

## REPORT FOR STRATEGIC PLANNING COMMITTEE

<b>Date of Meeting</b>	16 <sup>th</sup> May 2024
<b>Application Number</b>	20/00337/FUL
<b>Site Address</b>	Land to the east of Odstock Road and to the south of Rowbarrow, Salisbury, Wiltshire.
<b>Proposal</b>	(Revised) Erect 86 dwellings together with garages, car barns, and refuse/cycle stores. Lay out gardens and erect means of enclosure. Creation of new vehicular access to Odstock Road. Lay out internal roads, including drives and pavements. Provision of associated public open space, play areas and landscape planting.
<b>Applicant</b>	Bellway Homes Ltd
<b>Town/Parish Council</b>	Salisbury City Council
<b>Electoral Division</b>	Harnham East
<b>Type of application</b>	Full
<b>Case Officer</b>	Richard Hughes

### 1. Purpose of Report

The purpose of the report is to update the committee on changes that have occurred following the resolution to grant approval of this scheme in April 2022. This includes the publication of the revised NPPF in December 2023, and changes to the Council's nutrient neutrality scheme. Members will note that the recommendation of officers remains that of approval of the scheme, subject to a suitable S106 and conditions.

### 2. Background

In April 2022 the Southern Area Planning Committee resolved to grant planning permission for this application subject to the applicant first entering into a S106 legal agreement (previous committee reports attached as appendix). The legal agreement is nearly finalised, although it has not yet been completed and so the planning permission has not yet been issued. Members should note that the proposed housing scheme remains as previously assessed and considered acceptable, including the provision of 86 dwellings on an allocated housing site, including affordable housing provision, and open space, and including the mitigation and benefits delivered via the S106 and conditions.

However, there have been some changes to some external factors which have led to the requirement for officers to advise Members.

Firstly, in December 2023 the government issued its revised National Planning Policy Framework (NPPF). This is a changed material consideration that must now be taken into

account. Furthermore, in recent months, the Council's mitigation scheme for nutrient neutrality has also been adjusted, and this too has implications for this scheme, as outlined in this report.

The effects of the changes in relation to this planning application are set out in the below report.

In making its decision to approve subject to the legal agreement the Committee took account of all matters relevant at the time. These included the development plan policies and national legislation/guidance. In the broadest terms, planning law requires the local planning authority in dealing with a planning application to have regard to the development plan and all material considerations. Where the issuing of a decision is delayed between the point in time at which the authority resolves to make the decision and when the decision notice is actually issued, and if during this 'gap' the authority becomes aware of new, or changed, material considerations, then the relevant law requires the authority to have regard to these considerations before finally determining the application.

Members should however note that it is the opinion of officers that the changes to the NPPF do not materially affect the Committee original decision for this particular application. However, given the changes that have occurred since Members made the previous resolution to approve the scheme, it is considered necessary for officers to update Members on these changes and to seek their continued support to progress this proposal.

### **3. Housing supply and delivery**

The December 2023 NPPF contains two important amended/new paragraphs concerning housing supply and delivery, as follows –

76. *Local planning authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision making purposes if the following criteria are met:*
- a) *their adopted plan is less than five years old; and*
  - b) *that adopted plan identified at least a five year supply of specific, deliverable sites at the time that its examination concluded.*
77. *In all other circumstances, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing if the provisions in paragraph 226 apply. The supply should be demonstrated against either the housing requirement set out in adopted strategic policies, or against the local housing need where the strategic policies are more than five years old. Where there has been significant under delivery of housing over the previous three years, the supply of specific deliverable sites should in addition include a buffer of 20% (moved forward from later in the plan period). National planning guidance provides further information on calculating the housing land supply, including the circumstances in which past shortfalls or over-supply can be addressed.*

Paragraph 226 referred to in paragraph 77 states the following –

226. *From the date of publication of this revision of the Framework, for decision-making purposes only, certain local planning authorities will only be required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of*

*four years' worth of housing (with a buffer, if applicable, as set out in paragraph 77) against the housing requirement set out in adopted strategic policies, or against local housing need where the strategic policies are more than five years old, instead of a minimum of five years as set out in paragraph 77 of this Framework. This policy applies to those authorities which have an emerging local plan that has either been submitted for examination or has reached Regulation 18 or Regulation 19 (Town and Country Planning (Local Planning) (England) Regulations 2012) stage, including both a policies map and proposed allocations towards meeting housing need. This provision does not apply to authorities who are not required to demonstrate a housing land supply, as set out in paragraph 76. These arrangements will apply for a period of two years from the publication date of this revision of the Framework.*

With regards to the above changes, at the time this application proposal was previously considered acceptable in April 2022, the Council had to demonstrate a 5 year supply of housing.

However, Wiltshire Council is now regarded as a 'paragraph 77 authority' because the Council has an emerging local plan that has now passed the Regulation 19 stage of the plan-making process – with both a policies map and proposed allocations towards meeting housing need. Consequently, the Council is now only required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of four years' worth of housing.

### **Current housing land supply position**

The Council's most recent Housing Land Supply Statement (published May 2023; base date April 2022) sets out the number of years supply against local housing need as 4.60 years. In subsequent appeals this figure has been reassessed to be 4.59 years. These figures exceed the 4-year threshold now relevant to Wiltshire, and for the planning balance this means that it is now starting from a 'level' position rather than 'tilted'.

The "tilted balance" can still apply even with a sufficient housing land supply, in situations where there are no relevant development plan policies, or those policies which are most important for determining the application are out of date. However, a recent appeal decision (at Semington, Wiltshire ref PL/2022/09397), concluded that the most important policies for determining that application (including policies CP1 & CP2) were not out of date, and as such the tilted balance was not engaged.

The same conclusions can be drawn for this site and therefore in terms of paragraph 11 of the NPPF, for decision making, para 11(c) of the NPPF is now relevant. Hence, it is a "flat or level" rather than "tilted" balance.

### **Consequences of the change to the NPPF in relation to this application**

As the site is an allocated housing site in the adopted Development Plan (see appended officer reports), the change to the NPPF in terms of the housing land supply issue should not affect or change the Committee decision to approve the proposal, subject to a S106 and conditions), for the following reasons:

- **The site remains in principle a proposal that is supported by WCS Core Policies 1 and 2, as it is an allocated housing site in the Development Plan, and thus approval of the scheme helps retain the Council's overall land supply of housing.**

- **There remains no technical objections to the scheme against any of the WCS policies when read as a whole and, therefore, the scheme is considered to be in compliance with the Development Plan.**
- **Members previously considered the scheme acceptable, and did not identify any other material considerations that were relevant to the recommendation to approve the application scheme, that would not longer be relevant in light of the change to the NPPF**

For the above reasons, the issue of the housing land supply was not, in officer opinion and in terms of the officer reports attached, a determinative factor when Members considered the proposal to be acceptable previously. Thus, the changes to the Council's land supply position is therefore considered to be of limited relevance to this application scheme. The scheme is still considered to comply with the development plan when taken as a whole, and would still deliver the positive benefits that are identified in the original reports, including much needed affordable housing.

Furthermore, despite the adjustment to the NPPF in terms of the land supply matter, the NPPF still reiterates that local planning authorities should approve development proposals that accord with an up to date development plan, and at paragraph 60, the NPPF still reiterates the objective to significantly boost the supply of housing. This application proposal would meet the aims of the Framework in this regard.

Consequently, it is considered that Members should still support this proposal for the same reasons they supported the proposal in April 2022. The NPPF change to the housing land supply does not make a material difference in officers opinion.

#### **4.S106 matters – nutrient neutrality**

As outlined in the previous officer reports attached, this development also 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.

Please note that since Members considered this proposal in 2022, the Council's current strategic mitigation approach regards nutrient neutrality has now changed. A report was approved by Cabinet in February 2024.

The Council-led mitigation scheme will only be available for "planned development" where there is a supply of mitigation credits for the relevant sub-catchment, and the credits will only be allocated to applications that are advanced in the planning system. Developer contributions via planning obligations are sought for planning applications that wish to use the Council-led scheme. The fee is £38,500 per 1kg/TP/yr with a 5% administration charge.

The Council led mitigation scheme will also only be available for applications that comply with saved housing site allocation policies (Appendix D, Wiltshire Core Strategy) and / or Core Policy 2 (Delivery Strategy) of the Wiltshire Core Strategy (excluding Core Policy 37 (Military Establishments), Core Policy 44 (rural Exception sites) and Core Policy 46, 47, and 48, where no other significant planning matters are outstanding. The proposal before Members complies with this, in particular Core Policy 2.

The council-led scheme is one option that development can potentially use to help achieve phosphorus neutrality. It will form part of the solution to achieving phosphorus neutral development in the catchment. Other options such as securing mitigation through private providers, as well as delivery of bespoke solutions on-site where possible can also be progressed by developers.

In this case, the applicant has discussed the above with the Council's ecologist, and a suitable mitigation strategy is being agreed. At the time of writing, this would result in a new "Head of terms" being added to the S106 terms previously listed in the attached committee reports, whereby a commuted sum payment or an alternative strategy is provided towards mitigating the impact of the scheme. At the time of writing, this mitigation is being agreed between the parties.

## **5. Planning conditions**

Members should note that inconsequential adjustments have been made to the proposed archaeology condition, with the agreement of the Council's archaeologist. The list of relevant plans has also been slightly adjusted to allow for corrections to the previous published list.

## **6. Conclusion**

With due regard to the changes in the December 2023 NPPF regards the housing land supply, and the changes to the Council's nutrient neutrality scheme, it is recommended that the application continues to be supported and approved for the above reasons, and notably that:

- The proposal would help boost the Council's 4 year supply of housing
- The proposal would mitigate its impacts in terms of nutrient neutrality

Consequently, it is recommended that that the application be approved, subject to a suitable S106 and conditions.

**RECOMMENDATION: That the Head of Development Management continues to be authorised to grant planning permission, subject to a S106 related to the following matters, and the planning conditions listed thereafter.**

### **i) NATURAL ENGLAND AGREEING THE POSITIVE OUTCOME TO A HABITATS REGULATIONS ASSESSMENT (HRA) BY THE COUNCIL, and**

### **ii) A SUITABLE S106 LEGAL AGREEMENT BEING ENTERED INTO WITH REGARDS THE PROVISION OF THE FOLLOWING MITIGATION:**

- **Provision of 40 percent affordable housing on site (including mix, adaptable standards, and minimum size standard)**
- **Provision and maintenance of public open space, play space (including connecting paths across the open space), together with off site contribution for MUGA**
- **Financial contribution to enhancement of existing footpath system BRIT 8 from the site boundary to the A338 road**
- **Ensure that proposed linking pathways to the surrounding area are**

**provided up to the site boundary with unfettered public access and a scheme for their provision**

- **Financial Contribution to and Provision of waste and recycling facilities**
- **Financial Contribution to educational facilities**
- **Provision of off site traffic works and sustainable transport contributions and a private management company be set up to maintain the roads, footways, street lighting and drainage throughout the estate.**
- **Provision of/financial contribution to a public art scheme**
- **Provision of Biodiversity enhancement contributions namely:**
  - A financial contribution of £240,000 towards a Council Biodiversity Net Gain project at Roundbarrow Farm in order to deliver a total of 8 habitat units at a cost of £30,000 per unit.
  - Retention and management of the open space as Suitable Alternative Natural Greenspace (as shown on a plan) in perpetuity or for as long as the development site remains in residential use.
  - A financial contribution of £8000 towards compliance of SANG provision in accordance with requirements of the Council's Interim recreation mitigation strategy for the New Forest internationally protected sites" (Version 1, 25 March 2022) to provide a compliance visit in each of the first five years after the open space is laid out, a compliance visit once every five years thereafter until 30 years after the open space is laid out and inclusion of the SANG in a contract for visitor surveys in years 5 and 10 after the open space is laid out
- **Financial contribution (TBC) or alternative scheme as agreed by the Council towards a Phosphorous Mitigation scheme to mitigate the nutrient impact of the proposal on the River Avon Special Area of Conservation.**

And subject to the following conditions:

#### Three Year commencement

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

#### Approved plans

2. The development shall be carried out in accordance with the following amended plans and details:

P1597.01 Rev ZA	Planning Layout
P1597.02 Rev Q	Materials Layout
P1597.03 Rev P	Building Heights Layout
P1597.04 Rev S	Tenure Layout

P1597.05 Rev P Parking Layout  
 P1597.06 Rev P Refuse Layout  
 P1597.07 Rev P Enclosures Layout  
 P1597.08 Rev C Location Plan  
 P1597.SS.11 Streetscenes  
 P1597.SS.12 Streetscenes  
 P1597.SEC.01 Rev B Site Sections  
 P1597.2.01 Rev A Type 2 - (Baker), Floor & Roof Plans  
 P1597.2.02 Rev A Type 2 - (Baker), Elevations - Brick  
 P1597.3A.01 Type 3A - (Ploughwright), Floor & Roof Plans  
 P1597.3A.02 Type 3A - (Ploughwright), Elevations - Brick  
 P1597.3A.06 Type 3A - (Ploughwright) Floor and roof plans  
 P1597.3A.07 Rev A Type 3A - (Ploughwright) Elevations - Brick  
 P1597.BLKA.01 Rev A Block A, Ground & First Floor Plans  
 P1597.BLKA.02 Rev A Block A, Second Floor & Roof Plans  
 P1597.BLKA.03 Rev C Block A, Front & Side Elevations  
 P1597.BLKA.04 Rev C Block A, Rear & Side Elevations  
 P1597.BO.01 Type BO - (Bowyer), Floor & Roof Plans  
 P1597.BO.05 Rev B Type BO - (Bowyer), Floor & Roof Plans  
 P1597.CO.01 Type CO - (Cooper), Floor & Roof Plans  
 P1597.CO.02 Type CO - (Cooper), Elevations - Brick  
 P1597.CO.07 Type CO - (Cooper), Floor and roof plan  
 P1597.CO.08 Rev A Type CO - (Cooper), Elevations - Brick  
 P1597.MA.01 Type MA - (Mason), Floor & Roof Plans  
 P1597.MA.02 Type MA - (Mason), Elevations - Brick  
 P1597.MA.03 Type MA - (Mason), Elevations - Tile Hung  
 P1597.MA.04 Type MA - (Mason), Elevations - Tile Hung  
 P1597.SC.01 Rev B Type SC - (Scrivener), Floor & Roof Plans  
 P1597.SC.02 Rev B Type SC - (Scrivener), Elevations - Brick  
 P1597.SC.02 Rev A Type SC - (Scrivener), Elevations - Brick  
 P1597.TA.01 Rev A Type TA - (Tailor), Floor & Roof Plans  
 P1597.TA.02 Rev A Type TA - (Tailor), Elevations - Brick  
 P1597.TH.01 Type TH - (Thespian), Floor & Roof Plans  
 P1597.TH.02 Type TH - (Thespian), Elevations - Brick  
 P1597.TH.03 Type TH - (Thespian), Elevations - Tile Hung  
 P1597.TH.05 Rev A Type TH - (Thespian), Elevations - Tile Hung  
 P1597.WO.01 Rev A Type WO (Woodcarver) Elevations - Tile Hung  
 P1597.GAR.01 Rev A Twin Garage - Gable Side, Plans & Elevations  
 P1597.GAR.04 Single Garage - Plans & Elevations  
 P1597.BIN.01 - Bin Store - Plans & Elevations  
 P1597.CYC.01 Rev A - Cycle Store - Plans & Elevations  
 P1597.3.05 Type 3 - (Tillman), Floor & Roof Plans  
 P1597.3.06 Type 3 - (Tillman), Elevations - Brick  
 P1597.CH.01 Type CH Rev A - (Chandler), Floor & Roof Plans  
 P1597.CH.02 Type CH Rev A - (Chandler), Elevations - Brick  
 P1597.CO.05 Type CO - (Cooper), Floor & Roof Plans  
 P1597.CO.06 Type CO - (Cooper), Elevations - Brick  
 P1597.GAR.05 Car barn - Plans & Elevations  
 P1597.GAR.06 Garage - Plans & Elevations

### Archaeology

Updated Heritage report and Written Scheme of Archaeological Investigation March 2022

### Drainage

Site Appraisal report Rev D March 2019 (Flooding and surface water)  
Amending Drainage Technical Note and the following:

- Drawings 501-505: The updated drainage strategy layout showing the proposed site levels and retaining wall locations and heights
- Drawing 554-556: Showing cross sections of the soakaways
- Drawings 508-512: Showing the catchment area layout for the drainage strategy
- The Management and Maintenance strategy report
- Appendix E - the hydraulic calculations for each SuDS component on site.

#### Landscaping

Updated Tree Survey Plan (BELL22723-03D) and Arboricultural Impact Assessment & Method Statement (BELL22723aia\_amsD)

Revised Detailed Landscape Drawings and Landscape Masterplan

BELL22723 10D;

BELL22723 11D;

BELL22723 11D (sheet 1)

BELL22723 11D (sheet 2)

BELL22723 11D (sheet 3)

BELL22723 11D (sheet 4)

BELL22723 11D (sheet 5)

BELL22723 11D (sheet 6)

Soft Landscaping Management & Maintenance Plan ref BELL22723 by ACD dated 4<sup>th</sup> July 2023 Rev C

Updated LVA to reflect plan amends (parts 1-6)

Revised LEMP March 2022

#### Transport and Access

Drawing 043.0017.001 rev E Proposed Site Access Visibility Splay (Paul Basham Associates)

Transport Assessment Addendum and revised plans 043.0017/TAA/4 March 2022 (Paul Basham Associates)

Travel Plan 043.0017/TP/3 December 2019 (Paul Basham Associates)

Transport Assessment Part 1 & 2 043.0017/TA/3 December 2019 (Paul Basham Associates)

#### Ecology report

Up-Dated Ecological Appraisal & Phase 2 Surveys March 2022 (LC Ecological Services)

Ecological Construction Method Statement 31.03.2022 (LC Ecological Services)

Landscape and Ecological Management Plan 31.03.2022 (LC Ecological Services)

Appraisal and Phase 2 Survey Document October 2018 Updated May and December 2019 (Lyndsay Carrington Ecological Services)

White Helleborine Survey May 2020 (Lyndsay Carrington Ecological Services)

#### Waste and sustainable design

Waste Audit and CEMP 2019 (Savills)

Sustainability Statement 13<sup>th</sup> January 2020 (Southern Energy Consultants)

REASON: For the avoidance of doubt

#### Materials

3. Before the relevant dwellings are occupied, details of the materials to be used for the external walls and roofing of the buildings, and hardsurfaces, including paths across the



open space areas, shall be submitted to and agreed in writing by the Local Planning Authority. The Development shall be carried out in accordance with the agreed details.

REASON: In the interests of the visual appearance and amenity of the development and area

#### Water efficiency

4.The residential 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). Within 3 months of each phase being completed and the housing being brought into use, a post construction stage certificate 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 mitigation strategy for nutrient neutrality in the River Avon SAC catchment.

#### Lighting

5.All lighting provided on site during the construction phase, and with regards the development phase and street lighting, shall be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2011, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2011), and Guidance note 08/18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals and will demonstrate that bat habitat (trees, scrub and hedgerows) on the perimeter of the site will remain below 1 lux. Footpaths across open space will remain unlit for the lifetime of the development.

REASON: In the interests of the amenities of the area and to minimize impacts on biodiversity caused by light spillage to areas above and outside the development site.

#### Biodiversity Net Gain landscaping

6.The development will be delivered in accordance with the approved Biodiversity Metric and will achieve no fewer than 8 habitat units and no fewer than 10.17 hedgerow units within the planning permission boundary.

REASON: to comply with CP50 in delivering a net gain for biodiversity.

#### Protection during construction

7.Before any construction or other works commence, the following habitats will be securely fenced off/protected before works commence, and vehicles, compounds, stockpiles and any construction related activities will be excluded from those protection areas throughout the construction period:

- All retained semi-improved grassland (i.e. grassland within area shown as Wildflower Meadow on the approved Landscape Masterplan.
- Beech tree belt along the south west boundary of the application site and the existing tree belt along the north boundary of the site with Ancient Way, including canopy and root zones as per the approved Tree Protection Plan and Method Statement

- Works should avoid/protect the scheduled ancient monument and archaeological deposits

REASON: Insufficient information provided with the application to comply with policy CP50 and the sensitive archaeology on the site and adjacent.

#### Ecological Clerk of Works

8. Before construction works commence, a qualified Ecological Clerk of Works will be appointed by the applicant/developer who will attend site regularly (at least once a month) throughout the construction phase of development, documenting each visit, the advice issued as a result of the visit and the effectiveness of all ecological mitigation measures. These documents will be made available to the Council as Local Planning Authority on written request.

The Ecological Clerk of Works will:

- Undertake checks for bats, birds, herptiles, hedgehogs and dormice no more than 48 hours before vegetation is removed / felled and ensure wildlife is appropriately protected
- Ensure habitat protection fencing remains effective throughout the construction period
- Ensure retained semi-improved grassland is managed twice annually with cuttings removed off site throughout the construction period in accordance with the approved revised Soft Landscape Management and Maintenance Plan.
- Anticipate, prevent and respond to pollution that risks entering surface or ground water.

REASON: To ensure compliance with ecological protection and mitigation measures.

#### Provision of Bat roosts etc

9. Before development commences, details of the location and design of integral bat roosting features, swift bricks, bee homes and hedgehog access holes in garden fencing will be submitted for Local Planning Authority approval. At least 20% of all approved dwellings/apartments will have at least one of these features. The development will be completed in accordance with the approved details, and prior to any of dwellings/apartments affected being first occupied.

REASON: To contribute to offsetting the loss of wildlife as a result of the development.

#### Parking and turning areas

10. Before the relevant apartment/dwelling is occupied, the garaging/parking/cycle parking and associated turning areas associated with that apartment/dwelling shall be constructed and provided on site, and shall be maintained in perpetuity thereafter for the purpose.

REASON: In order to ensure that suitable parking and turning areas are provided on site

#### Vehicular access works

11. Prior to first occupation of any dwelling hereby permitted the vehicular access onto Odstock Road shall be provided with visibility with nothing to exceed the height of 600mm above carriageway level between the carriageway edge, and a line drawn from a point 2.4 metres back along the centre line of the access from the carriageway edge, to points on the nearside carriageway edge 90 metres to the north, and 90 metres to the south.

Reason: In the interests of highway safety.

12. Prior to first occupation of any dwelling the ghost island right turning lane outlined on approved highways/access drawing (as per the amended Transport Assessment March 2022) on Odstock Road including a pedestrian refuge, any required street lighting and highway drainage alterations to accommodate the right turning lane, resurfacing of the entire width of Odstock Road over the length of the right turning lane scheme, shall all have been constructed and made permanently available for use in accordance with details to be first submitted to and approved by the Local Planning Authority.

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

#### Construction Transport Management Plan

13. Prior to commencement of the development a Construction Traffic Management Plan shall be submitted to and approved by the Local Planning Authority. The Plan shall include details of construction vehicle routeing, construction staff vehicle parking areas within the site, local road cleaning, and measures to prevent excessive mud and dust being deposited on the public highway. The site construction shall be carried out in accordance with the approved plan.

Reason: In the interests of highway safety and road user convenience.

#### Electric Vehicle Infrastructure

14. No development shall commence on site until a scheme of Ultra Low Energy Vehicle infrastructure has been submitted to the LPA. The scheme must be approved by the Local Planning Authority prior to implementation and thereafter be permanently retained.

Reason: Core Policy 55; Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

#### Contaminated Land

15. 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 "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 (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: Core policy 56, To reduce the risks associated with land contamination

#### Acoustic report

16. Prior to commencement of development an acoustic report shall be submitted to the LPA for approval in writing prior to implementation. The report shall demonstrate that the internal and external amenity standards of BS8233:2014 *Guidance on sound insulation and noise reduction for buildings (or any subsequent version)* and WHO *Guidelines for Community Noise* (1999) can be achieved within the development. The report must include full details of any scheme of mitigation required to achieve this which if approved must be implemented in full and maintained in that way in perpetuity.

REASON: In the interest of amenity

#### Protection of amenity during construction

17. Notwithstanding the submitted CEMP December 2019, no construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 0800 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: In the interest of amenity

18. Notwithstanding the submitted CEMP December 2019, prior to commencement of the development a revised Construction Environmental Management Plan (CEMP) shall be submitted to and approved by the Local Planning Authority. The revised Plan shall include additional/revised details of:

- Working hours – to match that stipulated by this consent
- No idling of engines of lorries whilst waiting outside the site

- Details of any on site generators and their locations
- An external lighting plan and positions on site
- Details of piling – must be continuous flight auger piling wherever possible
- Show how the works will avoid/protect the scheduled ancient monument and the archaeological deposits
- Show how the works protected the tree belts along the south and northern boundaries of the site and the sensitive ecology

The site construction shall be carried out in accordance with the approved Plan.

Reason: In the interests of amenity

### Archaeology

19. The development shall be carried out in accordance with the Written Scheme of Investigation for archaeological strip, map, and sample excavation and monitoring, by Savills dated March 2022. Within one calendar year of the commencement of development on site, (or an alternative time table agreed in writing with the Local Planning Authority), a landscaping maintenance and management plan showing how the sensitive archaeology on and adjacent to the site would remain protected and unaffected in perpetuity, including the ancient trackway marked by an avenue of trees on the approved plans, shall be submitted to and approved by the Local Planning Authority. The management plan shall include management and maintenance responsibilities and 'no dig' areas for the open green space.

REASON: To record and advance understanding of any heritage assets to be lost and to make this evidence publicly accessible, and to protect those heritage assets that remain. This will include areas of the prehistoric field systems and enclosures identified by the exploratory trial trenching in the area of residential development, the trackway that lies along the proposed access road, and areas closest to the Saxon cemetery to ensure that any outlying graves are identified and recorded.

### Drainage

20. Notwithstanding the drainage details submitted as part of this application, no development shall commence which would involve or relate to drainage provision until a scheme showing the following:

- a) the results of infiltration test; and
- b) confirmation that all finished floor levels are shown to be above the maximum predicted 100 year flood level, and
- c) confirmation that each relevant household will be informed of its responsibility for the maintenance and protection of any sustainable urban drainage systems within its curtilage.

has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme/details.

REASON: In the interests of achieving sustainable drainage

## **INFORMATIVE**

Archaeology

As the applicant/developer is aware, the site contains sensitive archaeology. Consequently, appropriate care needs to be taken when developing this site.

The programme of archaeological work should comprise the following elements:

i) Prior to the commencement of development, the detailed archaeological investigation of areas of archaeological interest identified by the exploratory archaeological investigation and that will be impacted by the proposed development. This will include areas of the prehistoric field systems and enclosures identified by the exploratory trial trenching in the area of residential development, the trackway that lies along the proposed access road, and areas closest to the Saxon cemetery to ensure that any outlying graves are identified and recorded. The programme of archaeological fieldwork may also include archaeological monitoring during development and landscaping works.

ii) A programme of assessment, analysis, reporting, and publication that is commensurate with the significance of the archaeological results. The condition will not normally be fully discharged until this element of the programme of archaeological work has been satisfactorily completed.

Appropriate measures should also be put in place to ensure that the 'area of archaeological interest' that is to be preserved in situ and that part of the Scheduled Monument that lies within the red line boundary are not subject to any construction activities, such as temporary soil bunds, temporary compounds or access routes, or similar, during the course of the development. The measures should comprise part of the Construction Environment Management Plan.

#### Acoustic report

In discharging this condition the applicant should engage an Acoustic Consultant. The consultant should carry out a background noise survey and noise assessment according to BS8233: 2014 (or any subsequent version) and demonstrate that internal and external noise levels will not exceed the guideline noise levels contained in Section 7.7 (table 4) of BS8233:2014. The report should also demonstrate that internal maximum noise levels in bedrooms will not normally exceed 45dB LAmax between the hours of 23:00 and 07:00.