

AGENDA SUPPLEMENT (1)

Meeting: Strategic Planning Committee
Place: Council Chamber, County Hall, Trowbridge, BA14 8JN
Date: Wednesday 8 February 2017
Time: 10.30 am

The Agenda for the above meeting was published on **31 January 2017**. Additional documents are now available and are attached to this Agenda Supplement.

Please direct any enquiries on this Agenda to Roger Bishton, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713035 or email roger.bishton@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Additional representations and updates (Pages 3 - 22)

DATE OF PUBLICATION: 8 February 2017

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STRATEGIC PLANNING COMMITTEE ADDITIONAL INFORMATION

8th February 2017

This is information that has been received since the committee report was written. This could include additional comments or representation, new information relating to the site, changes to plans etc.

Item 8) 14/08060/OUT- Land at Marsh Farm, Coped Hall, Royal Wootton Bassett SN4 8ER

Late Representations

Two Local Residents wrote to re-confirm their objections to the scheme proposals raising specific concerns in respect of Highways impact in respect of congestion.

Three local residents have written to raise concerns as to the notification process and the arrangements for the Committee meeting considering that the timeframes were too short and greater advance notice should have been provided. The Committee meeting during the daytime in Trowbridge is also identified as of concern in respect of public attendance. Duplication errors in the site location maps supporting the agenda for Items 8 & 9 are identified.

Clarification

The report fails to number the proposed conditions so these are reproduced here in full with numbers attached for ease of reference. In addition the Reason for the use of several conditions has been added where omitted.

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 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. No development shall commence on site until details of the materials to be used on the development 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: 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, in the interests of visual amenity and the character and appearance of the area.

5. No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

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

6. 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:-

- 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);
- tree(s), of a size and species and in a location to be agreed in writing with the Local Planning Authority, shall be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428

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.

7. 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

8. No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837:

2012: "Trees in Relation to Design, Demolition and Construction - Recommendations"; has been submitted to and approved in writing by the Local

Planning Authority, and;

9. The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

10. No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work – Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practice.

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

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

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

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 enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

11. No development shall commence on site until 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) has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

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 the proper management of the landscaped areas in the interests of visual amenity.

12. No development shall commence on site until provision has been made for open space, amenity areas and play areas in accordance with WCS CP52 and [The plans shall define the boundaries and shall include details of the intended future uses of each area, in particular the user age groups of play areas together with the features and items of play equipment it is proposed to install.]

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 provision of [different forms of] open space throughout the development in the interests of the amenity of future residents.

13. Before the 50 dwelling hereby permitted is occupied:

- a) A scheme for the laying out and equipping of the play area shown on the submitted plan, to include landscaping, boundary treatment and provision for future maintenance and safety checks of the equipment has been submitted to and approved in writing by the Local Planning Authority and;
- b) The play area has been laid out and equipped in accordance with the approved scheme.

REASON: To ensure that the play area is provided in a timely manner in the interests of the amenity of future residents.

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

- A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2013 and a plan indicating the alignment of the protective fencing;
- A specification for scaffolding and ground protection within tree protection zones in accordance with British Standard 5837: 2012;
- A schedule of tree works conforming to British Standard 3998: 2010;
- Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;

- Plans and particulars showing the siting of the service and piping infrastructure;
- A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification;
- Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of
- the findings of the supervisory visits; and
- Details of all other activities, which have implications for trees on or adjacent to the site.
- Day and sunlight calculations must be submitted in accordance with Building
- Research Establishment guidance and British standards 8206 Part 2:1992 Light for buildings Part 2 -code of practice for daylighting.
- In order that trees to be retained on-site are not damaged during the construction works and to ensure that as far as possible the work is carried
- no demolition, site clearance or development should commence on site until a pre-commencement site meeting has been held, attended by the developer's arboricultural consultant, the designated site foreman and a representative from the Local Planning Authority, to discuss details of the proposed work and working procedures.

Subsequently and until the completion of all site works, site visits should be carried out on a quarterly basis by the developer's arboricultural consultant. A report detailing the results of site supervision and any necessary remedial works undertaken or required should then be submitted to the Local Planning Authority. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant following that approval.

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, in order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

15. Prior to first occupation the access to Malmesbury Road shall have been provided as detailed as detailed on plan number TA3

REASON: In the interests of safe and convenient access to the development.

16. Prior to first occupation of any dwelling hereby permitted the access to Malmesbury Road shall be provided with visibility with nothing to exceed the height of 600mm above carriageway level between the carriageway edge, and a line drawn from a point 2.4 metres

back along the centre line of the access from the carriageway edge, to points on the nearside carriageway edge 120 metres to the west and 120 metres to the east.

REASON: In the interests of highway safety.

17. Prior to first occupation the access to Hook Road shall have been provided as detailed as detailed on plan number TA4, but with the exception that a 2 metre footway shall also be provided on the northern side of the access road around the junction radius to Hook Road.

REASON: In the interests of safe and convenient access to the development.

18. Prior to first occupation of any dwelling hereby permitted the access to Hook Road shall be provided with visibility with nothing to exceed the height of 600mm above carriageway level between the carriageway edge, and a line drawn from a point 2.4 metres back along the centre line of the access from the carriageway edge, to points on the nearside carriageway edge 140 metres to the north and 140 metres to the south.

REASON: In the interests of highway safety.

19. Prior to first occupation a 2 metre wide footway shall have been constructed and made permanently available for use by pedestrians, on the eastern side of Hook Road between the development access and a point opposite the southern entrance to Marsh Farm Hotel, in accordance with details to be first submitted to and approved by the Local Planning Authority.

REASON: in the interests of safe and convenient pedestrian access to the development.

20. No development shall commence until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied prior to the implementation of the Travel Plan, (or implementation of those parts capable of being implemented prior to occupation). Those parts identified for implementation after occupation shall be implemented in accordance with the timetable contained therein, and shall continue to be implemented as long as any part of the development is occupied.

REASON: In the interests of reducing the amount of private car movements to and from the development.

21. No development shall commence until a foul water drainage strategy is submitted to and approved by the Local Planning Authority in consultation with Wessex Water acting as the Sewerage undertaker.

- A drainage scheme shall include appropriate arrangement for the agreed points of connection and the capacity improvements required to serve the proposed development phasing;
- A drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.

REASON: To ensure that proper provision is made for the sewerage of the site and that the does not increase the risk of sewer flooding to downstream property.

22. The development hereby permitted shall not be occupied until the approved [sewage disposal] & [surface water drainage] works proposed have been completed in accordance with the submitted and approved details. This shall include the thorough cleansing, cleaning and removal of all materials and potential blockages from the existing piped drainage/culvert proposed for use as part of the Surface Water Drainage network/system prior to the first occupation of the dwellings hereby approved. The applicant

shall notify the Council including Drainage and Highways Maintenance Teams of commencement and completion of these drainage clearance and cleaning works. The works shall be subject to assessment and approval by the Council.

REASON: To ensure that the development is provided with a satisfactory means of drainage.

23. No development shall commence on site (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:

- a) Risk assessment of potentially damaging construction activities
- b) Identification of 'biodiversity protection zones'
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- d) The location and timing of sensitive works to avoid harm to biodiversity features
- e) The times during construction when specialists ecologists need to be present on site to oversee works
- f) Responsible persons and lines of communication
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s)
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.
- j) Protection of Ballards Ash Protected Road Verge
- k) Mitigation measures set out in the Ecological Appraisal report (Aspect Ecology, 2016), particularly measures MM1, MM2, MM3, MM6

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

A report prepared by a competent person(s), certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, shall be submitted to the Local Planning Authority within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner.

REASON: To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

24. Before development takes place, a reptile method statement shall be submitted to the local planning authority for approval. Development, including ground/site/vegetation clearance, a detailed methodology for the capture and translocation of reptiles and details of the proposed receptor site and its long-term management, shall be carried out in accordance with the approved method statement or any amendment as approved in writing by the local planning authority. Reptile translocation shall be carried out and the receptor site shall be

maintained in accordance with the approved plan, unless otherwise in agreed in writing by the local planning authority.

REASON: To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

25. Prior to commencement of development, a Landscape and Ecological Management Plan shall be prepared and submitted to the local planning authority for approval. Details within the LEMP shall include, but not necessarily be limited to, the following:

- a) Full specification of habitats to be created, including locally native species of local provenance and locally characteristic species
- b) Description and evaluation of features to be managed; including location shown on a site map
- f) Prescriptions for management actions;
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward
- h) Details of the body or organisation responsible for implementation of the plan;
- i) Ongoing monitoring and remedial measures.

The development site shall be managed and maintained in accordance with the measures set out in the approved plan in perpetuity unless otherwise agreed in writing with the local planning authority.

No development shall commence within the development area 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.

26. No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: In the interests of residential amenity

27. All building services plant shall be so sited and designed in order to achieve a Rating Level of -5dB below the lowest measured background noise level at any time, determined at the nearest noise sensitive receptor.

REASON: In the interests of residential amenity

28. There shall be no customers/members of the public on the site outside the hours of (23:00 in the evening) and (07:00 in the morning) from Mondays to Saturdays and between (17:00 in the evening) and (10:00 in the morning) on Sundays and Bank or Public Holidays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

29. No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- h) measures for the protection of the natural environment.
- i) hours of construction, including deliveries;
- j) The location and use of generators and temporary site accommodation
- k) Pile driving (If it is to be within 200m of residential properties)

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

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 minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

30. here shall be no raising of existing ground levels on the site.

REASON: In the interests of visual amenity.

31. The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.

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

111422 AP10 Location Plan

111422 AP11 Illustrative Masterplan

111422 AP13 Existing Site Plan

Planning Statement, August 2014
Design & Access Statement, July 2014
Transport Assessment, July 2014
Landscape Strategy Outline, July 2014
Air Quality Assessment, August 2014
Archaeological Geophysical Survey report, July 2014
Noise Assessment, 23rd July 2014
Statement of Community Involvement, May 2014
Ecology Assessment Outline, August 2014
Flood Risk Assessment, 13th May 2014
Flood Risk Assessment Addendum V1, February 2015
Archaeological Report by TVAS, April 2015
Ecology Update, Sept 2015
Letter from Kemp & Kemp to Wiltshire Council dated 25.5.16
Outline Residential Planning Application Design Note, May 2016
Transport Assessment Addendum, July 2016
REASON: For the avoidance of doubt and in the interests of proper planning.

Item 9) 16/06995/FUL- Land North of Malmesbury Road, Royal Wootton Bassett SN4 8AY

Late Representations

Cambria Automobiles plc submit objection to the application on the basis that they currently in advanced discussions with ALDI Stores Limited in relation to the redevelopment of their existing Land Rover dealership site on Swindon Road, Royal Wootton Bassett to provide a discount foodstore. On behalf of Cambria Automobiles plc, I wish to strongly object and raise significant concerns relating to the proposed development for the following reasons:

- Location of the development proposal outside the settlement boundary;
- The loss of greenfield land to a commercial development not in a sustainable location; and
- Coalescence of Royal Wootton Bassett with Hook as a result of the proposed development and wider proposals;
- The need to consider the proposed Lidl foodstore in the context of the ALDI foodstore proposal on a brownfield commercial site within the settlement boundary.

Officer Comment

The matters of objection raised are addressed in the report to Committee where material to the determination of the application. A proposal for a further foodstore in the locality by another operator is a matter of market competition between operators and cannot be given great weight for the purposes of determination.

Clarification

The report fails to number the proposed conditions so these are reproduced here in full with numbers attached for ease of reference.

Outline Elements of the Scheme Proposals – (Care Home and Retirement Apartments)

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.

3. 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.

4. 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.

5. The care home hereby permitted shall not be brought into use until those parts of the Care Home Travel Plan capable of being implemented prior to first use have been implemented. Those parts identified for implementation after first use shall be implemented in accordance with the timetable contained therein, and shall continue to be implemented as long as any part of the development is occupied. The Travel Plan Co-ordinator shall be appointed and carry out the identified duties to implement the Care Home Travel Plan for a period from first use until at least 2 years following first use.

REASON: In the interests of reducing the amount of private staff car movements to and from the development.

6. Prior to first use of the care home the parking and turning areas associated with the care home shall have been provided and shall thereafter be maintained and kept available for the parking and turning of vehicles.

REASON: In the interests of safe and convenient operation of the development.

7. Prior to first use of the senior living units the parking and turning areas associated with the senior living units shall have been provided and shall thereafter be maintained and kept available for the parking and turning of vehicles.

REASON: In the interests of safe and convenient operation of the development.

8. Each unit of the residential care home hereby permitted shall be occupied only by:

- persons of state pensionable age; [or whatever age is considered appropriate]; or
- persons living as part of a single household with such a person or persons; or
- persons who were living as part of a single household with such a person or persons who have since died.

REASON: The units of the residential home/sheltered accommodation have been designed for occupation by persons who satisfy the above criteria and are unsuitable for family housing.

9. Each unit of the age restricted dwellings/retirement apartments hereby permitted shall be occupied only by:

- persons of age 65 years +; or
- persons living as part of a single household with such a person or persons; or
- persons who were living as part of a single household with such a person or persons who have since died.

REASON: The units of the residential home/sheltered accommodation have been designed for occupation by persons who satisfy the above criteria and are unsuitable for family housing.

Full Elements of the Scheme Proposals (Retail foodstore)

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

11. Prior to the first opening and operation of the foodstore/retail unit hereby permitted detailed proposals for the restriction of access to the related parking areas during non opening times shall be submitted to and approved by the Local Planning Authority.

REASON: In the interests of residential amenity and for the avoidance of anti social behaviour.

12. The Foodstore hereby permitted shall not be brought into use until those parts of the Foodstore Travel Plan capable of being implemented prior to first use have been implemented. Those parts identified for implementation after first use shall be implemented in accordance with the timetable contained therein, and shall continue to be implemented as long as any part of the development is occupied. The Travel Plan Co-ordinator shall be appointed and carry out the identified duties to implement the Foodstore Travel Plan for a period from first use until at least 2 years following first use.

REASON: In the interests of reducing the amount of private staff car movements to and from the development.

13. Prior to first use of the foodstore the parking and turning areas associated with the foodstore shall have been provided and shall thereafter be maintained and kept available for the parking and turning of vehicles.

REASON: In the interests of safe and convenient operation of the development.

14. Deliveries shall not be permitted before 07:30 and after 23:00hrs. Waste collections should also take place within these hours and preferably before 22:00.

REASON: In the interests of residential amenity

15. The development hereby permitted shall not, at any time, be subdivided into a larger number of units.

REASON: To enable the Local Planning Authority to consider individually whether planning permission should be granted for additional units on the site.

16. The site shall be used for A1 retail and for no other purpose (including any other purpose in Class A of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

17. The development hereby permitted shall not be brought into use until a plan showing the precise location of any areas of open storage and specifying a maximum height of open storage within such area(s) has been submitted to and approved in writing by the Local Planning Authority. No materials, goods, plants, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored on the site outside the approved storage area, or above the height agreed as part of this condition.

REASON: In the interests of the appearance of the site and the amenities of the area.

18. There shall be no customers/members of the public on the site outside the hours of (23:00 in the evening) and (07:00 in the morning) from Mondays to Saturdays and between (17:00 in the evening) and (10:00 in the morning) on Sundays and Bank or Public Holidays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

19. The development hereby permitted shall not be brought into use until details of the storage of refuse, including details of location, size, means of enclosure and materials,

have been submitted to and approved in writing by the Local Planning Authority, and; the approved refuse storage has been completed and made available for use in accordance with the approved details. The approved refuse storage shall thereafter be maintained in accordance with the approved details.

REASON: In the interests of public health and safety.

20. The development hereby permitted shall not be brought into use until a scheme to restrict shopping trolleys leaving the site has been submitted to and approved by the Local Planning Authority and; the approved scheme has been brought into operation. The approved scheme shall thereafter be maintained in operation in accordance with the approved details.

REASON: In the interests of the character, appearance and amenities of the area.

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no mezzanine or other form of internal floor to create a first floor level shall be constructed in the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

Conditions Applicable Site Wide / All Elements of the Scheme Proposals

22. Prior to first use the access to Malmesbury Road shall have been provided, as detailed on plan number TA6 with the exception of visibility which shall be as set out below.

REASON: In the interests of safe and convenient access to the development.

23. Prior to first use the access to Malmesbury Road shall be provided with visibility with nothing to exceed the height of 600mm above carriageway level between the carriageway edge, and a line drawn from a point 4.5 metres back along the centre line of the access from the carriageway edge, to points on the nearside carriageway edge 126 metres to the west and 129 metres to the east.

REASON: In the interests of highway safety.

24. Prior to first use the advance direction sign to the west of the access to Malmesbury Road shall have been relocated to a position out of the required visibility splays in accordance with details to be first submitted to and approved by the Local Planning Authority.

REASON: In the interests of highway safety.

25. Prior to first use the access to Hook Road shall have been provided, as detailed on plan number AP14A including alterations to the kerb lines to achieve visibility.

REASON: In the interests of safe and convenient access to the development.

26. Prior to first use the access to Hook Road shall be provided with visibility with nothing to exceed the height of 600mm above carriageway level between the carriageway edge, and a line drawn from a point 2.4 metres back along the centre line of the access from the carriageway edge, to points on the nearside carriageway edge 120 metres to the north and 70 metres to the south-west.

REASON: In the interests of highway safety.

27. No development shall commence until a foul water drainage strategy is submitted to and approved by the Local Planning Authority in consultation with Wessex Water acting as the Sewerage undertaker.

- A drainage scheme shall include appropriate arrangement for the agreed points of connection and the capacity improvements required to serve the proposed development phasing;
- A drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.

REASON: To ensure that proper provision is made for the sewerage of the site and that the does not increase the risk of sewer flooding to downstream property.

28. The development hereby permitted shall not be occupied until the approved [sewage disposal] & [surface water drainage] works proposed have been completed in accordance with the submitted and approved details. This shall include the thorough cleansing, cleaning and removal of all materials and potential blockages from the existing piped drainage/culvert proposed for use as part of the Surface Water Drainage network/system prior to the first occupation of the dwellings hereby approved. The applicant shall notify the Council including Drainage and Highways Maintenance Teams of commencement and completion of the drainage clearance and cleaning works. The works shall be subject to assessment and approval by the Council.

REASON: To ensure that the development is provided with a satisfactory means of drainage.

29. All building services plant shall be so sited and designed in order to achieve a Rating Level of -5dB below the lowest measured background noise level at any time, determined at the nearest noise sensitive receptor.

REASON: In the interests of residential amenity

30. No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: In the interests of residential amenity

31. No development shall commence on site until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:

- i. The movement of construction vehicles;
- ii. Dust suppression covering earth works and spoil heap storage
- iii. The cutting or other processing of building materials on site;
- iv. Wheel washing and vehicle wash down facilities;
- v. The transportation and storage of waste and building materials;

- vi. The recycling of waste materials (if any)
- vii. The loading and unloading of equipment and materials
- viii. The location and use of generators and temporary site accommodation
- ix. Pile driving (If it is to be within 200m of residential properties)

The construction/demolition phase of the development will be carried out fully in accordance with the construction management plan at all times.

REASON: In the interests of residential amenity

32. No development shall commence on site (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:

- a) Risk assessment of potentially damaging construction activities
- b) Identification of 'biodiversity protection zones'
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- d) The location and timing of sensitive works to avoid harm to biodiversity features
- e) The times during construction when specialists ecologists need to be present on site to oversee works
- f) Responsible persons and lines of communication
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s)
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.
- j) Protection of Ballards Ash Protected Road Verge
- l) Mitigation measures set out in the Ecological Appraisal report (Aspect Ecology, 2016), particularly measures MM1, MM2, MM3, MM6

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

A report prepared by a competent person(s), certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, shall be submitted to the Local Planning Authority within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner.

REASON: To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

33. Prior to the Commencement of development takes place, a reptile method statement shall be submitted to the local planning authority for approval. Development, including ground/site/vegetation clearance, a detailed methodology for the capture and translocation of reptiles and details of the proposed receptor site and its long-term management, shall be carried out in accordance with the approved method statement or any amendment as approved in writing by the local planning authority. Reptile translocation shall be carried out and the receptor site shall be maintained in accordance with the approved plan, unless otherwise in agreed in writing by the local planning authority.

REASON: To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

34. Prior to commencement of development, a Landscape and Ecological Management Plan shall be prepared and submitted to the local planning authority for approval. Details within the LEMP shall include, but not necessarily be limited to, the following:

- a) Full specification of habitats to be created, including locally native species of local provenance and locally characteristic species
- b) Description and evaluation of features to be managed; including location shown on a site map
- f) Prescriptions for management actions;
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward
- h) Details of the body or organisation responsible for implementation of the plan;
- i) Ongoing monitoring and remedial measures.

The development site shall be managed and maintained in accordance with the measures set out in the approved plan in perpetuity unless otherwise agreed in writing with the local planning authority.

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 adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

35. No development shall commence within the development area until:

- c) 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
- d) 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.

36. No development shall commence on site until details of the materials to be used on the development 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: 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, in the interests of visual amenity and the character and appearance of the area.

37. No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

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

38. 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:-

- 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);
- tree(s), of a size and species and in a location to be agreed in writing with the Local Planning Authority, shall be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428

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.

39. 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

40. No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837:

2012: "Trees in Relation to Design, Demolition and Construction - Recommendations"; has been submitted to and approved in writing by the Local

Planning Authority, and;

The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work – Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practice.

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

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

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

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 enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

41. No development shall commence on site until 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) has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

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 the proper management of the landscaped areas in the interests of visual amenity.

42. The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.

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

AP01 Site Location Plan

AP14B Proposed Site Plan

AP16 Proposed Foodstore Ground Floor Plan

AP19 Proposed Foodstore Elevations

AP20 Proposed Foodstore Roof Plan

AP16 Proposed Apartments Ground & First Floor Plans

AP25 Proposed Care Home Ground & First Floor Plans

ASP2 REV F Landscape Masterplan

ASP3 REV H Landscape Strategy

Planning Statement

Design & Access Statement

Ecological Assessment

Noise Survey

Flood Risk Assessment

Archaeological Geophysical Survey

Transport Assessment

Landscape Supporting Statement

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