dwellings shall have alternative access for use in the event of an emergency (the southern arm of Damask Way together with the proposed scheme would exceed this figure). The precise line of the emergency route and degree of improvement work is for consideration at reserved matters stage but it is accepted that for the anticipated levels of use, the minimum of construction work and upgrade is necessary. At its junction with Upper Marsh Road, it is proposed to install a demountable bollard that could be removed in the event of use by an emergency vehicle.

The majority of local objection to the scheme has been focussed on the highway aspects of the development with most respondents referring to the inability of Damask Way to safely accommodate the additional traffic; the fact that the existing cul de sac is regularly used by learner drivers, cyclists and residents' children; the danger of increased traffic levels within Upper Marsh Road which in part is a single track road and already inadequate; the likelihood of additional parking with the roadways to increase current levels of congestion and the inadequacy/danger of the access point of the emergency route.

As regards highway matters, Policy H1 of the District Plan requires a scheme for residential development to provide safe and convenient access to existing transport networks and the highway 'without creating transport problems'; the NPPF requires Transport Statements/Assessments to support schemes generating significant traffic and decisions which provide 'safe and suitable access to the site for all people'. It also goes on to advise that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are 'severe'.

The application is supported by a Transport Assessment which considers both the existing highway situation and anticipated proposed scenario. It notes a local bus service within 450m of the site and a full range of bus and rail services, shops and schools within the town. The assessment shows that the nearby road network shows no discernible traffic congestion or queuing and survey work has identified approx one vehicle/60 secs (am) and one vehicle/40 secs (pm) using the Damask Way/ Upper Marsh Road junction. Using similar trip rates, it is predicted that there would be an increase of 11% (am) and 12.5% (pm) using this junction. It is your officer's view that this estimate is perhaps unrealistically low since many of the existing residents are of retirement age while the age profile of the development is more likely to reflect the national average; however, there is no evidence within the report that suggests that higher levels could not be reasonably accommodated.

The Highway Officer makes it clear in the consultation response that there are no objections to the scheme on the grounds of highway safety or sustainability – the site is within the existing planning boundary for the town; existing and proposed road layouts and junctions conform to current residential road design guidance; the scheme includes the provision of an emergency access as required; vehicular use of this access can be properly controlled; although walking distance to the nearest bus stop is greater than the 400m advised nationally, there are already a number of dwellings in Damask Way and Poulson Close that are further than this and could not reasonably be resisted on such grounds; notwithstanding, the provision of the emergency link will open up the south eastern end of Damask Way for more convenient cycling and walking and improve accessibility for existing residents. In terms of predicted traffic generation, while the development would generate an increase in the overall number of vehicles, the point is made that current trip rates are lower than the national average but the existing road network conforms to standard guidance and is considered suitable to accommodate the proposed increase.

In the absence of any highway objection or objective assessment that the development would have a 'severe' impact on the existing traffic position, there is no defensible reason for refusal on highway grounds. It is acknowledged that this view is not shared by the majority of residents in the vicinity but the perceived highway concerns are not supported.

The Highway Officer has included a number of observations regarding the design of the internal road layout which would have to be addressed as part of any reserved matters; these include comment on parking levels, garage sizes, access details for individual plots and details of the transition between Damask Way and the new road. These minor matters can be appropriately referred to in an informative and do not prevent the main access arrangements being approved as part of this development.

B - Pedestrian access

The submitted Transport Assessment notes that there are continuous footpath links from the site to the town centre – a formal footway network via Damask way, Upper Marsh Rd and Weymouth St (approx 1000m) and a more informal footpath network to the north and north west of the site via Bourbon Way and through Warminster Park with its various leisure opportunities. Estimated distances to Morrisons supermarket via this route are given as 850m and a walking time of under 15 minutes.

Immediately to the east of the site and its proposed landscaped area is the route of public footpath WARM53 which runs in a north/south direction to link Upper Marsh Rd with the existing informal footpath network. This PROW is currently ill defined across the open grassland but will not be affected by the proposed development other than in a positive visual way with a proposed native hedge along part of its route and the opportunity for improved signage. It was a consideration/hope in pre-application discussions for a direct new footpath link between the new development and this PROW but this has not proved possible since third party land is involved. The Council's Access Development Officer does not consider this to be prejudicial since the Damask Way/Warminster Park route would continue to provide good access north west to the town centre while the proposed emergency exit link would actually open up an additional pedestrian link heading south towards Upper Marsh Road. An improved link to the north east and the nature reserve would not be delivered but existing circular walks to this area would still be possible via the park and Smallbrook Lane.

