

REPORT OUTLINE FOR AREA PLANNING COMMITTEES**Report No.**

Date of Meeting	16 th January 2025
Application Number	PL/2024/05291
Site Address	Land adjacent to Kiln Close, Whaddon, SP5 3HE
Proposal	Excavation of former railway embankment, erection of 3 x new self-build dwellings, hard and soft landscaping and associated works
Applicant	Manor House Developments Ltd
Town/Parish Council	Alderbury
Electoral Division	Alderbury and Whiteparish – (Richard Britton)
Grid Ref	51.03593, -1.720572
Type of application	Full Planning
Case Officer	Joe Richardson

Reason for the application being considered by Committee

The application has been called-in before committee by Cllr Britton if officers are minded to approve on the basis of the level of community tension received regarding the loss of the embankment and habitat area necessitating the need for public debate and transparent decision making.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved for the reason(s) set out below.

2. Report Summary

The issues in this case are:

- Principle of development including self-build;
- Contribution site makes to public amenity;
- Character and Design;
- Neighbouring Amenities;
- Archaeology;
- Drainage;
- Parking/Highway Safety;
- Ecological impact including River Avon/River Test nitrate neutrality and New Forest SPA;
- Other matters including Land Stability and the Council's current Housing Land Supply position

3. Site Description

The application site as shown below constitutes a parcel of land of approx. 0.36 hectares in size being part of an area of former railway land (dismantled around 1970) on the western side of Kiln Close within the settlement boundary of Whaddon. The embankment has acted as a buffer zone to properties within Kiln Close to the east and to the properties within Southampton Road to the west. Works to remove trees and shrubbery under a felling license have been completed. The site is within the River Test Catchment Area and the 13.8km recreational buffer zone of the New Forest SPA/SAC/RAMSAR site and is within a Special Landscape Area as defined by Saved SDLP policy C6. The site previously benefitted from planning permission 19/02051/FUL for the erection of one dwellinghouse and new driveway but this permission has elapsed without being implemented.



4. Planning History

PL/2022/01042 - Renewal of consent for new dwelling approved under ref 19/02051/FUL WTD 06.04.22

19/08805/DOC – Discharge of conditions 5 and 6 of planning permission 19/02051/FUL – APP 07.11.19

19/02051/FUL – New dwelling and access (resubmission of 18/10244/FUL) A.C 30.05.19

18/10244/FUL - New dwelling with integral garage for access REF 08.02.19

PL/2023/11012 - Excavation of former railway embankment, erection of 4 x new dwellings, hard and soft landscaping and associated works REF 22.03.24 APPEAL TBC

5. The Proposal

The proposal seeks planning permission for the excavation of the former railway embankment, erection of 3 x new self-build dwellings, hard and soft landscaping and associated works.

6. Local and National Planning Policy

National Planning Policy Framework

Section 2 Achieving Sustainable Development

Section 11 Making effective use of land

Section 12 Achieving Well Designed Places

Section 15 Conserving and enhancing the natural environment

Wiltshire Core Strategy

Core Policy 1 Settlement Strategy

Core Policy 2 Delivery Strategy

Core Policy 23 Southern Wiltshire Community Area

Core Policy 50 Biodiversity and Geodiversity

Core Policy 51 Landscaping

Core Policy 52 Green Infrastructure

Core Policy 57 Ensuring high quality design and place shaping

Core Policy 60 Sustainable Transport

Core Policy 61 Transport and New Development

Core Policy 69 Protection of the River Avon SAC

Saved Salisbury District Local Plan (SDLP)

C6 – Special Landscape Area

Supplementary Planning Documents:

Wiltshire Local Transport Plan 2015-2026: Car Parking Strategy and Cycling Strategy

Creating Places Design Guide SPD (April 2006)

Wiltshire Design Guide

National Design Guide 2021

Wiltshire Housing Sites Allocation Plan (February 2020) (WHSAP)

Emerging Local Plan

7. Summary of consultation responses

Alderbury Parish Council – Objection with the following comments received:

1. This is clearly an **overdevelopment** of the area. The reduction in the number of houses from 4 to 3 does not adequately address this. Our view is that the developer's supporting argument citing surrounding housing density is specious. Kiln Close is a completely separate area and not similar enough to those roads to make that comparison appropriate.
2. This development will be **out of keeping** with the area. This is not a road which lends itself to multiple dwellings. The proposed properties, unlike their immediate neighbours, will be close to each other with small gardens.

3. It is well known that railway embankments were originally built up of waste materials from other sites. The chance of **toxic contamination** is very high. We believe this will be true of the soil as it is moved, but also in air contaminants which will be released during the process which may spread over a large local area. It is likely that part of the original build up was from nearby rail depots (at the time) and is highly likely to contain asbestos. Residents who watched the soil sampling take place are extremely concerned that the samples taken were entirely inadequate for the size of the embankment and question the validity of the findings.
4. Already parking and access can be difficult. There are occasions when the **refuse collection vehicle cannot get into** Kiln Close, meaning elderly residents have to drag their bins to the end of the Close. This will only get worse and will be a constant problem through any construction work. Councillors are also concerned about access for emergency vehicles.
5. There is **no information about how the removal of the large amount** of soil making up the embankment will be removed. The impact on residents is a key concern here. A detailed plan should include a risk assessment and plans to mitigate those risks. This needs to be established before permission is granted, as access is so difficult.
6. Alderbury Parish Council has a **tree policy which this development breaches** on several fronts including the pre-clearance of the site and the overall loss of trees to the village. No plan to reinstate trees is evident.
7. Whilst accepting the owners had a legal right to fell trees and associated undergrowth, the community is outraged that this happened. Given the position and age of the vegetation, it was clearly home to many plants and animals and provided a much needed corridor for movement between habitats. Residents have already reported a significant reduction in the number of bats they see. Regeneration of the trees and flowers is already apparent. The embankment can still and should remain as a wildlife corridor. The subsequent licence application is considered cynical and reduces trust in this developer.
It is essential that any measure of bio-diversity gain is measured from the time before this clearance. Clearly the density of the build on the site will not allow for a 20% gain.
8. All development in Alderbury exacerbates **traffic build up on the A36**. Where there is no significant gain to housing stock and no immediate need for Alderbury to be required to take more houses, this development will add to that traffic problem whilst providing very little other gain.
9. Notwithstanding Highways comments that the entrance/exit from Kiln Close is safe, this is not the lived experience of all residents of Alderbury. The junction is hidden on a bend just before the slip road to the A36.
10. There is a widely held view that the railway embankment is a **heritage asset**. It has been part of Alderbury for many years and an important landscape feature for the village.
11. The embankment has provided protection for neighbouring residents from light pollution and excessive noise from the A36. There is a clear **deterioration in amenity for these neighbours**.
12. Councillors heard from residents that water previously held by the vegetation on the embankment now flows more freely onto the road. There are clearly **flooding** consequences from the removal of so many trees and plants. There is still no specific drainage report on the website
13. The development as proposed will create an **incongruent relationship** between it and existing houses on Southampton Road. We question if this development meets the WC policy on attractive, well-designed communities.
14. Many more people will be **adversely affected** by this development than the small benefit gained from providing just 3 more houses.

