

# WILTSHIRE COUNCIL

## STRATEGIC PLANNING COMMITTEE

<b>Date of Meeting</b>	<b>14 March 2012</b>		
<b>Application Number</b>	<b>W/11/02312/FUL</b>		
<b>Site Address</b>	<b>George Ward School Shurnhold Melksham Wiltshire</b>		
<b>Proposal</b>	<b>Renewal of planning appeal decision 26/6/2008 planning application reference 07/02806/OUT for up to 270 dwellings including playing fields, car park and changing facilities</b>		
<b>Applicant</b>	<b>Wiltshire Council</b>		
<b>Town/Parish Council</b>	<b>Melksham (Town)</b>		
<b>Electoral Division</b>	<b>Melksham North</b>	<b>Unitary Member:</b>	<b>Rod Eaton</b>
<b>Grid Ref</b>	<b>389634 164842</b>		
<b>Type of application</b>	<b>Full Plan</b>		
<b>Case Officer</b>	<b>Mr Michael Kilmister</b>	01225 770344 Ext 01225 770228 michael.kilmister@wiltshire.gov.uk	

The application meets the criteria for consideration by Strategic Planning Committee because it is a large scale major and the applicant is Wiltshire Council.

The application was also called in by Councillor Eaton due to:

- \* Scale of development
- \* Visual impact upon the surrounding area
- \* Environmental/highway impact
- \* significant reduction of the Melksham Rural Buffer zone

### 1. Purpose of Report

To consider the above application and to recommend that planning permission be granted

Neighbourhood Responses

16 letters of objection have been received.

Parish/Town Council Response

Melksham Town Council object on the reasons given with the previous application 07/02806/OUT and the impact of extra traffic associated with the new Asda store.

### 2. Report Summary

The sole issue is whether there has been any material change in circumstances which would indicate a need to re-visit the decision in respect of application 07/02806/OUT.

That permission was for an outline application for up to 270 dwellings including playfields, car park and changing facilities. Although recommended for permission by officers, it was subsequently refused by the Council for the following reasons

1. The proposal would result in the loss of existing playing fields, open space and recreational land and it has not been demonstrated that there is an excess of sports pitch provision and public open space in the immediate locality of the site contrary to West Wiltshire District Plan – First Alteration 2004 - Policy R2.

2. The proposal would result in the loss of an important visual gap between Shaw and Melksham that would be harmful to the rural amenity, character of the countryside and character of both settlements contrary to Policies C1 and H1 of the West Wiltshire District Plan 2004.

However, it was granted on appeal (Attached at the end of the report) on 26th August 2008 subject to a S106 agreement and a number of conditions.

### **3. Site Description**

The site is located on the western side of the town of Melksham between Melksham and Shaw. It comprises two separate parcels of land divided by Dunch Lane.

The first parcel of land is located to the south of Dunch Lane which includes the buildings associated with the ex George Ward School which is currently being used as offices in line with a temporary 3 year planning permission 10/01560/REG3. Within this temporary permission the ex astro pitch is used for the storage of demolition material, whilst the ex tennis court area has become an hard standing area for any overspill vehicle parking in association with the office use. The playing fields adjacent were unaffected by the temporary permission. The first parcel of land is where the housing is proposed under planning permission 07/02806/OUT.

The second parcel of land area is to the north on the opposite side of Dunch Lane and is currently meadows and playing fields. This part of the overall site is proposed for recreation and leisure uses. A public footpath crosses the site.

### **4. Relevant Planning History**

07/02806/OUT - Outline application for up to 270 dwellings including playfields, car park and changing facilities – Allowed on appeal 26.8.08

W/10/01560/REG3 - Change of use to offices for a period of 3 years, and associated works – 21st July 2010

### **5. Proposal**

This application is for an extension of time for the implementation of permission 07/02806/OUT which was for an outline application for up to 270 dwellings including playfields, car park and changing facilities.