In overall terms, therefore, this scheme would have a marginally improved impact on the existing pedestrian network in line with policies R11 and T12 which seek to protect, enhance and extend the public rights of way system where opportunities arise through new development proposals.

Visual impact in the landscape

Since this application is in outline form only, the full details of the proposed development are unknown and a full assessment of its overall impact in the landscape is necessarily limited. However, the proposal does set out the general access arrangements, an indicative layout and scale parameters for the proposed dwellings as currently required by the legislation to enable an informed appraisal.

The accompanying Design and Access Statement refers to a low density development at approx 23 dph, 'creating an appropriate transition between the town and countryside beyond' and which 'will enhance local landscape character and the setting of the town'. The approach to the development has been informed by a detailed Landscape Appraisal and Strategy which notes that the site

- is located some distance from an Area of Outstanding Natural Beauty and does not lie within a Special Landscape Area.
- is within the town boundary limit where there is a presumption in favour of development; the fact that the land was included within this boundary but excluded from the SLA 'is an indication that development is likely to be acceptable in this location in principle'.
- lies within the landscape setting of the town where the policy is to protect important physical features that are an integral part of the character and setting; there are no such features within the site which represents a small extension to a residential area.
- comprises species-poor unused grassland with no special landscape features, although it is naturally contained by two mature tree belts, the Were valley and a local nature reserve which more readily define the landscape structure and character.
- despite its elevated position, is surprisingly discreet within the wider landscape; views towards the site are limited by landform and vegetation with the mature tree belts directly north of the site and along Upper Marsh Lane forming significant features and screens.
- can be viewed within a context where there is already development on either side of the Were valley forming prominent built edges and skyline development

- is clearly open to view from the section of public footpath that crosses to the east from which immediate views are of the abrupt and poor visible edge of the houses in the Damask Way estate; the perception is of an urban fringe landscape with unmanaged land extending to the current built edge in contrast to other built edges which are well integrated by vegetation.
- is largely imperceptible in distant views from the chalk downs north of the town, appearing simply as a small undeveloped area attached to the built up area.

This appraisal has been fundamental in informing the proposed development and has had a strong influence on the location and extent of the scheme. This includes

- only developing a small portion of the available land, with the development site as an extension to Damask Way and part of the blue edged land retained as an 'off-site strategic landscape area' which 'assimilates development into the landscape and creates a transition between the town and countryside beyond'.
- setting back the housing development from the edges of the plateau top to minimise the visual impact.
- following the contours of the land where possible to provide a softer and more natural external boundary to the residential development in contrast to the abrupt and rigid edge to the existing housing area.
- incorporating the 'strategic landscape area' as part of the overall proposal; this retains and manages the existing tree belts to the north and south, provides extensive buffer planting adjacent to these tree belts to extend the woodland areas, includes small native copses and stands of trees and proposes native hedges and trees around both the development site and the external edge of the landscape area. The existing grassland would also be managed for hay production and/or sheep grazing. The precise details of the landscape area and its management would be for approval as part of any subsequent Reserved Matters application but its objective is 'to create a long term well landscaped and appropriate edge to the town'.
- limiting development to a modest density of 23 dph, comparable with the adjoining residential development and to 2 storey dwellings only. These are described as having 'typically vernacular portions' with ridge heights between 7.1 and 7.8m'; indicative elevations show typical 3, 5 and 5 bed houses incorporating these parameters. While these dwellings would be higher than the bungalows/chalet bungalows in Damask Way (the highest differential would be approx 2.3m), this, in itself, would not make for an inappropriate transition development. From both distant and close views, the extent and location of proposed landscaping will tend to minimise the overall impact and conditions could be imposed on an outline permission limiting the overall height of any buildings to ensure that the scale remains appropriate in this context and not contrary to the requirements of Policy C4 (to prevent inappropriate development which would have a detrimental effect on the views into and out of Warminster). It is your officer's view that the ultimate height of development should be controlled in this case (perhaps even lowered from that being indicated) and proposed condition 4 refers.

- no lighting of the emergency access route

- the removal of only 3 trees which are in proximity to the proposed emergency access route and which are of low arboricultural, amenity and landscape value; the Landscape Officer has no objection to their removal and otherwise finds 'no reason to refuse this application in arboricultural or landscape terms'. Appropriate conditions are, however, recommended.

As part of the pre-application process, the Council's Spatial Landscape Officer identified 5 key landscape constraints to developing this site – the setting of the AONB; interface with the countryside; visual prominence; amenity of residents and from public rights of way; and change in the landscape character. She comments that the landscape appraisal has explored these landscape issues and developed 'a robust design solution which will provide overall enhancement to the edge of Warminster and its wider landscape setting.' While it is recognised that the final design may require modification as part of any successful reserved matters application, it is considered that 'in principle all landscape

issues have been considered at this stage'. On that basis, there would appear to be no overall landscape reason for resisting this development.

Drainage considerations and impact on biodiversity

The application site lies close to a number of important ecological habitats – Smallbrook Meadows County Wildlife Site (CWS) and Local Nature Reserve (LNR); the Were (Swan River) which flows into River Avon Special Area of Conservation (SAC) and the River Avon System Site of Special Scientific Interest (SSSI) which is part of the wider SAC. The impact on all is a material consideration under The Habitats Regulations, the NPPF and current and emerging policy.

a) River Avon SAC

The condition of this SAC is vulnerable to changes in hydrology and water quality and new development can have a detrimental impact from an increase in phosphate loading (from additional sewerage discharges) and surface water drainage. Deficiencies in the original Ecological Impact Assessment and lack of detailed information on the proposed surface water drainage scheme attracted objections from both Natural England and the ecologist on the grounds that there was insufficient information to determine whether the proposal would have a significant effect on the River Avon SAC.

A detailed surface water drainage assessment subsequently confirmed that water draining from the development can be attenuated via soakaways within or near to the development and that drainage from the highways can either be accommodated in the existing highway system or that system upgraded to allow for the increase; storm drainage will continue to run off to the west and east, mirroring the flow characteristics of the existing undeveloped catchment. The report also outlines the potential for all footways, driveways and forecourts to be surfaced with permeable paving.

With regard to concerns over phosphate levels caused by additional foul sewage flow, this would be addressed by additional storage and improvement works to the nearby pumping station (required by Wessex Water); additionally, the Environment Agency has already assessed anticipated discharges from new housing (projected by the Wiltshire Core Strategy) and has concluded that the likely increases are compliant with the Habitats Regulations.

On that basis, the proposal would not have a significant impact on the River Avon SAC and subject to appropriate conditions ensuring the delivery of a surface water scheme based on the measures already outlined and the provision of additional storage at the Pumping station, no objection is raised.

b) Smallbrook Meadows CWS

This is notified for its neutral grassland and wetland habitats and the species they support and new residential development can damage these vulnerable habitats through an increase in recreational pressure and changes in the local hydrology.

The subsequent drainage report demonstrates that an adequate drainage scheme can be implemented to serve the development and that there is no requirement for any construction work to take place within the CWS which might affect the hydrology.

In respect of any increase in recreational pressure, the proposed landscape strategy offers space to the east of the housing area as an alternative recreational area while the buffer planting will retain the existing access point. Further measures to divert pressure from the CWS and manage formal access to it, such as signage, could and should be considered in the development of the detailed landscape plans but no detrimental impact on the CWS is now anticipated.

c) Protected Species

- The demolition of 66 Damask Way has the potential to result in a breach of legislation if roosting bats are present; a revised bat and nesting bird survey indicates no evidence of roosting bats but

opportunities for crevice-dwelling species to use the loft space. The Ecologist supports the recommendation for an update inspection of the building prior to demolition.

- Small numbers of reptiles are likely to be present along the field margins and within the western boundary and a detailed Construction Method Statement (CMS) will be required prior to any works commencing on site.
- A badger sett has been identified along the north eastern band of trees together with acknowledged badger activity across the site; an updated badger survey will be required prior to the commencement of any construction work and a CMS drawn up as required.
- the tree and scrub habitat along the field boundaries is potentially used by foraging/commuting bats and is important locally for wildlife. The retention of the tree belts together with additional planting, the planting of copses and a native hedge alongside the PROW will provide biodiversity enhancements, creating new habitat opportunities for wildlife and improving connectivity.
- the submitted ecology report also proposes a number of additional biodiversity elements, such as swift bricks and bat bricks within some of the new buildings.

All relevant consultees are now satisfied that the proposed development will minimise impacts on existing biodiversity while providing net gains where possible in line with the NPPF requirements for conserving and enhancing the natural environment.

Impact on heritage assets

The site is of archaeological interest with the majority of the red edged land lying within the medieval settlement of Henfords marsh. As required by the NPPF, the significance of any heritage asset and the impact of any development on that asset must be properly considered and an Archaeological Evaluation Survey, a magnetometer survey and Trial Trenching Survey were all subsequently submitted as part of the application.

The Archaeologist confirms that the studies to date have revealed some early neolithic remains suggestive of domestic use at the eastern end of the site and while these may be discreet and isolated finds, further features are likely to be present. This requires further evaluation works to be carried out but this can be properly controlled via a pre-commencement condition and would not prevent a permission being granted.

Impact on residential amenity

The proposed development is located immediately adjoining an existing residential area on open land which, although privately owned, has for many years been informally used and accessed by the general public as a general recreation area; in addition, the main vehicular access to serve the development is via an extension to the existing residential cul de sac. Under these circumstances, it is to be expected that the application would attract a great deal of local objection as detailed in section 8 of this report. Many of the concerns raised, particularly in respect of the principle of the development, highway safety issues and impact on biodiversity have already been addressed elsewhere in the report but the impact on existing amenity is a material consideration.

Policy C38 states that proposals will not be permitted which would detract from the amenities currently enjoyed through matters such as loss of privacy or overshadowing and levels or types of traffic generation. The subtext states that when determining the location of new housing, due regard must be given to the proximity of the development and likely impact on potential future occupiers.

The submitted Design and Access Statement notes that, as advised, consultations were carried out with the local community prior to the submission of the application. Consultation with representatives of the Town Council attracted 'no objection in principle to the proposals, although this view would appear to have changed in the interim with an objection now being maintained primarily on highway grounds. In addition, those residents immediately adjoining the site in Damask Way were approached and where feedback was received, the illustrative layout was revised accordingly; as a result, some of

the anticipated amenity concerns have been mitigated. However, the following amenity aspects of the scheme are relevant:

- the development will clearly generate an increase in traffic using Damask Way which existing residents may consider unacceptable. Reference is made to the use of the cul de sac as a play area, an area for learner drivers and cyclists and convenient roadside parking but the evidence shows that the road is under used when compared to a national average and clearly has capacity to accommodate additional numbers. The extent to which this would reduce existing amenity cannot be measured but it would be difficult to sustain an argument of specific loss of amenity as a result of additional vehicles using existing public infrastructure designed for that use.
- the demolition of the existing bungalow at the head of the cul de sac to create the road extension will have a more immediate impact on the adjoining properties nos 65 and 67 whose rear gardens would flank the new roadway. While this will clearly introduce a new element with potential for traffic noise and general activity, the gap between these 2 properties is approx 14m with the proposed road and footpaths occupying 9m and the remainder of the space as open verges. As illustrated, the nearest point of the roadway to the actual buildings measures 4m and 6m which is not unacceptable and additional benefit can be secured by ensuring robust boundary treatment (such as solid boundary walls) and appropriate planting within the verge to minimise noise levels. The illustrative plan, which would form the basis of the agreed roadway, states clearly that details of the boundary treatment are to be agreed with the adjoining properties which, together with an appropriate condition and informative (nos 17 and 4 respectively), will ensure that this aspect of amenity is properly considered.

In addition, the proposed roadway will be constructed approx one metre lower than existing land levels which will help to further reduce noise levels and eliminate the possibility of overlooking of the rear garden space by pedestrians and drivers.

