

ASDA & Countrywide Melksham: Suggested Conditions

It is hereby recommended that, subject to the applicants first entering into an agreement with Wiltshire County Council enforceable pursuant to Section 106 of the Town & Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004, planning permission is granted subject to compliance with the following conditions:

Notes: Suggested WWTW condition shown underlined

Conditions in italics suggested by statutory consultees during the consultation period

- 1.** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of Town & Country Planning Act 1990, as amended by the Planning & Compulsory Purchase Act 2004.

- 2.** No works or development shall take place until full details of all proposed hard and soft landscaping including tree planting, and the proposed times of planting, together with hard surfaced areas have been approved in writing by the local planning authority (LPA). All agreed tree planting shall be carried out in accordance with those details and at those times.

Reason: In the interests of visual amenity.

- 3.** The agreed landscaping, as submitted in connection with Condition 02 above, shall be carried out during the first planting season (October-March inclusive) following the commencement of development. Any trees, shrubs or hedgerows forming part of that scheme that die, are removed or seriously damaged or diseased within 5 years of the implementation of the scheme shall be replaced with like-for-like, unless otherwise agreed in writing with the LPA.

Reason: To ensure that the agreed landscaping is implemented in order to integrate the development within the street scene.

- 4.** No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby approved have been submitted to and approved in writing with the LPA. Development shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the LPA.

Reason: In the interests of visual amenity.

- 5.** Prior to the first occupation of the development hereby permitted, or such other time period as may be agreed in writing with the LPA, a car park management plan, to include details of the shoppers' car park, shall be submitted to and agreed in writing by the LPA. The car park management plan shall include a review procedure. The car park management plan shall commence on first use of the store, unless otherwise agreed in writing with the LPA.

Reason: To ensure the development is served by appropriate car parking provision.

- 6.** Prior to the first occupation of the store hereby approved, a Draft Green Travel Plan shall be submitted to and approved in writing by the LPA. The submitted information shall include details of provisions directed towards achieving reductions in the use of private transport by staff of the store

Reason: To promote sustainable transport patterns.

- 7.** The development shall not be implemented until a legal easement has been signed to permit Wessex Water in perpetuity to affect the proposed development at current operational levels.

Reason: To enable the development to reasonably co-exist in proximity to the waste water treatment works, in accordance with policy U5 of the West Wiltshire Local Plan

- 8.** *No development shall take place within the area indicated (this would be the area of archaeological interest) until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the LPA.*

Reason: To protect any archaeological remains that may be in situ on site

- 9.** *Prior to the commencement of development, details of roosting bats and nesting birds to be found on the site shall be submitted to and approved in writing with the LPA. The submitted details shall also include details for the protection of such species during construction. Thereafter, the development shall be carried out in accordance with the approved details, unless otherwise agreed in writing with the LPA.*

Reason: In the interests of species protection

- 10.** *No development shall commence until a scheme for the provision and implementation of surface water run-off limitation, including provisions for pollution prevention where appropriate, 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, unless otherwise agreed in writing with the LPA.*

Reason: In the interests of flood prevention

- 11.** *Finished floor levels of the development should be set no lower than 35.25 AOD*

Reason: To protect the development from flooding

- 12.** *Any drainage areas where waste food materials are stored, waste skips or compactors are sited, should either be totally contained, or directed to the foul sewer.*

Reason: To prevent pollution to the water environment

- 13.** *Before the development hereby permitted commences on the site, a soil survey of the site shall be undertaken and the results provided to the local planning authority. If necessary, a scheme for any reasonable and necessary remediation of the site shall be submitted to and approved by the local planning authority in writing and completed before the retail store is first occupied, unless otherwise agreed in writing with the LPA.*

Reason: Soil contamination has been suspected on site and therefore a scheme to mitigate contamination is necessary

- 14.** *Prior to the commencement of development, a scheme for water efficiency shall be submitted to and approved by the LPA. The scheme shall be implemented in accordance with the agreed details, unless otherwise agreed in writing with the LPA.*

Reason: In the interests of sustainable development and prudent use of natural resources.

- 15.** *Details of lighting to the site (including measures to minimise sky glow, glare and light trespass) shall be submitted to and approved in writing by the LPA. The scheme shall be carried out in accordance with the agreed details, unless otherwise agreed in writing with the LPA.*

Reason: In the interests of pollution prevention