Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/08810

Decision Date: 12 June 2024

Applicant:	GWE Candy and Sons Woolley Park Farm, Bradford on Avon, Wilts, BA15 1TT
Particulars of Development:	Erection of grain store, inputs building, access track, hard standing and associated works
At:	Woolley Park Farm, Bradford on Avon, Wilts, BA15 1TU

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: (13)

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. 2224-22-03C, 2224-22-04, 2224-FC-01, 2224-FC-02A, 222-FC-08 received on 31st August 2023
REASON: For the avoidance of doubt and in the interests of proper planning.

3 For the avoidance of doubt drawing No. 2224-22-03C contains building outlines

named “Future Straw Barn”, “Future Workshop” and “Future Machinery Store”. These are not part of this application. The only buildings granted planning permission are the Grain Store and the Inputs Building and the access and hard standings.

REASON: In order to define the terms of the permission.

4 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

1. Routing plan
2. Phases plan

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

5 No development shall commence on site until:

a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and

b) The approved programme of archaeological work has been carried out in accordance with the approved details.

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

NOTE: The work is to be carried out following the terms and conditions for archaeological strip, map and record excavations as set out by the Chartered Institute for Archaeologists (CIfA). The costs of the work are to be borne by the applicant.

6 No development shall take place until a site-specific groundwater flood risk assessment has been carried out in accordance with Wiltshire Council’s Groundwater

Management Strategy, and evidence has been provided to demonstrate that any groundwater flood risk has been managed and mitigated through the drainage design which has been submitted to and approved by the local planning authority.

REASON: 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, in the interests of flood prevention.

7 No development shall commence on site beyond slab level, until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

• location and current canopy spread of all existing trees and hedgerows on the land;
• full details of any to be retained, together with measures for their protection in the course of development;
• a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
• finished levels and contours;
• means of enclosure;
• all hard and soft surfacing materials;

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

8 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.

9 The development hereby permitted shall not be first brought into use until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

10 No development hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

REASON: In order to ensure a satisfactory drainage system is in place for the development.

11 No development shall take place until surface water drainage works have been implemented in accordance with Non-Statutory Technical Standards for Sustainable Drainage Systems or any subsequent replacements national standards and details that have been submitted to and approved in writing by the Local Planning Authority.

REASON: In order to ensure a satisfactory drainage system is in place for the development.

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

• Preliminary Ecological Appraisal Report. Report ref: 1373/V2.0. February 2024. Johns Associates.
• Tree Survey and Tree Constraints Plan. Report ref: 22.1515 Rev A. November 2023. WH Landscape.
• Replacement Farmyard. Drawing no: 2224-22-03 Rev C. Ashley Design.
• Landscape and Visual Impact Assessment. Report ref: 21.1405. WH Landscape.

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

enhancement of biodiversity.

13 No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation. The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals (ILP) Guidance Notes on the Avoidance of Obtrusive Light (GN 01/2021) and Guidance note GN08/23 “Bats and artificial lighting at night”, issued by the Bat Conservation Trust and Institution of Lighting Professionals.

REASON: To avoid illumination of habitat used by bats.

Informatives:

Drainage Informatives:

Pursuant to discharging condition 6, the following additional information must be provided:
• Groundwater level monitoring (taking into account seasonal variations).
• The interaction between different sources of flooding.
• How groundwater will impact on the proposed drainage system.
• The interaction between groundwater, groundwater recharge and aquifers.

Pursuant to discharging condition 10, the following additional information must be provided:
• Management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.
• Verification report providing photographic evidence of construction as per design drawings;
• As built construction drawings if different from design construction drawings.

Pursuant to discharging condition 11, condition the following additional information must be provided:
• The applicant plans to restrict discharge rates from the site to the greenfield Qbar rate for all events up to the 1 in 100 year + climate change storm; it is acknowledged that for the higher return period rainfall events this will provide betterment, however

this will not provide the required level of betterment for lower return period events (such as the 1 in 1 year rainfall event), in line with Wiltshire Council's betterment policy for greenfield sites;
"With regards the control of surface water discharges from greenfield sites, Wiltshire Council requires post development discharges to provide 20% betterment over pre-development (greenfield) discharges for both peak flow and volume. To demonstrate compliance, the applicant must provide pre and post development runoff rates for a range of return periods (1, 30 and 100 year), and pre and post development runoff volumes for the 100 year, 6 hour rainfall event. This takes account of national policy, as outlined in the SuDS Technical Standards."
The applicant must provide calculations which demonstrate that the required 20% betterment against greenfield rates has been achieved for all storm events between the 1 in 1 year and the 1 in 100 year return period storm events.
• The applicant is proposing to discharge into an existing drainage ditch. Evidence should be provided to demonstrate that this drainage ditch has capacity to manage existing flows and flows from the proposed development, and that the capacity of any downstream network/infrastructure is fully understood.
• Calculations that demonstrate the following:
- The 1 in 30 year rainfall event is contained within the drainage system without causing flooding to any part of the site.
- The 1 in 100 year plus climate change rainfall event does not cause flooding to any building (including a basement) or utility plant.
- SuDS features have been sized appropriately.
- The drainage system provides a sufficient level of water treatment to prevent pollution of the receiving watercourse.
• A clearly labelled drainage layout plan showing the pipe networks and any SuDS features. The plan should show any pipe/node numbers referred to within the drainage calculations.
• Detailed drawings, including cross sections, for all SuDS features.
• An exceedance routing plan that demonstrates that the site has been designed to ensure that flows in excess of the 1 in 100 year rainfall event are managed in exceedance routes that minimise the risks to people and property.
• Should the applicant propose to use any infiltration as part of the drainage strategy, the applicant should produce a contamination risk assessment that demonstrates contamination risk can be appropriately managed, given the site's proximity to SPZII.
• A construction management plan, which shall include monitoring of, and measures to retain, the existing vegetation across the site, together with details of drainage arrangements during the construction phase, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.

General:
The surface water drainage strategy should include/demonstrate the following:
• Existing greenfield runoff rates for the site.
• Post development runoff rates in accordance with Wiltshire Council's betterment

policy update, which can be found here.
• A detailed plan showing the existing drainage features on the site and how the proposed drainage strategy will be implemented.
• A detailed topographical survey that clearly identifies the existing drainage features on the site as well as level contours to show overland flow routes.
• If infiltration is proposed, soakage tests in accordance with BRE 365 to demonstrate that infiltration is feasible.
• 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;
• SuDS source control measures to manage water quantity and maintain water quality have been implemented wherever possible and throughout the management train so the development is not reliant upon large attenuation features close to the points of discharge.
• SuDS have been selected to provide a wide range of benefits including amenity, biodiversity and maintaining water quality.
• Adequate measures during construction to control pollution to existing watercourses and groundwater.
• The strategy mimics the existing drainage characteristics of the site by retaining and utilising any existing drainage features.
• 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.
• If infiltration is proposed, it is implemented in manner that does not create an offsite impact, particularly if there are reports of groundwater flooding in the area.
• Surface water can be safely managed within the proposed development, up to and including a 1 in 100 year plus climate change event.
• Exceedance routes that minimise the risks to people and property.
• Details of how the proposed and existing drainage features on the site will be maintained and managed after completion with confirmation from the relevant authority that they will adopt any systems that are being offered for adoption.

Wiltshire Council is the land drainage authority under the Land Drainage Act 1991. Land drainage consent is required if a development proposes to discharge flow into an ordinary watercourse or carry out work within 8m of an ordinary watercourse.

An ordinary watercourse is a watercourse that does not form part of a main river. The term watercourse includes all rivers and streams and all ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows.

Ecology informatives:

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.

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.

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