

## REPORT OUTLINE FOR AREA PLANNING COMMITTEES

<b>Date of Meeting</b>	5 August 2015
<b>Application Number</b>	15/03136/OUT
<b>Site Address</b>	Ridgeway Farm, Tetbury Lane, Crudwell, Malmesbury, Wiltshire, SN16 9HB
<b>Proposal</b>	Outline Planning Application For Erection Of 10 Dwellings, Associated Parking, Public Open Space, Landscaping & Associated Works. Resubmission Of 14/07419/OUT.
<b>Applicant</b>	Mr & Mrs C Browning
<b>Town/Parish Council</b>	CRUDWELL
<b>Division</b>	MINETY – Cllr Chuck Berry
<b>Grid Ref</b>	394950 192654
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Mathew Pearson

### Reason for the application being considered by Committee

The application has been called in by Cllr Chuck Berry as the site is outside the Crudwell settlement boundary and not in line with Core Policy 2 and paragraph 4.15.

#### 1. Purpose of Report

To recommend that authority be delegated to the Area Development Manager to grant planning permission subject to the completion of Section 106 agreement and conditions.

#### 2. Report Summary

The proposed development is considered to conform to broad sustainability principles of national and local policy and the conflict with the Wiltshire Core Strategy is considered to be outweighed by the benefits of scheme and the specific site circumstances of this application. Crudwell Parish Council objects to the proposals, however no other specialist consultees objected. 145 letters were received on the application, of which 86 were objecting and 52 were offering support.

The main issues for consideration are:-

- Principle and Size of the Development
- Design and Impact on the Character and Appearance of the Locality of Village
- Flooding and Drainage including Foul and Surface Water
- Transport, Highways and Access
- Affordable Housing and other S106 contributions
- Other matters including ecology, schools and local services

### **3. Site Description**

The application site, which is approximately 0.5 hectares, is formed of large agricultural barns of a standard modern construction, with some smaller general purpose outbuildings and associated hardstanding. There is an existing access off Tetbury Lane. The site is surrounded by open pasture land to the north with dwellings to the east and west.

### **4. Planning History**

14/07419/OUT – Residential Development Comprising the erection of 19 Dwellings, Associated Parking, Public Open Space, Landscaping & Associated Works - **Withdrawn**

### **5. The Proposal**

This application is for Outline Planning Permission which seeks consent for residential development comprising 10 dwellings, with associated curtilage, parking, drainage and landscaping on land at Ridgway Farm, Crudwell. The application relates to part of an agricultural landholding to the west of Crudwell. The application includes Section 106 contributions to affordable housing and improved pedestrian facilities in the village.

The application has been submitted with an illustrative masterplan and a comprehensive set of site plans. Supporting statements include a Flood Risk Assessment, Design and Access Statement, Landscape and Visual Impact Assessment, Tree Survey, Planning Survey, Transport Assessment Archaeology Report and Ecological Assessment.

### **6. Planning Policy**

#### **Wiltshire Core Strategy (WCS) (adopted January 2015)**

Core Policy 1: Settlement Strategy  
Core Policy 2: Delivery Strategy  
Core Policy 13: Spatial Strategy: Malmesbury Community Area  
Core Policy 41: Sustainable Construction and Low Carbon Energy  
Core Policy 43: Providing Affordable Homes  
Core Policy 45: Meeting Wiltshire's Housing Needs  
Core Policy 50: Biodiversity and geodiversity  
Core Policy 51: Landscape  
Core Policy 52: Green Infrastructure  
Core Policy 57: Ensuring high quality design and place shaping  
Core Policy 58: Ensuring the conservation of the historic environment  
Core Policy 60: Sustainable transport  
Core Policy 61: Transport and new development  
Core Policy 62: Development impacts on the transport network  
Core Policy 67: Flood Risk

#### **North Wiltshire Local Plan (NWLP)**

Saved Policies H4 – Residential development in the open countryside

#### **National Planning Policy Framework (NPPF)**

Core Planning Principles - Paragraph 17  
Section 4 – Promoting sustainable transport  
Section 6 – Delivering a wide choice of high quality homes

Section 7 – Requiring good design  
Section 11 – Conserving and enhancing the natural environment

## **Planning Practice Guidance (PPG)**

Section 106 Contributions  
Use of Conditions

### **7. Consultations**

**Crudwell Parish Council** – In the interest of the local community, the decision to Object to the application was taken by Councilors' at the Crudwell Parish Council meeting. This was due to concern over impact and over development, that proposed development did not adhere to core policy and is a non compliance within the permitted framework.

**Wiltshire Fire and Rescue** – This application falls within the area for which Wiltshire Fire & Rescue Service is responsible for delivering an operational and emergency response.

The proposed development has been assessed to determine if it would impose an additional burden on Wiltshire Fire & Rescue Service's infrastructure, critical to the delivery of an effective response, in addition to comments made under B5 of Approved Document B, The Building Regulations 2010.

**Wiltshire Council (WC) Archaeology** – No Comment

**WC Drainage** – Support subject to conditions. Under the post 6 April 2015 changes to planning/drainage requirements the developed site will need to have any storm discharge limited to as near as possible to that of a green field rate and volume – FRA is proposing reduced levels but still above greenfield rate – see below

The FRA is proposing storm attenuation in the form of cellular tanks (as fig 8) or oversize pipes before discharge to the adjacent public sewers which eventually drain to local watercourse. However fig 8 shows a proposal for a new off-site pipe which would go straight to the watercourse thus conflicting with the statement within the FRA

Under new requirements the applicant needs to identify each attenuation element in submission and detail who will own and maintain said elements along with how it will be maintained – no information on this in submission – also the storage volume in FRA may be based on incorrect discharge rate based on the new requirements. Soakaway testing indicated that ground unlikely to be suitable for such a disposal method

The Council's Drainage Engineer has confirmed that is happy that issues outlined above can be suitably dealt with by condition. This is expanded upon later in the report.

**WC Ecology** – No objection - The site itself is of limited ecological value and has negligible potential to support protected species. Do not require any further information, informatives or conditions.

**WC Education** – Identifies education place requirements arising from the development but in the context of changes to the national guidance relating to section 106 requirements and the scale of development involved and the need arising, Officers consider that it is not appropriate in these circumstances to seek contributions in this instance.

**WC Green Energy Team** – Identified the lack of Sustainable Energy Statement. The applicant has subsequently submitted a Sustainable Energy Statement. Comments on the submission will be reported as late items.

**WC Housing** – It has been concluded that the existing buildings on the proposed site are not considered vacant or abandoned, therefore, in line with the PPG and CP43 (total floor space is over 1000sqm) the New Housing Team would seek an on-site affordable housing provision of 40% and there is no vacant building credit applicable.

It must be noted that a recent Rural Housing Needs Survey conducted in January 2015 identified a need for 6 affordable rented properties and 2 shared ownership properties in Crudwell. These figures only represent the needs of those who responded to the Parish Survey and as such may underestimate the total affordable housing need in the parish.

The need for affordable housing, based on the housing register indicated a further 26 households seeking affordable housing in and around the Parish of Crudwell.

Where on-site affordable housing is required the affordable housing tenure should see 80% as Affordable Rent and 20% as Shared Ownership. All affordable homes would need to be built to, at least, minimum Code for Sustainable Homes Level 4. The affordable homes would need to be transferred to a Registered Provider, approved by the Council, on a nil subsidy basis and secured via a s106 Agreement.

The Local Authority would have nomination rights to the affordable dwellings. Secured through a Nominations rights agreement within any forthcoming s106 agreement.

**WC Highways** – No highway objection subject to conditions.

**WC Landscape** – The proposal is for the erection of 10 new dwellings on an existing farmyard site. The site is located close to, but outside the retained settlement boundary of the large village of Crudwell. The application is accompanied by a 'Landscape and Visual Impact Assessment' (Doc. Ref: DLA/1589/LVIA/RPT/01/Rev D), prepared by Davies Landscape Consultants (March 2015) for land at Ridgeway Farm, Crudwell.

