Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/06540

Decision Date: 28 February 2024

Applicant:	James Evans Woodcock Road, Warminster, Wiltshire, BA12 9DR
Particulars of Development:	New build teaching building to rear of existing school site with associated landscaping, cycle parking and new substation works on wider site.
At:	KINGDOWN SCHOOL, WOODCOCK ROAD, WARMINSTER, BA12 9DR

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 38 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:

Conditions: (12)

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

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

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

Application Forms, Drawing Nos. 7226-KDS-FTPT-ZA-00-DR-A-080001-P03, 7226-KDS-FTPT-ZA-00-DR-A-080002-P03, KING-UBU-ZZ-ZZ-DR-L-7000-P03, 7226-KDS-FTPT-ZA-00-DR-A-080003-P03, 24882-HYD-00-ZZ-SK-C-7700, 7226-KDS-FTPT-ZA-00-DR-A-080004-P03, 24882-HYD-00-ZZ-DR-C-7000, 7226-KDS-FTPT-ZA-00-DR-A-080005-P03, 7226-KDS-FTPT-ZA-00-DR-A-080009-P03, 7226-KDS-FTPT-ZA-00-DR-

A-080008-P03, 7226-KDS-FTPT-ZA-00-DR-A-080017-P03, 7226-KDS-FTPT-ZA-00-DR-A-080013-P03, 7226-KDS-FTPT-ZA-00-DR-A-080007-P03, 7226-KDS-FTPT-ZA-00-DR-A-080011-P03, 7226-KDS-FTPT-ZA-00-DR-A-080016-P03, 7226-KDS-FTPT-ZA-00-DR-A-080006-P03, KING-UBU-ZZ-ZZ-DR-L-2002-P01, 7226-KDS-FTPT-ZA-00-DR-A-080012-P03, 7226-KDS-FTPT-ZA-00-DR-A-080014-P03, KING-UBU-XX-XX-SP-L-9001-P01, KING-UBU-ZZ-ZZ-DR-L-2000-P02, 7226-KDS-FTPT-ZA-00-DR-A-080015-P03, KING-UBU-ZZ-ZZ-DR-L-2001-P02, received on 2nd August 2023

Drawing No. 7226-KDS-FTPT-ZA-00-DR-A-080010-P04 received on 4th September 2023

Drawing No. KING-UBU-ZZ-ZZ-DR-L-3000_P05 received on 8th January 2024

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

3 No development shall commence on site until a construction 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 and dust during the demolition and/or construction phase of the development. It shall include details of the following:

i. The movement of construction vehicles;
ii. The cutting or other processing of building materials on site;
iii. Wheel washing and vehicle wash down facilities;
iv. The transportation and storage of waste and building materials;
v. The recycling of waste materials (if any);
vi. The loading and unloading of equipment and materials;
vii. The location and use of generators and temporary site accommodation;
viii. Where piling is required this must be Continuous flight auger piling wherever practicable to minimise impacts.

The construction/demolition phase of the development will be carried out fully in accordance with the construction management plan at all times.

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

4 Within three months of commencement of any works, including vegetation removal and demolition, details of the number, design and locations of features for bats, birds and invertebrates shall be submitted to the local authority for approval. These details should be clearly shown on an enforceable plan (e.g., technical elevations drawing).

The approved details shall be implemented before occupation of the final works. Features will continue to be available for the target species for the lifetime of the development.

REASON: To provide enhancement for biodiversity.

5 No development shall proceed above slab level until a revised Civils Planning Report (Hydrock. Ref 24882-HYD-XX-XX-RP-C-7000) has been submitted to and approved in writing by the Local Planning Authority. The revised document shall address the following:

• Additional calculations are needed to demonstrate that there will be no unacceptable pollution risk to groundwater.

• The applicant needs to provide detailed drainage calculations, which must include all parts of the drainage system, pipework, attenuation ponds, soakaway/infiltration features etc.

• A plan showing the overland flow routes across the site should be provided to demonstrate that exceedance flows in excess of the 1 in 100yr storm + climate change is wholly and fully managed on site, and do not pose a risk to people or property (including those up and downstream of the site).

• The applicant needs to Demonstrate that all infiltration features are sited 5m of any building / public highway The Building Regs states that infiltration devices should not be built within 5m of a building/ road/ unstable land.

The development shall then be implemented in accordance with this approved document and remain so in perpetuity.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise the risk of pollution of the water environment.

6 Prior to occupation of the new teaching building, a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of pricing policy, hours of use, access by non-school users, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development.

Reason: To secure well managed safe community access to the sports facility, to ensure sufficient benefit to the development of sport and to accord with RSS/UDP/LP/LDF Policy

7 No part of the development shall be brought in to use until an updated School Travel Plan has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be brought in to use prior to the implementation of the approved Travel Plan. All measures capable of being implemented prior to the development being brought in to use shall be implemented accordingly, as per the timeline set out within the updated School Travel Plan.

Reason: In the interests of reducing the amount of private car movements to and from the development.

8 No part of the development shall be brought in to use until a car park signage scheme, directing users to the new car parking areas, has been submitted to and approved in writing by the LPA. The signage scheme shall thereafter be implemented in accordance with the approved details, prior to the development being brought in to use.

Reason: To ensure effective car park management in the interests of highway safety.

9 The development will be carried out in strict accordance with the following documents:

Arboricultural Impact Assessment & Method Statement. Report ref: DS/72023/AC. June 2023. Treecall Consulting Ltd

Ecological Assessment Report. V1.1. 13th July 2023 updated 18th December 2023.ABR. Ecology Ltd.

Planting Plan. Drawing no: KING-UBU-ZZ-ZZ-DR-L-3000. Rev. P05. UBU Design Ltd.

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

10 All soft landscaping comprised in the approved details of landscaping shall be carried

out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. 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.

11 No new external artificial lighting shall be installed at the site unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of conserving biodiversity.

12 No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 0800 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

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

Informatives:

Ecology:

All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.

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

Drainage:

Proposed discharge to the surface water sewer requires consent from Wessex Water.

The applicant is referred to Wiltshire Council's Surface Water Soakaway Guidance for the standards that must be met for planning approval and adoption.

Any proposals should be designed in accordance with the Non-statutory Technical Standards for Sustainable Drainage Systems and the latest SuDS Manual (C753).

Pursuant to condition 5, the detailed drainage strategy should include/demonstrate the following:

• The drainage strategy does not increase flood risk, as a result of catchment transfer.

• A detailed plan showing the existing drainage features on the site and how the proposed drainage strategy will be implemented.

• Surface water can be safely managed within the proposed development, up to and including a 1 in 100 year plus climate change event.

• Existing flood flow routes through the site have been maintained or where they will be affected, adequate measures to intercept and safely control flows through the site have been provided to ensure flood risk is not increased elsewhere.

• The strategy mimics the existing drainage characteristics of the site by retaining and utilising any existing drainage features.

• Measures to prevent pollution of the receiving groundwater and/or surface waters.

• A clearly labelled drainage layout plan showing the pipe networks and any attenuation ponds. The plan should show any pipe node numbers referred to within the

drainage calculations.

• The highest groundwater level should be at least 1m below the base of the proposed in filtration component.

• Calculations and drawings for the drainage system design showing designated holding areas and conveyance routes based on no flooding on site for a 1 in 30 year plus climate change rainfall event.

• Calculations and drawings for the drainage system design showing designated holding areas and conveyance routes based on no flooding on site for a 1 in 100 year plus climate change rainfall event in respect to a building (including basement) or utility plant susceptible to water within the development.

• Calculations should include an allowance for increased surface water runoff, as a result of urban creep, in accordance with LASOO guidance.

• Hydraulic Models should set the MADD factor / additional storage volume factor to 0m3 / ha in order to prevent an overestimation of storage capacity in the proposed drainage network.

• Infiltration Factor of Safety shall be provided in accordance with Table 25.2 of the CIRIA SuDS Manual, and justified as part of the calculation commentary

• A plan showing the cross sections and design of any attenuation pond and its components.

• Drawings showing conveyance routes for flows exceeding the 1 in 100 year plus climate change rainfall event that minimise the risk to people and property.

• Adequate measures during construction to control pollution to existing watercourses and groundwater.

• A construction management plan.

The Environment Agency issues environmental permits, however, as Wiltshire Council is the Lead Local Flood Authority that has the lead responsibility for surface water management, the discharge rate from the site must be agreed with Wiltshire Council as part of agreeing the surface water drainage strategy for the site.

Parvis Khansari - **Corporate Director, Place**

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.

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).

3 **Climate Change.** Wiltshire Council acknowledges the climate emergency and is seeking to make the county carbon neutral. You are encouraged to include energy efficiency that exceeds building regulations and to meet residual energy demand through renewable energy and low-carbon technologies, including high levels of electric vehicle charging points. The developer is encouraged to contact the climate team to discuss this further. climate@wiltshire.gov.uk

4 **CIL.** The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy