

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

| | | | |
|----------------------------|--|---|---------------|
| Date of Meeting | 09.05.2012 | | |
| Application Number | W/11/03225/FUL | | |
| Site Address | Holt Joinery The Midlands Holt Wiltshire BA14 6RG | | |
| Proposal | Demolition of existing building and erection of new dwelling | | |
| Applicant | Holt Joinery | | |
| Town/Parish Council | Holt | | |
| Electoral Division | Holt And Staverton | Unitary Member: | Trevor Carbin |
| Grid Ref | 386102 161940 | | |
| Type of application | Full Plan | | |
| Case Officer | Mr Kenny Green | 01225 770344 Ext 01225 770251 kenny.green@wiltshire.gov.uk | |

Reason for the application being considered by Committee

Councillor Carbin has requested that this item be determined by Committee due to:

- * Visual impact upon the surrounding area
- * Relationship to adjoining properties
- * Environmental/highway impact
- * Loss of Industrial unit and relationship to nearby Area of Opportunity

1. Purpose of Report

To consider the above application and to recommend that planning permission be granted, subject to conditions.

Neighbourhood Responses - 4 letters of objection received.

Parish Council Response - Objects (as detailed within section 7 below).

2. Report Summary

The main issues to consider are:

Principle of the Development
 Impact on Conservation Area / Listed Building
 Design, Scale and Detailing
 Loss of Employment Premises/Local Available Supply of Employment Land/Premises
 Impact on Immediate Surroundings / Neighbours
 Impact on Ecological Interests
 Impact on Highway Interests

3. Site Description

The application site is located within Holt's defined Conservation Area and Village Policy Limits. The site amounts to about 0.2 hectares and is occupied by a single-storey single-skin un-insulated, concrete block built joinery workshop with a corrugated asbestos roof.

It is located opposite JT Beaven's Tannery site at the Midlands and a Grade II Listed Building, which is identified as an Area of Opportunity in the adopted West Wiltshire District Plan. The site adjoins the village hall car park and a former canteen building (which is known as Mio Mosaico) as well as being sited in front of a motor vehicle repair workshop (with its access located along the north-eastern site boundary). The existing building is set back about 12 metres from the public highway.

4. Relevant Planning History

88/01872/FUL - Light Industrial Unit - Permission 24.01.1989

5. Proposal

This application seeks detailed permission to erect one 4-bed dwellinghouse with a footprint of 81 square metres on the site of the existing joinery workshop, which is identified for demolition, and is covered by a separate application reference W/11/03226/CAC, a report on which is set out elsewhere in this agenda.

Within the accompanying Design and Access Statement the proposed dwellinghouse would match the style and appearance of the Lions Orchard development and the proposed 5.2 metre eaves height and 8.7 metre ridge height would reflect the height of the listed building opposite.

The applicant proposes to use red brick in a stretch bond and stone quoins under a slate roof, with stone heads and cills around the windows to further reflect the character of the immediate surroundings.

The applicant does not propose to remove the existing tree at the site frontage, and proposes to provide a porous parking area adjacent to the tree, to enhance its longevity.

In support of the application the following statements have been submitted:

- A Design and Access Statement (including a heritage assessment)
- A Noise Assessment
- Analysis on the supply of locally available employment land and premises
- A Surveyors Report
- An Asbestos Survey; and
- A Contaminated Land Risk Assessment

6. Planning Policy

Wiltshire & Swindon Structure Plan

DP1 - Sustainable Development; DP7 - Housing in Towns and Main Settlements; DP9 - Reuse of Land and Buildings

HE7 - Conservation Areas and Listed Buildings

West Wiltshire District Plan - 1st Alteration

C17 - Conservation Areas; C18 - New Development in Conservation Areas; C21 - Planning Permission in Conservation Areas; C22 - Demolition in Conservation Areas

C31a - Design; C32 - Landscaping; C37 - Contaminated Land; C38 - Nuisance; C40 - Tree Planting
H17 - Village Policy Limits; H24 - New Housing Design; E5 - Loss of Employment Floor Space; T10 - Car Parking

U1a - Foul Water Disposal; U2 - Surface Water Disposal

The Emerging Wiltshire Core Strategy

Core Policy 45 - Meeting Wiltshire's Housing Needs; Core Policy 50 - Biodiversity and Geodiversity

Core Policy 51 - Landscape; Core Policy 56 - Contaminated Land; Core Policy 57 - Ensuring high quality design and place shaping; Core Policy 58 - Ensuring the conservation of the historic environment

Government Policy

NPPF - The National Planning Policy Framework

7. Consultations

Holt Parish Council - Objects to this application on the following grounds:

Whilst not in the Area of Opportunity, this industrial unit is within the area which is the subject of a major consultative planning process which will lead to a regeneration development master plan in the next few months. It would be desirable to include this property within the master plan. The old canteen site which stands between this site and the Lions Orchard residential development will be considered as part of the master plan.

The proposed 3 storey building will sit directly in front of the Grade 2 listed frontage of the Beaven's Factory site which will form the centre piece of the development of the Area of Opportunity. In the absence of a carefully devised master plan to determine an appropriate new pattern of uses for the wider site it is considered that this proposal fails to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. The Council has a further duty to consider whether proposals will have an adverse effect on the setting of the listed buildings immediately opposite the site. The Midlands is one of the oldest parts of Holt with medieval origins. It has developed both as an industrial area and as part of Holts history as a former Spa. The very special character of this part of the Village will be undermined by the nature and quality of the proposed building. The proposal is in conflict with policy C18 of the Local Plan.

The proposed dwelling is a few metres from a busy motor workshop. A noise evaluation should be undertaken to examine the potential disturbance to the quiet enjoyment of future residents of the proposed house.

The main door into the proposed dwelling opens directly onto the busy access road to the motor workshop. This would appear to be dangerous as the exit is blind to the road and there is no designated footway.

The proposed parking spaces are close to the dangerous blind bend in the road and are detrimental to the street scene.

Loss of this site to industrial use further impacts on the ratio of housing to workspace in the Village. The Design and Access Statement says that the joinery will move to a new site to the West of the Village. We are not aware of any suitable industrial accommodation to the West of the village. We do not believe that the release of this land from its established employment use is justified.

Conservation Officer - The demolition of the existing building is of no consequence to the Conservation Area. The building is not attractive or historic, but it is an industrial building in this historically industrial area. Therefore, whilst it does not perhaps add much character to the Conservation Area, it is at least functionally in keeping with the surrounding area. Its removal would not actively harm the Conservation Area.

The proposed new building would be similar in style to the recent development at Lions Orchard. The scale of the proposed building does not pose any heritage based objection, as tall buildings are a feature of the street scene in this part of the Conservation Area. The proposed materials are acceptable, although a planning condition requiring samples materials should be attached to any permission.

The west facing gable would be the most relevant in terms of the impact on the listed building. Providing high quality bricks and natural stone are used, there would be no design based objection; and the setting of the listed building(s) at the old tannery site would not be harmed.

Highways - No highway objection is raised subject to a planning condition.

Council's Spatial Planning Team - The current strategic and local planning policy for Holt is provided by the Wiltshire and Swindon Structure Plan 2016 and the West Wiltshire District Plan First Alteration (June 2004). The majority of the policies in the Structure Plan and District Plan have been saved.

With regards to future planning policy, the Wiltshire Core Strategy Pre-Submission Document has Cabinet approval, and the deadline for public consultations passed on 2 April.

The key policy issues are considered to be whether the application meets the requirements of policy E5 of the District Plan (Loss of Employment Floor space), and whether development at the site would prejudice the comprehensive redevelopment of the area, particularly in relation to the Area of Opportunity identified by policy C41D of the District Plan.

In relation to policy E5, the proposals involve the loss of B2 employment floor space, and the applicant will therefore need to demonstrate that the criteria set out in this policy will be met. It is noted that the case officer has requested a supporting statement to demonstrate how the application meets the criterion that "there is an adequate supply and mix of genuinely available land and premises elsewhere in the locality for employment uses".

Concerns have been raised that piecemeal development outside but in close proximity to the defined Area of Opportunity could undermine the comprehensive redevelopment of the area. It is duly noted that Holt Parish Council have objected to the application, and have cited this as part of their reasoning to oppose the application. It is nevertheless important to stress that whilst the preparation of a comprehensive master plan for the area is supported, and it is recognised that it may be appropriate to include properties outside the Area of Opportunity within this master planning process, until the master plan has been completed and has Council support, it would be inappropriate to object to this current application. In the past, Government advice to local planning authorities has stressed that applications should not be refused solely on the grounds of prematurity.

The West Wiltshire District Plan defines the Area of Opportunity (which does not include the application site), and indicates that limited development within defined Village Policy Limits will be permitted provided that certain criteria are met (Policy H17).

In terms of future planning policy, the Wiltshire Core Strategy (WCS) Submission Document does not propose to change the area designated as the Area of Opportunity.

Policy Recommendation: The applicant needs to demonstrate compliance with policy E5 of the West Wiltshire District Plan. There are no spatial planning policy objections to this proposal providing that the requirements of policy E5 are met.

Tree and Landscape Officer - The tree/vegetation located at the site frontage would most likely need to be removed. That said, subject to a condition requiring a robust, appropriate replacement tree and landscaping maintenance, no objection is raised.

Ecologist - The building proposed for demolition is constructed of concrete blocks with an asbestos roof, it is well-sealed, currently in use, and as such offers negligible roosting potential for bats. The rest of the site comprises an area of hardstanding with negligible opportunities for any protected species. I have no objection to the proposed plans.

Wessex Water - No objection, subject to an informative.

Environment Agency - No comments as the proposed development falls outside the remit of the Agency.

Housing Services - Confirmed that the proposed development does not trigger any affordable housing requirement, and therefore no s.106 contribution is necessary.

Environmental / Public Protection Team - No objection subject to conditions.

The proposed development is located next to an existing and active vehicle repair workshop and the noise from this source has been fully considered. The submitted acoustic report indicates that the predicted and the calculated noise levels both internally and externally would be acceptable within the proposed development and as such no environmental protection based objections are raised against this application.

Contaminated Land Officer - No objection subject to conditions.

The following documents have been reviewed:

- 1) The Desk Top Study and Site Walkover Survey provided by Soil Environment Services, dated July 2011.
- 2) The preliminary risk assessment provided by Soil Environment Services, dated July 2011.
- 3) The Landmark historic land use information held by Wiltshire Council.
- 4) The historic mapping information held by Wiltshire Council. (landmark sourced).
- 5) The Planning history held on the Uniform database maintained by Planning.

The report includes the site information provided by Groundsure and this tallies with the information held on the Council systems. The report concludes that based on the historic maps and the site walkover there are no plausible contaminant linkages which justify any further site investigation. The report makes an assumption that the site was probably not subject to any contaminative uses that because the mapping data shows the site as undeveloped until 1972. It also assumes that any contamination on, or arising from adjacent sites would be tackled as part of their own redevelopment.

I am less sanguine in assuming that there is no contamination in the soils based on the limited information currently available. The site is adjacent to a number of industrial/commercial uses and on this basis, additional site investigations are considered necessary to ensure that the interests of future occupants are protected.

The applicant should undertake some additional work to ensure that the site is suitable for the proposed use. The desk study has identified that the risk of significant contamination is probably low and consequently, the matter can be addressed relatively simply and cheaply by a limited intrusive site investigation. This investigation will either validate the assumptions and conclusions of the initial report or, should any contamination be identified, allow a suitable scheme of remediation / mitigation to be implemented.

8. Publicity

The application was advertised by site notice/press notice /neighbour notification. Expiry date: 13.01.2012

Summary of points raised: 4 letters of objection received raising the following points:

Objections raised regarding the loss of the employment floor space / business in the village.

Any residential development would conflict with the use of the adjoining car park and the nearby motor vehicle workshop. Both of which, generate noise and disturbance. It is also submitted that having a side door on the proposed house would reduce security to the vehicle workshop premises, especially at night (as at present the site is securely gated). Consequently, the proposals would have a massive impact on the ability to operate the motor vehicle workshop business. If approved, the side door should be relocated to the southern elevation. Any windows on the north-eastern elevation should be obscure glazed to prevent overlooking or loss of privacy.

The proposed house would be about 10 metres from the main doors of the motor vehicle workshop. Traffic noise and vibration from large service and delivery vehicles do not seem to have been considered by the applicants.

The site/joinery workshop may have proved useful for light industrial use, but not in a domestic setting. The site is constrained by being located close to a blind bend with no useful pavement.

Noise abatement measures should be employed to deflect noise intrusion.

It would be inappropriate and possibly premature to allow this development which may jeopardise the success of redeveloping the Tannery site, which is subject to consultations with the Parish Council.

Detrimental to neighbouring interests through increased overlooking and loss of light.

The proposed 3-storey dwelling would be of an inappropriate scale and height. The Lions Orchard terrace (which is a close neighbour to the site), steps down in height and was designed and built with careful consideration given to the tannery site and its buildings. A bungalow would not be objectionable.

The choice of materials would not be suitable. Its height would compete with the listed building(s) opposite; and would consequently, detract the interest from the protected building(s). The 3-storey dwelling would result in a loss of sense of space.

No need for more housing in the village. Several properties have been marketed but are proving difficult to sell and the proposed dwelling would not likely be for first time buyers. The proposal would not readily be adaptable for the elderly or disabled.

Limited drainage options for soakaways and flooding concerns along the Midlands and adjacent lanes (due to high water table).

The space in front of the workshop is routinely used by people who work nearby. It is also used by visitors accessing the Courts property and the glove factory. The loss of car parking space would result in car parking displacement along the Midlands, bringing further congestion to an already busy road.

How will building contractors access the site safely without causing road hazards?

The proposals are based on the applicant wishing to maximise the value of the site at the expense of neighbours. If the existing building is to be demolished, the site would be better used as a car park.

These proposals are making life stressful.

9. Planning Considerations

Principle of the Development

The recently published NPPF places an importance on the planning system to deliver a mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas and the provision of a sufficient quantity of housing taking into account need and demand and seeking to improve choice. Making efficient and sustainable use of land is still an over-arching planning requirement; and, it is recognised that the form and density of a site's surroundings are material considerations.

Paragraph 49 of the NPPF makes it explicitly clear that "housing applications should be considered in the context of the presumption in favour of sustainable development". In this particular case, the redevelopment of the site could well act as a catalyst for the much larger redevelopment of the Old Tannery site. Notwithstanding the necessary caveat of determining each application on its own merits, after careful consideration, it is submitted that through removing the potentially noisy and "bad neighbour" joinery workshop land use, this development proposal could well enhance the appeal of redeveloping the Tannery site. With respect to the NPPF, this application is considered to be a sustainable form of development located close to existing village services and amenities.

As part of their objection, it is noted that the Parish Council has publicised the fact that there is a major ongoing planning consultation taking place within Holt relative to the potential publication of a regeneration development master plan, centred at J T Beaven's Tannery site at the Midlands (which is identified in the adopted District Plan as an Area of Opportunity). Whilst any such master plan may include the joinery workshop site, it is important to stress that Wiltshire Council's planning team have not been party to the stated consultation process, and indeed it is essential to appreciate that the joinery site is not within the same ownership and control as the Old Tannery site. The Council must take great care whenever an argument of prematurity is raised as a reason to object to a development proposal. In this particular case, there is insufficient evidence presented to demonstrate how the proposed development might compromise any future redevelopment of the site opposite. If anything, the replacement of the potentially noisy, poorly designed, inefficient, old joinery workshop building

with an appropriately designed and detailed dwellinghouse might well enhance development interest and the appeal of regenerating the Area of Opportunity at the Midlands.

In Policy H17, the Council outlines clear design, layout and siting requirements to ensure that new proposals are in keeping with the character, appearance and distinctive spatial form of the surroundings. District Plan Policy H24 advises that new housing should face onto, with windows and doors overlooking, the street or other public areas. Whilst offering some innovative design opportunities in new developments, the policy also states that details, materials and finishes should complement the local characteristics.

West Wiltshire District Plan Policy C31a states that all new development, residential or otherwise, is required to respect or enhance the townscape features and views, existing patterns of movement, activity and permeability and historic layout and spatial characteristics. Policy C38 further states that new development will not be permitted if neighbouring amenities and privacy values are significantly detrimentally affected.

Impact on Conservation Area/ Listed Building

Whilst PPS5 was revoked by the Government on 27 March following the publication of the NPPF, it is important to stress that Section 66 & 72 of the Planning (Listed Building and Conservation Area) Act 1990 remains relevant in terms of highlighting that the Local Planning Authority has a duty to pay special attention to the desirability of preserving and enhancing the setting of a building or buildings of special architectural or historic importance and character or appearance of the Conservation Area. It is also important to stress that the NPPF still identifies the need to conserve heritage assets in a manner appropriate to their significance.

The Courts have further ruled that planning decisions in respect to development proposals affecting Conservation Areas must place high priority to the objective of "preserving or enhancing the character or appearance of the area". District Plan Policy C22 expressly states that demolition consent will only be granted providing the demolition itself and any redevelopment proposals are acceptable and would not adversely affect the character and appearance of the Conservation Area.

The existing building identified for demolition has no historic or architectural merit and its loss would not be detrimental to the special and protected character of the area. It is accepted that the existing building has served its purposes and it no longer complies with the requirements and legislation, modern businesses need to satisfy. The single skin concrete block building has limited future commercial potential given that it has experienced subsidence, with large cracks evident in the floor slab and walls. Moreover, it does not make a positive contribution in visual terms to the Conservation Area. On this basis, officers do not agree with the Parish Council's view that the "very special character of this part of the Village will be undermined".

The new NPPF expressly states that in cases such as this, there is a "desirability for new development to make a positive contribution to local character and distinctiveness". The proposed demolition raises no objection and the proposed new building and the regeneration of this site would bring about an enhancement to the character of the immediate surroundings and also to the wider Conservation Area.

It is also material to mention that the occupier of the premises is the applicant; and a commercial decision has been made to relocate elsewhere within the locality. In economic terms, it has been demonstrated through the submission of a Comparable Valuation Report, that the residential value of the site exceeds the existing value by about £20,000 (based on a 2011 survey), which is considered to be a modest enhancement.

Design, Scale and Detailing

Along with adopted District Plan Policy C31a, Paragraph 56 of the NPPF outlines the fact that "the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people". In this particular case, the density of the development is comparable with neighbouring properties at Lions Orchard. The proposed scale and form of

development has been informed by the three storey Grade II Listed Building with its red brick stretcher bond opposite the site; and the three storey terraced residential properties at Lions Orchard with roof dormers and stone facade set between quoins.

The proposed west and south facing elevations would provide appealing and public facing facades in accordance with the policy requirements set by District Plan Policy H17. No habitable room windows are proposed for the north facing elevation in order to protect residential amenities and to avoid window-window conflicts and potential harm caused by overlooking. The north facing windows proposed on the first floor level would serve a corridor and en-suite (which would be obscure glazed). The proposed south facing dormer windows overlook only the car park, and no residential amenities would be detrimentally affected. In the interests of protecting future residential amenity and privacy, a planning condition is necessary to remove permitted development rights for additional wall openings and dormer windows.

District Plan Policy C22 states that in cases where buildings are identified for demolition, there is an expectation that the old building materials shall be re-used, but this caveat only applies where it is considered appropriate to do so. In this particular case, the asbestos roof and concrete block walls are not recommended for re-use. Therefore, in this case, new, appropriate building materials shall be used. To ensure that a high standard of building material is used, a planning condition is necessary requiring submission of samples prior to the commencement of works on site.

Loss of Employment Premises/Local Available Supply of Employment Land/Premises

It is necessary to stress that the Courts have ruled in the past (which coincidentally related to a site at the other end of the Midlands) that in order to properly consider the local supply of employment land and premises, the relevant study area should extend to a 3 mile radius. It is further stressed that there is no planning justification to deviate from this ruling. To satisfy this requirement, the applicant's agent has provided a robust (but not exhaustive) list of available and marketed employment premises including Trowbridge, Melksham and Bradford on Avon employment land availability.

As per the requirements of adopted District Plan Policy E5, the applicant's agent has demonstrated that there is an adequate supply and mix of genuinely locally available employment land and premises for the joinery business to be relocated. Such opportunities of course may well exist for any future mixed use redevelopment of the old Tannery site located opposite, and would thus retain this village business. Alternatively, opportunities may exist within the Midlands Industrial Estate, and genuinely available sites exist at Bowerhill's Industrial Estate and the White Horse Business Park.

On the basis of the above, officers strongly assert that there is no planning justification to refuse this application on the loss of the joinery business.

Impact on Immediate Neighbours

Following on from the above section, it is important to recognise that the existing joinery business operates without any restriction in terms of hours of operation which can generate significant noise levels. Indeed concerns about noise emanating from these premises formed a material planning reason to refuse a residential development application (reference w/10/02784/FUL refers) in October 2010. It is argued therefore that a proposal to remove this potential noise nuisance would benefit the area's amenities.

The Council's public protection team are fully satisfied with the submitted acoustic report, and it is recognised that the applicant proposes to erect an acoustic fence along the rear north-eastern and south-eastern boundaries, shared with the motor repair premises to help mitigate against noise and disturbance emanating from the motor repair business premises. The proposed Jacksons acoustic timber fence barrier system is certified to British Standard, and it can reduce noise levels by as much as 32 decibels in laboratory conditions, whilst maintaining an attractive and natural façade which is appropriate to the site context. A planning condition requiring the submission of exact details is necessary, but the principle and the benefits of such a barrier are accepted.

Moreover, the Council must accept that the principle of having neighbouring residential properties located close to the motor repairs premises was established when the Lions Orchard development

was given permission in 2003 (outline application 01/02074/OUT) and 2004 (the reserved matters application 03/02225/REM) On the basis of the above, and especially with the Council's public protection team being fully satisfied with the submitted acoustic survey and impacts, officers do not raise any policy reasons to refuse this windfall development proposal.

Impact on Ecological Interests

The Council's Ecologist has confirmed that there are no ecology based grounds to object to this application.

Impact on Highway Interests

The Council's Highways Authority raises no objection to this application, subject to a planning condition requiring the consolidation of the proposed parking area for three cars.

Conclusion

The joinery workshop building has no architectural or historic merit to justify its retention. Whilst it serves an employment function, its dated and structurally unsound condition and appearance detracts from the character and appearance of the protected Conservation Area; and consequently, the proposed demolition is acceptable. The applicant has been able to demonstrate that there is sufficient alternative and genuinely available local employment land and buildings to relocate the business. The demolition of the joinery workshop shall remove a noise generator and potential nuisance from the immediate locality. The design and detailing of the replacement dwellinghouse reflects the character of surrounding residential properties, and it respects the protected status of the Conservation Area and the Grade II Listed Building opposite and with appropriate planning conditions, this proposed one house windfall development is recommended for permission.

Recommendation: Permission

For the following reason(s):

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

Subject to the following condition(s):

- 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 No development shall commence on site until the existing building on site has been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.

REASON: In the interests of the character and appearance of the area [and neighbouring amenities].

POLICY: The National Planning Policy Framework and West Wiltshire District Plan 1st Alteration 2004 Policies C17, C18, C31a and C38

- 3 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs 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: In the interests of visual amenity and the character and appearance of the area.
West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a.

- 4 The dwellinghouse hereby approved shall not be occupied until the parking area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: T10

- 5 No development, other than works necessary to allow an intrusive site investigation, shall commence on site until the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) a site investigation and risk assessment has been carried out in accordance with DEFRA and Environment Agency's 'Model Procedures for the Management of Land Contamination CLR11' 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 (ii) If the report submitted pursuant to step (i) indicates that remedial works are required, full details have been 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 land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

POLICY-The National Planning Framework and West Wiltshire District Plan Policy C37.

- 6 If, during development, any archaeological evidence on the site is found, the developer shall contact the local planning authority to identify whether any additional archaeological work may be necessary. In the event that any such unexpected archaeological evidence is identified, the developer shall cease work on that part of the site and allow access to it by the Local planning authority, or any archaeologist nominated by the local planning authority, to record any findings. Construction on that part of the site affected shall not recommence until the LPA have agreed that the on-site archaeological recording has been completed.

REASON: To ensure that any unexpected archaeological remains are recorded.

- 7 No development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.

REASON: In the interests of visual amenity.

POLICY: West Wiltshire District Plan 1st Alteration 2004 policies C18, C31a and C38.

- 8 No development shall commence on site until exact details of the proposed Jacksons Acoustic fence and gate to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details before the dwelling is first occupied.

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

POLICY: West Wiltshire District Plan 1st Alteration 2004 - policies C17, C18, C31a and C38.

- 9 No demolition site clearance or development shall commence on site until an arboricultural statement and tree protection plan of all relevant details above and below ground have been submitted to and approved in writing by the Local Planning Authority (LPA).

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approval shall be carried out in accordance BS3998: 1989 British Standard for Tree Work or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

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

No equipment, machinery or materials shall be brought on to site for the purpose of development, until a scheme showing the exact position of protective fencing to enclose all retained trees and hedgerows beyond the outer edge of overhang of their branches in accordance with British Standard 5837: 2005: Tree in Relation to Construction, has been submitted and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations without prior written approval by the Local Planning Authority.

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

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

REASON: To prevent trees being retained on or adjacent to the site from being damaged during the construction works and in the interest of visual amenity.

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C38

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings (including dormers) other than those shown on the approved plans, shall be inserted in the northern elevation of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

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

- 12 No development shall commence on site until details of the obscure glazing to be used in the window(s) in the north elevation has been submitted to and approved in writing by the Local Planning Authority. The obscure glazing shall be installed as approved and prior to the first occupation of the development hereby approved and thereafter shall be maintained in accordance with the approved details.

REASON: In the interests of residential amenity and privacy.

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

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

LOCATION PLAN received on 08.12.2011

SITE LAYOUT PLAN – Drawing No. LPC/2975/2A received on 27.01.2012

GROUND, FIRST AND SECOND FLOOR PLANS & SECTION – Drawing No. LPC/2975/3B received 23.02.2012

ELEVATIONS – Drawing No. LPC/2975/4A received on 27.01.2012

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

Informative(s):

- 1 The removal and disposal of asbestos must be carried out in a controlled manner in line with regulations. Advice should be sought from the HSE with regard to this matter.
- 2 New water supply and waste water connections will be required from Wessex Water to serve this proposed development. Application forms and guidance information is available from the Developer Services web-pages at our website www.wessexwater.co.uk/developerservices

From 1st April 2012 all sewer connections serving more than a single dwelling will required a signed adoption agreement with Wessex Water before the connection can be made. Further information can be obtained from our New Connections Team by telephoning 01225526222 for Water Supply and 01225 526333 for Waste Water.

Separate Sewer Systems

Separate systems of drainage will be required to serve the proposed development.

No surface water connections will be permitted to the foul sewer system.

SI05a Public Sewers

On 1st October 2011, in accordance with the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011, Wessex Water became responsible for the ownership and maintenance of thousands of kilometres of formerly private sewers and lateral drains (section 105a sewers).

At the date of transfer many of these sewers are unrecorded on public sewer maps. These sewers can be located within property boundaries at the rear or side of any premises in addition to the existing public sewers shown on our record plans. They will commonly be affected by development proposals and we normally advise applicants to survey and plot these sewers on plans submitted for Planning or Building Regulations purposes.

| | |
|---|--|
| Appendices: | |
| Background Documents Used in the Preparation of this Report: | |