### **6. Planning Policy**

Wiltshire Structure Plan 2016

DP1 Priorities for sustainable development

DP3 Development strategy

DP4 Town and main settlements

DP7 Housing in towns and main settlements

DP8 Affordable housing

DP9 Re-use of land and buildings

RLT1 Recreation Sport and Leisure

## West Wiltshire District Plan - 1st Alteration 2004

- H1 Housing in towns
- H2 Affordable Housing
- H24 New housing design
- C1 The countryside
- C9 Rivers
- C15 Archaeology
- C31A Design
- C32 Landscaping
- C33 Recycling
- C34A Resources
- C35 Light pollution
- C37 Contamination
- C40 Tree planting
- S1 Education
- T10 Parking
- CF1 Community facilities
- U2 Surface water disposal
- I1 Resources
- I2 The Arts
- I3 Disabled access

## Leisure and Recreation DPD 2009

- LP2 loss of open space or sport and recreation provision
- SC1 Dual use of school facilities
- LP4 Recreational facilities in new development
- LP5 New sport and recreational facilities

- SPG Residential Design Guide
- SPG Affordable Housing
- SPG Public Open Space

- PPS1 Delivering sustainable development
- PPS3 Housing
- PPG13 Transportation

## **7. Consultations**

### MELKSHAM TOWN COUNCIL

Reiterate their previous concerns made on application 07/02806/OUT and add that an up to date Traffic Impact Assessment is needed given the new Asda store.

Councillors agreed with residents that they support the development of a new school being built but, having discussed it in great detail, found the application unsatisfactory in its current format and therefore objected to the application for the following reasons:

Overwhelming impact of proposed development on current local community due to the number of houses (270) being proposed and the high density.

The high density of dwellings proposed will be out of keeping with local area. The plan infers that there will be (3 storey buildings) which will be out of character with the local area. However, the Town Council recognise this is only outline planning at this stage and they suggest the site should have more mixed development incorporating bungalows - C18/H1

The plan makes no reference to the impact on the infrastructure for existing and future residents in the area of Melksham as a whole, specifically education and healthcare provision –U1

There will be a negative impact on the rural buffer zone between Melksham and Shaw. This development will reduce the gap to 100 metres.

The rural gateway to Melksham would be lost if the development was approved.

Loss of greenfield site -loss of important play facilities and informal recreational facilities –R1/R2

Councillors also raised the following concerns: There has not been an Environmental Impact Assessment carried out to show how water, drainage and sewerage will be managed. The committee has concerns as this is an area that floods (Southbrook floods as does the entrance to Shaw on the A365). Also the increased traffic movements and subsequent noise increase and pollution - U2, H1-C/Ca.

There is no Transport or Highway impact assessment. The effect on extra transport (noise levels, congestion, routes to school/travel plans, travel to employment and town facilities). There is a lack of understanding of traffic impact on Dunch Lane and access across bridge (road safety, vehicles exiting properties safely) -C36/R1 & R2.

Concerns regarding emergency access to existing properties in area (specifically, access across the playing field to Dunch Lane cul-de-sac).

As well as voicing the above concerns, Councillors requested that Dunch Lane be able to retain its 'lane' status, therefore protecting the hedgerow and surrounding wildlife habitat. Councillors also asked for assurances that the land north of Dunch Lane would be protected from any development in the future and that adequate parking and changing facilities were included in the plans. Finally, Councillors asked for clarification regarding the rural buffer zone, which they understand to be from the Melksham boundary to the Shaw Country Hotel a distance of 100m. If the development were to be granted permission the Council would ask that the Section 106 agreement includes a substantial amount towards Health Service provision and Education.

#### MELKSHAM WITHOUT PARISH COUNCIL

Would like to reiterate their previous comments made on the 12th October 2007, regarding application 07/02806/OUT namely;

Melksham Without Parish Council strongly objects to the above planning application and recommends that it be rejected in its present form, for the following reasons:

1. The application contravenes several current District Plan policies viz:-

(a) Policy R 1 because the proposals destroy recreational facilities which are well used by the general public as well as by the school.

(b) Policy R 2 which states that any alternative replacement facilities for the community should be provided in the immediate locality. The replacement facilities are to be placed over two miles away at the new School site.

(c) Policy HI (D) which states that the development should not result in the loss of an open area or visual gap important for recreation and amenity reasons. This development erodes an important rural visual gap between Melksham and Shaw. The village boundary is only 150 yards away. Clause 3.2.17 No 4 prohibits development off Beanacre Road to prevent coalescence between Beanacre and Melksham yet this development will effectively join up Shaw with Melksham.

(d) The area proposed for this major .large development has not been approved by the Local Plan process: While some are classing it a "windfall" site, it is not really this because a windfall site is defined in Clause 3.2.3. as a "small or medium sized site" However the number of dwellings proposed on this site is more than twice the whole District windfall allocation per annum (117.6).

(e) It has not been approved in the District Plan as a recognised urban "brown field" site. The Urban Extension Allocation for Melksham introduction to Policy H6, Clause 3.2.17 states that "The Trowbridge- Chippenham railway line is considered as a firm boundary to the west of Melksham. Land to the west of the railway line is poorly related to the rest of the town ". This statement must surely be applicable to this large site.

(f) . Policy C31 a states that new development will be required to respect and enhance townscape and landscape features, architecture of surrounding buildings and historic layout and spatial characteristics. This application does none of these things. At present there is low density housing

which pleasantly lessens as the town blends into open countryside, tapering down to one single row of semi-detached houses at the Shaw end of Dunch Lane. Houses include a variety of styles such as attractive nineteenth century cottages to the right of the school at Shurnhold and close by in Shaw on the Bath Road. All existing dwellings are well-spaced with good gardens. These proposals are for a high urban density, at least three times the ratio of the surrounding area. The design and density are more in keeping with a centre of town site, than edge of town in open countryside. The proposed 3 storey dwellings are out of keeping with surrounding dwellings which are mainly two storey cottages with a few small terraces. To place a large, dense housing estate on this site will substantially alter the whole rural character of the area. It will also be detrimental to the setting of the listed building Shaw House and its gateway opposite the site.

2. The proposed development offers no community benefits. Although the project is akin to the size of the East of Bowerhill development built in late 1990s, (which then financed a new village hall and several other community enhancements) this is just a block of housing. It will put additional pressure on health services in Melksham. Doctors' and dentists' books in the town are already full. The present George Ward School has an excellent Training Centre, known as the Old Animal House, which would make a superb village hall for the whole area, including the existing community which has nowhere to meet. This building should be retained as it has recently been completely refurbished with Meeting rooms, kitchen, disabled facilities etc.

3. The application will exacerbate with the existing highway hazards in Dunch Lane. Dunch Lane is a narrow rural lane with a narrow railway bridge at one end and a dangerous blind corner at the Bath Road end. It is already congested and used for parking by existing residents who have no garages. It is just not fit for purpose to take any more traffic or to have any vehicular accesses on to it, especially so close to the bend. If the whole site is developed for housing, with no parking recreational purposes on the George Ward site, the overspill traffic from both the development and the remaining three senior pitches will be jostling to park in the Lane, putting existing residents under enormous stress. In the past the Parish Council has tried without success to obtain extra land for a footway down to A365 to allow children to walk safely to Shaw School. No traffic from the development should be permitted to use Dunch Lane at all.

4. The development would result in the loss of playing fields which are in short supply in the Melksham area. The school playing fields have been used by the local residents for community events for many years.

5. The proposed changing and car parking facilities are inadequate to meet the needs of three senior pitches. If all three pitches are in use at the same time, it can generate between 50 - 100 cars. Changing facilities need to be constructed to Sport England requirements. There should be no sports car parking in Dunch Lane.

6. The proposed development is not sustainable. The travel to school distance is a far more significant factor for primary school children than for secondary pupils. Cycling proficiency certificates are generally not issued until children are 8- 9 years old Children from the new development will be unable to go to Shaw School because it is already oversubscribed and so they will have to be bussed elsewhere. At present the main secondary school from a site is easily accessible with cycle ways, shared paths and three separate accesses. However if housing is put on this site, a lot of traffic will be generated because of the lack of community facilities and no usable schools nearby.

Should the Planning Authority be minded to grant permission, despite their own policies, the Parish Council requests the following amendments?

- a. The rural visual gap between Shaw and Melksham should remain to prevent any coalescence between town and village.
- b. The existing playing fields on the southern George Ward site should be fully preserved and parking incorporated on this site to serve all the open recreational space, including the 3 senior pitches in the northern part of the site.
- c. Housing should be built on the brown field section of this site only i.e. on the area occupied by the current George Ward School buildings.
- d. Housing density should be substantially reduced to match the density of surrounding dwellings.

- e. The Training Centre should be retained as a new Community Village Hall for the whole community.
- f There should be no traffic allowed from the development on to Dunch Lane and no permission allowed for sports field parking on this lane.
- g. The rural character of Dunch Lane should be preserved and existing trees and hedgerows retained
- k Any widening in Dunch Lane should be on the eastern side of the corner to avoid loss of trees or hedgerow on the Show side.
- i. There should be a proper Section 106 Agreement with the planning application which stipulates community facilities and a financial contribution in proportion to the number of houses permitted on site.
- j. The variety of building materials and styles used should reflect the materials and styles of surrounding housing.
- k. There should be no 3 storey dwellings. A greater variety of housing types are needed, including some bungalows.
- l. Environmental and transport impact studies need to be done.

#### HIGHWAYS OFFICER

This submission is a renewal of consent granted upon appeal in August 2008. I can confirm that no material changes in circumstances have occurred since that time which affects the highway recommendation. It is noted that a new Asda store has opened in the last year on the A350, but the signal junction between the A365 and A350 will soon include a MOVA computer controller modification which will improve capacity and improve the linkage with the recently introduced Asda signal controlled junction. I also note that all matters, including means of access, are reserved for future submission.

I therefore have no reason to alter or amend the recommendation of no highway objection made on the original submission, subject to the following repeated requirements:-

The new submission shall be subject to the signing of a new Section 106 Agreement, the highway related terms of which are briefly re-stated below:-

- Contribution of £45,000 towards implementing traffic management measures, if deemed necessary by the Highway Authority.
- Provision of two bus stops with shelters and raised kerbs within the site.
- A residential Travel Plan.
- Contribution of £15,000 towards pedestrian and cycle signing to the town centre and other key locations.
- Contribution of £25,000 for upgrading the footway along the A365 to improve pedestrian and cycle access to Shaw School.

Upon signing of the new Section 106 Agreement by the proposed developer, those conditions which related to highway matters, as laid out in the appeal decision letter dated 26th August 2008, shall be imposed.

#### EDUCATION OFFICER

No objection

#### ECOLOGIST OFFICER

No objection subject to the inclusion of condition 24 of the Inspectors decision being attached on any approval

#### LANDSCAPE ARCHITECT

No objection in principle to renew the planning appeal decision and extend the time for implementation.

#### ENVIRONMENTAL HEALTH OFFICER

No objection subject to conditions being attached regarding noise impact assessment and scheme for protecting the proposed dwellings and their curtilages from road traffic noise and details of lighting.

#### ARCHAEOLOGIST OFFICER

No objection

#### AFFORDABLE HOUSING OFFICER

No objection. I can confirm that the Affordable Housing provision agreed in the original S106 is still in line with current Affordable Housing policy and delivery mechanisms.

#### OPEN SPACE

No objection. The open space provision secured under 07/02806 would accord with the current standards.

#### WESSEX WATER

Wessex Water support planning condition 27 on the previous outline application and recommend the inclusion of this condition on any subsequent planning approval.

#### SPORT ENGLAND

No objection to the renewal subject to a condition being attached relating to the changing rooms in line with the Inspectors decision letter (condition 16)

#### NATURAL ENGLAND

No objection

#### ENVIRONMENT AGENCY

We previously reviewed planning application 07/02806/OUT in November 2007 and recommended conditions to the LPA on any permission given. These conditions were subsequently included on the decision when the appeal was allowed and should be included in any renewed permission.

One of the conditions (no. 25) specified that there should be no buildings or structures within flood zone 2 or 3, unless otherwise agreed with the Local Planning Authority.

Since our review of the planning application in 2007 our Flood Map has changed compared to the one detailed in the 2007 Flood Risk Assessment (FRA) submitted to support the planning application. The updated Flood Map now shows all the site north of Dunch Lane to be in Flood Zone 3. Flood Zone 3 also now extends slightly into the area where residential is proposed south of Dunch Lane.

To satisfy condition 25 the layout that is agreed for reserved matters will therefore need to take into account this revised Flood Map. If any buildings are located within Flood Zone 2 or 3 further flood risk information will need to be submitted at the reserved matters stage to demonstrate that this will be acceptable. This is likely to include, for example, challenging the current Flood Zone 3 designation through modelling work, and demonstrating how the development will be safe and not increase flood risk elsewhere.

## **8. Publicity**

The application was advertised by site notice/press notice /neighbour notification.

Expiry date: 30/09/11

Summary of points raised:

Flooding will occur due to houses being built on playing field  
Infrastructure will not cope.  
Owl and bat population will become affected.  
Against policy to build on playing fields and public open space.  
Removal of Public Open Space which is a buffer area between Melksham and village of Shaw.  
Goes against the Development Plan Policy with regard to coalescence.  
Inappropriate to build changing facilities on playing fields to north of Dunch Lane.  
Details of proposed new housing absent.  
Continue use of buildings as offices – working very well  
Object to landmark buildings being three storeys at edge of development  
Original application was declined and the only way the Council could get it approved was to reject all forms of democracy and force it through legal means.  
Loss of recreational land  
Risk of flooding  
Contravention of Development Plan Policy  
Loss of Open Spaces  
Increased traffic problems  
Lack of facilities for increased population  
Proposal appears to suggest low cost, high density housing which is not appropriate for this area.  
Green buffer zone between Melksham and Shaw  
Negative effect on local wildlife  
Inappropriate 3 storey buildings for a rural area  
Traffic problems caused by short cuts  
No need for 270 dwellings  
Noise implications to local residents

## **9. Planning Considerations**

The assessment of whether there has been a material change in circumstances incorporates two separate elements (a) the Development Plan and (b) the physical circumstances of the site and/or its surroundings.

### **(a) The Development Plan**

The original application was considered within the framework of the Wiltshire Structure Plan 2006 and the West Wiltshire District Plan 1st Alteration 2004.

- The Structure Plan remains in place

- The District Plan remains as the adopted local plan although a number of policies previously relied on have no longer been saved – C36 Noise is no longer saved as it is contained within PPG24; U1 (Infrastructure) is repeated by Structure Plan policy DP2. R2, R3, R4 & R5 has been superseded by policy LP2, SC1, LP4 & LP5 contained within the Leisure and Recreation DPD adopted in 2009.

With regard to government guidance, PPG16 (Archaeology and Planning) is replaced by PPS5 Planning for the historic Environment, PPS3 (Housing) has been amended to remove the requirement for new development to be carried out at minimum densities of 30-50 within the urban area and replaced with general guidance that development should complement the surrounding area.

It should be noted that the Planning Inspector in his appeal decision letter in respect of 07/02806/OUT commented at point 22 that ‘...the density of the proposed development is somewhat on the lower side of the range advocated in PPS3 and I find no reason why the scheme should not include elements of two and a half or three storey buildings in appropriate locations. As I find the scheme to be acceptable as submitted there would be no justification for limiting development to the area occupied by the existing school buildings.’



Since all of the subsequent policies and guidances are substantially the same in terms of objectives, this would not require the decision to be revisited in terms of the development plan.

#### (b) Site and surroundings

The Flood Map has changed slightly from that which was submitted with the original application in 2007, however, a condition which would be attached covers this aspect in that if any buildings is located within Flood Zone 2 or 3 further flood risk information will need to be submitted at the reserved matters stage to demonstrate that this will be acceptable.

With regards to any Highway issues raised by objectors the Highways Officer has confirmed that no material changes in circumstances have occurred since the appeal decision in August 2008 which affects the highway recommendation of no objection. It is noted that a new Asda store has opened in the last year on the A350, but the signal junction between the A365 and A350 will soon include a MOVA computer controller modification which will improve capacity and improve the linkage with the recently introduced Asda signal controlled junction.

The objections raised by the Town Council, local residents, Melksham Without Parish Council and the Local Councillor are repetitions of the issues raised by them all on the previous application 07/02806/OUT which the Planning Inspector looked at in detail and as he states in his decision letter 'The consultation responses from the various statutory bodies and agencies do not suggest that there would be intractable difficulties with regard to the provision of support services or infrastructure such as to warrant refusal of permission.'

The Inspector went on to say 'Many of the concerns raised by residents have been shown to be capable of resolution through conditions. As the proposals are illustrative there is scope for variation and control of detailed design and layout matters when reserved matters are approved.'

There has been no material change in either the site or surroundings of the application site.

#### Other Considerations

Since the outline permission was originally granted on appeal, the former West Wiltshire District and Wiltshire County Councils have been replaced as one unitary authority. This is a Councils application and if granted it would be subject to a legal Agreement being attached to secure financial contributions.

#### Conclusion

There has been no material change in either the development plan or the site and its surroundings, and no other consideration which would require the Council to revisit the appeal decision 07/00115/FUL. A further renewal is therefore recommended subject to the necessary amendments to the existing S106 Agreements.

#### **Recommendation:**

**Planning permission be granted at a future date in the event of the Development Control Manager being satisfied as to prior completion of a legal agreement to secure:**

- 1) 30% Affordable Housing**
- 2) Provision of Public Open Space together with a maintenance contribution**
- 3) Provision of Public Art**
- 4) Provision of playing fields, changing room, car and coach parking and turning area and access thereto**
- 5) Provision of Surface Water Attenuation scheme**

**6) Provision of Foul Sewerage Pumping Station**

**7) Provision of an index linked financial contribution to education needs arising out of the new housing**

**8) A financial contribution of £45,000 towards implementing the following necessary traffic management measures by the Highway Authority:**

**a) A Traffic Regulation Order to restrict or limit on-street parking on Dunch Lane;**

**b) Design and implementation of traffic management measures relating to the access from Dunch Lane to the A350;**

**c) A Traffic Regulation Order for modification of the speed limit on the A365 to 40 mph past the site and moving the existing gateways.**

**9) Provision of 2 bus stops with shelters and raised kerbs within the site.**

**10) A Residential Travel Plan, which shall include targets, to be undertaken and agreed by the local planning authority prior to the first occupation and appointment of a Travel Plan Co-ordinator. The Travel Plan shall include a welcome pack for new residents, the final contents of which must also be agreed by the local planning authority prior to occupation. This pack must include a map of cycle routes around the town and recommended routes to key destinations such as the new George Ward School, a map of bus routes and bus timetables.**

**11) A financial contribution of £15,000 towards pedestrian and cycle signing to the town centre and other key locations.**

**12) A financial contribution of £25,000 for upgrading the footway along the A365 to improve pedestrian and cycle access to Shaw School.**

**For the following reason(s):**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

**And subject to the following conditions:-**

1 Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site ("the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

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

2 An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

3 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.

- 4 No later than the submission of the last of the reserved matters a plan shall be submitted to the Local Planning Authority showing the phasing of the development of the site; development shall take place in accordance with the approved phasing plan.
- 5 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted 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: To ensure that the development harmonises with its setting.

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

- 6 The details of the landscaping of the site submitted in accordance with condition 1 shall include indications of all existing trees and hedgerows on the land, and details of any to be retained
- 7 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
- 8 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

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

- 9 The reserved matters shall include provision for public open space, amenity areas and play areas. The plans submitted shall define the boundaries of such areas, their proposed uses, the age groups for which they are intended, and the items of equipment, means of enclosure and all other structures which it is proposed to install.

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

Leisure \_ Recreation Development Plan Document 2009 - LP4

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

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

- 11 Before any development is commenced on site, including site works or storage of any description, all trees to be retained must be protected. Heras or similar protective fencing must be 2.4 metres in height and supported on a scaffold framework driven in to the ground by a minimum of 600mm. Alternatively a three-bar post and rail fence should be erected with galvanised livestock mesh attached to it.

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

Within the areas so fenced off the existing ground level shall not neither be raised or lowered and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon.

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

The fences shall not be removed without the consent of the local Planning Authority until the whole of the development is complete unless the Local Planning Authority gives written consent to any variation.

REASON: To prevent trees that are to be retained on or adjacent to the site from being damaged during the construction works

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

- 12 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

REASON: To secure the proper development of the site and in the interests of the establishment and long term management of the landscaped areas.

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

- 13 Prior to the commencement of the development, detailed designs for the main access junction and the changes to the Dunch Lane/A365 junction shall be submitted to and approved in writing by the local planning authority; and the main access junction and additional works shall be constructed in accordance with the approved drawings prior to the commencement of the development on site.

REASON: In the interests of highway safety.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy H1.

- 14 Detailed plans for vehicle parking, including coach parking, and on-site turning at the sports pitches, together with details of the access to this site and alterations to improve the sight lines at the corner of Dunch Lane together with a travel management plan shall be submitted to and agreed in writing with the Local Planning Authority prior to the commencement of development.

REASON: In the interests of highway safety.

Leisure \_ Recreation Development Plan Document 2009 - LP4.

- 15 A detailed management plan for the sports pitches should be submitted to, approved in writing by the Local Planning Authority and implemented prior to occupation of the development.

REASON: In the interests of highway safety.

Leisure \_ Recreation Development Plan Document 2009 - LP4.

- 16 Prior to commencement of the development, details of the design and layout of the proposed changing rooms shall be submitted to and approved in writing by the Local Planning Authority in consultation with Sport England. The proposed changing rooms shall comply with Sport England's Technical Design Guidance Notes 'Pavilions and Clubhouses' and 'Access for

Disabled People'. The changing rooms shall be constructed in accordance with the approved design and layout details and completed prior to the first occupation of the residential development hereby approved.

REASON: To ensure the development is fit for purpose, subject to high quality design standards and sustainable.

Leisure \_ Recreation Development Plan Document 2009 - LP2 & LP4

- 17 The development hereby permitted shall not be commenced until a scheme has been submitted to and approved in writing by the Local Planning Authority, for the provision of facilities that are as accessible and equivalent in terms of size, usefulness, attractiveness and quality as the existing facilities, and shall include a timetable for the provision of the new facilities. The new facilities will be provided in accordance with the approved scheme.

REASON: To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use.

Leisure \_ Recreation Development Plan Document 2009 - LP2 & LP4.

- 18 The development hereby permitted shall not begin until a noise impact assessment and scheme for protecting the proposed dwellings and their curtilages from road traffic noise has been submitted and approved by the Local Planning Authority. Any works which form part of the scheme approved by the Local Planning Authority shall be completed before any permitted dwelling is first occupied, unless an alternative period is agreed in writing by the Local Planning Authority.

REASON: In order to safeguard the amenities of the area in which the development is located.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C38 and PPG24.

- 19 Details of lighting to the site North of Dunch Lane (including measures to minimise sky glow, glare and light trespass) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The scheme shall only be carried out in accordance with the approved details.

REASON: In the interests of pollution prevention.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C35

- 20 Building and construction work on the development hereby permitted shall not take place outside 07.00 hours to 18.00 hours, Monday to Friday, and 08.00 hours to 13.00 hours on Saturday, and at no time on Sundays and Bank Holidays unless the Local Planning Authority gives written approval to any variation.

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

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C38.

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

REASON: In order to minimise nuisance.

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

- 22 Any facilities for the storage of oils, fuels or chemicals during the construction phase shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank,

or the combined capacity of interconnected tanks, plus 10%; or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund. Full details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The scheme shall only be carried out in accordance with the approved details.

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

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

- 23 Prior to the commencement of the development hereby permitted, a scheme of conservation and enhancement of all wildlife habitats, including biodiversity enhancing features and provision for enhancement of the South Brook and control of Himalayan Balsam, together with a programme of implementation and an ecological management plan for the whole site, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved programme.

REASON: In order to protect wildlife habitats and enhance the long-term biodiversity value of the site as a whole.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C1

- 24 Prior to the commencement of the development hereby permitted, an ecological survey, investigating and recording details of all protected species, in particular bats and great crested newts, and their habitats, likely to be affected by the development, and measures to mitigate the effect of the development on them, shall be submitted to and approved by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details.

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

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

- 25 There shall be no new buildings, or other structures (including gates, walls and fences) or raised ground levels within the floodplain area (Flood Zones 2 and/or 3), inside or along the boundary of the site, unless agreed otherwise in writing by the Local Planning Authority. Any building or structure to the north of Dunch Lane shall have a finished floor level no lower than 600mm above the 1 in 100 year flood level including 20% for climate change.

REASON: To maintain flood storage capacity and allow for flood flow routes, ensuring that flood risk is not increased in the vicinity.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy H1.

- 26 No development shall commence on site until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include oil interception for drainage from parking areas and hardstandings, shall utilise Sustainable Drainage Principles and shall not result in an increase in the rate &/or volume of surface water discharge to the local land drainage system. The drainage works shall be completed in accordance with the details and timetable agreed.

REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water management.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies H1 and U2.

27 No development shall commence on site until a scheme for the provision and implementation of foul drainage works has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented strictly in accordance with the approved details prior to the first occupation of each agreed phase of the development.

REASON: To prevent pollution of the water environment.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies H1 and U2.

28 No development shall commence on site until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

REASON: To prevent pollution of the water environment

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy U2.

29 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 scheme shall be implemented in accordance with the agreed details prior to the occupation of each agreed phase of the development.

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

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C34A.

30 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

Site Plan - Drawing No W.0196 10 1  
Illustrative Masterplan - Drawing No W.0196 05 1A  
Illustrative Masterplan - Drawing No W.0196 05 1B

Reason: To ensure that the development is carried out in accordance with the approved plans that has been judged to be acceptable by the local planning authority.

<b>Appendices:</b>	
<b>Background Documents Used in the Preparation of this Report:</b>	