

Town & Country Planning Act 1990

Notification of Outline Planning

Application Reference Number: S/2012/0814

Agent Mr Glenn Godwin Pegasus Planning Group Pegasus House Querns Business Centre Whitworth Road, Cirencester Gloucestershire GL7 1RT	Applicant Persimmon Homes Wessex C/O Agent
Parish: Woodford	
Particulars of Development: Outline application for access only for proposed mixed use development comprising residential (up to 1250 dwellings), employment, local centre, community uses, primary school, public open space, landscaping and associated access works including demolition of existing house and farm buildings	
At: Land to the North West of Fugglestone Red and Bemerton Heath, Salisbury	

In pursuance of its powers under the above Act, the Council hereby grant **PLANNING PERMISSION** for the above development to be carried out in accordance with the application and plans submitted (listed below).

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

1	Details of the appearance, landscaping, layout and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved. REASON: This is an outline application submitted in accordance with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995
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2	Application for the approval of the reserved matters shall be made to the local planning authority not later than twelve years from the date of this permission. REASON: This is an outline application, submitted in accordance with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995.
3	The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved. REASON: This is an outline application, submitted in accordance with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995.
4	The development hereby approved shall accord with the design principles set out within the Design and Access Statement submitted with the application. REASON: To ensure that a development of this scale appropriately reflects the traditional scale, design and appearance of it's landscape context in the interests of landscape and visual amenity.
5	Each subsequent reserved matters application shall be accompanied by a statement that addresses how the reserved matters application reflects the design qualities established by the Design and Access Statement or if at variance with the design and access statement principles how the application improves upon the Design and Access Statement. REASON: To ensure that the development is capable of meeting the design standards established as being necessary to protect the built environment.
6	No development within each subsequent reserved matters submission shall take place until the details of all lighting proposed including street lighting, lighting for footpaths, communal parking areas and the employment land including the intensity of the lighting and design for light column shall be submitted to and approved in writing by the Local Planning Authority and the works shall subsequently accord with the approved scheme. REASON: To ensure that the lighting scheme respects the overall design qualities from the development and to minimise impact of the lighting scheme upon both Old Sarum and residential units where they adjoin the employment land, school playing fields and the Local centre.
7	No development within each subsequent reserved matters submission shall take place until a schedule of external facing materials relating to that reserved matters application shall be submitted and where so required by the Local Planning Authority, sample panels of the external finishes shall be constructed on site and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. REASON: To secure a harmonious form of development.

8	No development within each subsequent reserved matters submission shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The approved boundary treatments for each dwelling shall be completed in accordance with the plan prior to its occupation. REASON: To ensure proper planning of the development in the interests of amenity.
9	No development shall commence within the area indicated (proposed development site) until: • A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and • The approved programme of archaeological work has been carried out in accordance with the approved details. REASON: To inform any further planning applications for this site and to ensure the protection or enable the recording of any matters of archaeological interest. INFORMATIVE The work should be conducted by a professional recognised archaeological contractor and there will be a financial implication for the applicant.
10	No development within each subsequent reserved matters submission shall take place until full details of the requirements of that reserved matters submission site in terms of both hard and soft landscape works, to include the phasing of implementation, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the first use of the development hereby permitted. REASON: To enable the Local Planning Authority to secure a satisfactory standard of design and implementation for the landscaping of the proposed development, in the interests of visual amenity.
11	No development within each subsequent reserved matters submission shall take place until details of the requirements of that reserved matters submission site in terms of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details. REASON: To enable the Local Planning Authority to ensure that the proposed earthworks will relate satisfactorily to existing features within the site and its surroundings in the interests of visual amenity.

12	No development within each subsequent reserved matters submission shall take place until all the existing trees to be retained shall be protected by a fence of a type and in a position to be approved by the Local Planning Authority, erected around each tree or group of trees. Within the areas so fenced, the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas, they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 2 inches (60mm) or more shall be left unsevered. REASON: In the interest of the amenity and the environment of the development. INFORMATIVE Retention of native trees on site is strongly advised particularly for the higher value specimens. Where removal of trees and scrub is necessary the replanting of replacement native species in appropriate places should be included in the plans. This will maintain, and potentially increase (if additional trees are planted) the biodiversity of the site. Removal of the invasive Japanese knotweed would be beneficial and avoidance of spreading this during the development should be ensured. Japanese Knotweed is renowned for causing structural damage to buildings from the root system.
13	The development shall strictly accord with the Approved Code of Construction management. Additional details will be submitted to and approved in writing prior to the commencement of each reserved matter application setting out the provision for staff car parking away from adopted roads, together with precise location of stored materials, the provision of noise attenuation measures, dust management and wheel washing facilities where necessary and the construction process shall subsequently accord with the approved working practices. REASON: In order to protect the residential amenity of future and adjoining residents.
14	No construction work (excluding the internal fitting out of dwellings) nor the movement of spoil from the site shall take place outside the hours of 0700 – 2000 Monday to Thursday, 0700 – 1800 on Friday, 0800 – 1300 on Saturday and at no time on Sundays and Bank holidays. REASON: In order to protect the residential amenity of future and adjoining residents.
15	Prior to the commencement of 50% of the dwellings in each phase shown in the phasing plan attached to the s106 legal agreement, a scheme shall be submitted to and approved by the LPA setting out how each public open space within that phase will be purposely designed to be attractive to dog walkers.

	REASON: The development has the potential to have an effect on Camp Down SSSI, Bemerton Heath Local Nature Reserve, and Camp down County Wildlife Site from dog walkers from the new development. As such it is considered important to make open space within this development attractive to dog walkers in order to minimise this effect.
16	Prior to occupation of each phase of development hereby approved a scheme to demonstrate how biodiversity loss from the site will be offset by specific biodiversity gains shall be submitted to and approved by the Local Planning Authority. Such a scheme as is approved shall be implemented prior to first occupation of each dwellings. REASON: The development is likely to result in the loss of some biodiversity from the site such as Brown Hares and farmland birds and such biodiversity loss needs to be compensated for through biodiversity gains. Informative: With respect to specific measures for biodiversity gains, these may include but should not be limited to measures such as – • All casual open space to be seeded with a low maintenance species rich grass mix that is suited to the chalk geology. In suitable locations this should also be rich in wildflowers to encourage a diversity of pollinating species. • Eastern boundary of the site is currently a hedgerow. This should be enhanced as necessary and incorporated into the GI for the scheme (Not currently shown on the GI plan for the site). • Design of lights to avoid light spill on to areas of value for bats. • Bat roosting and bird nesting features incorporated into the built environment (integral to the buildings). • A proportion of the semi-natural grassland to be managed for reptiles and enhanced for hibernation, etc.
17	No development shall commence until full details of the main access junction as shown in outline on drawing number 10152HL02A have been submitted and approved in writing by the Local Planning Authority; and the junction shall be constructed suitable for use in accordance with the approved details before any further development (other than that required in order to construct the junction) takes place within the development. REASON: to ensure that the development is served by a safe and adequate road, footway and cycle network in the interests of highway safety.
18	No development shall commence until full details of the northerly access junction as shown in outline on drawing number 10152HL01A have been submitted and approved in writing by the Local Planning Authority; and the junction shall be constructed suitable for use in accordance with the approved details before the occupation of 400 dwellings within the development. REASON: to ensure that the development is served by a safe and adequate road, footway and cycle network in the interests of highway safety.
19	No development within each subsequent reserved matters parcel shall take place until full detailed engineering drawings for the internal road layout and construction specification have been submitted and approved in writing by the

	LPA; and the internal road layout shall be constructed in accordance with the approved details within one year of completion of housing within each reserved matters of the development. REASON: to ensure that the development is served by a safe and adequate road, footway and cycle network in the interests of highway safety.
20	The internal road layout shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced footway and carriageway to at least binder course level between the dwelling and the existing public highway. REASON: to ensure that the development is served by a safe and adequate road, footway and cycle network in the interests of highway safety.
21	No building hereby permitted shall be first occupied until the access, turning area and parking spaces serving that building have been completed in accordance with the details shown on the approved plans. The access turning area and parking spaces shall be retained for those purposes thereafter. REASON: In the interests of highway safety.
22	The development hereby permitted shall not be commenced until such time as a full water feature survey and a detailed scheme to protect identified water features has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved. REASON: To protect controlled waters by ensuring that all present water features, such as wells, boreholes etc. are identified and considered.
23	If during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved. REASON: To protect controlled waters from pollution by the mobilisation of unidentified ground contaminants.
24	No development approved by this permission shall be commenced until a Construction Environmental Management Plan for proposed development , incorporating pollution prevention measures, has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable. REASON: To prevent pollution of the water environment. INFORMATIVE Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

	- the use of plant and machinery - oils/chemicals and materials - the use and routing of heavy plant and vehicles - the location and form of work and storage areas and compounds - the control and removal of spoil and wastes. The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at: http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx INFORMATIVE In England, it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000. The level of detail that a SWMP should contain depends on the estimated build cost, excluding VAT. The duty of care for waste must also be complied with. Because all waste movements need to be recorded in one document, having a SWMP will help to ensure compliance with the duty of care. Further information can be found at http://www.netregs.co.uk
25	No development approved by this permission shall be occupied or brought into use until a scheme for the future responsibility and maintenance of the surface water drainage system has been submitted to and approved by the Local Planning Authority. The approved drainage works shall be completed and maintained in accordance with the details and timetable agreed. REASON: To ensure adequate adoption and maintenance and therefore better working and longer lifetime of surface water drainage schemes.
26	No development approved by this permission shall commence until details of a surface water drainage strategy shall be submitted to, and agreed in writing by, the Local Planning Authority. The strategy shall be in accordance with the Flood Risk Assessment (prepared by Brookbanks Consulting, Ref: 10152/FRA/01, dated 27/04/12, Appendix 13.1 of the Environmental Statement) and include details of the phasing of surface water drainage infrastructure including source control measures. The development shall be implemented in accordance with the approved scheme. REASON: To prevent the increased risk of flooding as a result of the development, in accordance with NPPF.
27	Prior to commencement of each reserved matters application detailed drainage design for the development incorporating sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, shall be submitted to and approved by the Local Planning Authority. The schemes as approved shall subsequently be implemented in accordance with the approved details. REASON: To prevent the increased risk of flooding as a result of the development in accordance with NPPF and to protect and improve the quality of controlled waters.
28	No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the

	Local Planning Authority. The scheme shall be implemented in accordance with the agreed details. REASON: In the interests of sustainable development and prudent use of natural resources. INFORMATIVE The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. Any submitted scheme should include detailed information (capacities, consumption rates etc) on proposed water saving measures. Manufacturer's specifications should not be submitted. Applicants are advised to refer to the following for further guidance http://www.environment-agency.gov.uk/homeandleisure/drought/31755.aspx http://www.savewatersavemoney.co.uk/
29	The development shall not be commenced until; a foul water drainage strategy is submitted and approved in writing by the local Planning Authority and Wessex Water. The drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority. REASON: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property.
30	Unless otherwise agreed the development hereby approved shall make provision for the following: 1. At least 8.1 ha of Employment Land (Class B1 and B2 uses); 2. A Local Centre supporting a combination of the following uses: (i) a convenience/food shop (Class A1 use) of up to 550 sq m; (ii) further shops and services (Class A1-A5 uses) totalling 600 sq m; (iii) a public house (Class A4 use); (iv) a doctor's surgery or similar (Class D1 use); and (v) A proportion of residential units amounting to no more than 40% of the overall floor space of the other Local Centre uses approved in this condition; 3. At least 21.7 ha of open space as set out in the table on page 59 of the design and access statement (comprising at least 1 NEAP, 3 LEAPs, 1LLAP and 1 LAP), and to include Natural and semi-natural open space, including amenity open space and structural planting of 16.62 Hectares and 0.5 Hectares of allotment space. 4. Up to 1250 residential units. REASON: To clarify the terms of the planning permission.

31	The employment area hereby approved shall consist only of B1 and B2 uses. Where the employment area abuts neighbouring residential properties, the uses shall only be those falling within the B1 use class order. REASON: In the interests of the amenity of neighbouring residential properties.
32	The development hereby approved shall be carried out in accordance with the following plans and documents Dwg P0747_01-1H Site location Plan @ scale 1:2500 Dwg P0747_15-1D Land Use Parameters Plan Dwg P0747_17-1D Building Heights Parameters Plan Dwg P0747_18-1F Green Infrastructure Parameters Plan P0747_38-1B Access & Movement Parameters Plan Dwg 10152HL02A Highway Proposals Site Access (South) Dwg 10152HL01A Highway Proposals Site Access (North) Supporting Documentation As submitted to the Local Planning Authority on the 8th June 2012 Dwg P0747_11-1J Indicative Master Plan Design & Access Statement Environmental Statement as required by the 2011 Town & Country Planning (Environmental Impact Assessment) Regulations 2011, comprising: Volume 1 – main text Volume 2 – Technical appendices Volume 3 – Non-technical summary Transport Assessment Statement of Pre-Application Consultation Planning Statement, including Affordable housing and planning obligations Waste Management Statement Arboricultural Impact Assessment REASON: For the avoidance of doubt and in accordance with national guidance in the interests of proper planning.
33	The open market dwellings hereby approved shall achieve an overall mix across the development site of the following bedroom numbers in each unit 5% 1 bedroom, 20% 2 bedroom, 40% 3 bedroom and 35% 4 bedroom and larger. REASON: In order to ensure that the mix of house sizes across the site meets the identified demand within the South Wiltshire area.
34	No development within each subsequent reserved matters submission shall take place until details of the proposed ground floor slab levels of all buildings within that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details. REASON: In the interests of visual amenity.

35	No development shall take place until full details of how on-site renewable energy and/or energy efficiency will be provided for the development to reduce CO2 emissions from energy use by owners/occupiers of the buildings by 10% have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. REASON: In order to ensure that the development complies with the principles of sustainable development.
36	Prior to commencement of development on any part of any reserved matters application of the development hereby approved in which the overground 132kv electricity cables and pylons situated towards the north of the site are located, those electricity cables shall be placed underground and the relevant existing pylons removed from the site as shown on the indicative master plan. REASON: The existing electricity pylons and cables have a negative impact on the surrounding landscape and therefore in the interests of visual amenity should be removed.
37	The Employment Land will be provided with all necessary services to the site boundary, fully accessible and fully available prior to the occupation of the 400th dwelling on the site; and the Local Centre shall be marketed by the developer as such. If by the occupation of the 1000th dwelling the local centre has not been completed the developer shall construct retail units with flats over, the details of which shall be agreed in writing with the local planning authority. REASON: To ensure the proper planning and phasing of the development in accordance with an appropriate scheme.
38	The submission of reserved matters relating to the of development adjacent the new pedestrian entrance way between Ramleaze Drive shall include details of that pedestrian link which shall be approved in writing by the local planning authority prior to commencement of development of that phase. The pedestrian link shall be developed in accordance with the details approved and prior to the occupation of 50% of the dwellings in that reserved matters application. REASON: In order to ensure that permeability of the site is achieved and a link is created between the existing development and the old.
39	Prior to the submission of the reserved matters applications relating to the Northern and Southern Villages. The applicants shall submit to and have approved in writing from the local planning authority a noise assessment report which assess the impact of the traffic on the Devizes road upon those properties closest to that road. Any recommendations or mitigation measures proposed in the submitted assessment shall be incorporated in the design of the details of the proposed new dwellings. REASON: In order to ensure that residents of those properties closest to the busy Devizes road do not suffer undue noise and disturbance from vehicular traffic on Devizes road.

Signed

A handwritten signature in black ink, appearing to read 'Alan Cummins', written in a cursive style.

Director for Economic Development & Planning

Dated: 2nd April 2015

Town and Country Planning Act 1990
PERMISSION FOR DEVELOPMENT

NOTES

1. **Other Necessary Consents.** This document only conveys permission for the proposed development under Part III of the Town and Country Planning Act 1990 and the applicant must also comply with all the byelaws, regulations and statutory provisions in force in the area and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 or other legislation.

In particular the applicant is reminded of the following matters:-

- 1.1 the need in appropriate cases to obtain approval under Building Regulations. **(The Building Regulations may be applicable to this proposal. Please contact the Council's Building Control team before considering work on site);**
- 1.2 the need to obtain an appropriate order if the proposal involves the stopping up or diversion of a public right of way or other highway (including highway verge);
- 1.3 the need to obtain a separate "Listed Building Consent" to the demolition, alteration or extension of any listed building of architectural or historic interest;
- 1.4 the need to make any appropriate arrangements under the Highways Act 1980, in respect of any works within the limits of a highway. The address of the Highway Authority is County Hall, Trowbridge, BA14 8JD (It is the responsibility of the applicant to ascertain whether the proposed development affects any listed building or public right of way / other highway, including highway verge).

2. **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of this decision. (Information and forms relating to the appeals process can be found at the Planning Portal - <http://www.planningportal.gov.uk/planning/appeals>). The Secretary of State has the power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission of the proposed development could not have been so granted otherwise than subject to the conditions imposed by the local planning authority, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.

If the applicant wishes to have any further explanation of the reasons for the conditions imposed on this permission it will be given on request and a meeting arranged if necessary.

Appeals where an enforcement notice has been issued. Article 33 (2) (b) & (c) of the Town and Country Planning (Development Management Procedure) (England) Order 2010, provides that a shorter time limit to appeal to the Secretary of State shall apply where an enforcement notice has been served, as follows:-

'Type A appeal', 28 days from— the date of the notice of the decision or determination giving rise to the appeal; or

expiry of the specified period;

'Type B appeal', 28 days from the date on which the enforcement notice is served;

['Type A appeal' means an appeal in respect of an application relating to land and development which are the same or substantially the same as the land and development in respect of which an enforcement notice—

(a) was served no earlier than 2 years before the application is made;

(b) was served before— (i) the date of the notice of the decision or determination giving rise to the appeal; or (ii) the expiry of the specified period; and

(c) is not withdrawn before the expiry of the period of 28 days from the date specified in sub-paragraph (b);

'Type B appeal' means an appeal in respect of an application relating to land and development which are the same or substantially the same as the land and development in respect of which an enforcement notice—

(a) is served on or after— (i) the date of the notice of the decision or determination giving rise to the

appeal, or (ii) the expiry of the specified period;

(b) is served earlier than 28 days before the expiry of the time limit specified— (i) in the case of a householder appeal, in paragraph (2)(a) of the Order; or (ii) in any other case, in paragraph (2)(d) of the Order; and

(c) is not withdrawn before the expiry of the period of 28 days from the date on which the enforcement notice is served.]”

3. **Purchase Notices.** If permission to develop land is granted subject to conditions, whether by the local planning authority or by the Secretary of State for Communities and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
4. **Compensation.** In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
5. **Discharge of Conditions.** There is now a fee for applications to discharge planning conditions, details of which are set out on the Council's website. The fee is payable per request and not per condition. The fee must be paid when the request is made, and cannot be received retrospectively. It does not matter when the permission was granted as long as it remains extant. The request, identifying the permission (with reference number) and the conditions concerned, should be made by using the 1 APP forms which are available on the Councils Website or the Planning Portal.

You are advised that the as local planning authority has up to 12 weeks to consider the request, that you apply well in advance of when you intend to start work

6. **Street naming and numbering.** If this permission relates to the creation of new dwellings/commercial units or conversion of buildings into dwellings/commercial units, you are required to apply for street naming and numbering to ensure that the new buildings are allocated accurate addresses and registered with the Royal Mail. Relevant application forms, guidance notes and fee sheets are available to download at <http://www.wiltshire.gov.uk/planninganddevelopment/streetnaming> or you can contact the Address Information Team on 01225 770508 or by email at streetnaming@wiltshire.gov.uk