

## Land East of Melksham - 04/01895/OUTES

### Conditions and Informatives

- 1 Approval of the details of the siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site ("the reserved matters") shall be obtained from the Local Planning Authority in writing before any phase to which the reserved matters relate is commenced.

REASON: In accordance with Section 92 of the Town & Country Planning Act 1990.

- 2 Application for approval of the first reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and all reserved matters for the remainder of the site submitted before the expiry of six years from the date of this permission.

REASON: In accordance with Section 92 of the Town and Country planning Act 1990.

- 3 The development hereby permitted shall be begun either before the expiration of five 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: In accordance with Section 92 of the Town & Country Planning Act 1990.

- 4 The development hereby approved shall be carried out in accordance with the principles of the approved Development Brief dated October 2004, and Design Statement dated September 2004 unless otherwise approved in writing by the Local Planning Authority.

REASON: In order to ensure the development is satisfactory.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy H6.

- 5 The number of dwellings to be constructed pursuant to this permission shall be no more than 670 dwelling units.

REASON: In order to comply with the Development Plan.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy H6.

- 6 No new dwelling shall be occupied prior to April 2006.

REASON: In order to comply with the Development Plan.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy H6.

- 7 Prior to the commencement of any work on site and in association with the submission of the first reserved matters, details of the phasing plan for the development as a whole, the infrastructure and facilities to be provided shall be

submitted to and approved in writing by the Local Planning Authority. The phasing shall provide for the construction of the Distributor Road, the servicing of the site for the Local Centre, implementation of the surface water attenuation and works to the water course, provision of the primary school, recycling facilities, recreation facilities, public open space and the identification and implementation for the individual residential areas. The development shall be carried out in accordance with the approved details.

REASON: In order to ensure the development is carried out in a satisfactory manner

POLICY: West Wiltshire District Plan Policy H6.

- 8 Pursuant to Condition 7, no more than 250 dwellings shall be occupied until the main area of linear public open space adjoining Clackers Brook has been completed and is available for use and no more than 200 dwellings shall be occupied until the land for the local centre and recycling facilities, community centre and primary school are serviced and made available for use unless otherwise agreed in writing with the Local Planning Authority.

REASON: In order to ensure that these facilities are provided and meet the needs of the development.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy H6.

- 9 The reserved matters for each phase shall include, except on phases where there is no requirement, provision for public open space, amenity areas, play areas and strategic landscape areas. The plans submitted shall define the boundaries of such areas, their proposed uses, the age groups for which they are intended, and the items of equipment, means of enclosure and all other structures which it is proposed to install. The plans shall also provide for the landscaping of all such areas and the landscaping shall be maintained for a period of five years. Any trees and shrubs which die within that period shall be replaced to the satisfaction of the Local Planning Authority and be maintained for a further period of five years

REASON: To ensure that adequate recreation space is provided to meet the needs of the development.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy R4.

- 10 Prior to the occupation of any dwellings and pursuant to Condition 7, the submitted details shall also include a full design and build specification for the proposed formal sports pitch area. The submitted details shall include details of land drainage to a standard specified by the Sports Turf Research Institute and provide for its implementation in accordance with the approved details.

REASON: In order to ensure to provision of the sports facilities.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy H6.

- 11 Before any development is commenced on any phase of the site, including site works or storage of any description, all trees to be retained on that phase of the site must be protected. The protective fencing should be at minimum, weld mesh panels (Heras or similar) erected on a scaffold framework driven in to the ground by a minimum of 600mm. Alternatively a three-bar post and rail fence should be erected with galvanised livestock mesh attached to it.

The protective fence should be erected at a minimum of 2 metres outside the canopy of each tree or hedgerow. If a group of trees are to be protected the fence should be erected a minimum of 5 metres outside the group canopy.

Within the areas so fenced off the existing ground level shall neither be raised or lowered and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon.

If trenches for services are required within the fenced off area, they shall be excavated and back-filled by hand avoiding any damage to the bark and any principal tree roots encountered shall be left unsevered. Where excavations do expose roots, should be surrounded with sharp/grit sand before replacing soil or other material in the vicinity. For further details relating to Tree in relation to construction the applicant should refer to BS 5837: 1991.

The fences shall not be removed without the consent of the local Planning Authority until the whole of the development is complete

REASON: To ensure that existing trees of value are adequately protected.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C40.

- 12 No hedge shall be felled, uprooted or otherwise removed before, during or after the construction period, except where removal is indicated on the approved plans or on an approved landscaping scheme, or where removal is required to construct a road, footpath or cycleway in accordance with the approved plans.

REASON: To ensure that existing hedges of value are adequately protected.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C40.

- 13 No development on any phase of the site shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority in relation to that phase and those works shall be carried out as approved. This shall include indications of all existing trees and hedgerows on the land, and details of any to be retained.

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

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

- 14 All planting, seeding or turfing comprised in the approved details of landscaping shall in relation to each phase of the site be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development of that phase, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

- 15 No development approved by this permission shall be commenced until a detailed scheme for conservation of the Clackers Brook and associated wildlife has been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

REASON: To protect and conserve the Clackers Brook corridor and wildlife.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C1, C7 and C9.

- 16 Prior to any works commencing on site a survey and Method Statement, detailing how works will progress taking into account the presence of Water Voles, together with mitigation measures for any burrows that are likely to be disturbed, shall be submitted to and approved by the Local Planning Authority in consultation with the Environment Agency and English Nature.

REASON: In the interest of natural species, which have statutory protection.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C7.

- 17 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the local planning authority prior to the occupation of any phase of the development, for its permitted use. The landscape management plan shall be carried out as approved.

REASON: To ensure that adequate recreation space is provided to meet the needs of the development.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

- 18 Prior to the commencement of work in any phase pursuant to Condition 7, a schedule of the materials to be used in the external surfaces of that phase of the development shall be submitted to and approved by the Local Planning Authority.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.

- 19 Details, including samples where appropriate, of the materials for the surface of all roads, footways and pedestrian areas, cycleways and all other hard surfaced areas shall be submitted to and approved by the Local Planning Authority prior to the commencement of each phase of the development to which the surfacing relates. The development shall be carried out in accordance with approved details.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C31A.

- 20 The Distributor Road shall be completed to the satisfaction of the Local Planning Authority prior to the occupation of 200 dwellings taking access from Sandridge Common Road or 150 dwellings taking access via Snowberry lane whichever is the sooner.

REASON: In the interests of highway safety.

- 21 The internal estate roads shall be completed to the satisfaction of the Local Planning Authority up to the common boundary with the land which is the subject of application number 05/00225/OUT prior to the occupation of 200 dwellings taking access from the A3102 highway.

REASON: In order to effect the necessary link between the developments and in the interests of highway safety.

- 22 The provision of the emergency link onto the A3102 highway shall be completed to the satisfaction of the Local Planning Authority prior to the occupation of 100 dwellings taking access from the A3102 highway.

REASON: In the interests of highway safety.

- 23 No retail unit shall be greater than 400 square metres gross floor space.

REASON: To ensure that the development functions only as a local centre and would not be reliant on, or attractive to, a wider catchment area.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy SP6.

- 24 No development, hereby permitted, shall take place on any phase of the site until the applicants, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority in relation to the phase to be developed.

REASON: To protect the archaeological heritage of the area.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C14 & C15.

- 25 Prior to the commencement of work on any phase of the development pursuant to Condition 7, details of all lighting to roads and footways in that phase shall be submitted to and approved in writing by the Local Planning Authority and the lighting shall be provided in accordance with the approved details prior to the occupation of each phase of the development.

REASON: In the interest of nature conservation and the protection of the countryside.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C1 and C7.

- 26 No development approved by this permission shall be commenced until a scheme for the provision and implementation of surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved programme and details.

REASON: To ensure there is no risk of flooding.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy U3.

- 27 No development approved by this permission shall be commenced until a scheme for the provision and implementation of compensatory flood storage works has been

submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

REASON: To ensure there is no risk of flooding.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy U3.

- 28 No development approved by this permission shall be commenced until a scheme for the provision and implementation of the method of working and restoration and maintenance of the proposed on site attenuation and Clackers Brook flood storage replacement scheme, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

REASON: To safeguard the water environment.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy U3.

- 29 There shall be no storage of any materials, including soil, within that part of the site liable to flood (1:100 year) identified as the Clackers Brook Flood Plain.

REASON: To ensure there is no risk of flooding.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy U3.

- 30 Details of a buffer zone extending from the Clackers Brook on both sides shall be submitted to and approved by the Local Planning Authority. This buffer zone must be protected by the erection of agricultural grade stock-proof fencing or such other alternative approved by the Local Planning Authority. Any physical features, plants within the buffer zone should be left undisturbed by the development and/or associated infrastructure works. The fencing may be removed on final completion of all works, and the buffer zone incorporated into the overall landscaping scheme.

REASON: To safeguard the water environment.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy U3.

- 31 Recycling facilities shall be provided within the site in accordance with details which shall be first submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details.

REASON: To ensure that the facility is satisfactory.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C6.

- 32 No materials shall be burnt on site at any time on any phase of the development during the building and construction works.

REASON: In order to minimise nuisance.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C38.

- 33 Building and construction work on the development hereby permitted shall not take place outside 07.30 hours to 18.00 hours, Monday to Friday, and 08.00 hours to

13.00 hours on Saturday, and at no time on Sundays and Bank Holidays unless the Local Planning Authority gives written approval to any variation.

REASON: To protect the amenity of the occupiers of nearby dwellings.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C36.

- 34 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%; or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund. Full details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The scheme shall only be carried out in accordance with the approved details.

REASON: To minimise the risk of pollution of the water environment.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U4.

- 35 The development of any phase permitted shall not be occupied until works for the disposal of sewage have been provided on site to serve the relevant phase, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U1A.

- 36 Details of any balancing ponds shall be submitted to and approved by the Local Planning Authority, and the balancing ponds relevant to any phase of the development shall be constructed in accordance with the approved details prior to the first occupation of any building of the development within that phase.

REASON: In the interests of flood prevention.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U3.

- 37 The development of any particular phase of the site shall not be commenced until surface water drainage works have been carried out and completed in relation to that phase in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

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

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U2.

38 Details of public art features shall be submitted to and approved in writing by the Local Planning Authority, and implemented in full no later than the occupation of the 335th dwelling of the development.

REASON: To promote public art within the development.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy I2.

39 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. In each phase of the development the boundary treatment shall be completed before the building(s) is/are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority for that phase. Development shall be carried out in accordance with the approved details.

REASON: To ensure the appearance of the development is satisfactory.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

40 Development of each phase shall not begin until details of the design, layout, levels, gradients and finished surface materials of all roads including public transport routes, footways and cycleways forming part of each phase of the development have been submitted to and approved in writing by the Local Planning Authority. No new building shall be occupied until that part of the vehicular and pedestrian access thereto has been constructed to a standard agreed in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details.

REASON: In the interest of highway safety and to ensure the development is satisfactory.

41 Notwithstanding the details shown on the submitted drawings for the Distributor Road, no development shall take place until details of the fencing, barriers, noise attenuation measures, landscaping and earthworks have been submitted to and approved in writing by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

REASON: To ensure the development is satisfactory and in the interest of residential amenity.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies H6 and C38.

42 Prior to the commencement of any work on site, details of a wheel washing facility shall be submitted to and approved in writing by the Local Planning Authority. Such a facility shall be located on the site at a convenient point to the access from Sandridge Road and shall be retained throughout the period of construction.

REASON: To ensure that materials from the site are not deposited on public roads.

43 Before work starts on any phase of the site, detailed plans of the parking and servicing areas for the construction compound, deliveries and personnel, together with the means of access thereto for that phase, shall be submitted to and approved by the Local Planning Authority. The land shall be restored to its former condition once construction work has been completed.



REASON: In order to ensure that an adequate area for parking and/or servicing is available during the construction phase and in the interests of highway safety.

- 44 No work shall commence on site until the Local Planning Authority has agreed with the developer an arrangement for establishing the site name and local direction signing, both temporary and permanent.

REASON: In order to avoid confusion for those requiring access to the site, and to ensure that a comprehensive arrangement of local destinations is established at the outset of development.

- 45 The school shall not be opened for use until the access roads, paths and parking arrangements serving the site have been constructed to a standard to be agreed with the Local Planning Authority.

REASON: To ensure that the school is safely and comprehensively accessible to users and that a choice of approach routes is available to the anticipated catchment area.

**Note(s) to Applicant:**

- 1 The applicant is advised that there are species in the vicinity which are protected under the Wildlife and Countryside Act 1981 and you should contact English Nature and the Wiltshire Wildlife Trust before and during construction.
- 2 All reasonable steps, including damping down site roads, should be taken to minimise dust and litter emissions from the site whilst works of construction and demolition are in progress.
- 3 Any stopping-up or diversion to a public footpath or bridleway will require a separate consent and you are advised to contact Wiltshire County Council.
- 4 The applicant is advised to consult with the Environment Agency Technical Services Department regarding the drainage strategy and the works to Clackers Brook may require formal consent under the Land Drainage Act 1991.
- 5 The developer should contact Wessex Water for approval of water supply and foul drainage connections.