- to mitigate overlooking and loss of privacy, the illustrative layout has been carefully designed to ensure that there are no new dwellings 'back to back' with existing properties in Damask Way but 3 dwellings only with blank side gables and at reasonable distances; there are no dwellings proposed immediately to the rear of nos 58-62; although proposed plots 1 and 23 are indicated 'in the line of sight' of nos 65 and 67, the height and design of these units could reflect this relationship and be adjusted accordingly; planting is indicated along the existing rear boundary which would soften the visual impact of the proposed dwellings (recognising, however, that the loss of the open view is not a planning consideration) detailed design could have been positioned.

- at the distances proposed, and within the context of 2 storey development only, there is no likelihood of overshadowing of existing dwellings.

- while there is a perception of a loss of a recreational facility, the land is privately owned and although there is an undefined public footpath which crosses to the east, the owners could at any time have enclosed the land to prevent access by the public except along the PROW. This footpath is to be retained (and enhanced by new planting) and in reality, the development will not involve the loss of any public open space.

While local opinion clearly does not support the proposed development and reflects a perceived loss of amenity, when assessed against the criteria of policy C38 it is difficult to conclude a material harm which could be quantified and supported in the event of an appeal.

Contributions

The development requires the following contributions:

Education – The Education Officer confirms that the development generates the need for an additional 7 primary and 5 secondary places at the designated schools (Sambourne & Kingdown) which at the 2012/2013 multiplier of £12713 (primary place) and £19155 (secondary), will require a total contribution of x.

Leisure and Public Open Space – Policy LP4 in the adopted Leisure and Recreation DPD requires contributions to open space and recreation provision as part of new housing development; the policy permits this in the form of on-site provision, off-site contributions and enhancements or an appropriate

combination. The Leisure Services Officer has calculated a required contribution of £16024 towards leisure facilities and £15,297 towards open space/play provision and has requested that these are directed towards the upgrade of the tennis pavilion and the skate park respectively.

Arts Development Officer – requests a contribution of £6900 to a ‘creative arts programme as part of community engagement’.

Affordable Housing – under the current policy framework (H2), the threshold for affordable housing is not met and there is no required contribution in this case.

Conclusion

While this application has attracted a great deal of objection locally, in reality it is a relatively modest windfall proposal on an unused area of land at the edge of the existing built up area. In terms of principle, the site lies within the current and projected town boundary limits with historic and future expectations that the land might at some time be developed; there are no supported highway concerns in terms of safety or capacity issues; the development is assessed as having no detrimental impact on the immediate landscape, the setting of the town as a whole or any nearby and important biodiversity habitats and will deliver an improved landscape setting at the edge of the town; the site does not contain any evidence of archaeological significance; there is no loss of public recreational space or access.

The perception of a loss of residential amenity is inevitable within the context of an open site at the edge of open countryside and uninterrupted views, but these are not material planning considerations which could justify a refusal; concerns over highway safety are not shared by the Highway Officer and the potential increase in traffic levels which are viewed as unacceptable must be considered against a currently low benchmark. This is not to dismiss the views and concerns of local residents, but within the context of the NPPF with its clear presumption in favour of sustainable development and requirement for ‘approving development proposals that accord with the Development Plan without delay’, there are no valid planning reasons not to support the proposal. A legal agreement will secure the required contributions and conditions are being proposed, and accepted, to ensure the detailed scheme will be an appropriate form of development in this location.

Recommendation:

The Area Development Manager be authorised to grant planning permission for this development in the event of a S106 Agreement being completed to secure the following:

An index linked education contribution towards 7 primary places (£12,713) per place and 5 secondary places (£19,155 per place)

An off-site leisure facilities contribution of £16,024 towards the upgrade of the tennis pavilion in Warminster Park

An offsite open space/play contribution of £15,297 towards the upgrade of the skate park in Warminster Park

A contribution of £6900 towards a creative arts programme

For the following reason(s):

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area and deliver a sustainable scheme which is in accordance with the Development Plan.

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

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:
 - (a) The scale of the development;
 - (b) The layout of the development;
 - (c) The external appearance of the development;
 - (d) The landscaping of the site.

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

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

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

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

- 4 Notwithstanding that this is an outline application with the scale and layout of the development for subsequent approval, the dwellings hereby permitted shall be of single/two storey construction only and shall not exceed the parameters referred to in the submitted Design and Access Statement, the layout shall be generally in accordance with the illustrative plan indicated on drawing 07179-2D and the development shall include the strategic landscape buffer as generally indicated on drawing 271/P5 included within the Landscape and Visual Appraisal.

REASON: In the interests of amenity having regard to the characteristics of the site and surrounding development.

POLICY: West Wiltshire District Plan 1st alteration 2004 – H1, C4 & C32
The National Planning Policy Framework

- 5 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: West Wiltshire District Plan 1st Alteration 2004 – C31a

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

drive gradients, car parking and street furniture have all been constructed and laid out in accordance with the approved details.

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

POLICY: West Wiltshire District Plan 1st Alteration 2004 - H1 & C31a

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

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

POLICY: West Wiltshire District Plan 1st Alteration – H1 & C31a

- 8 No development shall commence on site until details of the permanent closure of the emergency access to all vehicular traffic other than for emergency use only have been submitted to and approved in writing by the Local Planning Authority. The closure shall take place in accordance with the approved details prior to the occupation of the development and shall be retained in perpetuity and the access shall not be used other than for emergency purposes at any time.

REASON: In the interests of highway safety.

- 9 No development shall commence until a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, and generally in accordance with the Foul and Surface Water Drainage Assessment (submitted August 2012) has been submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be implemented in accordance with the approved details before the development is completed or first occupied.

REASON: To prevent the risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

POLICY: West Wiltshire District Plan 1st Alteration 2004 – U2
National Planning Policy Framework

- 10 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 and does not increase the risk of flooding or pose a risk to public health or the environment.

- 11 No development shall commence on site until details of all earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed (which shall not exceed existing site levels), and the nature and source of the material, showing the relationship of proposed mounding to existing vegetation and surrounding landform. The development shall not be [occupied/first brought into use] until such time as the earthworks have been carried out in accordance with the details approved under this condition.

REASON: To ensure a satisfactory landscaped setting for the development.

POLICY: West Wiltshire District Plan 1st Alteration 2004 – C4 & 32

- 12 No development shall commence on site until a scheme of hard and soft landscaping for both the development site and the strategic landscape area has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:
- the precise boundaries of the proposed strategic landscape area to the east of the development site
 - location and current canopy spread of all existing trees and hedgerows on the land;
 - full details of any to be retained, together with measures for their protection in the course of development;
 - a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
 - finished levels and contours;
 - means of enclosure;
 - car park layouts;
 - other vehicle and pedestrian access and circulation areas;
 - all hard and soft surfacing materials;
 - minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
 - proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
 - retained historic landscape features and proposed restoration, where relevant.

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

POLICY: West Wiltshire District Plan 1st alteration 2004 – C4 & C32

- 13 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: West Wiltshire District Plan 1st Alteration 2004 – C4 & C32

- 14 Notwithstanding the above requirements, the development hereby permitted shall be carried out as specified in the submitted and approved Arboricultural Method Statement, Tree Constraints and Protection Plan (Tree Research) and shall be supervised by an arboricultural consultant.

REASON: In order that the local planning authority may be satisfied that the trees to be retained on site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice.

POLICY: West Wiltshire District Plan 1st Alteration 2004 – C32

- 15 A pre-commencement site meeting shall be held and attended by the developer's arboricultural consultant, the designated site foreman and a representative from the local authority to discuss details of the proposed work and working procedures prior to any demolition, site clearance and any development. Subsequently, and until the completion of all site works, site visits shall be carried out on a monthly basis by the developer's arboricultural consultant. A report detailing the results of site supervision and any necessary remedial works undertaken or required shall

be submitted to and approved in writing by the local planning authority. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant following that approval.

REASON: In order that that Local Planning Authority may be satisfied that the trees to be retained on site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice.

POLICY: West Wiltshire District Plan 1st Alteration 2004 – C32

- 16 Notwithstanding the requirements of condition 12, no development shall commence on site until a detailed landscape strategy for the strategic landscaped area is submitted to and approved in writing by the local planning authority. This strategy shall include full detailed landscape plans, all details of proposed planting, proposed land uses and any public access opportunities, measures to reduce and/or manage recreational pressure on existing biodiversity habitats, long-term design objectives for the area, management responsibilities and maintenance schedules. The strategy shall be carried out as approved in accordance with the approved details.

REASON: To ensure the proper management of the landscaped areas in the interests of visual amenity and biodiversity.

POLICY: West Wiltshire District Plan 1st Alteration 2004 - C32
National Planning Policy Framework

- 17 No development shall commence on site until details of any screen and boundary walls and/or fences have been submitted to and approved in writing by the Local Planning Authority. The screen walls and/or fences shall be erected in accordance with the approved details prior to the occupation of the dwellings hereby permitted and shall be retained and maintained as such at all times thereafter.

REASON: To prevent overlooking & loss of privacy to neighbouring property.

POLICY: West Wiltshire District Plan 1st Alteration 2004 – C31a & C38

- 18 No demolition works at 66 Damask Way shall be commenced or carried out contrary to the recommendation detailed in the approved Daytime Bat and Nesting Bird Survey Report (Sedgehill Ecology Services July 2012) for an update inspection of the building in the event of a 12 month time lapse prior to demolition. Any update survey shall be submitted to and approved in writing by the local planning authority and the development carried out in accordance with the measures and/or timetable detailed in that survey.

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

National Planning Policy Framework

- 19 Prior to the commencement of any development, a Construction Method Statement shall be submitted to the local planning authority for written approval. The method statement shall provide details of the measures that will be implemented during the construction phase to prevent any harm or injury to protected species (namely reptiles, breeding birds and badgers). Development shall be carried out in full accordance with the method statement.

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

National Planning Policy Framework

- 20 There shall be no lighting installed along the emergency access road.

REASONS: In the interests of visual amenity and biodiversity

POLICY: West Wiltshire District Plan 1st Alteration 2004 – C38
National Planning Policy Framework

- 21 No development shall commence within the area indicated 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.

National Planning Policy Framework

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

Dwg 07179-3 received 13.04.2012
wg 7179-2D received 13.04.2012
Dwg LDS/11200-TP1 received 13.04.2012
Dwg LDS/11200-TP2 received 13.04.2012
Dwg LDS/11200-TP3 received 13.04.2012
Dwg IMA-10-088 Plan 5 received 13.04.2012 (IMA Transport)
Dwg IMA-10-088 Plan 6 received 13.04.2012 (IMA Transport)
Dwg IMA-10-088 Plan 004 received 04.07.2012 (IMA Transport)
Dwg IMA-10-088 Plan 005 received 04.07.2012 (IMA Transport)
Dwg 271/P5 received 13.04.2012 (Enderby Associates)

REASON: To ensure the development is carried out in accordance with the plans that have been judged to be acceptable by the local planning authority.

Informative(s):

- 1 Further to the requirements of condition 6, and for the avoidance of doubt, the applicant is advised that:

This permission includes the construction of the access as indicated on the submitted plans (IMA-10-088 Plan 5, 004 and 005) with the internal layout of the road network for approval at the reserved matters stage. Required details at that stage shall include, but not be limited to, long and cross sections for the internal road network.

Parking levels are required to comply with the Wiltshire Parking Strategy; for garages to be considered as part of the parking provision, the internal dimensions must be a minimum of 3m wide and 6m deep with a minimum opening/door width of 2.1m.

As a shared surface access road is proposed, an entry treatment should be included at the transition.

Access details for nos 63, 64 and 65 Damask Way will need to be provided.

- 2 Further to the requirements of condition 9 and other drainage matters, the applicant is advised to consult with the Environment Agency with regard to:

Any outflow which must be limited to greenfield run off rates and discharged incrementally for all return periods up to and including the 1 in 100 year storm

The surface water drainage system which must incorporate enough attenuation to deal with run-off up to a 1 in a 100 year flood event including an allowance for climate change; drainage calculations must be included.

Overland flood flow routes and collection areas which must be shown on a drawing using CIRIA good practice guide (C635)

The adoption and maintenance of the drainage system

The use of a sustainable drainage approach to surface water management (SUDS)

Flood Defence Consent which is required for any proposed works in, under, over or within 8 metres of the top of the bank of the Swan River (01278 484603)

Safeguards during construction to minimise the risk of pollution to the water interests in and around the site including the use of machinery, storage of oils and chemicals, the routing of heavy vehicles, the location of work and storage area and the control of spoil and wastes www.environment-agency.gov.uk/business/topics/pollution/39083.aspx

- 3 Further to the requirements of conditions 9 and 10, the applicant is advised to consult with Wessex Water in respect of:

Connections to the water supply which will require an off site mains extension at the developer's cost.

The discharge of storm water to the water course to the northeast which will require the land drainage authority's permission.

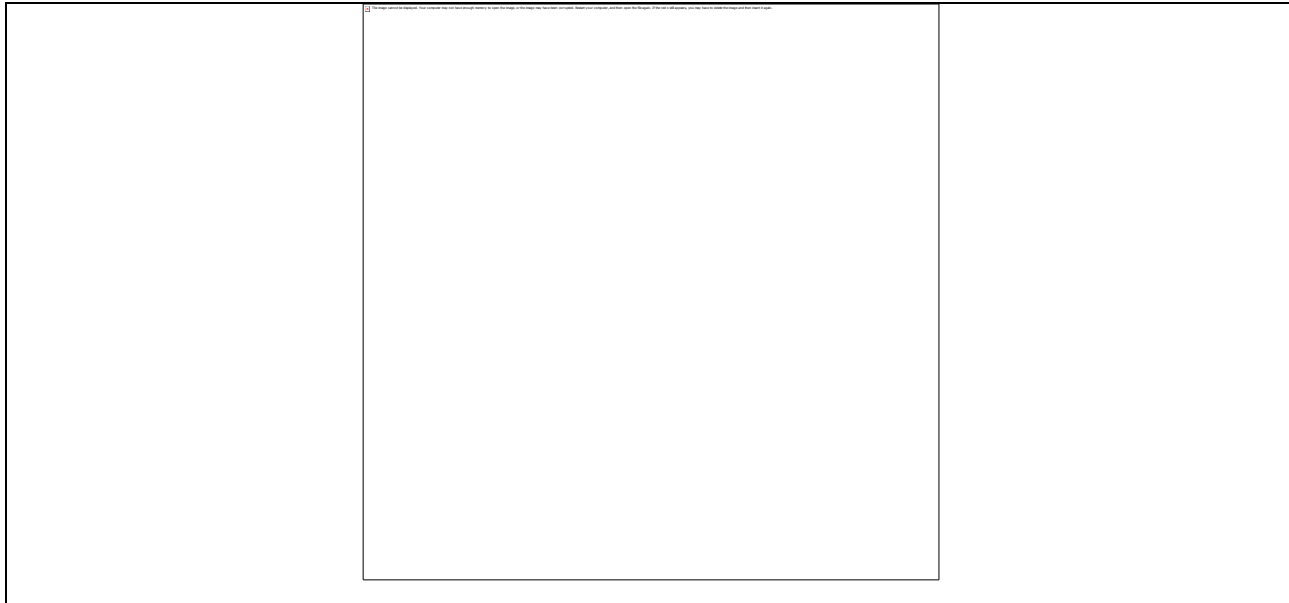
Connections to the public sewer, the impact of foul flows on the downstream pumping station, works and/or contributions to provide additional storage at the pumping station and any other required improvements; these will require a S104 Adoption Agreement.

Asset protection in respect of the existing water main in Damask Way which may need to be lowered at the new entrance; any new storm sewer to the water course to the northeast which may clash with an existing foul pumping main and foul sewer; sealing off water and sewer connections to no 66 Damask Way

'Sewers for Adoption' 7th Edition incorporating a new mandatory National Build Standard (NBS) for all new foul sewers and lateral drains and a signed S104 Adoption Agreement with the water company.

- 4 Further to the requirements of condition 17, it is expected that proposed boundary treatments along the rear/side garden areas of Nos 65 and 67 Damask Way and adjacent to the proposed access road are of appropriate height and design and of solid construction to minimise noise nuisance and overlooking.
- 5 Further to the requirements of condition 21, the work shall be conducted by a professional archaeological contractor and there will be a financial implication for the applicant.

Appendices:	
Background Documents Used in the Preparation of this Report:	



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