Wiltshire Council

The Town and Country Planning Act 1990

Notice of Approval of Reserved Matters

Application Reference Number: PL/2023/06727

Decision Date: 29 August 2024

Applicant:	Taylor Wimpey Bristol 730 Waterside Drive, Aztec West, Almondsbury, Bristol, UK, BS32 4UE
Particulars of Development:	Reserved Matters Application for Appearance, Landscaping, Layout and Scale for the Erection of 120no. Dwellings, Pursuant to Outline Planning Permission 17/08554/OUT
At:	Land at Showell Nurseries, Showell, Chippenham, Wiltshire, SN15 2NU

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: (16)

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

21537 PL-03 C Planning Layout
21537 PL-04 C Materials Layout
21537 PL-05 C Heights Layout
21537 PL-06 C Ecology Layout
21537 PL-07 C POS Layout
21537 PL-08 B Boundary Materials
21537 PL-09 B Indicative PV Layout
21537 PL-10 Private Amenity Plan
21537 PL-11 Parking Strategy Plan
21537 103-01 O Track-Plot-Refuse
21537 APT-01B Apartments 65-69
JBA 20-310-DT1 Typical Tree Pit
JBA 20-310-DT2 Typical Tree Pit
JBA 20-310 -01 Q Detailed Landscape Proposals
JBA 20-310 -02 Q Detailed Landscape Proposals
JBA 20-310 -03 Q Detailed Landscape Proposals

JBA 20-310 -04 Q Detailed Landscape Proposals
JBA 20-310 -05 Q Detailed Landscape Proposals
21537 70-01 H Trees-Foundations
21537 71-01 J Root-Barrier-Locations
21537 102-01 L Planning-Slab-Levels
(received 19 July 2024)

D6 74 P1 E Showell Tree Protection Plan
(received 29 May 2024)

Energy Statement dated April 2024 by JSP Sustainability Ltd
D6 74 02 Showell Complete AMS (April 2024)
21537 APT-02A Apartments 70-75
21537 SE-01 B Street Scenes
21537 ED-01 A Enclosure Details
21537 HT (pack) House Types (April 2024)
21537 GAR Garage Drawings
(received 10 May 2024)

2_111 Location Plan
(received 8 August 2023)

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

2 The development shall be carried out in full accordance with the recommendations contained in the Ecological Appraisal dated August 2017, its Addendum dated October 2019 and the recommendations within section 4.0 of the submitted Ecological Technical Note (May 2024).

REASON: In the interests of enhancing and protecting biodiversity

3 Prior to the commencement of the development hereby approved, a plan showing the required service and utility routes within the highway domain shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

All services and hard surfaces within 5 metres of tree trunks will be protected using a root barrier system ‘Green-Tech Root Barrier 260 Permeable’ (or similar as approved) laid to the depth required to protect adjacent services and hardstanding.

REASON: To ensure that trees are planted in a manner that protects their longevity

4

No development shall commence above slab level until updated Detailed Landscape Proposal plans, which exclude the provision of narrow fastigiate trees in street tree locations, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved plan and details.

REASON: To secure the provision of appropriate street trees within the site in the interests of visual amenity and the environment.

5 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, 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

6 Prior the first occupation of any of plots 5, 7, 8, 9, 10, 120 & 109, details of the method of securing the long term retention of the tree planting within the rear gardens of those plots shall be submitted to and approved in writing by the Local Planning Authority. The agreed methodology shall be implemented prior to the first occupation of each plot and maintained in perpetuity thereafter.

REASON: To secure the long term viability of the landscaping scheme.

7 All new trees and tall native hedgerows planted in close proximity to adoptable highway edges and cycleways/footways whether within POS or private gardens should incorporate appropriate root barriers to prevent longer term root ingress into highway drains and lifting/cracking damage to paving.

REASON: In the interests of pedestrian and highway safety, and the amenity of the area

8 No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained

tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 “Tree Work – Recommendations” or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practice.

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.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be Retained on the site or adjoining land.

[In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later].

REASON: In order that the development is undertaken in an acceptable manner and to ensure the retention of trees on the site in the interests of visual amenity.

9 No dwelling, without an associated garage, as shown on approved plan Planning Layout PL03 Rev C, shall be occupied until a wooden shed measuring no less than 8ft x 4ft has been provided within the rear garden of the dwelling and retained thereafter.

REASON: In the interests of providing bicycle storage to promote sustainable means of transport

10 The roads, footpaths, parking spaces 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 base course level between the dwelling and existing highway.

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

11 Each dwelling shall be provided with an Air Source Heat Pump and Solar Panels in accordance with the approved Energy Statement received 10 May 2024.

Notwithstanding the approved Energy Statement and plans, no Solar Panels or Air Source Heat Pumps shall be installed until details, including a site arrangement plan, have been submitted to and approved in writing by the Local Planning Authority.

The installation works shall be carried out in accordance with the approved details.

No dwelling shall be occupied until the Solar Panels & Air Source Heat Pump on that respective dwelling are installed and brought into operation.

The Air Source Heat Pumps to be installed shall meet the requirements of the Microgeneration Certification Scheme Planning Standards (MCS) or equivalent.

REASON: In the interests of achieving sustainable development and residential amenity

12 Each dwelling shall be fitted with a minimum of 1 integrated universal nesting brick per dwelling prior to occupation of the dwelling unless alternative provision is agreed in writing by the LPA.

REASON: In the interests of increasing biodiversity within the development

13 Within one month of the first available use of the play area shown on the approved Planning Layout PL03 Rev C, 2 bins to a specification previously approved in writing by the Local Planning Authority shall be provided and retained permanently thereafter.

REASON: In the interests of residential amenity

14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no gates, fences, walls or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site.

REASON: In the interests of visual amenity.

15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for

additions/extensions or external alterations.

16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety

Informatives: (6)

17 Your attention is also drawn to the conditions imposed on the outline planning permission reference 17/08554/OUT and dated 13 August 2020. Furthermore this permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the 4 August 2020.

18 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. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy.

19 Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

20 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.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

21 The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. 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.

22 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Wiltshire Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Before commencing development, you should consider whether a Biodiversity Gain Plan needs to be submitted and approved. Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action for breach of planning control.

For further information please refer to:
https://www.gov.uk/government/collections/biodiversity-net-gain#developer-guidance

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