Officers raise no issues of concern in relation to methodology, scope, or findings of this submitted LVIA. It is not considered that the proposed development of this scale and nature at this location will result in any severe adverse (harmful) effects to the local landscape character area, to visual receptors or to important views. As such Officers support this application as long as the various (mitigating and enhancing) design scheme components which collectively comprise the identified 'Landscape Strategy' at Section 5.2 are not subsequently eroded at detailed reserved matters stage.

Of particular value in this regard is the proposed new public footpath route linking Tetbury Lane, through the site to join with existing footpath 'CRUD9' which will allow improved onward PRoW connections into countryside.

Also of particular importance to meeting place making objectives and supporting the local distinctiveness of landscape character are the proposed new external Cotswold stone walling boundary treatments, fronting Tetbury Lane, and providing external boundaries to individual housing plots.

The strengthening of existing linking native hedgerows and the introduction of appropriate hedgerow trees within these hedge lines are considered to be an important scheme element to strengthen local landscape character, and to sustain the local green infrastructure network.

**WC Spatial Plans** – The proposals are contrary to development plan policy CP2 of the Wiltshire Core Strategy and saved policy H4 of the North Wiltshire Local Plan. There would need to be compelling material considerations to set aside policies of the development plan to manage the release of land for housing development and for the protection of the countryside.

**Wessex Water** – Please find attached an extract from our records showing the approximate location of our apparatus within the vicinity of the site. The site will be served by separate systems of drainage constructed to current adoptable standards please see Wessex Water's S104 adoption of new sewer guidance DEV011G for further guidance.

The proposed surface water strategy employs attenuation measures prior to discharge to watercourse which will require approval by the Local Lead Flood Authority. Wessex Water will adopt systems which comply to the latest version of Sewers for Adoption. The predicted demand upon our services will be minimal and can be discussed with the applicant should planning be approved as outlined in the accompanying Flood Risk Assessment.

## **8. Publicity**

145 letters were received on the application, of which 86 were objecting and 52 were offering support. The main issues are summarized below:

- Crudwell suffers from long term sewage and drainage issues especially after prolonged periods of rain. The current infrastructure is unable to cope and this site will exacerbate this issue. There appear to be mistakes in the flood risk assessment and doubts were passed on the information, specifically about the soil types.
- The site is Greenfield and not Brownfield as per the definitions of the NPPF. The redevelopment will represent a loss of agricultural land. The site will affect the character of the village and represents ribbon development. It will create precedence for all sites around Crudwell.
- The dwellings will cause an increase in traffic along Tetbury Lane which is a country lane with no footpaths. The lane is currently used regularly by pedestrians and school kids and this development will cause safety issues as traffic already drives too fast down the lane.
- The village facilities will be unable to cope with the demand and the school is already full. There are no jobs in the area and the village is a small community that will not be able to cope with the influx and general affect on the community.
- The majority of letters of supported noted the value of improving the site and the provision of housing. Doubts have been expressed as to the integrity of some of the letters of support. Where evidence has been submitted to demonstrate that a letter is not credible this has not been taken into account. However, given the fact that multiple letters, both in support and objecting to the development, have come from the same address it is difficult to verify every single response received.

## **9. Planning Considerations**

### **Principle of Development**

The site is located outside the settlement boundary of the village of Crudwell. Crudwell is designed as a large village in the Wiltshire Core Strategy (WCS). WCS Core Policies 1 and 2 only allow development outside of settlement boundaries if it meets certain circumstances, as specified in a series of 'exception policies' listed in paragraph 4.25. This development does not meet the requirements of these policies and therefore should only be brought forward through a Neighbourhood Plan or the Housing Site Allocations Development Plan

Document (Housing DPD) currently being developed by the Council. Section 38(6) of the Town and Country Planning Act is clear that decisions on planning applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

WCS Core Policy 1 and paragraph 4.15 further define the role of large villages as settlements that can meet the housing and employment needs of rural settlements and retain the vitality of rural areas. Paragraph 4.15 reiterates that development outside settlement boundaries must be brought forward through a Neighbourhood Plan or Housing DPD, and establishes that all development at large villages should take the form of smaller housing sites (under 10 houses). It notes that these documents can identify new developable land to help meet the needs of that community.