WC Highways – No objection subject to conditions with the following comments stating:

I note that each dwelling is now to be served with a separate access. Each dwelling is to be provided with 3 parking spaces to meet Wiltshire's current parking standards including a garage space, and one additional visitors space per dwelling. A passing place is also proposed on Kiln Close. I wish to maintain no highway objection providing the following condition is imposed:

No part of the development hereby permitted shall be occupied until the parking spaces have been completed in accordance with the details shown on the approved plans (0817/PL/101 Rev E). The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.

REASON: In the interests of highway safety.

WC Drainage – No objection subject to conditions around foul and surface water drainage.

WC Ecology – No objection subject to conditions (see full response in the ecology section of this report). Suggested conditions are as follows:

Wildlife Corridor Management Plan

Prior to construction commencing full details of the 'wildlife corridor management plan' must be submitted to and approved in writing by the local planning authority. The wildlife corridor must comprise a broad band of unfragmented native tree and shrub planting in accordance with the Proposed Site Plan. 0817/PL/101 Rev: E. (Larkham Design Ltd, 12/08/2024) and be managed to benefit biodiversity. The plan must include the following details:

- (i) Planting plan.*
- (ii) Planting specification including species, specimen number and age.*
- (iii) Confirmation of the width of the corridor.*
- (iv) Permanent measures, such as fencing, to protect the wildlife corridor from loss or degradation.*
- (v) Management plan specifying management priorities and actions.*

REASON: To avoid adverse impacts on biodiversity.

Bat and Bird Boxes

Prior to the commencement of any works, including vegetation removal and demolition, details of the number, design and locations of bat roosts and nesting opportunities for birds shall be submitted to the local authority for approval. The approved details shall be implemented before occupation of the final works.

REASON: To provide mitigation /enhancement for biodiversity.

Water Efficiency in River Avon and River Test Catchments

The overnight development hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage) and a water efficiency assessment should be submitted. Before the development is brought

into use, a water efficiency report certifying that this standard has been achieved shall be submitted to the local planning authority for its written approval.

REASON: To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

GRAMPIAN CONDITIONS River Avon Phosphorus Mitigation

CONDITION:

The development hereby permitted shall not commence until evidence of compliance to the Wiltshire Council River Avon Special Area of Conservation Mitigation scheme, or an alternative approved mitigation package addressing the additional nutrient input arising from the development, has been submitted to, and approved in writing by the Local Planning Authority.

REASON: To accord with the Conservation of Habitats and Species Regulations 2017, and Wiltshire Core Strategy Core Policy 69.

INFORMATIVE: Hampshire Avon Phosphorus Mitigation

Evidence of compliance to the Wiltshire Council River Avon Special Area of Conservation Mitigation Scheme means the certificate of allocation of credits and confirmation of financial contribution to the scheme. An alternative mitigation package must be approved by the local planning authority and Natural England with evidence of allocation to the scheme.

New Forest Mitigation Strategy

CONDITION

The development hereby permitted shall not commence until evidence of compliance to the Wiltshire Council New Forest Protected Sites Recreational Impacts Mitigation Scheme, or an alternative approved mitigation package addressing the recreational pressure arising from the development, has been submitted to, and approved in writing by the Local Planning Authority.

REASON: To accord with the Conservation of Habitats and Species Regulations 2017.

INFORMATIVE New Forest Mitigation Strategy

Evidence of compliance to the Wiltshire Council New Forest Protected Sites Recreational Impacts Mitigation Scheme means confirmation of payment of the financial contribution to the scheme. An alternative mitigation package must be approved by the local planning authority and Natural England with evidence of allocation to the scheme.

WC Archaeology – No objection with comments received stating:

This application is an iteration of a previous, similar application (PL/2023/11012) for the same site. The Archaeology Service raised no archaeological concerns with the 2023 application and there are no grounds to change that position for the current application. No further action is therefore required as regards the buried archaeological heritage in relation to this application.

WC Public Protection – No objection subject to conditions with the following comments received:

Having read through the submitted plans and reports, we would recommend a Construction and Environmental Management Plan (CEMP) condition, with conditioned construction hours

due to the proximity of existing residential properties. We agree with the conclusions of the Soils Limited Preliminary Investigation Report that further intrusive investigation is recommended for the site regarding potential land contamination.

8. Publicity

The application has been advertised by way of letters to near neighbours of the site and by the displaying of a site notice at the site subject to this proposal.

The publicity has generated 29 letters of objection in total with comments received summarised as the following:

- The Planning Statement is misleading and not correct;
- No notification received regarding the removal of trees and shrubbery from the embankment;
- Destruction and loss of wildlife habitat;
- Scheme is for self-build properties thus not bound to provide Biodiversity Net Gain;
- Trees and shrubbery should be re-instated by the developer;
- Overdevelopment of the site;
- Loss of outlook from surrounding properties;
- Other development for additional housing with Alderbury;
- Increase in noise from the A36 following removal of the trees/shrubbery;
- Works were not carried out in accordance with the felling license;
- Existing road (Kiln Close) too narrow and unable to accommodate additional traffic movement with damage caused by existing works and blockages experienced;
- Increase in vehicular movement;
- Refuse lorries unable to collect waste due to road blockages;
- How will construction vehicles/construction process/removal of spoil/embankment be managed;
- Damage to fencing during tree/shrubbery removal;
- Stability of the remaining bank following removal of the embankment;
- Existing embankment acts a barrier to noise pollution

9. Planning Considerations

9.1 Principle of development including self-build

Planning permission is required for the development. Applications must be determined in accordance with the development plan unless material considerations indicate otherwise. (Section 70(2) of the Town and Country planning Act and Section 38(6) of the Planning and Compensation Act 2004). The NPPF is also a significant material consideration and due weight should be given to the relevant policies in existing plans according to their degree of consistency of the framework. The Wiltshire Core Strategy was adopted in January 2015.

The Wiltshire Core Strategy (WCS) sets out a Settlement Strategy and a Delivery Strategy for the sustainable delivery of new development within the County. Applying the normal principle that applications for planning permission should be determined in accordance with the Development Plan unless material considerations indicate otherwise; proposed new development which does not comply with the Settlement and Delivery Strategies will be unsustainable, and so unacceptable as a matter of principle, in this overarching context. The

WCS for the area was adopted by Wiltshire Council in January 2015.

Core Policies CP1 and CP2 form the settlement strategy for the Wiltshire Core Strategy (WCS). In line with NPPF, this directs development towards the more sustainable settlements and locations, including housing development. The site lies within the settlement boundary of Alderbury, which is designated as a Large Village by WCS CP1 (Settlement Strategy), CP2 (Delivery Strategy) and CP23 (Southern Wiltshire Community Area).

WCS policy CP2 (Delivery Strategy) continues that '*Within the limits of development...there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages...*'. WCS policy CP23 (Southern Wiltshire Community Area) states '*Over the plan period (2006 to 2026) approximately 615 new homes will be provided of which 190 should occur in Downton. About 425 homes will be provided in the rest of the Community Area. Growth in the Southern Wiltshire Community Area over the plan period may consist of a range of sites in accordance with Core Policies 1 and 2*'.

This principle acceptability as outlined above is however subject to the detail in terms of the implications of the proposal for public amenity; character of the area including design; neighbouring amenities; land contamination matters; highway safety; archaeology; drainage; and; ecology. These matters will therefore be assessed in more detail within the following sections of this report.

This scheme is for the erection of three self-build dwellinghouses. Self-build dwellinghouses help diversify the housing market and increase consumer choice. Self-build and custom housebuilding covers a wide spectrum, from projects where individuals are involved in building or managing the construction of their home from beginning to end, to projects where individuals commission their home, making key design and layout decisions, but the home is built ready for occupation ('turnkey').

The [Self-build and Custom Housebuilding Act 2015 \(as amended by the Housing and Planning Act 2016\)](#) provides a legal definition of self-build and custom housebuilding. The Act does not distinguish between self-build and custom housebuilding and provides that both are where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals.

The proposal would provide three self-build units for which there would appear to be an unmet need as confirmed in the Wiltshire Council self-build register. As a proposal for three self-build dwellings, this carries moderate weight in favour of the proposal as it would meet an identified housing need. In terms of securing the proposal for three self-build dwellinghouses, this is to be secured by the applicant entering into a unilateral agreement with the Council of which the applicant has confirmed they are prepared to do.

9.2 Contribution site makes to public amenity

Core Policy 57 requires a high standard of design in all new development which is expected to create a strong sense of place through drawing on the local context and being complementary to the locality and that development needs to be carefully planned to ensure that valuable features and characteristics are protected and enhanced.

Paragraph 187 of the revised 2024 NPPF also states that planning decisions should contribute to and enhance the natural environment. Paragraph 136 of the NPPF identifies

trees as making *'an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change.'*

Core Policy CP52 of the WCS refers to Green Infrastructure and states *Development shall make provision for the retention and enhancement of Wiltshire's Green Infrastructure network, and shall ensure that suitable links to the network are provided and maintained.*

The site forms a part of the former railway embankment and would appear that works have been completed under a felling licence obtained from the Forestry Commission to remove trees/shrubbery that provided a buffer/shield of the site specifically to properties located within Southampton Road. Officers note the large volume of concerns received regarding the loss of trees/habitat from the embankment following the works carried out.

Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality and applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire. Development is expected to meet a number of related place shaping and design criteria in the policy and new development should enhance/bring a sense of character to the area as a whole.

Objective 3 of the Council's Design Guide Creating Places (page 10) states that it is expected proposals for new development to demonstrate how it will seek to retain natural features and wildlife habitats particularly mature trees and Part 8 of the guide specifically refers to *'urban character being commonly reinforced by small groups of trees or individual specimens that have matured and take on a particular significance.*

This is shown below in photographs of the site taken by the case officer from on top of the embankment and at the entrance to and from within Kiln Close. A comparative image of Kiln Close obtained from Google Maps is also shown below to highlight the changes that have occurred.



Views obtained from top of the embankment



Current views of the embankment from within Kiln Close



View of Kiln Close (Google Maps July 23)

It is noted that works have been undertaken to remove the trees and shrubbery on the embankment via a felling license obtained from the Forestry Commission, officers consider that these trees and shrubbery made a positive contribution to the character and appearance of the area which is also situated in a Special Landscape Area, to which trees and greenery make a valuable and positive contribution. The value in the combined visual impact also contributed greatly to the verdant character of this part of Kiln Close, the surrounding properties and public views from the wider streetscape which has now all regrettably been lost. The ecological impacts of these works will be referred to in the Ecological Impact section of this report below, but it is considered that this preparatory works have significantly altered the character of the site and area which needs to be mitigated by replacement planting.

It is acknowledged the works undertaken to the embankment via the felling licence obtained have significantly altered the character of the site, something that is reflected in the strong objections received to this proposal from the Parish Council and members of the public. However, there is no mechanism or requirement for the applicant to re-plant any tree(s) that were removed through the felling licence.

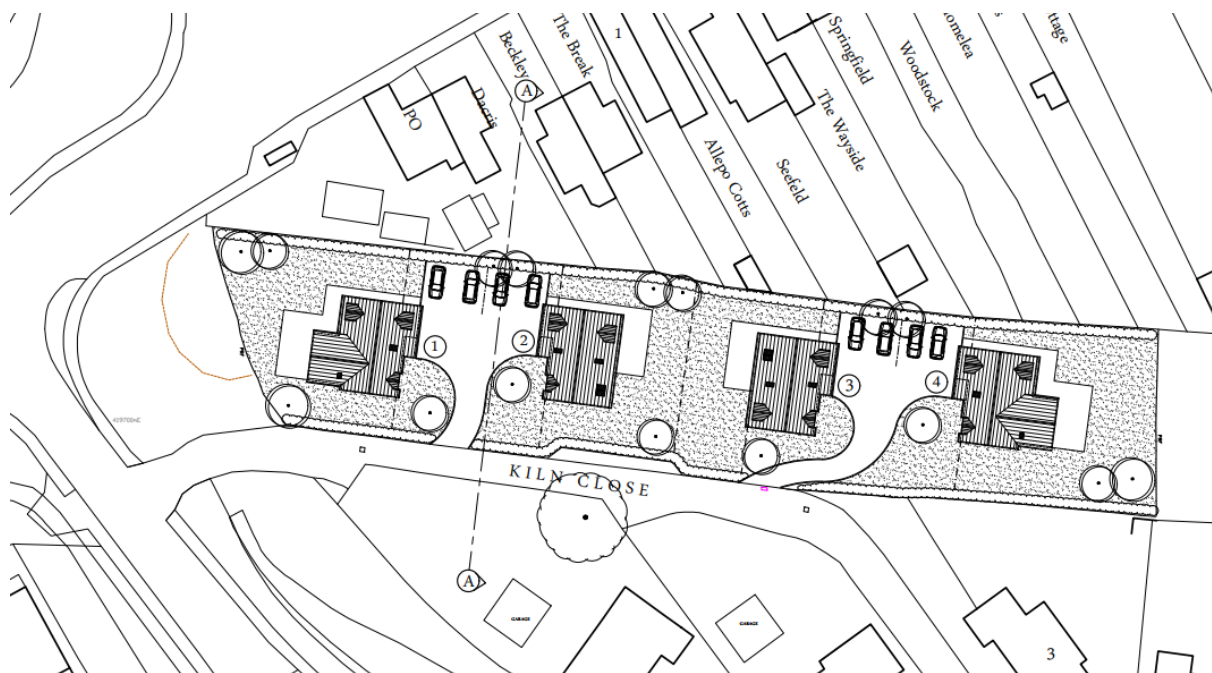
9.3 Character and Design

The revised NPPF puts greater emphasis on the need for good design. Paragraph 135 sets out that developments should function well and add to the overall quality of the area; demonstrate good architecture, layout and appropriate and effective landscaping; be sympathetic to local character; and establish a sense of place. It states at Paragraph 139 that development that is not well designed should be refused.

At a local level, WCS policy CP57 (Ensuring High Quality Design & Place Shaping), further requires a high standard of design in all new developments through, in particular, enhancing local distinctiveness; retaining and enhancing existing important landscaping and natural features; being sympathetic to and conserving historic buildings and landscapes in terms of layouts, massing, building heights and plot sizes; and making efficient use of land whilst taking into account the local context and surrounding uses.

Officers note the planning history on the site relating to the 2019 consent (19/02051/FUL) that granted permission for the erection of a new dwellinghouse and access on the site subject to this application. The design of the dwellinghouse approved on the site was a chalet style with first floor accommodation within the roof void on the western side of the plot of land. Officers also note the recent refusal PL/2023/11012 for the erection of four dwellinghouses on this site. This scheme was refused for a variety of reasons that included overdevelopment of the site.

The design of the four dwellinghouses within the 2023 application were similarly of a chalet style with first floor accommodation within the roof void set within a linear form on the western side of the parcel of land similar to that of the approved 2019 scheme. The layout of the refused scheme is shown below:



The layout of this scheme for three self-build dwellinghouses is shown below:



The proposed dwellings would sit on the western side of Kiln Close with parking and manoeuvring space located to the front of the new dwellings, whilst private gardens would be located at the rear and sides. The proposed dwellings would be 1.5 storeys and have been individually designed in a chalet bungalow style to limit ridge heights and to avoid any uniform appearance. The Wiltshire Design Guide stipulates that two storey dwellings should have a minimum garden area equal to the footprint of the dwelling – something that is achieved and exceeded with the proposed development. The minimum length of the garden (12m if north facing and 10m otherwise) has also been provided.

A concern of the previous scheme was that the proposed layout and design of the dwellinghouses had no reference to the prevailing characteristics of the area in terms of plot sizes and the verdant, spacious quality of the area. In order to address these concerns, the design, siting and materials of the dwellinghouses proposed.

In terms of character of the area, whilst the proposed dwellinghouses would not have their front elevation facing Kiln Close, no other property along Kiln Close is directly facing this road. Officers consider the proposed layout above with a reduction in the number of dwellinghouses proposed, separate accesses, hedges between driveways will help to soften the appearance of the development proposal. Plots 1 and 3 have a different orientation to reduce the uniform/rigid appearance and provide some addressment of the road similar to that of the dwellinghouses already within Kiln Close.

Individual driveways are proposed rather than shared driveways with more greening provided at each access point. This was another issue raised during the previous scheme in terms of the verdant character of the area. The reduction in the number of dwellinghouses proposed offers a greater opportunity for sufficient landscaping to be provided that would contribute to the appearance of the area. The layout as proposed reduces the uniformity of the previous proposal further enhanced by individual material palettes for each dwellinghouse proposed and provides a more spacious setting for each plot noting the previous reasons for refusal. A condition can be imposed onto any consent requiring material detail subject to any works above slab level. The changes proposed for this scheme address the reasons for refusal in regard to overdevelopment, introduce a reduction in uniformity, allowing for a greener

appearance that in the opinion of the case officer, reduces the urbanisation caused by this scheme.

Whilst a number of objections/written concerns have been received during the consultation period for this planning application, in officer opinion, the design of the dwellings reflects the local vernacular in terms of use of materials and architecture with sufficient room for landscaping to ensure that the verdant character of the area is preserved. Dwellings in the locality are predominantly two-storey in height and benefit from generous footprints and proportionate garden areas. The majority of these properties utilise a material palette comprised of red brick and concrete roof tiles, although there are examples of alternative external finishes in the vicinity of the site. As alluded to previously, a condition can be imposed onto any consent requiring details of the materials to be used in the construction of any works approved.

In order to erect the dwellinghouses proposed, a significant volume of spoil from the embankment would need to be removed. Accompanying this application is a Soils Limited Preliminary Investigation Report. Officers note the several concerns regarding this aspect of the proposal received from members of the public. The views of the Council's Public Protection Team have been sought on the submitted information in terms of any potential land contamination arising from the removal of spoil associated with the embankment and associated vehicular movements with this activity. Subject to conditions as outlined within the response of Public Protection Officer, it is considered that these matters could be suitably mitigated.

9.4 Neighbouring Amenities

Core Policy CP57 requires that development should ensure the impact on the amenities of existing occupants is acceptable, and ensuring that appropriate levels of amenity are achievable within the development itself, and the NPPF (paragraph 135f) states that planning decisions should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'

Residential amenity is affected by significant changes to the environment including privacy, outlook, daylighting and sunlight inside the house, living areas and within private garden spaces (which should be regarded as extensions to the living space of a house). The extent to which potential problems may arise is usually dependent upon the separation distance, height, depth, mass (the physical volume), bulk (magnitude in three dimensions) and location of a development proposal in relation to neighbouring properties, gardens and window positions.

The location of the site is within a residential area of Alderbury between Southampton Road and Kiln Close albeit separated by the former embankment. It can also be stated that within residential areas such as this, a degree of inter-relationship and overlooking is considered to be acceptable in planning terms. The snippet of the proposed layout plan below shows the relationship between the site and the surrounding area.



Officers note refusal reason No2 of application PL/2023/11012 based on amenity impacts that referred to the overbearing nature of the scheme by way of the number of dwellinghouses proposed, lack of clarity provided on visitor/passing spaces, the effect of parking areas and the introduction of vehicle movements in close proximity to the rear boundaries of rear gardens in Southampton Road.

This scheme would see the erection of three self-build dwellinghouses, a reduction in the number previously proposed thus reducing the overbearing nature of the previously refused scheme. The parking spaces for each dwelling along with a passing place has now been provided and are shown on the submitted layout plan. Furthermore, the parking spaces have been moved further away from the rear boundaries of the rear gardens in Southampton Road and are to be separated by hedgerow planting, shrubbery and trees thus reducing any amenity impacts. A shrub corridor is shown hatched onto the proposed site layout plan to confirm this.

Each dwellinghouse now proposed is orientation at a different angle to reduce uniformity but also to minimise any overbearing or overlooking onto properties within Southampton Road and Kiln Close. Whilst it is noted that there would be oblique views available from the first floor windows and Juliet balconies in the three dwellinghouses, there would not be any direct overlooking onto the rear gardens of the adjoining properties within Southampton Road nor to that of the existing properties within Kiln Close. Whilst it is noted that the existing outlook and setting of the site when viewed both from Southampton Road and within Kiln Close would be changed by way of this proposal, the right to a view is not a material consideration of this planning application. The loss of the habitat area and ecological impact of this are covered in other sections of this report.

Such is the design of the three dwellinghouses proposed, other than a first floor window serving the WC/bathroom of each dwellinghouse proposed, this would be the only window that would face directly onto the rear gardens of properties within Southampton Road. A condition can be imposed to ensure the WC/bathroom window is obscure glazed and the removal of permitted development rights can be conditioned to prevent any further windows, alterations or extensions to the dwellinghouses. Thus, further mitigating against any amenity impacts by

way of this proposal for existing occupiers of properties within Southampton Road and to that within Kiln Close.

In terms of future occupiers of the dwellinghouses proposed, officers note the requirements of paragraph 9.2.5 of the Wiltshire Design Guide that state: 'where new development is proposed adjacent to and overlooking an existing private amenity space, the traditional 'back-to-back' separation of 20 metres minimum should be respected. The snippet below shows the respective distances between the plots to be approximately 21 metres and 28 metres respectively.



For the reasons as outlined above, officers consider the issues raised within the refusal reason of PL/2023/11012 have been adequately addressed and can be managed by the imposition of certain conditions attached to any consent.

9.5 Archaeology

Comments received from members of the public and the Parish Council regarding the historic interest of the embankment are duly noted. The Council's Archaeologist has assessed this proposal and has confirmed that the embankment has some historic interest although the railway embankment to the north and south has been removed or is obscured by modern development reiterating his comments associated with application PL/2023/11012.

Whilst there is potential for buried archaeological remains to be intact below the embankment, the view of the Council's Archaeologist is that this is unlikely and there are no known records of monuments or finds spots nearby and shown on Wiltshire's Historic Environment Record (HER). On this basis, no further action is required as regards to buried archaeological heritage in relation to this site.

9.6 Drainage

The Council's Drainage Team have assessed this proposal and have no objection to this scheme subject to a condition imposed onto any consent requiring details of surface water drainage prior to the commencement of any works on site. If members are minded to recommend approval of this scheme, a condition to this extent can be imposed onto any decision as set out in the conditions section of this report.

9.7 Parking/Highway Safety

Core Policy CP60 (Sustainable Transport) of the WCS states: The Council will use its planning and transport powers to help reduce the need to travel particularly by private car and support

and encourage the sustainable, safe and efficient movement of people and goods within and through Wiltshire.

Core Policy CP61 (Transport and New Development) of the WCS states: New development should be located and designed to reduce the need to travel particularly by private car, and to encourage the use of sustainable transport alternatives.

The Council's Highways Officer has assessed this proposal (please see full comments in the consultee response section of this report) and raises no objection to the development proposal subject to the imposing of a condition requiring the proposed parking spaces to be completed in accordance with the site layout plan.

Concerns around the access to/from and the road serving Kiln Close being narrow and there being potential issues around construction traffic blocking existing residents are duly noted. It is noted that the Highways Officer has not considered it necessary to recommend a condition requiring a construction management plan. Given that access to and from the site, the number of lorries potentially involved with the removal of spoil from the land, officers consider it appropriate to impose a condition requiring this information. Therefore, subject to the imposing of the condition around parking places being in situ prior to occupation of the dwellinghouses proposed and a construction management plan, any highway safety/parking issues would be mitigated.

9.8 Ecological impact including River Avon/River Test nitrate neutrality and New Forest SPA

CP50 of the Wiltshire Core Strategy and the National Planning Policy Framework require that the planning authority ensures protection of important habitats and species in relation to development and seeks enhancement for the benefit of biodiversity through the planning system.

Officers note the large volume of objections received in regard to the loss of the habitat area following the removal of trees and shrubbery from the embankment, the concerns of

The application is accompanied by the following documentation listed below that has been assessed by the Council's Ecologist.

- Land off Kiln Close, Whaddon. Biodiversity Net Gain Report. (June, 2024).
- Land off Kiln Close, Whaddon. Preliminary Ecological Appraisal. (Elite Ecology, May 2024).
- Land off Kiln Close, Whaddon. Habitat Regulations Assessment. (Elite Ecology, May 2024).
- Land off Kiln Close, Whaddon. New Habitat Map. (Elite Ecology, 03/06/2024).
- Proposed Site Plan. 0817/PL/101 Rev: E. (Larkham Design Ltd, 12/08/2024).
- Planning Statement V2. (Atlas Planning Group, September 2024).

In response to the requirements of Core Policy CP50 for the proposal the Council's ecologist has said the following:

Core Policy 50

Core Policy 50 of the Wiltshire Core Strategy requires all development to demonstrate:

(i) No net loss of local biodiversity resource and (ii) Secure the integrity of local ecological networks

*Due to the removal of woodland and scrub vegetation on the development site prior to the application being made it is not possible to fully determine the impact on habitats and protected and notable species however it is considered likely that features suitable for protected and notable species of reptile, foraging and commuting bats, birds and hedgehog would have been present. The submitted Biodiversity Net Gain report predicts a loss of 92.38% in habitat biodiversity and an increase in hedgerows. A significant proportion of the hedgerow planting is proposed over car parking spaces and access and therefore the level of gain is not accepted. The Biodiversity Enhancement Plan referred to in para 5.41 of the Planning Statement has not been submitted. **As the development will result in the net loss of local biodiversity resource compensation is required in order to demonstrate compliance with CP50.***

In addition, adherence to the New Habitat Plan that details features recommended for hedgehog, bees, birds and bats must be secured by condition.

In response to the above, the agent for the scheme has provided an amended planning statement and plans that has been reassessed by the Council's Ecologist with the following comments provided in regard to no net loss of local biodiversity.

The amended Proposed Site Plan. 0817/PL/101 Rev: E. (Larkham Design Ltd, 12/08/2024) now shows an intact hedge and shrub corridor at the western boundary. Delivery of a wildlife corridor in this location would ensure no net loss of biodiversity. The corridor must be located outside the curtilage boundary of the properties and comprise native tree and shrub species. The delivery and maintenance of this corridor must be required by condition requiring a Wildlife Corridor Management Plan.

Biodiversity Net Gain (BNG)

The development will result in a net loss in biodiversity. Under the Environment Act 2021 this application is required to deliver 10% BNG. Based on paragraph 5.43 of the amended Planning Statement V2 the biodiversity gain planning condition is not considered to apply to this application as the application is for Self and Custom Build Development, meaning development which:

- *consists of no more than 9 dwellings;*
- *is carried out on a site which has an area no larger than 0.5 hectares; and*
- *consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).*

As this proposal is for three self-build dwellinghouses and is on a site less than 0.5 hectares in size, the proposal is exempt from providing the required 10% BNG contribution. However, to ensure the proposal is built as self-build dwellinghouses, the applicant is required to enter into a legal agreement with the Council to secure the self-build element of which, the applicant has confirmed they are prepared to do.

Habitat Regulations Assessment (HRA)

The application site is located within consultation zones for the European Protected Sites River Avon SAC, New Forest Protected Sites and Solent Protected Sites and therefore has potential to result in significant adverse impact on the special features of these sites. Appropriate Assessment (AA) under Section 63 of the Habitats Regulations must be carried out by the relevant Competent Authority (the LPA) to determine the potential significant effects and the suitability of any measures proposed to avoid or mitigate those effects.

New Forest protected sites

The proposed development site lies within the 13.8km zone of influence for the New Forest protected sites, which comprises the New Forest SPA, New Forest SAC and New Forest Ramsar site. Therefore, the application is screened into appropriate assessment under the Habitats Regulations 2017 (as amended) on account of its potential to cause adverse effects on the New Forest protected sites through increased recreational pressure which may occur alone and in combination with other plans and projects. Many of the special features of the New Forest protected sites afforded protection are vulnerable to adverse effects associated with an increase in recreation as demonstrated in Natural England's supplementary advice issued for the SPA on 19 March 2019 and for the SAC on 18 March 2019.

Following a Cabinet decision on 7 May 2024, Wiltshire Council's "Interim recreation mitigation strategy for the New Forest internationally protected sites" (Version 1.1, 21 March 2023) is being revised. Cabinet approved revised mitigation measures to manage recreational pressures on the New Forest protected sites, including the cessation of use of Community Infrastructure Levy (CIL) to fund Strategic Access Management and Monitoring (SAMM) measures for minor residential development (1-49 dwellings) and tourism / visitor accommodation within the 13.8km zone of influence. Instead, SAMM measures are to be funded by developer contributions at a rate of £600 (plus legal and admin fees) per unit of residential or tourism accommodation. This revision applies to all development that will result in a net increase in accommodation units within the 13.8km zone of influence from the New Forest protected sites and therefore applies to this application. Evidence for the revised approach derives from the New Forest SAMM Report (Footprint Ecology, October 2023) which can be found here: [Research into recreational use of the New Forest's protected habitats - New Forest National Park Authority \(newforestnpa.gov.uk\)](https://www.newforestnpa.gov.uk/research-into-recreational-use-of-the-new-forest-sprotected-habitats). The New Forest SAMM Report was commissioned by all the local planning authorities with areas lying within the 13.8km zone, in order to identify and implement a consistent strategic approach to mitigation across the zone of influence.

It will therefore be necessary for developer contributions of £600 per dwelling / tourism unit (plus legal and admin fees) to be secured via s111 agreement, unilateral undertaking or s106 agreement for this application to ensure the necessary mitigation is secured. This will enable the Council to conclude, subject to endorsement from Natural England, that the development proposed by means of this application will not lead to significant adverse effects on the New Forest protected sites alone or in-combination with other plans and projects.

The agent has confirmed that the Grampian condition is acceptable to address this as suggested by the Council's Ecologist in her recommended conditions for this scheme.

River Test

WCS policy CP50 (Biodiversity and Geodiversity) and the NPPF requires the Local Planning Authority to ensure protection of important habitats and species in relation to development and seeks enhancement for the benefit of biodiversity through the planning system. Whilst the application site is not adjacent to any rivers or in any respective flood zones, it is situated within the River Test catchment which drains into the Solent. This region is protected by a number of international designations including the Solent Maritime Special Area of Conservation (SAC), Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar site, Portsmouth Harbour SPA and Ramsar site, Solent and Southampton Water SPA and Ramsar site; as well as the nationally designated Sites of Special Scientific Interest (SSSIs) that underpin these international designations.

The Solent water environment is one of the most important for wildlife in the United Kingdom. It is protected under the Water Environment Regulations and the Conservation of Habitats and Species Regulations 2017 (as amended) as well as through national legislation for many parts of the coastline and adjacent maritime areas. Natural England has confirmed high levels of

nitrogen and phosphorus are entering this water environment and that there is sound evidence that this eutrophication is causing excessive growth of plants and algae which reduces oxygen and light levels and is leading to negative effects on the special features for which the European sites are designated. These nutrient inputs mostly come either from agricultural sources or from waste water from existing housing and other development.

A nitrogen budget has been submitted. The nitrogen budget is in line with Natural England's advice and it is agreed that the development will result in a nitrogen burden of 3.66 kg/N/yr and mitigation is required.

River Avon SAC

This development falls within the catchment of the River Avon SAC and has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. Appropriate Assessment under Section 63 of the Habitats Regulations must be carried out by the relevant Competent Authority (the LPA) to determine the potential significant effects and the suitability of any measures proposed to avoid or mitigate those effects.

A phosphorus budget has been submitted. As the site lies outside the catchment itself the budget does not need to take into account land use change. I have amended the budget to reflect this resulting in a calculated phosphorus burden of 0.34 kg/P/yr and mitigation is required.

Paragraph 5.38 of the amended Planning Statement V2 confirms mitigation for impacts on the River Avon SAC and River Test is to be provided by the purchase of the Council's nitrate and phosphate credits.

In terms of the River Test SAC of which the site is located within and the River Avon SAC catchment of which this site is proposed to drain to (the Petersfinger Water Treatment Plant), the Council's ecologist has provided comments that confirm the impact of the proposal would have no adverse impact on these protection zones subject to the appropriate mitigation being secured. If members are minded to approve this scheme, the appropriate credit screening certificate for the River Avon SAC can be released allowing the applicant to apply for the necessary mitigation credits. In terms of the River Test SAC and the New Forest SPA, the agent/applicant is committed to making the necessary contributions via a s111 agreement, unilateral undertaking or s106 agreement to ensure the necessary mitigation is secured to address the impact on European Sites.

Subject to the suggested conditions from the Council's ecologist, officers are satisfied that all ecological impacts by way of the proposal can be mitigated for.

9.9 Other matters

Land Stability

Officers note the written representations received regarding the stability of the embankment and its removal to facilitate the three self-build dwellinghouses proposed. In regard to this there is no specific WCS policy that addresses land stability however the NPPF states at paragraph 187 (e) that planning decisions should contribute to and enhance the natural environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

NPPF Paragraph 196 (a) moreover states that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and 196 (c) says adequate / proportionate site investigation information, prepared by a competent person, should be presented to inform any assessment.

NPPF Paragraph 197 does however state that where a site is affected by...land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

The agent has confirmed the process involved for the removal of spoil from the embankment and this will be a process of a digger working along it reducing the height from the top until it is reduced to ground level. Any matters involving boundary treatments potentially damaged by these works would be a matter for the relevant landowner and the developer to address and not a matter for the Local Planning Authority to become involved within.

The Council's Housing Land Supply position

On the 12th December 2024, the Government issued an update to the National Planning Policy Framework (NPPF). This now requires Wiltshire to demonstrate a five-year housing land supply, including a 5% buffer and must apply the revised Local Housing Need for decision-making immediately. When this is assessed against the housing land supply which can be delivered within five years, the recalculation completed shows a significant reduction in the number of years supply. As a consequence, the Council cannot demonstrate the requisite five year housing land supply and can only demonstrate a 2.03 years supply.

This proposal for three self-build dwellinghouses would help improve the Council's housing land supply and as such, should be given weight in the decision-making process. Members are therefore advised to have regard to matter because any recommendation for approval of this proposal will help to contribute to the Council's current housing land supply position.

10. Conclusion and Planning Balance

The principle of development for three new self-build dwellinghouses on this site is acceptable having regard to the settlement strategy of the WCS in that it is within the settlement boundary of a Large Village with a range of services and facilities.

Officers note the large number of objections received from members of the public and the Parish Council which are duly noted and have been carefully considered. Members are advised that this application seeks planning permission for essentially the erection of three self-build dwellinghouses following the removal of an embankment with the site being located within a sustainable location as outlined in Core Policy CP2 of the Wiltshire Core Strategy. Furthermore, members are advised to have regard for the Council's current housing land supply position as any recommendation of approval for this proposal will contribute positively to this.

Therefore, the sustainable location of the site in the absence of any ecological or consultee objection affords significant weight in the determination of this application. Suggested conditions around highways safety measures, the relevant financial contributions to the protected sites through the required legal agreements, ecological enhancements, drainage mitigation and amenity issues as per the responses from the statutory consultees that have no objection to this proposal can be imposed via condition onto any consent.

As such, for the reasons as outlined within this report, officers consider the development proposal conforms to the objectives of Core Policies 1, 2, 23, 50, 51, 57, 60, 61, 62, 67 and 69 of the Wiltshire Core Strategy and the requirements of the NPPF. Taking the above into account, the application is not considered contrary to these policies as it does not cause any significant material harm that would justify a refusal of planning permission. Therefore, planning permission should be granted.

11. RECOMMENDATION:

Planning Permission be granted subject a Legal Agreement to secure the identified biodiversity enhancement measures and the securing of the dwellinghouses as self-build constructions with the following conditions:

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

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

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

Site Location Plan Date Received 07.06.24

DWG No: 0817/PL/101 Rev F Proposed Site Layout Plan Date Received 18.12.24

DWG No: 0817/PL/102 Rev B Proposed Street Scene Plan Date Received 18.12.24

DWG No: 0817/PL/103 Rev B Proposed Plot 1 Elevations and Floor Plans Date Received 18.12.24

DWG No: 0817/PL/104 Rev B Proposed Plot 2 Elevations and Floors Plan Date Received 18.12.24

DWG No: 0817/PL/105 Rev B Proposed Plot 3 Elevations and Floor Plans Date Received 18.12.24

Biodiversity Net Gain Report undertaken by Elite Ecology June 2024 Date Received 07.06.24

Preliminary Ecological Assessment undertaken by Elite Ecology May 2024 Date Received 07.06.24

New Habitat Map Date Received 07.06.24

Habitat Regulations Assessment undertaken by Elite Ecology May 2024 Date Received 07.06.24

Reptile Method Statement undertaken by Elite Ecology May 2024 Date Received 07.06.24

Nutrient Calculator for the River Avon SAC Date Received 01.07.24

Nutrient Calculator for the River Test SAC Date Received 01.07.24

Invasive Non-Native Species Removal Plan undertaken by Elite Ecology Date Received 07.06.24

Preliminary Investigation Report Ref 21234/PIR Dated December 2023 Date Received 07.06.24

REASON: For the avoidance of doubt, in the interests of proper planning and for the protection, mitigation and enhancement of biodiversity.

3. No development above slab level shall continue on site under details of the brick, roof tile, timber cladding rainwater goods, windows, doors and glazing and each of

the new dwellinghouses 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 matter is required to be agreed in writing with the Local Planning Authority in order to ensure that the development is undertaken in an acceptable manner, in the interests of preserving the character and appearance of the wider area.

4. 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), there shall be no extensions or alterations to the roofslopes to the approved dwellinghouses or the insertion of first floor windows or rooflights other than as approved as part of a formal planning application by the Local Planning Authority.

REASON: In the interests of the amenity of the area.

5. The development hereby approved shall not commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of the following relevant measures:
 - (i) An introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location;
 - (ii) A description of management responsibilities;
 - (iii) A description of the construction programme;
 - (iv) Site working hours and a named person for residents to contact;
 - (v) Detailed Site logistics arrangements;
 - (vi) Details regarding parking, deliveries, and storage;
 - (vii) Details regarding dust and noise mitigation;
 - (viii) Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network; and;
 - (ix) Communication procedures with the LPA and local community regarding key construction issues – newsletters, fliers etc.

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.

6. There shall be no burning undertaken on site at any time. Construction hours shall be limited to 0800 to 1800 hrs Monday to Friday, 0800 to 1300 hrs Saturday and no working on Sundays or Bank 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.

7. No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses (including asbestos) has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site and any adjacent sites for at least the last 100 years and a description of the current condition of the sites with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site and the potential impact of any adjacent sites. Step (ii) If the above report indicates that contamination may be present on, under or potentially affecting the proposed development site from adjacent land, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's Land Contamination Risk Management (LCRM) and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details must be submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of pollution from previously unidentified contamination sources at the development site.

8. No part of the development hereby permitted shall be occupied until the parking spaces have been completed in accordance with the details shown on the approved plans (0817/PL/101 Rev F). The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.

REASON: In the interests of highway safety.

9. No development shall commence on site until a drainage and surface water drainage scheme for the site based on sustainable drainage principles (SuDS) has been submitted to and approved in writing by the Local Planning Authority. The surface water scheme shall be implemented before first use of the development hereby permitted and be constructed in accordance with the approved details.

REASON: To prevent the risk of flooding by ensuring the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained in perpetuity.

NOTE: Please refer to Informative No 2 for further details of what is required to discharge this condition.

10. Prior to construction commencing full details of the 'wildlife corridor management plan' must be submitted to and approved in writing by the local planning authority. The wildlife corridor must comprise a broad band of unfragmented native tree and shrub

planting in accordance with the Proposed Site Plan. 0817/PL/101 Rev: F and be managed to benefit biodiversity. The plan must include the following details:

- (i) a planting plan to include planting specification including species, specimen number and age;
- (ii) Confirmation of the width of the corridor;
- (iii) Permanent measures such as fencing, to protect the wildlife corridor from loss or degradation;
- (iv) A management plan specifying management priorities and actions

REASON: To avoid adverse impacts on biodiversity.

11. Prior to the commencement of any works, including vegetation removal and demolition, details of the number, design and locations of bat roosts and nesting opportunities for birds shall be submitted to the local authority for approval. The approved details shall be implemented prior to occupation of the dwellinghouses and maintained for the lifetime of the development.

REASON: To provide mitigation /enhancement for biodiversity.

12. The dwellinghouses hereby approved shall be designed to ensure they do not exceed 110 litres per person per day water consumption levels (which includes external water usage) and shall not be first occupied until a water efficiency assessment has been undertaken to confirm compliance with the Building Regulations Optional requirement of a maximum water use.

REASON: To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

13. The development hereby permitted shall not commence until evidence of compliance to the Wiltshire Council River Avon Special Area of Conservation Mitigation scheme, or an alternative approved mitigation package addressing the additional nutrient input arising from the development, has been submitted to, and approved in writing by the Local Planning Authority.

REASON: To accord with the Conservation of Habitats and Species Regulations 2017, and Wiltshire Core Strategy Core Policy 69.

14. The development hereby permitted shall not commence until evidence of compliance to the Wiltshire Council New Forest Protected Sites Recreational Impacts Mitigation Scheme, or an alternative approved mitigation package addressing the recreational pressure arising from the development, has been submitted to, and approved in writing by the Local Planning Authority.

REASON: To accord with the Conservation of Habitats and Species Regulations 2017.

15. 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:

- (i) location and current canopy spread of all existing trees and hedgerows on the land;

- (ii) full details of any to be retained, together with measures for their protection in the course of development;
- (iii) a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- (iv) means of enclosure to include details of fencing and gates;
- (v) all hard and soft surfacing materials;
- (vi) minor artefacts and structures to include refuse storage units.

REASON: 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.

16. 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 dwelling 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, hedgerow 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.

INFORMATIVE TO APPLICANTS

1. The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy
2. In relation to condition 9, the drainage strategy and surface water drainage strategy should include the following:

- A detailed plan showing the existing drainage features on the site and how the drainage strategy will be implemented.
 - A detailed topography survey that clearly indicates the existing drainage features on the site and level contours to show overland flow routes.
 - If infiltration is proposed, soakage tests in accordance with BRE 365 to demonstrate that infiltration is feasible.
 - Existing greenfield run off rates for the site.
 - Post development run off rates in accordance with Wiltshire Council's betterment policy
 - Calculations to demonstrate the attenuation requirements for the 1 in 100 year plus climate change event to support the proposed strategy.
 - Consent for any outfalls from the proposed drainage systems into a public sewer or other drainage system not owned by the applicant.
 - Surface water can be safely managed within the proposed development, up to and including a 1 in 100 year plus climate change event.
 - Exceedance routes that minimise the risks to people and property.
 - Details of how the proposed and existing drainage features on the site will be maintained and managed after completion,
3. In regard to condition 13, evidence of compliance to the Wiltshire Council River Avon Special Area of Conservation Mitigation Scheme means the certificate of allocation of credits and confirmation of financial contribution to the scheme. An alternative mitigation package must be approved by the local planning authority and Natural England with evidence of allocation to the scheme.
4. In regard to condition 14, Evidence of compliance to the Wiltshire Council New Forest Protected Sites Recreational Impacts Mitigation Scheme means confirmation of payment of the financial contribution to the scheme. An alternative mitigation package must be approved by the local planning authority and Natural England with evidence of allocation to the scheme.