

Town & Country Planning Act 1990

Notification of Full Planning

Application Reference Number: 18/00397/FUL

Agent WYG 11th Floor 1 Angel Court London EC2R 7HJ	Applicant Defence Infrastructure Organisation FAO Secretary of State for Defence Kingston Road Sutton Coldfield B75 7RL
Particulars of Development: Erection of 160 no. dwellings to provide Service Families Accommodation (SFA), land for public open space, landscaping, internal roads and all infrastructure works, including drainage improvements.	
At: Land North of The Packway and East of Larkhill, Larkhill, Wiltshire, SP4 8PY	

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 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 residential element of the development hereby granted planning permission shall not exceed 160 SFA dwellings.

REASON: To define the limits of the planning permission and to set the maximum number of SFA dwellings to be constructed on the application site.

- 3 The SFA dwellings hereby granted planning permission shall be occupied solely by military service personnel and their dependents.

REASON: For the avoidance of doubt in order to define the limits of the planning permission and in recognition that planning permission has been granted for development on this site on the basis of the particular requirements of the military.

- 4 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 or completion of the development whichever is the sooner. 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. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 5 No development shall commence on site until protective fencing to enclose all retained trees and hedgerows, as shown within the Arboricultural Report (December 2017) by DIO and in accordance with British Standard BS5837:2012 'Trees in Relation to Construction', has been erected. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations without prior written approval by the Local Planning Authority.

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

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

REASON: To prevent trees being retained from being damaged during the construction works, in the interest of visual amenity

- 6 The development hereby permitted shall be carried out in accordance with the approved Written Scheme of Investigation for Archaeological Excavation (document ref 115984.3) by Wessex Archaeology. Furthermore, the development shall be carried out in accordance with a programme of archaeological investigation in the form of a watching brief on any sensitive parts of the proposed development not covered by the approved excavation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, which shall be submitted to and approved in writing by the Local Planning Authority prior to any groundworks. The approved programme of archaeological work shall be carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

- 7 No burning of waste or other materials shall take place on the development site during the demolition/construction phase of the development.

REASON: So as to ensure the construction phase of development is undertaken in a considerate and appropriate manner so as to protect the amenities of the locality and surrounding residents.

- 8 No external lighting shall be installed on site until a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, has been submitted to and approved in writing by the Local Planning Authority. Such lighting shall be designed so as to also meet the criteria for Environmental E3 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. The approved scheme shall be implemented in accordance with the approved details and shall be maintained in effective working order at all times thereafter.

REASON: So as to ensure the living conditions of existing and future residents is secured through the appropriate design of any new lighting across the site, to ensure adverse impacts upon the ecology of the locality are minimised, and to protect the setting of the Stonehenge World Heritage Site.

- 9 No development shall commence on site until a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration, dust and other pollution during the demolition/construction phase of the development. It shall include details of the following:
- a) Loading and unloading of equipment and materials
 - b) Storage of plant and materials used in constructing the development
 - c) Wheel washing and vehicle wash down facilities
 - d) Measures to prevent and control the emission of dust, dirt and other pollution (including that which may affect the water environment) during demolition and construction
 - e) A scheme for recycling/disposing of waste resulting from demolition and construction works
 - f) The movement of construction vehicles
 - g) The cutting or other processing of building materials on site
 - h) The location and use of generators and temporary site accommodation
 - i) Pile driving (if it is to be within 200m of residential properties)
 - j) Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance to protect habitats of ecological value including woodland, grassland and the location of recorded tree mallow
 - k) Measures to ensure protected species are not harmed during vegetation clearance prior to construction works commencing
 - l) Hours of construction, including deliveries

The Plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

Development will be carried out fully in accordance with the Construction and Environmental Management Plan at all times.

REASON: So as to ensure the construction phase of development is undertaken in a considerate and appropriate manner so as to protect the amenities of the locality and surrounding residents as well as to prevent pollution of the water environment, the protection of habitats and species of ecological value during the construction period.

- 10 Prior to the commencement of the development a Construction Traffic Management Plan (CTMP) shall be submitted to and approved by the Local Planning Authority, and the site developed in accordance with the approved CTMP. The CTMP shall include, inter alia, proposals for the phasing of the development, and how this might influence construction traffic routing, and proposals to ensure that the adjacent highway is kept clear of site detritus.

REASON: In order to ensure that the amenity of the local highway network is adequately protected.

- 11 No above ground development shall commence on site, other than the approved tree works detailed within the Arboricultural Report (December 2017) by WYG, until a scheme for the discharge of surface water from the site including means of access for maintenance vehicles, incorporating sustainable drainage details together with permeability test results to BRE365, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme

REASON: To ensure that the development can be adequately drained and to protect the water environment.

- 12 No above ground development shall commence on site, other than the approved tree works detailed within the Arboricultural Report (December 2017) by WYG, until full details relating to the intended method of fire-fighting water supply and hydrant facilities in respect of the buildings shall have been submitted to and agreed in writing by the Local Planning Authority. Such details shall include measures to ensure the water supply is in place during the construction phase and that hydrants are connected at the right locations. The scheme shall also include a scheme for the maintenance of such water supply and hydrant facilities. Development shall be carried out in complete accordance with details agreed.

REASON: So as to secure a satisfactory water supply and hydrant facilities for fire-fighting to meet the needs of the development during the construction and operational phase of development.

- 13 The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced footpath and carriageway to at least binder course level between the dwelling and existing highway

REASON: To ensure that the development is served by an adequate means of access.

- 14 No part of the development hereby approved shall be first occupied until the parking areas, and garages where proposed as parking spaces, shown on the approved plans have been consolidated, surfaced and laid out in accordance with the approved details. Parking spaces shall be maintained and remain available for this use at all times thereafter.

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

- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), any garages permitted shall not be converted to habitable accommodation.

REASON: To safeguard the amenities and character of the area and in the interest of highway safety.

- 16 No above ground development shall commence on site, other than the approved tree works detailed within the Arboricultural Report (December 2017) by WYG, until full details of the connecting footways and associated steps leading from road 20 within the development site to road 16 within Phase 3 and to road 1 within Phases 1 & 2 of the wider Larkhill Service Family Accommodation development has been submitted to and approved in writing by the Local Planning Authority. The footways shall be constructed in accordance with the approved details.

REASON: To ensure that an appropriate footway is provided.

- 17 The visibility splays shown on Drawing No: SK1001 Rev P1: Phase Road Layout shall be maintained free from any obstruction at a level 600mm above adjacent levels at all times.

REASON: In the interests of highway safety

- 18 Prior to the first occupation of any dwellings hereby granted planning permission, a low emission strategy shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved strategy.

REASON: To build upon the Overarching Travel Plan, in the interests of minimising nitrogen dioxide and fine particulates generated by the development in accordance with Core Policy 55 of the Wiltshire Core Strategy.

- 19 No above ground development shall commence on site, other than the approved tree works detailed within the Arboricultural Report (December 2017) by WYG, until a Landscape and Ecological Management Plan (LEMP) has been submitted to, and approved in writing by the Local Planning Authority. The content of the LEMP shall include, but not necessarily be limited to, the following information:

- a) Description and evaluation of landscape and ecological features to be managed; including location shown on a site map
- b) Constraints on site that might influence management
- c) Aims and objectives of management
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5 year period
- g) Details of the body or organisation responsible for implementation of the plan;
- h) Ongoing monitoring and remedial measures;
- i) Details of how the aims and objectives of the LEMP will be communicated to the occupiers of the development.
- j) The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body responsible for its delivery.
- k) The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented.

The LEMP shall be implemented in full in accordance with the approved details.

REASON: To ensure the long-term management of protected and priority habitats and other landscape and ecological features, and to maintain and enhance these habitats and features in perpetuity.

- 20 No above ground development shall commence on site, other than the approved tree works detailed within the Arboricultural Report (December 2017) by WYG, until a Recreational Access Action Plan has been submitted to and approved in writing by the Local Planning Authority. The development and future use of the site shall be carried out in accordance with the approved details.

REASON: So as to ensure the development incorporates measures to mitigate impacts associated with increased recreational pressure resulting from the development upon the Salisbury Plan SPA.

- 21 The mitigation measures and recommendations detailed within the approved Preliminary Ecological Appraisal (December 2017), Breeding Bird Survey Report (January 2018), and Bat Activity Survey Report (January 2018) by WYG, shall be carried out in full prior to the first occupation of the development and / or in accordance with approved timetables in the ecological assessments.

REASON: To mitigate against the loss of existing biodiversity and nature habitats.

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

- Drawing No: LA[P4]Phase 4: S01 – Application Boundary, received 16 January 2018;
- Drawing No: LA[P4]Phase 4: S02 – Framework, received 16 January 2018;
- Drawing No: LA[P4]Phase 4: S04 – Finishes Layout, received 16 January 2018;
- Drawing No: LA[P4]Phase 4: S06 – POS Designation, received 16 January 2018No
- Drawing No LA[P3]S04 – Unit type and materials, received 16 January 2018;
- Drawing No: LA[P3]C01 – Constraints plan: Composite, received 16 January 2018;
- Drawing No: LA[P3]C01.1 – Constraints plan: Heritage, received 16 January 2018;
- Drawing No: LA[P3]C01.2 – Constraints plan: Natural resources, received 16 January 2018;
- Drawing No: LA[P4]E11: Elevation Sheet 01, received 16 January 2018;
- Drawing No: LA[P4]E12: Elevation Sheet 02, received 16 January 2018;
- Drawing No: LA[P4]E13: Elevation Sheet 03, received 16 January 2018;
- Drawing No: LA[P4]E14: Elevation Sheet 04, received 16 January 2018;
- Drawing No: LA[P4]E15: Elevation Sheet 05, received 16 January 2018;
- Drawing No: LA[P4]E16: Elevation Sheet 06, received 16 January 2018;
- Drawing No: P250 – Garages (Sheet 1 of 2), received 16 January 2018
- Drawing No: P251 – Garages (Sheet 2 of 2), received 16 January 2018
- Drawing No: P252 – Type C 5P – Plans, received 16 January 2018, received 16 January 2018;
- Drawing No: P254 – Type D 7P – Plans, received 16 January 2018, received 16 January 2018;
- Drawing No: P253 – Type C 5P – Elevation Treatments (Sheet 1 of 3), received 16 January 2018;
- Drawing No: P255 – Type D 7P – Elevation Treatments, received 16 January 2018, received 16 January 2018;

- Drawing No: LA[P4] Phase 4: S03 revision A – Site Layout, received 12 April 2018;
- Drawing No: A100941_P3 P4 Street Scenes revision A – Proposed Site Sections, received 12 April 2018;

- Drawing No: Larkhill Landscape Phase 4 PH4 LA02-1[A]: Landscape Proposals: 1 of 8, received 12 April 2018;
- Drawing No: Larkhill Landscape Phase 4 PH4 LA02-2[A]: Landscape Proposals: 2 of 8, received 12 April 2018;
- Drawing No: Larkhill Landscape Phase 4 PH4 LA02-03[A]: Landscape Proposals: 3 of 8, received 12 April 2018;

- Drawing No: Larkhill Landscape Phase 4 PH4 LA02-04[A]: Landscape Proposals: 4 of 8, received 12 April 2018;;
- Drawing No: Larkhill Landscape Phase 4 PH4 LA02-5[A]: Landscape Proposals: 5 of 8, received 12 April 2018;
- Drawing No: Larkhill Landscape Phase 4 PH4 LA02-6[A]: Landscape Proposals: 6 of 8 received 12 April 2018;
- Drawing No: Larkhill Landscape Phase 4 PH4 LA02-7[A]: Landscape Proposals: 7 of 8, received 12 April 2018;
- Drawing No: Larkhill Landscape Phase 4 PH4 LA02-8[A]: Landscape Proposals: 8 of 8, received 12 April 2018;

- Drawing ref: WYGlarkhillTOPO Rev E: Topographical Survey (Sheet 3/6), received 12 April 2018;
- Drawing ref: WYGlarkhillTOPO Rev E: Topographical Survey (Sheet 4/6), received 12 April 2018;
- Drawing ref: WYGlarkhillTOPO Rev E: Topographical Survey (Sheet 5/6), received 12 April 2018;

- Drawing No: 1903 Rev P1: Vehicle Swept Paths Refuse Vehicle, received 12 April 2018;
- Drawing No: 1913 Rev P1: Vehicle Swept Paths Fire Vehicle, received 12 April 2018;

- Drawing No: A0/14571/B sheets 1 & 2 - Foul Pumping Station, received 12 April 2018;
- Drawing No: A0/14571/B sheets 1 & 2 - Foul Pumping Station, received 12 April 2018;
- Drawing No: SK1000 Rev P1: Sheet 1 Phase 4 Drainage, received 12 April 2018;
- Drawing No: SK1001 Rev P1: Sheet 2 Phase 4 Drainage, received 12 April 2018;

- Drawing No: SK1001 Rev P1: Phase Road Layout, received 12 April 2018;
- Drawing No: 1359-1 Rev P2: Longitudinal Section Sheet 10, received 12 April 2018;
- Drawing No: 1359-2 Rev P2: Longitudinal Section Sheet 11, received 12 April 2018;
- Drawing No: 1359-3 Rev P1: Longitudinal Section Sheet 12, received 12 April 2018;
- Drawing No: 1359-4 Rev P1: Longitudinal Section Sheet 13, received 12 April 2018;

- Document. Design & Access Statement (January 2018) by WYG, received 16 January 2018;
- Document. Planning Statement (January 2018) by WYG, received 16 January 2018;
- Document. Arboricultural Report (December 2017) by WYG, received 16 January 2018
- Document. Flood Risk and Drainage Strategy (May 2015) (for 15/05540/FUL), received 16 January 2018
- Document. Update Note – Flood Risk (December 2017) by WYG, received 16 January 2018;
- Document. Larkhill SFA Residential Travel Plan Report (11 January 2018) by WYG, received 16 January 2018;
- Document. Update Note – Travel Plan prepared by WYG, received 16 January 2018;
- Document. Preliminary Ecological Appraisal (December 2017) by WYG, received 16 January 2018;
- Document. Breeding Bird Survey Report (January 2018) by WYG, received 26 January 2018;
- Document. Bat Activity Survey Report (January 2018) by WYG, received 20 January 2018
- Document. Reptile Presence/Likely Absence Survey Report (December 2017) by WYG

REASON: For the avoidance of doubt and in the interests of proper planning.

23 INFORMATIVE TO APPLICANT:

The Environment Agency recommends that 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.

- 24 **INFORMATIVE TO APPLICANT:**
Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses the site. If not already done so, you are advised to contact the Council's Public Rights of Way Officer.
- 25 **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.
- 26 **INFORMATIVE TO APPLICANT:**
This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated 19th July 2016, as varied by the Deed of Variation dated 03 May 2018.

Signed



Tim Martiensen
Director for Economic Development and Planning

Dated: 04 May 2018

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
7. **Informative** There is a legal duty of care incumbent on the customer and contractor that all commercial waste generated as a result of the works hereby authorised is safely contained, transported and disposed of lawfully in line with the Environmental Protection Act 1990 and Environmental Permitting Regulations 2016 (as well as any other related legislation). Failing to do so can lead to individuals or organisations being prosecuted for unlawful waste management.