Core Policy 13 identifies the strategy for Malmesbury Community Area. Outside Malmesbury town there is an indicative requirement for 510 houses over the plan period (2006-2026). The Council's latest Housing Land Supply Statement (April 2014) shows a residual of 151 houses still to be delivered. Given the role of rural settlements, the bulk of these houses are expected to be delivered across the five large villages identified in the Malmesbury Community Area, these are; Ashton Keynes; Crudwell; Great Somerford; Oaksey and Sherston. It is likely that new development land will be required at these settlements outside current settlements boundaries in order to deliver the housing needs of this Community Area.

As stated above Core Policy 1 states that housing development should aim to serve the purpose of meeting a settlement's economic and social needs. Crudwell is designated as a large village where some development can be expected, in part to support its role serving a wider area. The Council's Spatial Planning Team has confirmed the applicant's assertion that this site is the only site in Crudwell identified in the Council's Strategic Housing Land Availability Assessment (SHLAA) lying adjacent to the village settlement boundary it is well related to the village. The SHLAA is the mechanism by which Councils are able to establish realistic assumptions about the availability of land to meet the identified need for housing. It is reasonable to argue that there is a strong possibility that this site will come forward for development ultimately through the route of either a NP or Housing DPD.

However, the Housing DPD and Crudwell Neighbourhood Plan (NP) are both still at an early stage of development and neither have published a draft plan that can be afforded weight in the determination of this site. It should also be noted that development plan objectives extend beyond just managing housing land supply. Settlement boundaries share this function with the aim of preventing the premature loss of countryside to irreversible development but are not the only arbiter of what should be considered sustainable development. Release of the site for development ahead of an emerging DPD or NP may in principle be premature, in accordance with the Planning Act, as highlighted above, material circumstances may recommend realizing benefits from the development sooner rather than later.

Imperatives set out in the NPPF, to boost significantly the supply of housing (Part 6 – Delivering a wide choice of quality homes) and to only look to refuse applications where the harm significantly outweighs the benefits of the development (paragraph 14), must be considered. While it is clear the route of identifying the site is in conflict with policy, the scale of development (10 dwellings) broadly accords with development plan policy and the site offers opportunities for specific social and economic benefits to the village. In addition the Planning Policy Guidance (PPG) and Ministerial Statements have set out that residential development in itself is an important part of the economy delivering employment growth through construction, supply side benefits such as materials provision and enhanced local tax base and expenditure by the additional population. In this specific context, there are

therefore a set of material considerations that may set aside development plan policy, but it is a finely balanced judgment.

The National Planning Policy Framework (NPPF) at paragraph 47 sets the requirement for Local Authorities to be able to demonstrate a five year housing land supply otherwise relevant development plan policies cannot be given full weight in the determination of applications as set out at paragraph 49. Since the adoption of the Wiltshire Core Strategy there have been four appeal decisions which have referenced housing land supply in this housing market area and housing development outside of defined settlement boundaries. At three of these, Minety, Oaksey and Cricklade, the Inspectors accepted the conclusions of the WCS Inspector and accepted that the Council had a five year housing land supply, albeit one of these decisions is now subject to a Legal Challenge by the appellant. The fourth and most recent appeal decision (Ref APP/Y3940/W/14/2222641 N/13/05188/OUT) for Land at Bath Road, Corsham was allowed for residential development outside the defined settlement. In so doing the Inspector concluded on the evidence before him that the Council could not demonstrate a deliverable and adequate 5 year supply of land for housing. The fact that a Planning Inspector has found that there is not a 5 year land supply in this housing market area is a material consideration, as this reduces the weight to be given to policies for the supply of housing in the Core Strategy, including the limits of development for the village. However, the size of the shortfall he identified is also a material consideration, and in this case, the shortfall he identified was small. The Council does not agree with the Inspector's conclusions and considers that had full evidence been available for consideration a different conclusion would have been reached. However, the Council has to make an assessment as to whether the harm associated with the development significantly and demonstrably outweighs the benefits of the scheme. The NPPF has to be taken as a whole, and a judgement made as to whether the proposal is sustainable development. In this instance it is considered that the benefits as are set out below do outweigh the harm and that the proposal does constitute sustainable development.

Recent changes to PPG have limited the scope for Local Planning Authorities to seek planning contributions from small developments. The WCS strategy proposes that sites in large villages should predominantly be less than 10 dwellings. This will see the majority of smaller rural sites not being required to contribute any benefits or affordable housing through Section 106 agreements. The indicative layout of this site shows a development in excess of 1,000sqm which forms part of the threshold for planning contributions. This development represents an opportunity to provide affordable units in rural areas where there is demonstrable need for such housing. The application also proposes upgraded pedestrian facilities, including along Tetbury Lane and through the provision of a Right of Way. A smaller development would not be required to provide similar contributions.

As set out in below, there are no specific site constraints that would be deemed to cause significant harm. Although the site does not constitute previously developed land, the site is currently in some state of disrepair and the development will provide environmental and visual improvements to the area. Development of the site would not represent a marked loss of more typical open countryside. A number of respondents have highlighted that this state of repair has been deliberately created by the applicant. However, even with repair or replacement of the buildings that currently occupy the site, they are not of significant quality and would be unlikely to provide any visual or heritage value. The applicant has submitted a Sustainable Energy Statement that has committed to delivering the proposed dwellings in line with Core Policy 41. This will ensure that the buildings are constructed to high standards and will provide an energy efficient and sustainable development over the lifetime of development. The Council's Green Energy Team's comments on the submission will be reported as a late item. It should also be noted that the proposal is for a relatively small scale of residential development appropriate to this large village location being generally in line

with the guidance in policy CP1 para 4.15. As noted previously the site is well related to the built form of the village and features existing development immediately adjacent.

Overall taking into account the material considerations and changed policy circumstances relevant to this specific site, it is considered that the benefits of the proposed development outweigh any harm. The specific circumstances of this site, the benefits it offers in the form of environmental improvements and planning contributions, and the likelihood of this site being required to deliver housing, at this time outweigh the conflict with the development strategy and policies of the WCS.

A number of respondents also highlighted their concerns that the granting of such a development would set a precedent for both Crudwell and other rural areas. The Planning Act is clear that all applications must be treated on their own merits, and in any case it is considered that the material considerations outlined in the above paragraphs demonstrate a unique set of individual circumstances that are only applicable to this site and proposal at this point in time.

### **Design, Character and Impact on the Character of Village**

The site is located directly adjacent to the western part of the village and accessed from the main part of the high street of Crudwell. Existing development lies to the east and west of the site and the development would therefore to a certain extent sit within and relate to the built form of the village. The site is some distance from the Crudwell conservation area and there are limited views from existing dwellings at the Dawneys, the western most part of the main village near the site. The plans include a new right of way (RoWs) across the area immediately to the north east of the site, which will connect with the existing RoWs to the west of the Dawneys. A new footpath will be provided on the south of Tetbury Lane leading from the site to the Village Hall.

At this stage the final design is reserved, but the submitted design and access statement (D&A) and illustrative masterplan shows a mix of terraced and detached two storey properties with a number of open fronted outbuildings. As noted above the site is currently in poor condition and the re-development will provide immediate benefits to the environment of the site and the amenity of nearby residences. The three larger 4 bedroom dwellings occupy the northern area of the site with the terraced properties adjacent to Tetbury Lane. At this stage the outline plans appear to be providing a development with a scale and massing that is in keeping with the local vernacular. The D&A also proposes appropriate boundary treatments and the use of acceptable materials.

Overall with respect to design, character and impact on the village, Officers consider that the indicative proposals will result in an acceptable form of development which the site is capable of accommodating. In particular the Council's Landscape Officer has noted that there will no adverse impacts from the scheme although they note that the scheme should be suitably conditioned to ensure key aspects of the D&A statement are delivered. Officers consider that the indicative proposals would achieve an acceptable level of residential amenities for future occupiers of the dwellings whilst also not resulting in harm to existing residential amenities of adjacent properties.

### **Flooding and Drainage including Foul and Surface Water**

A number of responses have highlighted historic flooding issues in the village and also issues with foul sewage. The submitted FRA proposes on site attenuation for surface water with confirmation from Wessex Water that there is capacity in the foul sewage system.

The Council's Drainage Officer has highlighted some missing technical details in the



submitted FRA, particularly with regard to changes in legislation post 6<sup>th</sup> April. However, these are technical issues with regard to surface water run-off rates and the proposed solutions that will require further testing to ensure that they are achievable and these can be secured by condition. The Officers believe that the development is likely to be able to achieve the required run-off rates to meet the updated requirements

Neither, the Council's Drainage Officer or Wessex Water has objected to the application and it is considered that the level of information supplied is consistent with that required for an outline application. The information demonstrates that the development is likely to be able to be accommodated at this location. Suitable conditions will be applied in relation to the final drainage and sewage schemes to ensure they meet the requirements and technical specifications of policy.

### **Transport, Highways and Access**

Concerns about the safety of pedestrians along Tetbury Lane have been consistently highlighted in responses. The Highways Officers have raised no objection to the scheme subject to suitable conditions and the proposed development includes a footpath link to the existing public right of way to provide a route for pedestrians between the main village and the Village Hall. It should be noted that Tetbury Lane is within the village's 30 mph speed limit zone and the transport assessment shows that average speeds down the lane are under 30mph.

Overall the scale of the development is considered unlikely to cause any traffic or safety issues such that permission ought to be refused, and the proposed enhancements will provide opportunities for pedestrians to access the Village Hall. The site is within walking distance of a number of key facilities and has links to other form of sustainable transport in keeping with planning policy.

### **Affordable Housing and other S106 contributions**

On the basis of the submitted information, the development is of a scale that requires consideration of on-site service and infrastructure provision requirements. In this context affordable housing provision is required and the Section 106 agreement is required to address this matter. The applicant has confirmed agreement to meet this requirement. The S106 agreement will include the provision of footpath improvements.

The development proposed is also CIL liable development and this will be addressed as a separate requirement.

### **Other matters including ecology, schools and local services**

The Ecology report confirms that the site is of low ecological value and that there are no protected species present. This has been confirmed by the Council's Ecology Officer. The scheme will provide inherent benefits to local services and the local economy and the Council's Education Officer has confirmed that the school is currently forecast to see a decrease in demand, although it is currently at capacity. The applicant has submitted a Sustainable Energy Statement that complies with Core Policy 41 and the Green Energy Team's comments on this submission will be reported as a late item.

Further contributions to the school will be sought from CiL contributions. Comments by the Fire and Rescue service will be dealt with by Building Control under separate legislation.

## **10. S106 contributions**

The submitted Planning Statement commits to providing funding for the pedestrian improvements on Tetbury Lane and the establishment of the CRUD9 right of way. Subsequent correspondence with the agent has confirmed a commitment to provide 40% affordable housing in line with mix of provision proposed by the Local Planning Authority

## **11. Conclusions**

Paragraphs 14, 17, 48 & 49 of the NPPF set out the requirement for Local Planning Authorities to support proposals for sustainable development and boost the supply of land for housing. As noted above, the site is likely to be considered a sustainable location for development by policies within the Wiltshire Core Strategy, as it broadly accords with the size and location for development set out under Core Policy 1. The development will deliver a range of benefits including environmental improvements, affordable housing provision and improved pedestrian facilities to and from a key location in the village. Furthermore the site will provide wider benefits in terms of economic growth through construction and additional spending of the residents.

The site is acceptable in terms of transport and flooding, and there are no other site constraints identified that make this site unsuitable for development. The site relates closely to the built form of the existing village. The site is currently the only available site for development in Crudwell, and given the limited scope for the provision of planning contributions now set out in national policy, the application provides an opportunity to bring enhancements to Crudwell through planning gain that other sites may well not be required to provide. The Housing DPD and Neighbourhood Plan are both at early stages in their development, and it is considered that the granting of permission on this site would not be so substantial as to fundamentally undermine the progression of these documents. The latest housing requirements for the Malmesbury Community Area show a residual requirement that will, in part, be met by this development.

Given all the relevant material considerations, as set out above, and the limited conflict with the development plan and NPPF, it is considered that on balance and in relation to this specific site and proposal, there are at this point in time sufficient reasons to justify a departure from the development plan.

## **RECOMMENDATION**

That Authority be delegated to the Area Development Manager to grant planning permission subject to the completion of Section 106 agreement to address on site affordable housing provision and the conditions set out below

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 layout of the development;
  - (b) The external appearance of the development;

(c) 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 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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. The development hereby permitted is limited to up to a maximum of 10 dwellings.

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

5. No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority.

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

6. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

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

7. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating information on peak flow/volume control/flood risk within development/structural integrity/design for maintenance considerations, has been submitted to and approved in writing by the Local Planning Authority.

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

8. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

9. No development shall commence on site until 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:

- 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

10. 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.

11. No development shall be occupied until self closing 'access for all' gates (or similar approved) are provided on the proposed Right of Way.

REASON: In order to retain livestock at each end of the new section of connecting public right of way crossing the adjoining field.

12. No part of the development hereby permitted shall be first occupied until the access layout and the visibility splays shown approved plans "Proposed Site Access with potential Footway Link to Village Hall, 1503-72 Figure 4.1" have been provided with no obstruction to visibility at or above a height of 0.6m above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

13. No development shall commence on site until details of the estate roads, footways, footpaths, junctions, street lighting, sewers, drains, surface water outfall, visibility splays, carriageway 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, junctions, street lighting, sewers, drains, surface water outfall, visibility splays, carriageway gradients, car parking and street furniture have all been constructed and laid out in accordance with the approved details, unless an alternative timetable is agreed in the approved details.

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

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

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

15. No development shall commence on site until full construction details of the proposed footway link (including provision for verge/ hedge) to the village hall have been submitted to and approved by the Local Planning Authority. The development shall not be first occupied before that footway link been constructed and laid out in accordance with the approved details ("Proposed Site Access with potential Footway Link to Village Hall, 1503-72 Figure 4.1").

REASON: To ensure that the new footway is provided and constructed in a satisfactory manner.

16. 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.

17. The dwellings hereby approved shall achieve Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate for it has been issued and submitted to, and approved in writing by, the local planning authority certifying that Code Level 4 has been achieved.

REASON: To ensure that the objectives of sustainable development set out Policy CP41 of the Wiltshire Core Strategy are achieved.

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

Drawing No: A-P-100-01d (June 2015)  
Drawing No: A-P-100-01e (June 2015)  
Drawing No: A-P-100-02b (June 2015)  
Drawing No: A-P-100-03b (June 2015)  
Drawing No: A-P-100-04 (June 2015)  
Drawing No: A-P-100-05b (June 2015)  
Drawing No: A-P-100-06b (June 2015)  
Drawing No: A-P-100-07b (June 2015)  
Drawing No: A-P-100-08b (June 2015)  
Drawing No: A-P-100-09a (June 2015)  
Drawing No: A-P-110-01f (June 2015)  
Drawing No: A-P-600-01e (June 2015)  
Drawing No: A-P-600-023 (June 2015)

EVZYGO Flood Risk Assessment Report (April 2015)  
EVZYGO Flood Risk Assessment Drawings (April 2015)

EVZYGO Flood Risk Assessment App. 1, 2 & 3 (April 2015)  
TPA Transport Assessment Report (April 2015)  
Sustainable Energy Statement (July 2015)

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

19. INFORMATIVE TO APPLICANT: Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
20. INFORMATIVE TO APPLICANT: The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.  
If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.
21. INFORMATIVE TO APPLICANT: Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.
22. INFORMATIVE TO APPLICANT: The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website  
[www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy)