DELEGATED REPORT

Application Reference: PL/2023/06302

PROPOSAL

The application is for the demolition of existing building and erection of 6 dwellings and associated works at Martins Transport, Linleys, Corsham.

SITE DESCRIPTION/CONTEXT

The application site is situated on the southern side of Silver Street, between the market town of Corsham, and the small village of Gastard, within the open countryside. It is approximately 300m southeast of Corsham, and approximately 200m northwest of Gastard (which does not have a settlement boundary). The application site comprises a commercial warehouse building and associated hardstanding. There are residential uses to the west of the site, and agricultural land on other sides.

It is understood the commercial use of the site started in the 1960's. It was last occupied by a road haulage firm, which closed in 2012. Since this date, the site is understood to have been used for parking, storage and maintenance of vehicles.

There are listed buildings to the northwest of the site, accessed off Silver Street. Avills Farmhouse and 10 The Linleys are Grade II listed buildings. Monks Farmhouse to the southwest beyond an agricultural field is Grade II listed. There are other listed buildings further afield at Gastard and further northwest along Silver Street. No public rights of way cross the site, but there are some to the south and west of the site CORM34, 40, 41, 37, 32.

The application site is in Flood Zone 1. The Council's Strategic Flood Risk Assessment identified an area of potential surface water flood risk on the site, but the applicant's site specific Flood Risk Assessment has proven that there is not an increased surface water flood risk in this location.

PLANNING HISTORY

- N/09/01053/FUL - Workshop Extended to Accommodate New Service Pit and Part Re-Cladding of Existing Building – Approved with Conditions
- N/08/01106/FUL - Construction of Car and Lorry Park on Agricultural Land and Creation of New Vehicular Access onto Monks Lane – Approved with Conditions

POLICIES

Wiltshire Core Strategy 2015 (WCS)

CP 1 Settlement Strategy
CP 2 Delivery Strategy
CP11 The Spatial Strategy: Corsham Community Area
CP45 Meeting Wiltshire's Housing Needs

CP50 Biodiversity and Geodiversity
CP51 Landscape
CP52 Green Infrastructure
CP57 Ensuring High Quality Design and Place Shaping
CP58 Ensuring the Conservation of the Historic Environment
CP61 Transport and New Development
CP64 Demand Management
CP67 Flood Risk

North Wiltshire Local Plan 2011
Saved policy NE14 Trees
Saved policy H4 Residential Development In The Open Countryside

National Planning Policy Framework 2023 (NPPF)

Corsham Neighbourhood Plan (Nov 2019)
Policy CNP ED1 Ecology and Design
Policy CNP E1 Bats
Policy CNP E2 Sustainable Development
Policy CNP HE1 Design

ISSUES

The principal considerations in the determination of this application are:

- Lawful Use of the Site
- Principle
- Material Considerations
- Design and Landscape Impact
- Impact on Heritage Assets
- Residential amenity
- Noise and Pollution
- Highways and parking
- Ecology
- Flood Risk and Drainage
- Planning Balance and Conclusion

CONSULTATION

Corsham Town Council: No objection:

Initial response to submission:

> *Resolved: to object to this proposal.*
>
> *Corsham Town Council does not object to the principle of development for housing on this brownfield site. The Corsham Neighbourhood Plan on page 9 states 'The Plan proposes housing development that supports the overall aspirations of our community and which is sustainable, in the right places and of good design. This would include a mix and design of properties to suit the ages and needs of all the community. The Plan supports a limited*

number of small-scale residential developments (of up to 12 houses per village) in the small villages where there is an identified local need. This proposal does not identify or address local need which may well be for smaller affordable dwellings. The Housing section of the Corsham Neighbourhood Plan states on page 39 'In response to the community consultation, the Neighbourhood Plan also supports proposals for small scale schemes in the villages of Gastard and Neston on rural exception sites (Core Policy 44 of the Wiltshire Core Strategy). The rural exception sites will provide up to 100% affordable housing, including housing that will support older village residents wishing to downsize. This would only be acceptable where there is an identified local need…'

The Town Council felt that the application should be accompanied by a contamination assessment as the application form states that the site may be on land that is or may be contaminated. The proposal lacked design diversity and did not sit well with the local vernacular. The proposal did not advantage of the opportunity to provide wider community benefits such as allotments. There were also concerns regarding drainage as the path and road often has standing water in this location.

If Wiltshire Council is minded to approve the application the Town Council would ask that there be more certainty that the dry stone walls are retained and that the landscaping scheme be improved and contain more trees."

Revised comments following plan revisions:

"Resolved: that, subject to the dry-stone walls at the front of the site being retained and Wiltshire Council being satisfied with the access arrangements, no objection be raised."

Highways Engineer: No objection subject to conditions:

"Amended plans have been received demonstrating the achievable visibility splay. The site is on the former GH Martin Transport land and workshop, Gastard. The site is located on Silver Street between Corsham and Gastard. Silver Street is a B classified road subject to a speed limit of 40mph with a change in speed limit to 30mph to the west of the site.

As this would lead to separate dwellings outside of identified development boundaries, the proposal would usually attract an adverse highway recommendation on sustainability grounds as follows:

The site is located outside of any settlement policy boundary, raising concerns with regards to the sustainability of the site for residential development due to the likely reliance upon the private car for any occupants and their visitors. This proposal is therefore, in my opinion, contrary to Core Policies 60 and 61 of the Wiltshire Core Strategy and Section 9 of the National Planning Policy Framework 2021, which aim to reduce the need to travel particularly by private car and encourage the use of sustainable transport alternatives.

However, I shall be guided by you on this sustainability issue and wish to advise with regard to highways in the instance that you would be minded to permit dwellings in this location.

The site is a redundant road haulage depot, which could continue operations as such and be used by a number of larger vehicles. The existing site is used for storage and maintenance of vehicles. The proposal is to erect Seven, four-bedroom dwellings. The existing access with the public highway is proposed to be used and narrowed to allow a new access with footway access from either side, the footway provision and narrowing at

the point with the public highway should have dropped kerb facility and tactile paviours to conform with safe access for all pedestrians in the area.

The internal access appears to have footway provisions which extend into the site, this gives separate access to vehicles and pedestrians for the initial section with a shared surface within the site.

There is a Substandard footway (between 1-2m width varying along the length of solid provisions) available on the development side of Silver Street which extends to the Monks lane/Silver Street/Prospect/Ladbrook Lane junction and slightly beyond with a short section of missing footway (approx. 70m in length) due to property boundaries on the running carriageway edge after the 70m missing footway there is a solid white line demarking a narrow width carriageway level footway which runs for approximately 110m before the solid footway returns which leads north to Corsham.

The access has been provided with visibility splays in accordance with the standards set out in DMRB for a 40mph road, with a splay to the east demonstrated as 2.4m x 120m, to the west the splay demonstrated is 2.4m x 63m due to third party land, this does not achieve the DMRB standard of 90m, however the access is close to the 30mph limit to the west and close to the built up area in an area where previous access has been taken by larger vehicles, therefore I am willing to accept a splay demonstrated that fits between the standards set out for 30mph within Manual for Streets and DMRB

.

Vehicle and cycle parking is demonstrated in accordance with minimum standards and therefore acceptable, Visitor Parking is also included within the curtilage and the areas for turning allow vehicles to access/egress the site in a forward gear.

The quantum of housing proposed at the site would not be considered of detriment to the surrounding highway network, it would however rely heavily on the use of the private motor vehicle for access due to the location as mentioned previously.

Other than the highlighted sustainability issues, I would not wish to raise an objection to the proposals subject to the following conditions and informative." (Conditions set out in recommendation at the bottom of this report).

Archaeologist: No comment.

Conservation Officer: No objection in principle to the prospect of the redevelopment of this brownfield site:

I have reservations in respect of the design of the proposed buildings and ask has reference been made to the Wiltshire Design Guide in this case.. As the development does not appear to respect the local vernacular style of the village of Gastard.

Ecologist: No objection subject to conditions

"*The ecology report (Preliminary Ecological Appraisal Report, Land at G H Martins Transport, ref: 2023-040, Version: 1, Date: 22/08/2023 by Smart Ecology Ltd) is welcome. The report confirms the site is "approximately 0.36 ha and comprises a workshop, store building, two shipping containers, hardstanding, scrub, and tall ruderal vegetation, with scrub and hedgerows present along some sections of the site boundary." The report confirms the site has the potential to support the following protected species/habitats:*
- Bats (foraging/commuting along the hedgerows)
- Bats (potential roosting features in the trees)

- Breeding birds (hedgerows)
- Badgers (commuting/foraging)
- Hedgehogs (hibernation and refuge in the hedgerows and rubble piles)
- Amphibians and reptiles (hibernation and refuge in the hedgerows and rubble piles)
- Priority Habitat Hedgerows
If this application is approved the conditioned CEMP should include the suitable avoidance and
mitigation measures for the above species and habitats

25/03/2024 - A test of likely significance has been carried out by the relevant Competent Authority (Wiltshire Council) as required by Regulation 63 Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. This concluded that given the scale, desing andnature of the development any temporary construction impacts and operational impacts would be de-minimus. The HRA has concluded that the application is not likely to have significant impacts on the SAC and Appropriate Assessment is not required.

If this application is approved the conditioned CEMP must include suitable measures to avoid disturbance that could significantly impact bats such as artificial light pollution at night."

Conditions recommended in relation to lighting, compliance with submitted documents and CEMP, biodiversity mitigation, and an informative - see list of conditions at the bottom of this report.

Landscape Officer: No objections subject to conditions:

In response to initial proposals:

"*Comments & Observations:*
While I acknowledge that the 'tilted planning balance' is in operation (Due to Wiltshire's current 5 year housing land supply situation), which is a material planning consideration, the NPPF is clear that the Development Plan is the lawful starting point for decision taking within the 'plan led' planning system.

The site lies in countryside outside any settlement boundary (limits of development) but it is viewed (in part at least) as previously developed land. I suggest the LPA will need to form an opinion and stance on the lawful land use of the whole site area as this would help further inform the landscape and visual baseline situation from which the resulting change effects arising from the development proposal should be assessed and considered etc.

The site and its context
The planning application site area appears to be a mix of previously consented lawful commercial use associated with GH Martin Transport's, road haulage business operations together with an area of more recent, seemingly unauthorised, development and land used for vehicle and other storage extending south into the adjacent southern agricultural (pastoral) field area. I am unable to find any planning applications for this recent extension of the surfaced yard area within the southernmost part of the site. This southern area of land is therefore not potentially brownfield land, despite its current appearance and use. I also highlight that some unauthorised hedgerow removal may have occurred along some boundaries of this extension land. This appears to have occurred at some point between 2021 and 2023 (from looking at available google street view image history) this is further confirmed within the applicant's own submitted Arboricultural report which states at page 3…"The hedge that was present on the western boundary during the 2021 survey has been removed. The boundary hedges to the south and east, also present in 2021, have

been almost completely removed leaving only a few, small poor quality remnant trees and shrubs to the east and some small shrubs to the south.''

The removal and weakening of the sites existing perimeter hedgerows represent the loss and weakening of characteristic landscape features. This has unfortunately exposed the rear of the site to greater public view from countryside receptors and weakened the sites inherent mitigation potential to integrate any new development more quickly and sympathetically into adjoining countryside.

The site is broadly level in nature at circa 83m AOD and has been cut slightly into the north facing lower slopes of 'The Ridge', falling in level from south to north.

The northern boundary of the site lies adjacent to Silver Street (B3353) which links Corsham (northwest) with Gastard (southeast) and eventually onto Melksham (south) via the A365. The site is bordered at its northwest corner by a modern bungalow (The Paddocks), with another bungalow (Orchard Leigh) adjoining further west along Silver Street, both understood to be set within the former grounds of no.10 The Linleys (Grade II Listed building) located slightly further west at the crossroads with Monks Lane. On the opposite side of Silver Street to the northwest of the site, Avills Farmhouse is another Grade II Listed building (No. 11 The Linleys), with associated farmstead buildings converted to new residential use. In all other respects the site is bounded and set within agricultural farmland, north, southeast and southwest, The site shares some intervisibility with Monks Farmhouse (Grade II listed building) located to the south along Monks Lane. The rear of the site and the proposed development is also likely to be visible from sections of Monks Lane viewed from Monks Lane from the west and possibly also from footpath CORM34 viewed from the south at slight elevated level as it approaches Monks Farm.

Principle of development
Despite this site's location in open countryside, it is not identified to fall within any national or local landscape designation or impact upon the setting of such. I don't raise an 'in-principle' landscape objection to the redevelopment of this existing brownfield site for new residential use, given this councils current HLS situation. However, the existing rural character, context and function of this area of countryside should be recognised and protected from uncharacteristic residential settlement in terms of its scale/amount and also its design/appearance. This local area of countryside currently functions to separate the settlements of Corsham from Gastard and exhibits a strong rural character with traditional rural settlement, predominantly and inherently built with local stone with stone roofing tiles.

Additional areas / ownership and change of use.
I note a couple of anomalies in relation to the red line application boundary and the proposal.

It appears the northern most westerly part of the existing approved commercial use (surfaced yard) extends into the original domestic curtilage of The Paddocks (previously changed to commercial use by application N/09/01053) and that this application by default by omitting this area from this current application site, would bring this small area back into the domestic curtilage of The Paddocks. I have absolutely no issue with this but in interests of proper planning this area should be included within the scope of this application or a separate CoU application should formalise this? (Area 'A' highlighted below)

- ***See comments on planning register for images -***

I also note that there is a small currently surfaced area to the east of the site access behind the existing low stone wall fronting Silver Street which is not included within the redline application boundary. Despite this same area being included within application

N/09/01053. The hard surfacing in this area should be removed and reinstated as a soft landscaped entrance/verge area as part of this current application (see Area B, above and left).
Area 'B'

Amount of development
I note the originally proposed amount of development has been reduced from the 9no. dwellings illustrated in the pre-application proposal down to 7no. dwellings in this full application. I also note the revised alignment of the proposed dwelling/plot layout and frontage (now parallel with Silver Street, rather than right angle to it) which is welcomed. I view the revised alignment to be more characteristic, and an improvement on the pre-application proposal. However, it is clear that the pre-application planning advice provided to the applicant sought to manage the applicant's expectations regarding the realistic amount and location of residential development that could be sensitively and characteristically accommodated within this site.

Setting aside the extent of the lawful planning use/baseline for the whole site, I am concerned that the built footprint of the proposed development (plots 3-7 and detached garage for plot 7) extends too close to the site boundaries. A greater standoff is considered to be necessary at each side of the site to replace and enhance the characteristic boundary treatments fronting countryside that have been recently removed and weakened, prior to the submission of this application.

Materials
It will be important that any finally proposed/agreed hard materials used in this development support the strong local stone vernacular of this identified more rural and intact area of Corsham Rolling Lowland. Where boundaries include walls, these should be specified as natural stone and not reconstituted stone. This would be particularly important fronting onto or visible from Silver Street. The use of any kind of brick as a facing material would not be supported in this area as an appropriate material.

Site entrance highway forward visibility splays
I note the application includes details of forward visibility splays for the site entrance and illustrates what is required and what is realistic/achievable based on adjoining third party frontage hedgerow ownership? Should the Highway Authority require the existing hedgerow bordering the site to be removed in order to facilitate acceptable road safety forward visibility at the site access, then a replacement hedgerow or natural stone wall (randomly coursed rubble) should be replanted/constructed along the back edge of the required sightline. I highlight this may critically impact upon the current planning layout so this should be confirmed now, rather than being conditioned to follow in my opinion.

Surface water drainage
It is not abundantly clear what the applicant's proposals actually are in terms of surface water drainage for this new development. Obviously, the Council's Drainage Team will confirm acceptability of any drainage proposals, but I just highlight that should any additional surface water attenuation pond or attenuation/storage tanks be additionally required, then this could have an impact upon the current/revised layout or retained /proposed tree planting locations etc.

Boundaries
It appears the original site and southern extension land (area without planning consent) has cut into the rising sloping land to create a level build and storage area. The location of any residential boundary in relation to these slopes (i.e. top or bottom of slopes/retaining walls) needs some further design consideration.

Character supporting boundaries should in my opinion either comprise native hedgerows or drystone walls. The garden areas of plots 1 & 2 and part of Plot 3 (as it currently stands) will require a retaining wall to support the field above unless it is the applicant's intention to utilise parts of the existing wall from the commercial building itself for this purpose? Further clarification/details required.

Summary / Recommendation/s:
No objection to the principle of residential development within the confines of the existing brownfield site, subject to this being high quality residential development that characteristically supports/reinforces the existing inherent strong stone vernacular of this rural area of countryside.

I would suggest as a minimum requirement that Plot 7 should be removed from the development proposal, and that remaining southern plots 3-6 centralised to provide greater standoffs to important landscape boundary features, including the field ditch/watercourse running along eastern site boundary? existing retained hedge/tree belt (east) and establishment (replacement) of native hedgerows incorporating occasional native hedgerow trees along the site's western and southern boundaries fronting onto open countryside. Plot 7 and its detached garage are located too close and actually cross the identified centreline of the existing eastern field boundary / hedge line.

The identified 'Additional Areas' (Areas A & B), currently excluded from this red line application boundary (but included within the application boundary for application N/09/01053, should be incorporated into the scope of this application or possibly a separate application/s to formalise authorised land use and development at this site to the satisfaction of the LPA.

The full extent of visibility splays required by the Highways Authority and any resulting consequences for the existing frontage hedgerow fronting onto Silver Street need to be understood within the application, and not simply conditioned to follow.

Note: Replacement native boundary hedgerows should be planted as a double staggered row, with minimum stock sizes 60-80cm bare root transplants, incorporating irregularly spaced standard native hedgerow trees to provide a sympathetic boundary treatment and transition with adjoining local countryside.

Conditions
Should the LPA determine residential use of this site is acceptable in principle then further details of the proposed hard and soft landscaping will be required to be submitted for final LPA approval. I wouldn't object to this being secured via condition, along with another condition requiring any finally approved landscaping scheme to be implemented in full and maintained thereafter. Wiltshire Council's Model Planning Conditions WC1 & WC2 would be suitable for this purpose"

Revised comments following revised plans, no objection subject to condition:

"*Previously noted anomalies (identified as Areas A & B within previous landscape consultation response) with regards to the red line application boundary and the former adjoining remnant land uses still need to be addressed, but these are technical planning matters, and no further landscape advice is necessary. The domestic curtilage of Plot 1, separating it from the Paddocks needs to be established, due to the proposed side access leading from Plot 1 to its rear garden area.*

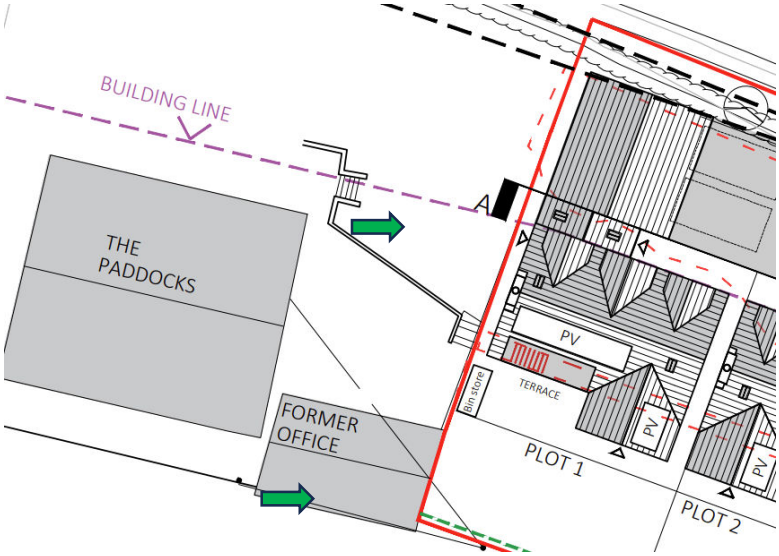
Proposals are still not clear on whether the existing area of hardstanding outside of the application boundary, fronting Silver Street, will be removed and replaced with soft landscape as part of the works to extend the existing footpath along Silver St into the development. It would be very unattractive if it were left as hardstanding near the pedestrian and vehicular access to the new development. This area should be restored back to soft landscape/verge the details of which could be secured by condition.

Amount of development

I recognise that the total number of proposed properties has reduced from 7 to 6 in the revised submission, in addition to the removal of the proposed garage for plot 7 which is a welcome change, as I can see that the layout now allows for a much more generous buffer zone for planting retention of what is left to the East and West boundaries of the site.

Boundaries

There is some confusion in the representation of post and rail fencing and the boundary of the proposed green buffer. I can see that fencing is proposed between the extent of the rear garden plots and the landscape buffer, however further clarity is required over whether fencing is also proposed along the red line boundary. The buffer appears to be around 2m to the east and west boundaries of the site. Is the intention to keep planting between two walls of fencing on either side? I advise that the final details of boundary treatment could be secured as part of the necessary conditioned requirement for a detailed hard and soft landscaping scheme for the development.



Green dashed line denoting post and rail fence not continued across western extent of red line boundary facing neighbouring property

I note that the boundary treatment facing Silver St is proposed to be a timber fence rather than a character supporting drystone wall. I assume the reasoning for this choice may be related to the depth of the existing ditch along this length and the current screening provided by existing trees and scrub, Should the existing shrubs and trees require cutting back to ensure visibility splays, exposing the street frontage to views of the timber then a natural drystone boundary wall should be constructed to support the local vernacular.

Site entrance highway forward visibility splays

I note that existing trees and vegetation outside the application boundary have been shown on proposed plans and elevations. However, a note on the proposed Site & Block Plan suggests that they require removal or management to preserve visibility splays. As the visibility splay has already been provided, I advise this assessment should be carried out so that a full understanding of the extent of removal can be determined so that an appropriate amount of reinstatement on an adjusted alignment can be provided as part of the development, or an alternative drystone boundary wall provided along affected lengths.

Summary/Recommendations:

The previously advised landscape holding objection can be removed subject to the outstanding details of hard and soft landscaping being secured by means of planning condition/s, including further details for boundary treatments.

Suggested conditions

Should the LPA consent to the proposed development then further details of the following should be secured via means of a suitably worded planning condition/s;

- *Submission of a detailed hard and soft landscaping scheme for final LPA approval.*
- *Implementation in full of any finally agreed detailed hard and soft landscaping scheme, completed to an agreed timeframe and maintained thereafter.*

I suggest Wiltshire Council's Model Planning Conditions WC1 & WC2 would be suitable for this purpose."

Drainage Engineer: Initial objection, but further to the submission of an FRA, no objection subject to conditions.

Public Protection team: No objection subject to conditions:

"*Regarding this application I would support the GeoEnvironmental Investigation Report and Soil Remediation Method Statement submitted with the application are supported and would suggest a condition relating to contaminated land.*

The proposed site is situated off the B3533, so I am concerned about the impact of noise from traffic. It has not been discussed in the application and there is no acoustic report. This would be needed to progress the application and the layout of the site and buildings would have to demonstrate that the following noise criteria shall be met, with windows open, in accordance with the Professional Practice Guidance: Planning and Noise – New Residential Development (May 2017):

A. bedrooms shall achieve an 8-hour LAeq (23:00 to 07:00) of 30dB(A) and an LAmax, F of 45 dB
B. living rooms and dinin rooms shall achieve a 16 – hour LAeq (07:00 to 23:00) of 35dB(A)
C. external amenity spaces shall achieve a 16 – hour LAeq (07:00 to 23:00) of 55dB(A)

I would also recommend a condition relating to hours of construction at the site"

Urban Design Officer:

Comments on the initial scheme (prior to revisions):

"*The proposed development would not accord with Core Policy 57 for the following reasons:*

The proposed form and appearance of the development would appear visually awkward in its context and setting out of keeping with and detracting from the prevalent vernacular characteristic of the rural locality and street scene along the B3353 through the countryside.

The proposed layout and buildings would appear strongly that of a suburban housing estate model through:
- the degree of uniformity, rigid and angular pattern and arrangement in the proposed layout and placing of buildings including the close spacing apart of houses, constant building line and pattern of car parking, all to the front facing the B3353, compared to the characteristic local vernacular with its varied placing of buildings on the land, their irregular footprint building lines and irregular hardstanding areas with parking, more often to side and rear;
- The degree of uniformity and repetition in the proposed building form, constant eaves and ridge height, across all the houses highlighted by the close spacing, long common building line & alignment of the houses compared to the individual roof and eaves heights and variation in this to buildings and between buildings over this area and on a site of this size.
- The scale of the proposed buildings where these are predominantly substantially deep single span pitched roofs compared to the characteristic local vernacular of generally narrower building depth and where there are instances of comparable similar depth these are multiple pitched roofs i.e. typically similar narrow span pitched roofs to the rear extending back at ninety degrees to the main roof and with valleys between to maintain this characteristic scale of roof and roof pitch. The close spacing of the deeper plan houses also makes this an uncharacteristic concentrated large volume for such housing.

A bespoke design and which does not preclude a modern design style could respect the characteristic local vernacular and not this superficial manipulation of a standard urban housing layout and house type.
The design conveyed would not accord with Core Policy 57:
- It would not meet CP 57i: it would not enhance local distinctiveness but detract from this by not responding to the value of the surrounding natural and historic environment i.e. 'not relating positively to its landscape setting and existing pattern of development'.
- In this regard the design would not meet CP57iii – it would not '…respond positively to the existing townscape' in terms of layout, built form, mass, and scale.
- CP57 vi it would not take account of the characteristics of the site and local context and would not be an appropriate development, it would not relate effectively to the immediate setting and wider character of the area.

In terms of the National Planning Policy Framework:
- 'Achieving appropriate densities' paragraph 124e) it would be desirable to maintain this prevailing character and setting of the area.
- 'Achieving well designed places ' paragraph 130c) it would not be sympathetic to local character including the surrounding built environment and landscape setting and 130e) not maintain but distract from a strong sense of place."

Revised comments following design revisions:

"The revised design shown for the houses and the site layout (Case files indexed 16th Jan 2024 on the WC application webpage) has satisfactorily addressed the matters raised in my consultation response dated 24.11.2023. The revised built form, scale , articulation and

modelling of the houses would satisfactorily address in principle WDG paragraphs 3.2.4 .3.2.6, 3.3.2 and 4.1.2.

In effectively overall integrating the buildings into their setting (Core Policy 57 iii) while the detailed
specification of materials would be a planning condition, certainty and clarity is necessary regarding what is meant by the generic 'stone' and 'tile' annotation for roof and facades, and to other elements on each elevation of the individual house drawings submitted for planning approval, i.e. not just as the design intent indicated on page 23 and 25 in the supporting Design and Access Statement , to establish this would be characteristic of the rural local context and setting. This should be more specifically identified annotated /keyed on the proposed elevations for each house.

1. Roofs:
The individual house and garage elevations are annotated 'Tile' for the roof. The revised 'Street Scene' drawing 4179 022 C (and as Fig 33 and 34 in the revised Design and Access Statement Rev A), suggests grey rather than local stone coloured roofs throughout . The revised Design and Access Statement page 23 and page 25 appears to indicate by photo reference this is natural stone tiles on the roof of each proposed house. These should be annotated/keyed on each elevation as natural local stone matching the local stone tiles in colour, form, size and laying pitch. The revised elevations have deleted the previous clay pantiles identified on superseded 'Materials schedule' July 2023 and revised this to natural local stone tiles. I observe that clay pantiles are a characteristic of local outbuildings whether attached or separate and on this basis with the overall scale of development, variety could be introduced by considering the garage to plots 1 and garage to plot 2 in a traditional pattern (not 'modern' Double Roman' pattern) natural clay 'red' pantile .

2. Facades to houses and garages:
It is not clear what is meant by 'stone' on the house elevation drawings for approval, and that this would be of the locally characteristic natural stone in colour , size, bonding pattern random rubble or ashlar, throughout all elevations. Ie The revised Design and Access Statement indicates only
natural stone and deleted the previous reconstituted stone that was also identified on superseded
'Materials schedule' July 2023. The previous elevations were shown in one colour for the façade
which helped establish the extent of this. The revised Design and Access Statement page 23 4.8
indicates '..gable elevations in local stone…' A keyed colour line marked Materials Plan based on
the Site Plan is a useful way of clearly identifying the extent of different roof and façade materials/finishes to elevations.

3. Façade and roof elements:
a) Chimneys : The chimneys shown on each house should be annotated on the elevations in the
local stone masonry also and with clay pots and in ashlar finish characteristic of traditional chimneys in the area along the road.

b) Stone detailing : The 'stone' surrounds for openings, stone heads and cills and formal quoins
at façade corner returns, and the entrance canopies should be annotated/keyed on the elevations for each house as being in solid natural stone. The revised Design and Access

Statement pages 23 and 25, appears to indicate by photo cross reference these surrounds would be in natural stone.

The revised Design & Access Statement 3.4 third and fourth bullitt points indicates this design intent • Adoption of local vernacular architectural detailing through the use of stone quoin
coursing, dressed stone mullions to ground floor windows, dressed stone window openings,
lintels/coursing and traditional fenestrations. • Simple cantilevered stone entrance canopies
and 4.8 '…traditional stone window details /surrounds'
Re 'WDG paragraph 4.5.8 Designs should avoid using items which are visibly artificial in appearance such as sheets of plastic 'roof tiles' for porch canopies or bay windows, plastic false chimneys or 'foam stone' detailing, etc. Chimney stacks often add visual interest but should be of masonry construction and serve a practical purpose, continuing down as a stack
with a flue serving a fireplace, vent or extract'.

4. Surface of forecourt/driveways:
The proposed surface of the vehicle forecourt and parking bays shaded on the revised Proposed
Site Plan & Block Plan 4179.010 J and paths should be annotated on the drawing. A loose local
stone gravel could be appropriate or traditional pattern setts to define driveways as opposed to a
single surface or tarmacadam throughout for these hardstanding's.

Re WDG paragraph 5.6.4 The specification of the street materials should be provided early on for
example, not left to be specified as a planning condition to ensure agreement on their character
and robustness. and paragraph 5.4.12 Parking spaces can be delineated by contrasting materials
appropriate for the location …"

Public Open Space team: For a development of this scale we do not require any open space contributions.

Arboricultural Officer: No objection:

"*The site is located to the south of the B3353 at Linleys, Corsham. The overgrown hedge that was present on the western boundary during the 2021 survey has been removed. The overgrown boundary hedges to the south and east, also present in 2021, have been almost completely removed leaving only a few, small poor quality remnant trees and shrubs to the east and some small shrubs to the south. It is now clear that the remaining vegetation is growing on adjacent land, beyond the site boundary. Ditches are present on the east and west boundaries. Beyond these boundaries lies open pasture. The northern boundary is a wooden fence, beyond which is a group of mixed broadleaved trees growing above and from the retaining wall of a deep ditch. To the north of this ditch further mixed broadleaves are growing on the roadside verge.*

Two trees, one hedgerow and one group were surveyed on site. T1 and T2 are both Ash trees. T1 has been described as having early stages of Ash Dieback with T2 showing no

symptoms at time of inspection. H1 is a offsite broad leaved hedge which the majority has now been removed.

G1 are off-site trees consisting of Red Horse Chestnut, Walnut and Pyracantha and Hawthorn growing below a retaining wall. Dead Elm and Field Maple also present in the group. It is planned to remove scrubby growth at the western end to facilitate development. Cut back remaining growth to boundary and fell dead Elm then install protective fencing.

I have no objections to this proposal provided the works are carried out as noted in the above mentioned document."

Wessex Water: No comment except for providing information

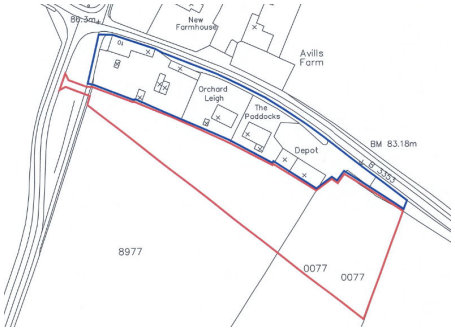
REPRESENTATIONS

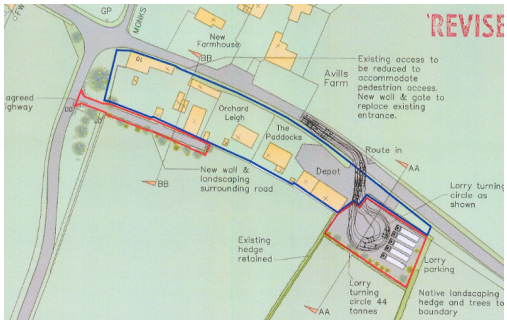
1 received from North Wiltshire Swifts advocating for swift bricks/accommodation within the development.

ASSESSMENT

Lawful use of the site

Having reviewed the planning history, planning permission was granted for a car and lorry park ref: N/08/01106/FUL which included an area of hardstanding for lorry parking. Site and location plans for this application:





The application site as existing comprises a larger area of hardstanding and associated commercial use than originally approved. The location plan was inclusive of the whole site, but the hardstanding has encroached further south than shown on the approved site plan. The encroachment constitutes unauthorised works and has not been regularised through the planning system. However, Google satellite imagery shows this area as being used for hardstanding/commercial uses for in excess of 10 years which would exceed time limits for enforcement action. Furthermore, it is noted that during the application process the applicant has reduced the length of proposed residential gardens, and in lieu of this, proposed to re-instate some of the land to the south to landscaping.

Principle

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the Wiltshire Core Strategy (WCS), including those saved policies of the North Wiltshire Local Plan, form the relevant development plan. The NPPF is a relevant material consideration, and the existing use of the site: brownfield commercial use.

Development plan policies guide development to sustainable locations. CP1 “Settlement Strategy” of the Wiltshire Core Strategy sets out where sustainable development will take place across the plan period. The application site is within the open countryside, approximately 300m from the edge of the market town of Corsham. The small village of Gastard is situated to the south east of the site, within the realms of 200m distant (albeit this has no settlement boundary). CP2 “Delivery Strategy” of the Wiltshire Core Strategy states that within the limits of development, there is a presumption in favour of sustainable development. Other than in circumstances permitted by other exception policies within the plan, outside the limits of development, development will not be permitted.

Core Policy 44 ‘Rural Exception Sites’ relates to proposals for affordable housing, for which this is not. Core Policy 48 ‘Supporting Rural Life’ relates to dwellings that meet the employment needs of rural areas, or the conversion of existing buildings – neither of which apply to the proposals. There are no exception policies within the Core Strategy relevant to the proposal.

Policy CNP H1 from the Corsham Neighbourhood Plan supports proposals for brownfield developments within the Corsham settlement boundary, or small infill sites within Gastard or Neston, subject to a number of criterion. The application site is situated within the open countryside between Corsham and Gastard. Consequently, this policy does not provide support in principle for the proposal.

Saved Policy H4 of the NWLP provides for residential development in the open countryside subject to certain conditions, none of which are applicable to this application.
None of the above development plan policies are supportive of new dwellings in locations such as that of the application site. The principle of the proposed development is not established by the relevant policies.

Paragraph 77 of the NPPF states that Local Planning Authorities must identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years, or four years’ if the provisions in paragraph 226 apply. For the purposes of the revised NPPF

Wiltshire Council is a ‘paragraph 77 authority’; and, because Wiltshire Council has an emerging local plan that has now passed the Regulation 19 stage of the plan-making process. Consequently, Wiltshire Council have a housing land supply that exceeds the 4-year threshold, and the relevant policies of the WCS are up-to-date and the planning balance is ‘level’ rather than ‘tilted’. In terms of paragraph 11 of the NPPF, for decision making part 11(c) is relevant.

Consequently, it must be considered whether there are any material considerations that indicate the application should be approved contrary to the Development Plan policies CP1, CP2, CP11 and Saved Policy H4 of the NWLP

Material Considerations

The existing use of the application site is a material consideration. The application site is previously developed/brownfield land comprising a commercial use. There is an existing warehouse and extensive hardstanding. The existing site is unsightly and is in a rural location where non-countryside related commercial use is undesirable.

In considering national policy in respect of redevelopment of brownfield land, Paragraph 123 of the NPPF states that “planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or ‘brownfield’ land.”

Paragraph 124 of the NPPF states that planning decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply in constrained. The application site has historically been used for commercial use, but it is understood the site has not been fully occupied for a number of years (since 2012) aside from more informal commercial activities.

Paragraph 126 states that planning decisions need to reflect changes in the demand for land. Paragraph 127 states that Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs.

The application site is disused. Whilst it is not in full active use at present the site could be used and occupied by a number of large vehicles. The applicant makes the case that the roads surrounding the site are not ideally suited to large vehicles frequently using them, and that a proposed housing scheme would be a more appropriate use. It is considered that the existing commercial site is unsightly, and if re-occupied to its full potential, could be a greater impact on the character and appearance of the surrounding area. The removal of the commercial use and

replacement with appropriately designed dwellings and landscaping would improve the appearance of the site, and be more compatible with the surrounding residential uses. There would be less transport movements and have a lower impact on the highway network.

It is considered that the benefits of redeveloping this brownfield site of redundant commercial use would be a significant benefit in line with National Policy. The proposal is considered to accord with Paragraphs 123, 124, 126 and 127 of the NPPF.

Design and Impact on the character and appearance of the area

The application site is located along Silver Street, part of a section of ribbon development between Corsham and Gastard. The application site is situated within the open countryside. The site currently comprises a commercial building and a significant sized area of hardstanding historically used for commercial use and lorry storage. The proposals would result in the demolition of the building and removal of hardstanding to erect 6 dwellings, associated curtilage, access and landscaping.

The Council's Urban Design and Landscape Officers had a number of objections to the initial proposals, but with design changes and the scheme being revised from 7 dwellings to 6 dwellings and removal of a garage, the revised scheme has addressed the majority of the issues, subject to condition. The revised built form, scale, articulation and modelling of houses is much improved and reflects the character and appearance of the local area. In the latest comments from the Urban Design Officer, the material annotations were considered too vague. Subsequently, the applicants have since provided a materials schedule and annotated the elevations. This states the materials are to be natural Bath Stone facing walls, recon bath stone window surrounds and heads/cills, stone quoin details to chimneys and elevations, clay/reclaimed roof tiles, lead flashing, timber doors, and metal rainwater goods. The materials proposed and colouring as shown on the proposed plans is appropriate and reflects the local vernacular.

The Urban Design Officer has suggested vehicle forecourt and parking bays be loose local stone gravel. Hard and soft landscaping is secured as a condition. However, it is not considered that this material change from the proposed tarmac is essential to make the development acceptable.

In terms of landscaping, the proposal for 7 dwellings did not leave enough room for appropriate landscaping, where it is now considered there is a better buffer zone for planting to the site boundaries.

The Landscape Officer has queries on the details of boundary treatments as this is not wholly clear on the plans. The site plan shows a post and rail fence around the rear of the site and around the boundary, and timber post and rail fencing is labelled as between plot rear gardens

and landscape buffer. Whilst a drystone wall boundary would be preferable where possible, some timber fencing that would not be highly visible from the streetscene would be acceptable. The Landscape Officer requests the final details of boundary treatment to be secured via condition.

Corsham Town Council have no objection to the revised proposals, subject to the retention of the dry stone wall at the front of the site. Further details of boundary treatments will be secured by condition.

Following concerns being raised in respect of the original consent for the use of the site for lorry storage and an unauthorised intrusion of the hardstanding into the countryside, the proposals were revised. The proposed curtilages of plots 3-6 were reduced, and an area of landscaping is now proposed to partially reinstate this area of land, as well as creating a landscape buffer to conceal the new dwellings from wider views.

The Landscape Officer raises concerns as to what vegetation would be required to be removed along the front of the site to maintain visibility splays. These plans show at to the west there is an achievable visibility splay based upon the existing vegetation, but that some vegetation to the east side would have to be assessed for overhanging trees to be removed or managed to preserve the visibility splay. The applicant has submitted a Tree Survey/AMS and identify this area as comprising an early mature red horse chestnut and walnut, pyracantha, hawthorn, dead elm and field maple within this group. The recommendations are to remove scrubby growth at the western end to facilitate development, cut back remaining growth to boundary and fell the dead elm. Protective fencing is planned to be installed. The Council's Arboricultural Officer has no objection to the proposals following a review of this.

The Landscape Officer raises that it is unclear what is being proposed to the strip of land at the front of the site in terms of whether hardstanding is to be removed here or not. However, this area of land is not part of the application site, so details of this area are not required for the determination of the application. However, it is encouraged that the hardstanding is removed and low level planting added.

The revised proposals comprise a well-designed high quality development which takes design features and materials from the local area. Subject to conditions in relation to hard and soft landscaping, it is considered the proposals would comply with CP51 and CP57 of the WCS (2015) and Policies CNP ED1 Ecology and Design and CNP HE1 Design of the CNP (2019).

Impact on Heritage Assets

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides powers for the designation, protection and enhancement of conservation areas and the preservation of listed

buildings. The Act requires that special regard should be given to the desirability of preserving a listed building or its setting (s. 66).

The NPPF outlines government policy, including its policy in respect of the historic environment. Paragraph 201 of the NPPF requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset). Paragraphs 206-208 require local authorities to assess whether there is substantial harm, less than substantial harm or no harm to the heritage asset. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Core Policy 57 requires, amongst other things, that new development must be sympathetic to and conserve historic buildings. Core Policy 58 requires that development should protect, conserve and where possible enhance the historic environment.

The nearest heritage assets are Grade II listed buildings Avills Farmhouse which is located north-west of the site on the opposite side of Silver Street, and 10 The Linleys, further up Silver Street to the west. Monks Farmhouse to the southwest beyond an agricultural field is also Grade II listed. There are other listed buildings further afield at Gastard and further northwest along Silver Street. The current commercial use does not contribute positively to the approach to the nearest listed buildings. It is considered the proposed dwellings would make a positive contribution to the appearance of the site. Appropriate materials are proposed, as well as screening. It is not considered that the proposals would have a negative impact on the setting of any nearby heritage assets. The Council's Conservation Officer has no objection to the proposals in principle, but had some objection to the design, which has since been revised.

Residential amenity

The application site is bordered by residential properties to the north-west and north side of Silver Street, with open countryside on other sides. The existing use of a commercial site is not a desirable use adjacent to residential use. The proposal would result in the removal of the commercial use and replacement with 6 new dwellings, which would be an improvement to neighbour amenity.

Plot 1 is proposed next to the directly adjacent neighbouring property The Paddocks, which has a former office within this site. The main house of Plot 1 would sit forward of The Paddocks, but this would be in line with the next property beyond, Orchard Leigh. Plot 1 also has a single storey garage connected which projects to the front, and this is angled away from The Paddocks. The Paddocks property is set central within its plot, and the former office is situated in between. It is considered the proposed Plot 1 is a reasonable distance and position that it would not harm the

amenities of this property. It is not considered that any neighbouring properties would suffer adverse loss of daylight, sunlight or privacy as a result. No objections have been received by neighbours. There would be sufficient amenity for future occupiers of all dwellings subject to the following consideration of noise. The proposal is considered to comply with CP57 of the WCS.

Noise and Pollution

Given the historic use of the site a GeoEnvironmental Investigation Report and Soil Remediation Method Statement accompanies the application. The Council's Public Protection Officer supports this and suggests a condition relating to contaminated land. The Officer also raises concerns about the impact of noise from traffic. There is no acoustic report that accompanies the application and this is requested. The applicant queried whether this could be dealt with by condition rather than during the application process. This is considered acceptable given suitable noise mitigation can reasonably be achieved within the design.

Highways/Parking

The Council's Highways Engineer has been consulted on the application and concludes the quantum of housing proposed at the site would not be considered of detriment to the surrounding highway network. There is sufficient parking provided on site. There is no objection raised in respect of highways subject to conditions relating to visibility splays, surfacing, drainage, turning and an informative for the applicant to enter into a S278 agreement. Subject to conditions, the proposal would comply with CP61 and CP64 of the WCS.

Ecology

The application is accompanied by an Ecological Assessment, and following initial comments additional information and plans were provided to incorporate ecology mitigation and enhancement. The information requests were satisfactorily addressed. The Council has undertaken a Habitats Regulation Assessment as the Competent Authority. This concluded that given the scale, desing and nature of the development any temporary construction impacts and operational impacts would be de-minimus. The HRA has concluded that the application is not likely to have significant impacts on the SAC and Appropriate Assessment is not required.

The Council's Ecologist has no objection to the proposal but recommends a CEMP is conditioned, which must include suitable measures to avoid disturbance that could significantly impact bats such as artificial light pollution at night. Subject to condition, it is considered the proposal is acceptable in ecology terms and would comply with CP50 of the WCS, and Policies CNP ED1 Ecology and Design and CNP E1 Bats of the CNP.

Flood Risk and Drainage

The application site is in Flood Zone 1. The Council's Strategic Flood Risk Assessment identified an area of potential surface water flood risk on the site, but the applicant's site specific Flood Risk Assessment has proven that there is not an increased surface water flood risk in this location. The Council's Drainage Engineer is satisfied that the risk of surface water is low, and can be managed to mitigate flood risk to people and property as the site slopes away from property, towards the ditch. The Council's Drainage Engineer has no objection to the proposals, but has a few specifics that need clarifying by condition. Subject to condition, the proposal is considered adequate in terms of drainage and flood risk and would comply with CP67 of the WCS.

Planning Balance and Conclusion

The starting point for determining planning applications is the development plan, which in this case is the WCS and CNP. At present Wiltshire Council can demonstrate a four-year supply of housing within the county which is applicable to Wiltshire in accordance with paragraphs 77 and 266 of the NPPF. This means that the relevant policies of the WCS are up-to-date and the planning balance is 'level' rather than 'tilted'. Applications that do not comply with CP1 and CP2 should be refused, unless material considerations indicate otherwise.

Relevant development plan policies in conflict

Due to the site's location within the open countryside, the proposal would be in conflict with the settlement and delivery policies CP1, CP2 and CP11 (relating to the Corsham area strategy). Significant weight are given to these policies given there is an adequate housing land supply within the county.

Material considerations

The application site is previously developed land comprising a commercial site, historically used for lorry storage and occupied by a commercial building and a significant area of hardstanding. The application site neighbours other residential uses. It is considered it would be both a benefit to the residential amenity of neighbouring properties, and it would be a visual benefit to remove the commercial use at this site as this is unsightly.

The NPPF supports the effective use of land, and encourages the use of previously-developed land. Paragraph 124 of the NPPF states that planning decisions should promote and support the development of under-utilised land and buildings. Paragraph 126 states that planning decisions need to reflect changes in the demand for land. In this case, the application site has been redundant for some time and this is not a location that is desirable for commercial use. The removal of the commercial use and replacement with appropriately designed

dwellings and landscaping would improve the appearance of the site, and be more compatible with the surrounding residential uses. There would be less transport movements and have a lower impact on the highway network.

It is considered that the benefits of redeveloping this brownfield site of redundant commercial use would be a significant benefit in line with National Policy. The proposal is considered to accord with Paragraphs 123, 124, 126 and 127 of the NPPF.

Conclusion

The proposal would be contrary to the housing settlement and delivery policies CP1, CP2 and CP11 which are given significant weight. However, it is considered that the redevelopment of the disused and unsightly brownfield site with a high quality residential development would be a significant benefit that would outweigh the harm in respect of conflict with the housing settlement and delivery policies. The application has been advertised as a departure from the development plan.

The proposed demolition of the existing commercial site and erection of 6 new dwellings in place is acceptable on balance, in accordance with material considerations. There would be no harm to the character and appearance of the area subject to conditions, no negative impact on heritage assets or neighbour amenity subject to conditions; there would be no adverse parking/highway safety issues and no ecological concerns following proposed mitigation. There would be no increased flood risk or drainage issues subject to condition. With no material considerations indicating otherwise, the application is recommended for approval in accordance with the NPPF (Dec 2023), Wiltshire Core Strategy (Jan 2015) policies CP50, CP51, CP57, CP58, CP61, CP64 and CNP (Nov 2019) policies ED1, E1, E2 and HE1.

RECOMMENDATION

That Planning Permission be GRANTED subject to the following conditions:

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

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

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

Plans received by the LPA 05/04/24:
Proposed Site & Block Plan, Drawing: 010, Rev: K
House Type A1 Plot 1 Plans and Elevations, Drawing: 011, Rev: G
House Type A2 Plot 2 Plans and Elevations, Drawing: 012, Rev: G
House Type B1 Plot 3 Plans and Elevations, Drawing: 013, Rev: F
House Type B2 Plot 4 Plans and Elevations, Drawing: 014, Rev: B
House Type B3 Plot 5 Plans and Elevations, Drawing: 015, Rev: B
House Type B4 Plot 6 Plans and Elevations, Drawing: 016, Rev: F
Site Section, Drawing: 022, Rev: C
Materials Strategy, Drawing: 023

Plans as received by the LPA 08/03/24:
Drainage Strategy, Drawing: 6440-C-SK04, Rev: C
Drainage Strategy Issue 04

Plan as received by the LPA 16/01/24:
Proposed Site & Block Plan, Ecology Mitigation & Enhancement, Drawing: 100, Rev: 1st

Plans as received by the LPA 26/07/23:
Location Plan, Drawing: 001, Rev: A
Existing Workshop Plans, Drawing: 004
Existing Elevations, Drawing: 005

The installation of the biodiversity mitigation and enhancement measures will be supervised by a professional ecologist and will continue to be available for wildlife for the lifetime of the development.

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

3. 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 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 for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, 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 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.

4. Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:
   a) Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.
   b) Working method statements for protected/priority species, such as nesting birds, hedgehogs, badgers, bats, amphibians and reptiles.

c) Mitigation strategies already agreed with the local planning authority prior to determination, such as for amphibians and reptiles; this should comprise the preconstruction/construction related elements of strategies only.
d) Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a
licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.
e) Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).

Development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

5. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner,
- All shrubs, trees and hedge planting shall be maintained in accordance with Proposed Site & Block Plan, Ecology Mitigation & Enhancement, Drawing: 100, Rev: 1st, Date: 08.01.24 by BBA for the duration of the development from the commencement of the scheme and shall be protected from damage by vermin and stock.
- Any trees or plants which, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure a satisfactory implementation and maintenance of the Biodiversity Mitigation and Enhancement Strategy

6. 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: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

7. No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

   The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals (ILP) Guidance Notes on the Avoidance of Obtrusive Light (GN 01/2021) and Guidance note GN08/23 “Bats and artificial lighting at night”, issued by the Bat Conservation Trust and Institution of Lighting Professionals.

   REASON: To avoid illumination of habitat used by bats.

8. No development shall commence on site (excluding demolition) until the following information has been submitted to and approved in writing by the Local Planning Authority:

   - Detailed cross and long section drawings of the proposed attenuation features, and areas of permeable paving.
   - Appendix K displays that overland flows in the back garden of each plot will be directed towards property. The applicant must detail how these flows will be intercepted and safely managed to mitigate flood risk, most notably to Plot 1 and 2.
   - The applicant must provide a construction management plan which demonstrates how flood risk to people and property with be mitigated, while mitigating pollution to groundwater and adjacent watercourses.

   REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained, and in the interests of flood prevention.

9. No part of the development shall be first brought into use/occupied, until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 600mm/900mm above the nearside carriageway level. The visibility splays shall always be maintained free of obstruction thereafter.

   REASON: In the interests of highway safety

10. The development hereby permitted shall not be first brought into use/occupied until the first 5m of the access, measured from the edge of the carriageway and/or whole of the parking area, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

    REASON: In the interests of highway safety

11. Notwithstanding the submitted details, the proposed development shall not be occupied until means/works have been implemented to avoid private water from entering the highway.

    REASON: To ensure that the highway is not inundated with private water.

12. No development shall commence until details of a consolidated and surfaced vehicle turning space has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until that turning space has been completed in accordance with the approved details. Such turning space shall always thereafter be retained and kept clear of obstruction.

    REASON: To enable vehicles to enter and leave the site in forward gear in the interests of highway safety.

13. No development shall commence on site (excluding demolition) until details of means of enclosure has been submitted to and approved in writing by the Local Planning Authority.

    REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

14. Prior to commencement of development (excluding demolition) an acoustic report shall be submitted to the LPA for approval in writing. 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 prior to the occupation of any unit and maintained in that way in perpetuity

REASON: To ensure a satisfactory standard of living environment for incoming occupiers.

15. INFORMATIVE TO APPLICANT

The developer/applicant will be expected to enter into a S278 Agreement with the Highway Authority before commencement of works hereby approved.

16. INFORMATIVE TO APPLICANT

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2017) it is an offence to disturb or harm any protected species including for example, breeding birds and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species

17. INFORMATIVE TO APPLICANT

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

18. INFORMATIVE TO APPLICANT

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

19. INFORMATIVE TO APPLICANT

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

20. INFORMATIVE TO APPLICANT

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended)

and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy.