

**REPORT TO THE STRATEGIC PLANNING COMMITTEE****Report No.**

<b>Date of Meeting</b>	31 January 2018
<b>Application Number</b>	17/09248/VAR
<b>Site Address</b>	Land East of Spa Road, Melksham, Wiltshire
<b>Proposal</b>	Variation of Condition 32 of 14/10461/OUT relating to site access.
<b>Applicant</b>	Mr Andy Birch
<b>Town/Parish Council</b>	MELKSHAM (TOWN)
<b>Electoral Division</b>	MELKSHAM SOUTH – Cllr Hubbard
<b>Grid Ref</b>	391595 163167
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	David Cox

**Reason for the application being considered by Committee**

Cllr Jon Hubbard requested that should officers be minded to approve this application, it should be brought before the elected members to consider the environmental/highway impact and the relationship with adjoining properties.

This variation application relates to an application which was reported to and determined by the Strategic Planning Committee on 10 February 2016 and officers consider it is appropriate to report this application back to the strategic committee following receipt of the ward member call-in.

**1. Purpose of Report**

Having assessed the merits of the proposed development and tested it against the policies of the development plan and other material considerations, officers recommend that the application should be approved subject to conditions.

**2. Report Summary**

The main issues to consider are:

- Principle
- Access and highways
- Impact upon neighbouring amenity
- Impact on the character and appearance of the area
- Impact on designated heritage assets
- Other issues

**3. Site Description**

The site is known as Land East of Spa Road, Melksham. The site is approximately 20 hectares in size and forms a parcel of agricultural land to the east of Snowberry Lane. It lies between the new East Melksham Clackers Brook development, Melksham Oak Secondary School and the new playing pitches for Melksham Football & Rugby Club.

The site is relatively flat and comprises agricultural land of pasture and semi improved grassland used for cattle grazing. The fields are defined by existing hedgerows and there are few mature trees.

A public right of way runs through the site (MELW18) which provides a link from Bowerhill to Melksham via The Spa and the Clackers Brook development.

#### 4. Planning History

14/10461/OUT - Outline application for up to 450 dwellings with associated access and engineering operations, land for extension of medical facilities or community facility, and extension to Eastern Relief Road from Thyme Road to The Spa - Snowberry Lane (amended). This outline application including the provision of an external access was approved by the Strategic Committee on 10 February 2016 subject to the signing of a S106 agreement. The legal agreement was sealed and the decision to approve outline planning permission was issued on 22 September 2016.

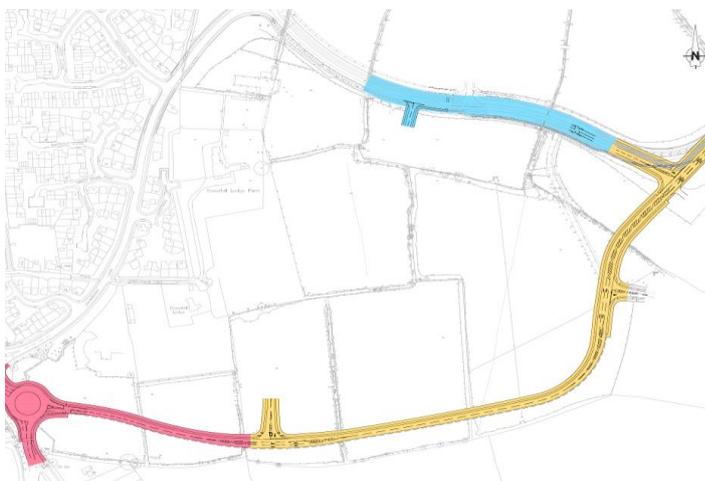
The applicant has until 22 September 2019 to submit reserved matters application(s) for a minimum of 300 dwellings as per condition 3.

#### 5. The Proposal

This application seeks to vary condition 32 of consented application 14/10461/OUT which lists the 2016 approved plan drawings to allow the proposed northern vehicular site access located along Thyme Road, to be relocated approximately 150 metres further to the west. The variation proposal also includes removing the second internal access road into the proposed development site. These proposed variations are illustrated on the insert plans below.



Extant Approved Plan – Showing Access off Thyme Rd (ref 14/10461/OUT)



Variation Plan – Showing Proposed new Access off Thyme Rd and removal of 2<sup>nd</sup> southern access

#### 6. Local Planning Policy

The following Wiltshire Core Strategy (WCS) Core Policies (CP) are relevant when assessing this application. CP1 (Settlement strategy), CP2 (Delivery strategy), CP3 (Infrastructure requirements),

CP15 (Melksham Area Strategy), CP41 (Sustainable construction and low carbon energy), CP43 (Providing affordable homes), CP45 (Meeting Wiltshire's housing needs), CP46 (Meeting the needs of Wiltshire's vulnerable and older people), CP50 (Biodiversity and geodiversity), CP51 (Landscape), CP52 (Green Infrastructure), CP55 (Air Quality), CP56 (Contaminated Land), CP57 (Ensuring high quality design and place shaping), CP58 (Ensuring conservation of the historic environment), CP60 (Sustainable Transport), CP61 (Transport and Development), CP62 (Development impacts on the transport network), CP64 (Demand Management), CP67 (Flood Risk)

Wiltshire Waste Core Strategy - WCS6 (Waste Audit)

When adopting the WCS, some policies continue in force from the West Wiltshire District Local Plan (1<sup>st</sup> Alteration) (WWDLP) were saved. Those which are relevant to this application include: U1a (Foul Drainage/sewerage treatment), I2 (Arts), I3 (Access for everyone).

The West Wiltshire Leisure and Recreation Development Plan Document (WWL&R DPD)

The Emerging Melksham Neighbourhood Plan

Open Space Provision in New Housing Developments – A Guide (Supplementary Planning Guidance)

Affordable Housing Supplementary Planning Guidance adopted August 2004

National Planning Policy Framework 2012 (NPPF) and National Planning Practice Guidance (NPPG)

Wiltshire Car Parking Strategy

Circular 06/2005 – Biodiversity and Geological Conservation

Planning (Listed Buildings and Conservation Areas) Act 1990

Wiltshire Council Waste Collection Guidance for New Development

Wiltshire Housing Land Supply Statement (HLSS) dated March 2017

## 7. Summary of Consultation Responses

Melksham Town Council – Objects: When considering the original planning application (14/10461/OUT) Councillors raised concern at the impact of construction traffic on local residents in the Snowberry Lane area and asked if *'this application were approved a condition be imposed that no construction traffic be allowed to enter the site via Snowberry Lane, but via the new relief road, which should be constructed prior to construction work taking place.'* As the relief road is not being constructed prior to construction work taking place, concern was raised that construction traffic would use Snowberry Lane, therefore Councillors **OBJECTED** to this application given the potential impact on residents in the Snowberry Lane area, with regard to noise, traffic, congestion and highway safety, particularly as Snowberry Lane is used as a walking route to Melksham Oak School.

Melksham Without Parish Council – No objection

Wiltshire Council Highways Officer – No objection

## 8. Publicity

The application was advertised by site notice and neighbour notification letters on 29 September 2017. Re-notification letters were sent out on 29 December 2017 following revisions made by the applicants through seeking to remove an internal access road that was originally shown to be formed towards to southern part of the site.

5 letters of objection have been received (two from the same person) raising the following summarised comments

### Principle

- Where will young children play, grow and develop? An easy response would be to say that you have just built a community sports centre.

## Highways

- Increase in traffic which will be a hazard to pedestrians and cause increase congestion on the main roads (A350, A365);
- The eastern relief road must be fully built prior to any building of houses;
- There should be a stipulation that the developers contribute to the cost of upgrading / increasing the capacity of the surrounding roads (not just the Eastern Relief Road), before the housing is built;
- The developers should provide a lit pathway around and through the proposed site for children attending Melksham Oak. This would keep them off the main road in the peak hours and shorten the walk for the majority of them;
- The access will cause disturbance to people opposite.
- Concern that the northern access road would be used for construction traffic.

## Other Matters

- Primary Schools, Doctors and Dentists in the area are already at capacity;
- The recycling centre is full to capacity;
- There are not enough refuse bins available judging by the amount of litter in the area.

## **9. Planning Considerations**

Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise. In this case, the Wiltshire Core Strategy, including those policies of the West Wiltshire District Plan that continue to be saved and enshrined within the WCS, constitutes the relevant development plan for the Melksham area.

### **9.1 Principle**

9.1.1. The Principle of development has already been established by the approval of the outline application 14/10461/OUT. This permission is still extant and the developer has until 22 September 2019 to submit the first reserved matters application(s) for a minimum of 300 dwellings as per condition 3. This application seeks only to vary one detail of that outline permission i.e. changing the access into the site and only this is all that can be reasonably considered.

### **9.2 Access and Highways**

9.2.1. The Council's Highways Officer has raised no objection to the proposed change of the northern access into the site and states that:

*The provision of a simple priority junction would be in keeping with the downgraded status of Thyme Road as and when the third phase of the Eastern Relief Road has been completed. I am satisfied that the junction would operate with more than adequate capacity, and that safety would not be unacceptably compromised as a result of the provision of this junction.*

9.2.2. It is therefore considered that the variation to change the access would not have any adverse impact on highway safety as the access relocation would be acceptable and there would be sufficient visibility splays in both directions. No highway based objections are raised to removing the second internal southern entrance into the site from the relief road.

### **9.3 Impact on Neighbouring amenity**

9.3.1 The access would be approximately 30 metres away from the existing houses, which is comparable to the separation distance between the houses and the original access. There would be

no substantive material difference between the two access points and the potential effects on neighbouring amenity.

#### **9.4 Impact on the Character and Appearance of the Area**

9.4.1 The proposed variation would not have a greater impact on the character and appearance of the area compared to that which was previously approved.

#### **9.5 Impact on Designated Heritage Assets**

9.5.1 The change in the position of the northern access into the site would have no greater impact on the setting or significance of the Grade II listed Spa buildings or the Grade II\* Woolmore House which are located to the south of the application site compared to the consented scheme.

9.5.2 The access would be relocated closer to Bowerhill Lodge Farmhouse which is a Grade II listed building positioned approximately 170 metres to the west. Despite being brought closer, the proposed new access off Thyme Rd would have no adverse impact to either the farmhouse setting or its significance. Future reserved matters application(s) would need to carefully appraise the impact of the intervening housing on the listed building.

#### **9.6 Other Issues**

9.6.1 Considerable concern has been raised by Melksham Town Council and from neighbour representations about this application and as part of the consultation and public notification representations, it has been argued that the eastern relief road should be built first to prevent neighbouring (and mainly) Snowberry Lane residents from the effects of construction traffic.

9.6.2. In response, these matters were raised at the time, as recorded in the published committee minutes for the 10 February 2016 meeting which recorded the following:

*“Members heard the views of Cllr Jon Hubbard, the local Member, whilst generally in support of the development, did express some concerns. He drew attention to the boundary wall of 3 Farmhouse Court which was listed and should be protected. He also referred to the plan to construct an additional roundabout near the junction of Spa Road and Snowberry Lane and considered that traffic lights should be installed instead in the interests of road safety. He felt that the Eastern Relief Road should be built before commencement of building the houses rather than occupation which could then be used by the construction traffic.”*

9.6.3. However, these changes were not supported by the Council’s Highways Officer; were not endorsed by the Committee and were not included as planning conditions on the permission. It would not be reasonable to impose such a requirement now, and any attempt to do so would inevitably be rejected on appeal as the Council has already accepted the principle that the road cannot be built in its entirety prior to any houses being constructed and there is no road safety argument.

9.6.4. There is no justification to restrict access to the site from Snowberry Lane. It is a road that is designed to cater for traffic of this nature and it has served the residential development sites to the north for several years and more recently, the construction of the sports facilities.

9.6.5. In the absence of a substantive planning or highway justification, it would clearly be unreasonable to impose any such condition which would fundamentally change the requirements of the permission.

9.6.6. Under the consented 14/10461/OUT application, 32 planning conditions define the terms of the permission. In addition to the standard outline and approved plan list conditions, Condition 5 requires details of a phasing scheme of the development to be submitted prior to any development on site. Conditions 26, 27, and 28 set out that various phases of the relief road which has to be

completed at certain stages of the development. Prior to the occupation of the first dwelling, the highway serving the first phase must be complete. To serve Phase 2 no more than 250 dwellings can be occupied and no more than 350 dwellings by phase 3 which would complete the new relief road. Officers furthermore submit that condition 28 imposes certainty and protection of residents that the relief road will be completed upon the 350th dwellings being occupied.

Officers recognise that there may be some disturbance to local residents whilst construction is underway. The applicant has been contacted by Officers and asked to liaise with the Division Member to explore ways in which this disturbance can be mitigated.

#### **10. S106 Contributions**

A variation would be required simply to ensure that the existing obligations entered into on the original outline planning permission are retained and honoured.

#### **11. Conclusion (The Planning Balance)**

The proposal is to vary the position of the northern access into the site which has extant outline planning permission in place to deliver up to 450 dwellings to which there are no objections in highway and /or planning terms. The variation proposal would furthermore not result in harming heritage interests, neighbouring amenity or the character and appearance of the area. There are no good grounds for refusing what is a relatively minor change to the approved scheme.

#### **RECOMMENDATION**

- 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 phase as referred to in Condition 5, of the development hereby permitted shall commence, other than the site access until details of the following matters for that phase (hereinafter called "the reserved matters" 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;
  - (e) The internal access arrangements
  - (f) The mix and type of housing

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 Applications for the approval of reserved matters for a minimum of 300 dwellings shall be made to the Local Planning Authority before the expiration of three years from the date

of this permission. Applications for the approval of the reserved matters for the residual amount of dwellings (any additional dwellings in excess of 300 units) shall be made to the Local Planning Authority before the expiration of five 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 Development shall not be commenced on site until a supplemental planning obligation has been completed by the Council and the freehold owner of the land comprised in title number WT72400

REASON: To ensure the land is bound by the relevant covenants in the Section 106 Legal Agreement related to this permission

- 5 No development shall commence on site until a phasing scheme has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: To ensure the satisfactory delivery of the development and facilitate the proper planning of the area

- 6 No development shall commence on each relevant phase (as referred to in Condition 5) until a scheme of hard and soft landscaping for that phase 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;
- \* proposed seed mix for the neutral grassland areas
- \* finished levels and contours;
- \* means of enclosure;
- \* boundary treatments;
- \* 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);
- \* retained historic landscape features and proposed restoration, where relevant.

\* arboricultural 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 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 for each relevant phase (as referred to in Condition 5) 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 within that phase 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 in the relevant phase 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 development shall commence on each relevant phase (as referred to in Condition 5) until details of the estate roads, footways, footpaths, cycle tracks, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture within that phase and a timetable for implementation and provision of such works has been submitted to and approved in writing by the Local Planning Authority. The development shall then 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 and to ensure that the roads are laid out and constructed in a satisfactory manner

- 9 No development shall commence on site until details of how and when an access will be provided to the offsite ecology area and how the proposed development hereby approved including the construction period will ensure that the adjacent sports field access (to Melksham Rugby and Football Club) remains unobstructed. The 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.

- 10 No development shall commence on site until 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. The approved programme of archaeological work shall then 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, to enable the recording of any matters of archaeological interest.

- 11 No development shall commence on site until a Construction Traffic Management Plan (CTMP) which shall include inter alia, proposals for the phasing of the development, and how this might influence construction traffic routeing, and proposals to ensure that the adjacent highway is kept clear of site detritus has been submitted to and approved in writing by the Local Planning Authority. The development shall then 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 and to ensure that the amenity of the local highway network is adequately protected.

- 12 No development shall commence on site until a dust suppression scheme has been submitted to and approved in writing by the Local Planning Authority and shall be designed to minimise any windblown dust from the construction of the development affecting adjoining neighbouring properties. This scheme should cover all the phases of the construction site, including earth works, spoil heap storage, vehicle movements and cutting of materials. The 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.

- 13 No development shall commence on each relevant phase (as referred to in Condition 5) until a noise impact assessment and a scheme for protecting the affected proposed dwellings and their curtilages within that phase from road traffic noise has been submitted to and approved in writing by the Local Planning Authority. Any works which form part of the details approved by the Local Planning Authority shall be completed before occupation of any approved residential dwelling affected by the road traffic noise (as determined by the assessment within that phase).

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 protect the amenity of future residents.

- 14 No development shall commence on each relevant phase (as referred to in Condition 5) until details of a foul drainage disposal scheme to serve the development within that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to the occupation of any approved building within the relevant phase.

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.

- 15 No development shall commence on each relevant phase (as referred to in Condition 5) until details of a storm drainage disposal scheme to serve the development within that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to the occupation of any approved building within the relevant phase.

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.

- 16 No development shall commence on each relevant phase (as referred to in Condition 5) until details of a surface water management scheme for that phase, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall clarify the intended future ownership and maintenance provision for all surface water drainage works serving the development within that phase. The scheme shall subsequently be implemented 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 prevent the increased risk of flooding, and ensure future maintenance of the surface water drainage system.

- 17 No development shall commence on site until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented 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 and to maximise water efficiency on the development.

- 18 No development shall commence on site until a landscape environment management plan (LMP), including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) and a timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The landscape environment management plan shall be carried out and implemented in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to the granting of planning permission and the matter is required to be agreed in writing by the Local Planning Authority before development commences in order to ensure the proper management of the landscaped areas in the interest of visual amenity and protection of adjacent listed buildings.

- 19 No development shall commence on site until a Landscape and Ecological Management Plan (LEMP) has been submitted to, and approved in writing by, the Local Planning Authority.. The content of the LEMP shall include, but not necessarily be limited to, the following information:

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(s) shown on a site map;
- c) Landscape and ecological trends and constraints on site that might influence management;
- d) Aims and objectives of management;
- e) Appropriate management options for achieving aims and objectives;
- f) Prescriptions for management actions;
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-10 year period);
- h) Details of the body or organisation responsible for implementation of the plan;
- i) Ongoing monitoring and remedial measures;
- j) Timeframe for reviewing the plan; and
- k) Details of how the aims and objectives of the LEMP will be communicated to the occupiers of the development.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body (ies) responsible for its delivery.

The Plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented.

The LEMP shall be implemented in full 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 to ensure the long-term management of protected and priority habitats and other landscape and ecological features, and to maintain and enhance these habitats and features in perpetuity.

- 20 No development shall commence on site until a habitat creation plan has been submitted to and approved in writing by the Local Planning Authority. The development shall then 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.

- 21 No development shall commence on the relief road until details of how the relief road will be designed to avoid impact on amphibians have been submitted to and approved in writing by the Local Planning Authority. The relief road shall then be constructed 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 and in the interest of biodiversity
- 22 The construction of dwellings within each relevant phase (as referred to in Condition 5) shall not commence on site until details of the storage of refuse, including details of location, size, means of enclosure and materials to serve dwellings within that phase have been submitted to and approved in writing by the Local Planning Authority. A dwelling shall not be first occupied until the approved refuse storage for that dwelling has been completed and made available for use in accordance with the approved details and it shall be retained in accordance with the approved details thereafter.
- 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 and in the interest of public health and safety
- 23 No development shall commence on site until a waste audit regarding the construction of the site (Part a-g) of Policy WCS6 of the Waste Core Strategy) has been submitted to and approved in writing by the Local Planning Authority. The development shall then 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 in the interests of minimising waste from the construction development.
- 24 No external lighting shall be installed within each relevant phase (as referred to in Condition 5) until plans showing the type of light appliance, the height direction and position of fitting, illumination levels and light spillage of external lighting within that phase designed in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2011)" and areas to be maintained as dark corridors (including the green corridor along the relief road around the southern and eastern sides of the site) have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.
- REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site including towards designated and non-designated heritage assets and to protected ecological species.
- 25 Prior to the occupation of each dwelling, the roads including footpaths and turning spaces serving that dwelling shall be constructed with a properly consolidated and surfaced to at least binder course level between the dwelling and the existing adopted highway.
- REASON: To ensure that the development is served by an adequate means of access
- 26 Prior to the occupation of the first dwelling hereby permitted, the highway infrastructure identified as Phase 1 on drawing number 10154-PP-01 Rev A shall be constructed and completed in accordance with the approved plans.
- REASON: In the interest of highway safety

27 No more than 250 dwellings hereby permitted shall be occupied until the highway infrastructure identified as Phase 2 on drawing number 10154-PP-01 Rev A has been constructed and completed in accordance with the approved plans.

REASON: In the interest of highway safety

28 No more than 350 dwellings hereby permitted shall be occupied until the highway infrastructure identified as Phase 3 on drawing number 10154-PP-01 Rev A has been constructed and completed in accordance with the approved plans.

REASON: In the interest of highway safety

29 No dwelling hereby permitted shall be occupied until a public art scheme for the site and a timetable for installation has been submitted to and approved in writing by the Local Planning Authority. The development shall then 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, to ensure the proposal complies with the relevant public art policies.

30 The dwellings hereby permitted shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwellings 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 comply with Core Policy 41 of the Wiltshire Core Strategy 2015.

31 Demolition or construction works on the site hereby approved shall not take place outside 07:30 hours to 17:30 hours Mondays to Fridays and 08:00 hours to 12:30 hours on Saturdays nor at any time on Sundays or Bank Holidays.

REASON: In the interest of protecting the amenity of nearby residential properties.

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

Site Location Plan 4769-L-03-C - received 16 January 2015; Transport Statement, Phasing Plan -10154-PP-01-REV C, Eastern Relief Road Sheet 1 10154-HL-03-Rev D, Eastern Relief Road Sheet 2 10154-HL-04-Rev E, Eastern Relief Road Sheet 3 10154-HL-05-Rev D, Eastern Relief Road Sheet 4 10154-HL-07-Rev F, Indicative Landscaping Plan 4769-L-05-REV G, Northern Access Plan 10484-SK-03-Rev C, Indicative Planting Scheme 4769-L-04-Rev K, Parameters Plan 4769-L-06-Rev J, Green Infrastructure 4769-L08-Rev F and Accessible Open Space 4769-L-08-Rev H - all received on 21 December 2017

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

### **Planning Informatives**

1 This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated 22nd September 2016

2 In order to discharge the surface water management scheme the Environment Agency would expect to see the inclusion of the following:

A clearly labelled drainage layout plan showing the pipe networks and (where appropriate) any attenuation ponds, soakaways and drainage storage tanks. This plan should show any pipe node numbers referred to in the drainage calculations and the invert and cover levels of manholes;

A manhole schedule;

Model runs to demonstrate that the critical storm duration is being used;

Confirmation of the appropriate discharge rates and volumes, with any flow control devices indicated on the plan with the rate of discharge stated; It is noted that discharge is to be to a single ditch. This ditch must currently receive flows from this site and the post development discharge rate and volume into that ditch must not exceed the existing rate and volume of discharge into the ditch. A 'site-wide' catchment analysis will be required to verify how much of the site currently flows into the ditch and hence to determine the acceptable flows.

Calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 critical duration storm event;

Exceedence flow can occur during short but very intense rain storms, or if system blockage occurs etc. The large volume of runoff generated from impermeable surfaces during such events may not all be captured by the drainage system and unless otherwise intercepted a proportion would flow downslope possibly onto land under other ownership. For surcharge / flooding from the system, overland flood flow routes and "collection" areas on site (e.g. car parks, landscaping) must be shown on a drawing. CIRIA good practice guide for designing for exceedance in urban drainage (C635) should be used. The run-off from the site during a 1 in 100 year storm plus an allowance for climate change must be contained within the site and must not reach unsafe depths on site;

A 30% allowance for climate change should be incorporated into the scheme in accordance with PPS25;

Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.

Specification of how the scheme will be maintained and managed after completion.

- 3 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)

- 4 The applicant is advised that the reserved matters application should include low-rise development to ensure no harm is raised to the significance of the existing built historic environment.

- 5 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.

- 6 Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at: <https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>
  
- 7 It is important for the applicant to note that the reserved matters application(s) should respect the setting of the listed buildings and listed walls and should include details of how they will be protected.
  
- 8 The Strategic Planning Committee welcomes the fact that the Developer has agreed to form a Neighbourhood Liaison Group.