



Appeal Decision

Site visit made on 16 June 2020

by **L McKay MA MRTPI**

Inspector appointed by the Secretary of State

Decision date: 21 August 2020

Appeal Ref: APP/Y3940/W/19/3242450

Land at Ringwood Avenue, Amesbury, Salisbury, Wiltshire SP4 7PZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Blue Leaf Projects against the decision of Wiltshire Council.
 - The application Ref 19/04863/FUL, dated 14 May 2019, was refused by notice dated 19 November 2019.
 - The development proposed is erection of 19 affordable dwellings, creation of access, landscaping, parking and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for erection of 19 affordable dwellings, creation of access, landscaping, parking and associated works at Land at Ringwood Avenue, Amesbury, Salisbury, Wiltshire SP4 7PZ in accordance with the terms of the application, Ref 19/04863/FUL, dated 14 May 2019, and the plans submitted with it, subject to the conditions set out in the following Schedule.

Procedural Matters

2. The appeal site is within the zone of influence of the Salisbury Plain Special Protection Area (SPA) and the catchment of the River Avon Special Area of Conservation (SAC). It is therefore necessary for me to consider the effects of the proposal on these European Sites and I have dealt with this below.
3. The Council refused permission in part due to the absence of provision for off-site public open space, primary and secondary school improvements, waste management on site and affordable housing. During the appeal process the appellant has addressed these matters through submission of a section 106 agreement and Deed of Variation to that agreement, which I deal with below.

Main Issue

4. The main issue is therefore the effect of the proposal on the character and appearance of the area and, taking this into account, whether the scheme constitutes high-quality design that accords with local and national policy.

Reasons

Design quality and effect on the character and appearance of the area

5. The appeal site is within the built-up area of Amesbury, a settlement designated in the Wiltshire Core Strategy 2015 (CS) as one with potential for significant development. The site is currently an open grassed area almost surrounded by housing and garage blocks, meaning that views into the site are heavily

constrained, other than from neighbouring properties. Open areas behind dwellings do not appear to be characteristic of the pattern of development in the local area. As such, while I appreciate that the undeveloped nature of the site has value to those neighbours who look onto it, it does not make any significant contribution to the character of the wider residential estate. Consequently, while development of the site for housing would inevitably change its character it need not, in principle, have a significant effect on the overall character and appearance of the area.

6. Nonetheless, both national and local policy require development to achieve high quality design. CS Core Policy 57 expects development to create a strong sense of place through drawing on the local context and being complimentary to the locality. The National Planning Policy Framework (the Framework) sets out that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve.
7. The site is part of a former Ministry of Defence estate, where the surrounding streets comprise mainly pairs and terraces of dwellings with fairly regular spacing and a consistent building line. Although there is some variety in elevational design in the area, most dwellings have a simple form and, despite various alterations and extensions, each road has a fairly uniform appearance.
8. The site is sufficiently large and self-contained to be able to create its own character rather than to mirror that of the surrounding streets, particularly where, as previous Inspectors have concluded, those surroundings are 'fairly uninspiring'¹. The proposed scheme would comprise predominantly semi-detached pairs of houses, somewhat narrower but otherwise similar in height and form to those in Lyndhurst Road and with a comparable roof design and pitch. As a result, from outside the site the roofscape and pattern of development would be generally consistent with that of the surrounding area.
9. The density of development would be slightly higher than surrounding streets, but at around 38 dwellings per hectare (dph) it would not be a particularly high-density development in its own right and would make efficient use of the land. Plot sizes would be slightly smaller than those of surrounding dwellings but would be comparable with other recent developments in the local area. They would also provide adequate separation between proposed and existing dwellings and useable outdoor space of suitable size for future residents.
10. The proposed dwellings would have simple, plain elevations, however this would be relieved by detailing, including chimneys, porches and windows. The use of a combination of materials and the landscaping proposed, particularly the inclusion of walls fronting roads, would add interest to the street scene within the site. While the design could perhaps be more imaginative, the proposal would nevertheless strike an appropriate balance between the strong character of surrounding development and creating its own sense of identity.
11. Although I note local concerns about the incorporation of brick given that properties in Lyndhurst Road and Ringwood Avenue have rendered walls, I saw that brick is found throughout Beaulieu Road and other nearby developments, and there is a recent development of brick and rendered dwellings on Beaulieu Road. As such, I see no particular reason why the combination of materials would necessarily be harmful. In any event, final details of materials could be secured by planning condition.

¹ APP/T3915/A/02/1087669, APP/T3915/A/08/2061603, APP/Y3940/A/10/2123642

12. The simple layout proposed, with car parking located in front of or between the houses would create space between the dwellings and limit the amount of hardsurfacing required. Opportunities for landscaping would be provided in front of each plot, particularly plots 14-17, and at each corner of the access road, allowing for robust planting which would soften the appearance of the proposed development. While there would be larger areas of hardsurfacing in front of plots 1 and 4, this could be relieved by the use of different surfacing materials. The incorporation of bungalows at the lower end of the site would also allow views down through the site to the countryside beyond. Consequently, the proposed development would have a sense of space and would not appear cramped or an overdevelopment of the site. As such, it would be materially different from the previous appeal schemes.
13. The bungalows are proposed to be designed to be wheelchair accessible, but they would be sited at the lower end of the sloping site, which is not ideal for occupants with mobility difficulties. However, I note that the Highway Authority has not raised any concerns about the gradient of the estate road or footways. Furthermore, the route to local facilities is similarly sloping, so the issue would arise to some degree irrespective of where on the site accessible dwellings were located. Moreover, there is no guarantee that the dwellings would be occupied by those with mobility difficulties just because they would be designed for that purpose. Therefore, while their siting does reduce the benefits of those dwellings being wheelchair accessible, it does not prevent the proposal as a whole from functioning well or materially detract from the overall quality of the design.
14. Consequently, overall, although the proposal would infill an open space, it would enhance local distinctiveness and respond positively to the existing pattern of development and integrate effectively into its setting, while adding some design interest that would distinguish it from surrounding development and give it a sense of place. Accordingly, the proposal would not harm the character and appearance of the area and would be a high-quality design that would be sympathetic to local character and add to the overall quality of the area. I therefore find no conflict with CS Core Policy 57 or the provisions of Framework paragraphs 124 or 127.

Planning obligations

15. A completed s106 agreement dated 7 May 2020 has been submitted, which was subsequently varied by a Deed of Variation (DoV) dated 29 June 2020. The DoV substitutes the Plan appended to the agreement to correct an error in the extent of the red line, omitting garages which are in third party ownership. It also corrects drafting in relation to the affordable housing and education obligations.
16. The agreement as varied secures provision of 100% of the proposed dwellings as affordable housing if public subsidy can be secured or 30% as affordable housing at nil subsidy, with all affordable units to be Affordable Rented tenure. The housing mix and tenure, including 4 accessible units, would meet an identified housing need and have been agreed with the Registered Provider, who is a party to the agreement. The design of all of the dwellings would meet national space standards and affordable dwellings would be indistinguishable from market dwellings. Although the proposal would potentially be 100% affordable housing, it would be well connected to the surrounding area and as such would not result in a segregated development.
17. Therefore, the proposal would comply with CS Core Policy 43, which requires affordable housing provision of at least 30% on sites of 5 or more dwellings in Amesbury. Furthermore, it would contribute to the Framework objectives of

- creating mixed and balanced communities and meeting the needs of different groups of people.
18. CS Core Policy 3 requires all new development to provide for the necessary on-site and, where appropriate, off-site infrastructure requirements arising from the proposal, to be delivered directly by the developer and/or through an appropriate financial contribution. The Revised Wiltshire Planning Obligations Supplementary Planning Document 2016 (POSPD) provides more detail on how infrastructure will be secured to meet the needs of development.
 19. The Council has confirmed that a need for additional primary places identified during the application process is no longer required as a new primary school is being developed nearby. The proposal would however generate the need for additional secondary school places, which the Council has identified can be provided at Stonehenge School. As this is not one of the schools identified in the Council's Community Infrastructure Levy (CIL) Regulation 123 list to be funded either in whole or in part through CIL receipts, it is appropriate to secure a financial contribution as a planning obligation. The POSPD sets out that a 30% discount will be applied to affordable housing units, and the obligation in Schedule 4 of the submitted agreement, as varied by the DoV, now takes account of the different options proposed for affordable housing. Therefore, the s106, as varied, would secure appropriate contributions to provide the required school places.
 20. The Council's draft Waste Supplementary Planning Document (WSPD)² sets out that it will seek financial contributions for residential developments of 11 units or more to pay for waste and recycling containers, and that their provision and the services required to support waste collection is a burden on the Council directly related to new development. Although it is unclear whether the WSPD has been adopted, it nevertheless reflects the provisions of the POSPD, and CS Core Policy 3, which includes waste management services as essential infrastructure which will be afforded the highest priority. Each proposed dwelling would need waste containers and services, and the financial contribution sought would relate directly to the cost of this provision. As such, the obligations in Schedule 5 of the s106 agreement would provide the waste infrastructure necessary to meet the needs of the proposed development.
 21. Saved Policy R2 of the Salisbury District Local Plan 2003 (LP) requires that all new development make provision for public open space and the POSPD sets out the way in which this will be achieved. The additional residents resulting from the proposal would generate demand for public open space and, given the size of the site, this could not reasonably be accommodated on-site. The obligations in Schedule 6 of the s106 agreement would secure a financial contribution to upgrade facilities off-site at Harvard Park, which is close to the site and as such is likely to be used by future residents. Those facilities are not included in the Council's Regulation 123 list and upgrades can therefore be secured by planning obligations. The amount sought is commensurate with the scale of development proposed.
 22. The evidence before me demonstrates that all of the obligations are necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related to it in scale and kind. As such, they comply with the tests in Regulation 122 of the CIL Regulations 2010 (as amended) and I can therefore take them into account. Consequently, the s106 agreement and DoV together make adequate provision for affordable housing and to meet the infrastructure needs for education, waste and public open space

² Waste storage and collection: guidance for developers, Supplementary Planning Document

resulting from the development. Therefore, the proposal would not conflict with CS Policies CP3, CP43 or CP45, LP Policy R2, or the WSPD.

European sites

23. Salisbury Plain SPA encompasses a plateau of chalk grassland which supports breeding common quail, Eurasian hobby, stone-curlew and non-breeding hen harrier. The stone-curlew is a ground nesting species which is sensitive to disturbance by people and people with dogs and is particularly susceptible to recreational pressure. The Council's HRA and Mitigation Strategy for Salisbury Plain SPA (2018) (the Mitigation Strategy) sets out the need to identify, avoid and mitigate any potential effects of increasing recreational pressure on the SPA, including the effects of additional housing on visitor activity and impacts on breeding activity.
24. Salisbury Plain is a unique environment and an important recreational resource well frequented by the public, with evidence demonstrating that 75% of visitors come from within 6.4km of the Plain. The appeal site is within this zone and it is likely that residents of the proposed dwellings would visit the Plain. The evidence before me is clear that the proposal, particularly when combined with other development in the area, is likely to have a significant effect on the SPA. It is therefore necessary for me, as the competent authority, to conduct an Appropriate Assessment (AA) in relation to the effect of the proposed development on the integrity of the SPA.
25. The Mitigation Strategy has been in place for some years and was updated in 2018. It involves utilising monitoring and management advice to inform adaptive land management in and around the SPA and is funded by CIL receipts. The evidence before me demonstrates that the current strategy, in combination with further mitigation already implemented for the Army Basing Programme, is sufficient to support the additional housing planned for in the CS and some overprovision. Consequently, the CIL contributions from the proposed development would mitigate the effects of this proposal on the Salisbury Plain SPA. Therefore, there is an agreed, ongoing and funded project that would address the effects of the proposed development on the SPA. Consequently, I conclude that this mitigation would ensure that the proposal would not adversely affect the integrity of the SPA.
26. The River Avon SAC is a groundwater fed Chalk river which supports a variety of important ecology including Ranunculus vegetation, Desmoulin's whorl snail, Atlantic salmon, sea lamprey, brook lamprey and bullhead. The ecology and biodiversity of the SAC are at risk from elevated levels of phosphorus from new development through inputs from sewage treatment works and package treatment plants.
27. The appeal site is within the catchment of the SAC and the evidence before me is that the proposed dwellings, particularly in combination with other planned and permitted development in the area, are likely to have a significant effect on the SAC through additional phosphorus load. It is therefore necessary for me to conduct an AA in relation to the effect of the proposed development on the integrity of the SAC.
28. The conservation objectives for the SAC, including recent Natural England advice³, identify the need to restore the natural nutrient regime by limiting enrichment to levels at which adverse effects on characteristic biodiversity are unlikely. An

³ European Site Conservation Objectives: Supplementary Advice on Conserving and Restoring Site Features: River Avon Special Area of Conservation (SAC), Natural England, 11 March 2019

Interim Delivery Plan⁴ has been produced which sets out measures designed to achieve phosphate neutral development to 2025, supporting measures to improve operational efficiency at Wessex Water sewage treatment plants. The mitigation measures include wetland creation, less intensive grazing and new dwellings in the catchment being built to the highest standards of water efficiency permitted by the building regulations. Most measures would be funded through CIL, with water efficiency restrictions secured by planning conditions.

29. Therefore, there is an agreed project that would address the effects associated with the proposed development and relieve pressure on the SAC. I am satisfied that compliance with a water efficiency condition and CIL contributions from the development would enable the delivery of mitigation sufficient to address the level of harm it would be likely to cause, and would be pursuant to the Council's agreed strategy. I therefore find that, subject to the proposed mitigation, the proposal would not adversely affect the integrity of the SAC.

Other Matters

30. Among other matters raised, interested parties have concerns regarding the proposed site access. The highway authority is satisfied with the proposals, which are similar to those considered and accepted in previous appeals. Although the first part of the access is relatively narrow, the appellant's swept path analysis demonstrates that vehicles could pass and refuse and emergency vehicles could access the site. The corner in front of plot 19 would have reduced visibility but this would keep traffic speeds low within the site, and is a form of traffic calming which accords with advice in the Manual for Streets.
31. The design includes a footway for pedestrians, providing refuge from vehicular traffic within the site, and would provide adequate visibility for vehicles exiting the garages to see pedestrians on the footway and vehicles entering the site. While it would not connect to a footway on Ringwood Avenue, the estate is subject to a 20mph limit and the road design means that vehicle speeds are likely to be low and pedestrians crossing the road from the site would have good visibility. Furthermore, the existing pedestrian access via the garages would remain. Consequently, the proposal would provide for safe access and movement for all users.
32. The highway authority has not disputed the appellant's evidence that the local highway network could accommodate the traffic generated by the development and there is no compelling evidence before me to demonstrate otherwise. I saw at my visit that most dwellings had some off-street parking and there was little parking on-street, while the layout of Ringwood Avenue and the presence of driveways is likely to discourage parking close to the proposed access. The proposal would also deliver car and cycle parking to meet the Council's standards, including visitor parking, and as such the likelihood of overspill parking is low. Adequate visibility could be provided for safe access and egress from Ringwood Avenue onto the site.
33. Although some concern has been raised about near misses since the site has been fenced off, I do not have any details of these, and therefore cannot be certain that the existing site access was a factor. While some drawings suggest that part of a neighbour's garden is within the red line, the revised location plan which defines the appeal site does not include this land and in any event, it is not required to deliver the access proposed. Consequently, there is no substantive evidence before me that the proposal would have a significant adverse effect on highway safety.

⁴ River Avon SAC – Phosphate Neutral Development, January 2019

34. The Council has identified Amesbury as a suitable location for significant development and cannot currently demonstrate a Framework compliant supply of housing land. Therefore, while I recognise local concerns about the amount of development taking place in the area, this proposal would contribute towards meeting an identified housing need. Furthermore, the Framework supports efficient use of land and use of small windfall sites within built-up areas, and these weigh in favour of the proposal.
35. The POSPD sets out that improvements needed to health and community infrastructure as a result of developments of this scale would be funded by CIL receipts. Therefore, the impact of the proposal on these types of infrastructure would be mitigated through its CIL contributions.
36. I recognise the concerns of local residents about the loss of an open space previously used for informal recreation and rear access to properties in Lyndhurst Road. However, the site is in private ownership, is currently not publicly accessible and, it has been established in previous appeals, has not been designated by the Council as open space. As such, there is no policy requirement that it be retained as open space. There are other areas of green space available close to the site and the planning obligations to upgrade local recreational facilities would provide wider public benefits in this regard. As such, I give very limited weight to the loss of the open area.
37. The site is locally known to become waterlogged and problems have been identified with the existing drainage and sewerage provision. While an indicative surface water strategy has been provided, further infiltration testing is required to develop a detailed scheme. This can be secured by condition to ensure that effective surface water drainage provision is provided, taking account of climate change. The proposal also includes diversion of a section of public foul sewer and provision of pipework suitable to resist any contamination that may be present on the site. As such, drainage and sewerage matters can be satisfactorily addressed.
38. The appellant's Preliminary Ecological Appraisal (PEA) identifies ecological mitigation and enhancement measures to be incorporated into the scheme. Full details and implementation of these measures can be secured by condition and, along with appropriate soft landscaping, would be likely to result in a small biodiversity net gain. Controls over external lighting can also be secured by condition in order to minimise light spill and consequent impacts on bats, while appropriate working methods would address any potential impacts on reptiles.
39. The proposed layout would provide good separation between existing and proposed dwellings, and bungalows are proposed on the lower part of the site where the neighbours are on lower ground. This would limit the effects of the proposal on the outlook, light and privacy of the adjacent neighbours, and is a material difference to the scheme dismissed at appeal in 2008.
40. The erection of fencing would potentially result in some shading of neighbouring gardens, however 2 metre high fences could be erected at any time without requiring planning permission and as such I can afford the impacts of boundary treatments little weight. Details of planting around the boundaries of the site can be secured by condition, as can obscure glazing to windows facing neighbouring properties, to address any residual overlooking. Conditions can also secure measures to mitigate disturbance and disruption during construction and potential for light pollution. With appropriate fencing, the locations proposed for bin storage would not be likely to result in smells affecting neighbours.

41. While I appreciate that the proposed dwellings would be seen from existing properties, and that many neighbours would prefer the site not to be developed, I am satisfied that the impact on their living conditions would not be sufficient to warrant dismissing the appeal. It appears that the Council reached the same conclusion as this does not form part of its reasons for refusal. Consequently, the proposal would not infringe the human rights of neighbouring occupiers in respect of their private life and enjoyment of their home.
42. Matters relating to covenants, rights of access and property are private matters that fall outside the scope of the planning system. I have had regard to all other matters raised and none are sufficient to warrant refusal of the proposal.

Conditions

43. Conditions for implementation and to secure compliance with the approved plans are necessary in the interests of planning. I have however excluded from the list the plans marked indicative, those where amendments to the proposed layout have superseded the details shown, those that only demonstrate swept paths, or where there would otherwise be conflict with other conditions or the s106 agreement.
44. A construction environmental management plan is necessary to ensure adequate protection and mitigation for ecological receptors and retained trees during construction. An ecological mitigation and enhancement strategy and compliance with the recommendations of the PEA are necessary to safeguard protected and priority species and habitats during construction and to ensure biodiversity net gain from the development. A condition to secure archaeological investigation is necessary as there is potential for the site to contain heritage assets of archaeological interest.
45. Investigation and remediation of contamination are necessary due to the site's history, and verification of remediation is required, all to minimise risks from land contamination to future users of the land and neighbouring land, controlled waters, property and ecological systems. A construction management plan is also needed in the interests of the living conditions of neighbouring occupiers and the safe operation of the highway. Furthermore, for the reasons given above a surface water drainage scheme is necessary to ensure adequate on-site drainage and to prevent surface water flooding on site or elsewhere.
46. Other than verification and compliance with the PEA, these details would need to be secured prior to commencement of development on site as all stages of site clearance and construction have the potential to adversely impact on the relevant matters. A drainage scheme is required prior to commencement because further infiltration testing is required and to ensure that the drainage scheme integrates with the detailed landscaping scheme for the site. The appellant has agreed to these pre-commencement conditions.
47. The scheme does not include details of which of the existing trees are to be removed or retained and the landscaping scheme needs to be updated to reflect changes in the layout during the application process. Therefore, this information and details of the implementation and maintenance of the landscaping are required to ensure high-quality design and integrate the proposed landscaping with the ecological strategy and drainage scheme. There is however no substantive evidence before me that these need to be agreed pre-commencement, therefore a pre-occupation trigger would be reasonable instead.
48. Controls on hours of working and burning of materials are needed to safeguard the living conditions of neighbours. Conditions to secure details of materials and to require provision of recycling and refuse storage within plots are necessary to

- ensure high-quality design. Car and cycle parking is required to ensure adequate on-site parking, and the access and estate roads need to be constructed before occupation of any dwelling to ensure occupiers have safe access.
49. Details of external lighting would only be required before such lighting is installed, so do not need to be pre-commencement conditions as the Council suggests. There is also no need to have two separate conditions on this issue, so I have amalgamated the wording suggested.
50. The Council also recommends conditions to remove permitted development rights for extensions and alterations to the dwellings, including windows. However, the Planning Practice Guidance makes it clear that conditions for blanket removal of freedoms to carry out small scale domestic alterations that would not otherwise require an application for planning permission are unlikely to pass the tests of reasonableness or necessity. No exceptional circumstances have been set out to demonstrate that removal of permitted development is necessary and as such I have not imposed those conditions.
51. I have also re-worded or separated out some of the Council's suggested conditions in relation to trees, parking and refuse/recycling storage to ensure that they are precise and enforceable. The main parties have commented on these conditions and have raised no objections to them.

Conclusion

52. For the reasons given above, the proposal would comply with the relevant policies of the development plan and the Framework. Therefore, the appeal is allowed subject to conditions and subject to the planning obligations set out in the s106 agreement and DoV.

L McKay

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 18082-PL-2-01 Rev A, 18082-PL-2-02 Rev C, 18082-PL-2-04 Rev C, 18082-PL-2-06 Rev C, 18082-PL-2-07 Rev C, 18082-PL-2-08 Rev D, 18082-PL-3-01, 18082-PL-3-02 Rev A, 18082-PL-3-03 Rev A, 18082-PL-3-04 Rev A, 18082-PL-3-05 Rev A, 18082-PL-3-06 Rev A, 18082-PL-3-07 Rev A, 18082-PL-3-08 Rev A, 18082-PL-3-09 Rev A, 43-07 04, 43-07 06 except in respect of the materials shown on the drawings.
- 3) No development shall commence on site, including vegetation and site clearance and preparation, works for remediation of land contamination, archaeological investigations or boundary treatment works, until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of the measures that will be implemented during the construction phase and shall include but not necessarily be limited to, the following measures:
 - a) pollution prevention measures to ensure contaminated/sediment loaded surface water runoff does not enter the River Avon;
 - b) identification of tree root protection areas/buffer zones for all retained trees;
 - c) the location and timing of works that need to be scheduled and undertaken in such a way as to avoid/reduce potential harm to ecological receptors such as nesting birds;
 - d) details of precautionary works methods;
 - e) responsible persons and lines of communication;
 - f) location and type of protective fences, exclusion barriers where applicable, and the timing of their installation and removal;
 - g) details of all external lighting to be used during construction.The development shall be carried out in full accordance with the approved CEMP.
- 4) No development shall commence on site, including vegetation and site clearance and preparation, works for remediation of land contamination, archaeological investigations or boundary treatment works, until an Ecological Mitigation and Enhancement Strategy (EMES) has been submitted to and agreed in writing by the Local Planning Authority. The EMES shall include and expand upon all the recommendations stipulated in Section 6 of the Preliminary Ecological Appraisal (Ecosupport, February 2019). The EMES shall include comprehensive details of all avoidance, mitigation, compensation and enhancement measures to be implemented to address direct and indirect effects on protected and priority species and habitats within the application site. The EMES shall include a reptile sensitive site clearance working method. It shall include a finalised site plan illustrating the proposed location of all the ecological enhancement features, including bat roosting and bird nesting provision within the built design. Thereafter, development shall be carried out in strict accordance

with the approved strategy and with supervision and input from a suitably qualified and experienced professional ecological consultant.

- 5) No development shall commence within the development site, including site clearance and preparation, works for the remediation of land contamination or boundary treatment works, until:
- i) a written programme of archaeological investigation, which should include onsite 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
 - ii) the approved programme of archaeological work has been carried out in accordance with the approved details.
- The programme shall take into account any requirements for remediation of land contamination on the site.
- 6) No development shall commence on site (other than that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition or as part of an approved programme of archaeological work), until steps (i) to (iii) below have been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until that contamination has been remediated, and remediation has been verified, in accordance with details that have been submitted to and agreed in writing by the Local Planning Authority.
- i) an investigation and risk assessment must be completed to assess the nature and extent of any contamination (including asbestos) on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:
 - A survey of the extent, nature and scale of contamination on site;
 - The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages;
 - If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants;
 - An assessment of the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - adjoining land;
 - ground waters and surface waters;
 - ecological systems; and
 - archaeological sites and ancient monuments.

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

- ii) If any unacceptable risks are identified as a result of the investigation and assessment referred to in step (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.
 - iii) The approved remediation scheme under step (ii) must be carried out in accordance with its requirements. The Local Planning Authority must be given at least two weeks written notification of commencement of the remediation scheme works.
- 7) No dwelling hereby approved shall be occupied until, following completion of remediation works, a verification report by a suitably qualified contaminated land practitioner has been submitted to and approved in writing by the Local Planning Authority.
- 8) No development shall commence on site, (other than that required to be carried out as part of an approved scheme of remediation or as part of an approved programme of archaeological work) until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall include details and measures to be taken to protect the residential amenities of the occupiers of dwellings directly adjacent to the proposed works during construction. It will also provide measures that will be taken to reduce and manage the emission of noise and dust during the construction phase of the development and shall specifically address the following:
- the movement of construction vehicles;
 - wheel washing and vehicle wash down facilities;
 - the storage, transport and management of waste materials and building materials;
 - the recycling of waste materials;
 - the loading and unloading of plant and materials;
 - the location and use of generators and temporary site accommodation.

The development shall be carried out in strict accordance with the Plan agreed.

- 9) No development shall commence on site, (other than that required to be carried out as part of an approved scheme of remediation or as part of an approved programme of archaeological work) until a detailed surface water drainage scheme has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate how surface water drainage is integrated with the hard and soft landscaping schemes and shall include details and results of infiltration testing and, if demonstrated to be appropriate, soakaway design in accordance with Wiltshire Council's Surface Water Soakaway Guidance. If

the infiltration test results demonstrate that soakaways are not appropriate, the scheme shall set out an alternative method of surface water drainage for the site. The development shall thereafter be carried out in accordance with the approved scheme and no dwelling hereby approved shall be occupied until all surface water drainage measures have been installed.

- 10) The development shall be undertaken in strict accordance with Section 6 of the Preliminary Ecological Appraisal (Ecosupport, February 2019), other than those recommendations relating to mitigation of impacts on Salisbury Plain SPA or where the recommendations are varied or superseded by the requirements of the approved Ecological Mitigation and Enhancement Strategy.
- 11) No trees shall be removed from the site unless in accordance with details of tree removal and retention that have first been submitted to and approved in writing by the Local Planning Authority.
- 12) No development shall commence until a scheme of both hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - i) finished levels and contours;
 - ii) means of enclosure;
 - iii) car park layouts;
 - iv) other vehicle and pedestrian access and circulation areas;
 - v) all hard and soft surfacing materials;
 - vi) an implementation programme; and
 - vii) a scheme of management and maintenance.

The landscaping works shall be carried out in accordance with the approved details and the agreed implementation programme. The completed scheme shall be managed and maintained in accordance with the approved scheme of management and maintenance.

All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, 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.

- 13) No external lighting shall be installed within the site or on any building hereby approved unless in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The details shall include:
 - i) a site lighting plan which illustrates the location and height of all external lights, including lighting columns, and specification of proposed luminaires;
 - ii) details of mitigating fixtures to be used, such as cowls, louvres, baffles and backshields; and
 - iii) measures to be taken to minimise sky glow, glare and light trespass.

The external lighting scheme shall be designed to be wildlife sensitive and shall accord with the recommendations in section 6.2.1 of the Preliminary

Ecological Appraisal (Ecosupport, February 2019), and shall be designed to meet the criteria for Environmental Zone E3 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. No other external lighting shall be installed without prior written consent from the Local Planning Authority.

- 14) No development shall commence above slab level until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- 15) No dwelling hereby approved shall be occupied until provision for storage and collection of refuse and recycling has first been made in accordance with the approved plan.
- 16) No dwelling hereby approved shall be occupied until space has been laid out for car parking for that dwelling in accordance with the approved plans, and for storage of bicycles in accordance with the Local Planning Authority's adopted parking standards. Those areas shall thereafter be kept available at all times for those purposes.
- 17) No construction or demolition work shall take place on Sundays or Bank and Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.
- 18) No burning of waste or other materials shall take place on the development site during the demolition/construction phase of the development.
- 19) No part of the development hereby approved shall be first occupied until the estate road, pavements and turning areas shown on the approved plans have been consolidated, surfaced and laid out in accordance with the approved details. The areas shall be maintained for those purposes at all times thereafter.
- 20) Each dwelling hereby approved shall be designed and constructed to meet the Building Regulations Optional Requirement of a maximum water use of 110 litres per day. No dwelling shall be occupied unless and until it meets that requirement.
- 21) The dwelling on Plot 2 shall not be occupied until the windows in the north-east elevation are glazed with obscure glass. The dwelling on Plot 3 shall not be occupied until the windows in the south-west elevation are glazed with obscure glass, and the dwelling on Plot 14 shall not be occupied until the first-floor windows on the south-west and south-east elevations are glazed with obscure glass. All specified windows shall be obscured to an obscurity level of no less than level 5, and the specified windows shall thereafter be maintained with obscure glazing in perpetuity.