Wiltshire Council

The Town and Country Planning Act 1990

Notice of Approval of Reserved Matters

Application Reference Number: PL/2023/05033

Decision Date: 19 March 2024

Applicant:	Vistry Homes Limited (Vistry Western) C/o Agent
Particulars of Development:	Reserved Matters Application for the approval of appearance, landscaping, layout, and scale pursuant to permission reference PL/2021/07203 comprising the erection of 163 dwellings and associated infrastructure
At:	Land at Marshall Road, Devizes, Wiltshire

In pursuance of their powers under the above Act, the Council hereby PERMIT the above development to be carried out in accordance with the details of the RESERVED MATTERS submitted by you, and subject to compliance with the conditions specified here under:-

Conditions: (9)

1 The development hereby permitted shall be carried out in accordance with the following approved plans and documents ['Drawing/Report Reference' and 'Title']:

- Planning Statement (inc. SCI) [-] Planning Statement
- Open Space Assessment [-] Open Space Statement
- 0783-Marshall Road-Statement of Compliance_Part1 [-] Compliance Statement Part 1
- 0783-Marshall Road-Statement of Compliance_Part2 [-] Compliance Statement Part 2
- 0783-107 B Adoption Plan-A0L [Rev B] Adoption Plan
- 0783-106 A External Detailing-A3L [Rev A] External Detailing Plan
- 0783-108 B Materials Layout-A0L [Rev B] Materials Layout
- 0783-109 A Garages-A1P [Rev A] Garages Plan
- 0783-111 Cycle Store-A4L [Rev A] Cycle Store Plan
- 0783-112 B Land Use Plan-A0L [Rev B] Land Use Plan
- 0783-119 B EVCP and PV Panel Plan-A0L [Rev C] EVCP and PV Panel Plan
- 0783-120 C Bin Collection Plan-A0L [Rev C] Bin Collection Plan
- 0783-HTB Housetype Booklet-Issue 3-A3L [Rev 03] Housetype Booklet
- 0783-100 Topographical Survey-A0L [-] Topographical Survey
- 0783-101 Location Plan-A2L [-] Location Plan
- 0783-102 B Planning Layout-A0L [Rev B] Planning Layout
- 0783-103 B Street Scenes-A0L [Rev B] Street Scenes Plan
- 0783-104-1 B External Works Layout-A0L [Rev B] External Works Layout Part 1

• 0783-104-2 B External Works Layout-A0L [Rev B] External Works Layout Part 2
• 0783-104-3 B External Works Layout-A0L [Rev B] External Works Layout Part 3
• 0783-104-4 B External Works Layout-A0L [Rev B] External Works Layout Part 4
• 0783-104-5 B External Works Layout-A0L [Rev B] External Works Layout Part 5
• 0783-104-6 B External Works Layout-A0L [Rev B] External Works Layout Part 6
• 10364 - 101 - 01I – Engineering [Rev I] Engineering Plans Part 1
• 10364 - 101 - 02J – Engineering [Rev J] Engineering Plans Part 2
• 10364 - 101 - 03J – Engineering [Rev J] Engineering Plans Part 3
• 10364 - 200C - Impermeable Areas Plan [Rev C] Engineering Plans - Impermeable Areas Plan
• 10364 – 201C - Overland Flood Routes [Rev C] Engineering Plans - Overland Flood Routes
• 10380 - Surface Water Network 2Yr Surcharged Calcs [-] Engineering Plans - Surface Water Network 2Yr Surcharged Calcs
• 10364 - Surface Water Network - 30yr [-] Engineering Plans - Surface Water Network - 30yr
• 10380 - Surface Water Network 30Yr Surcharged Calcs [-] Engineering Plans - Surface Water Network 30Yr Surcharged Calcs
• 10380 - Surface Water Network 100+40 Calcs [-] Engineering Plans - Surface Water Network 100+40 Calcs
• 10380 - Surface Water Network 100+40 Surcharged Calcs [-] Engineering Plans - Surface Water Network 100+40 Surcharged Calcs
• CS-1568_Marshall Rd Devizes_Groundwater Monitoring Factual Report [-] Engineering Plans - Groundwater Monitoring
• Cover soil calc_STW_24-001_GCL_Vistry Homes, Marshall Road_V1 [-] Engineering Plans – Cover Soil Calculations
• 10364 - 202 - 01E - Vehicle Tracking - Refuse Vehicle [Rev E] Vehicle Tracking - Refuse Vehicle
• 10364 - 202 - 02E - Vehicle Tracking - Fire Tender [Rev E] Vehicle Tracking - Fire Tender
• 10364 - 202 - 03C - Vehicle Tracking - Delivery Vehicles [Rev C] Vehicle Tracking - Delivery Vehicles
• 10364 - 203C- Junction & Forward Visability Splays [Rev C] Junction & Forward Visibility Splays
• D49 09 P3 Rev A 1 of 2 Marshall Rd TPP A1 L 500 [-] Tree Protection Plan Part 1
• D49 09 P3 Rev A 2 of 2 Marshall Rd TPP A1 L 500 [-] Tree Protection Plan Part 2
• GL2031 01D Soft Landscape Proposals [Rev D] Soft Landscape Proposals Part 1
• GL2031 02D Soft Landscape Proposals [Rev D] Soft Landscape Proposals Part 2
• GL2031 03D Soft Landscape Proposals [Rev D] Soft Landscape Proposals Part 3
• GL2031 04D Soft Landscape Proposals [Rev D] Soft Landscape Proposals Part 4
• GL2031 05D Soft Landscape Proposals [Rev D] Soft Landscape Proposals Part 5
• GL2031 06D Soft Landscape Proposals [Rev D] Soft Landscape Proposals Part 6
• GL2031 07A Play Proposals [Rev A] Play Proposals
• GL2031 Landscape Management Plan Issue 2 [Rev 02] Landscape Management Plan
• Biodiversity Net Gain Assessment [-] Biodiversity Net Gain Assessment

• Ecological Statement of Compliance [-] Ecological Statement of Compliance
• P1281 Wildlife Enhancement Plan [-] Wildlife Enhancement Plan
• P1281_Devizes_Biodiversity Metric 4.0 Calculation Tool - macro-enabled [-] Biodiversity Net Gain Calculation
• P23755-R-PL-v2.1 [Rev 02] Lighting Strategy
• P23755-PL-02-p02 [Rev 02] Lighting Plan (No MF)
• P23755-A-02 (Street lighting with MF = 10) [Rev 02] Outdoor Lighting Report (with MF)
• P23755-A-01 (maintained street lighting) [Rev 01] Outdoor Lighting Report (no MF)
• Supporting Lighting Statement [-] Supporting Lighting Statement
• 7588 - Land at Marshall Road, Devizes - Rev 2 15.12.2023 [Rev 02] Energy and Sustainability Statement
• Badger Survey Plan [-] Badger Survey Plan
• Waste Audit [-] Waste Audit
• Multisport Ball Court Plan [-] Multisport Ball Court Plan
• LEAP Plan [-] LEAP Plan

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

2 Biodiversity enhancements will be incorporated into the development in accordance with the Wildlife Enhancement Plan and House Type Booklet. The installation of these features will be supervised by a professional ecologist and this part of the condition will be discharged when photographic evidence of installed features have been submitted to and approved in writing by the local planning authority. Ecological enhancements will continue to be available for the target species for the lifetime of the development.

• REASON: To provide enhancement for biodiversity.

3 External lighting will be installed in strict accordance with Proposed Lighting No MF Applied (Drawing no: P23755-PL-02 r02) and Outdoor Lighting Report. 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.

4 No development above slab level shall take place until details detailing how waste collections will function on the development site have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

• Reason: In order to demonstrate that waste collections can function on the

development site to meet the requirements of policies CP3 and WCS6.

Informative: This detail shall be produced in accordance with the guidance in the SPD and shall include:
• Alternative collection points identified in the area of parking bays.
• Collection point in private drives as highlighted in the diagram of the waste officers correspondence dated the 16/01/2024.
• All collection points need to be identified as highlighted in the diagram of the waste officers correspondence dated the 16/01/2024.

5 The dwellings shall be constructed to meet as a minimum the higher Building Regulations standard Part G for water consumption limited to 110 litres per person per day using the fittings approach as per the commitment in the Energy and Sustainability Statement by AES Sustainability Consultants Ltd dated October 2023.

• REASON: In order to deliver a development that delivers water efficiency opportunities to be maximised, to mitigate the impacts of climate change in the interests of sustainability, and to use natural resources prudently in accordance with the National Planning Policy Framework.

6 No development above slab level of any individual dwelling shall occur until final details of solar PV panels for that dwelling have been submitted to and approved in writing by the local planning authority. Details shall include, but not necessarily be limited to location, number, dimensions, and manufacturers details.

• REASON: To ensure that the objectives of sustainable development as encouraged by the Wiltshire Core Strategy and NPPF are achieved.

7 No development above slab level of any individual dwelling shall occur until final details of the air source heat pumps for that dwelling have been submitted to and approved in writing by the local planning authority. Details shall include, but not necessarily be limited to location, number, dimensions, and manufacturers details.

• REASON: To ensure that the objectives of sustainable development as encouraged by the Wiltshire Core Strategy and NPPF are achieved.

8 Prior to the first occupation of each dwelling the electric vehicle charge point for that

property hall be provided and made available to use in accordance with the hereby approved plans/details and the commitment made in the Energy and Sustainability Statement by AES Sustainability Consultants Ltd dated October 2023.

• REASON: To ensure that satisfactory facilities for the parking and charging of eclectic vehicles are provided and to encourage more sustainable forms of travel.

9 Prior to the first occupation of any dwelling the cycle parking for that property shall be provided and made available for use in accordance with the approved details. The cycle parking facilities shall be retained for use in accordance with the approved details at all times thereafter.

• REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

Informatives: (5)

10 Informative: The council requires an indemnity in order to operate on any roads that are not adopted, including during any period where the council needs to deliver waste collection services prior to adoption. The required arrangements are set out in section 5.8 of the Councils Waste storage and collection: guidance for developer's supplementary guidance document, with a sample indemnity provided in Appendix C of said document.

11 INFORMATIVES:
Protected Species General
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.

Nesting Birds
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.

12 Informative: Your attention is drawn to the conditions imposed on the outline planning permission reference PL/2021/07203 and dated 20th March 2023 and to any subsequent discharge of condition application approved in relation to the conditions thereby attached to that consent.

13 Informative: This permission shall be read in conjunction with the previous outline consent and associated Legal Agreement made under Section 106 of the Town and Country Planning Act 1990 and dated the 20th March 2023.

14 Wessex Water Informative – the content of the WW correspondence (7th September 2023) should be noted

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