

The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2024/05746

Decision Date: 28 October 2024

Applicant: SLR Consulting Ltd
POL Point , Larkhill Military Barracks , Brackenbury Road,
Larkhill, Wiltshire, United Kingdom, SP4 8NA

Particulars of Development: Replacement of existing petrol, oil, and lubricant (POL)
station with associated works

At: Larkhill Military Barracks, The Packway, Larkhill, Wiltshire,
SP4 8QT

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: (8)

- 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 documents and plans:
Drawing Ref: 01 Rev P00 Site Location Plan, dated 12/08/2024
Drawing Ref: 219580-AA-ZZ-ZZ-DR-X-1003 Rev P02 MTFI Topographical, Drainage and Utility Site Survey, dated 02/07/2024
Drawing Ref: 219580-AA-ZZ-ZZ-DR-X-1004 Rev P02 Proposed Site Layout, Scale 1:200 @ A1, dated 02/07/2024
Drawing Ref: 219580-AA-ZZ-ZZ-DR-X-1005 Rev P02, Proposed Site Layout, Scale 1:100 @ A1, dated 02/07/2024

Drawing Ref: 219580-AA-ZZ-ZZ-DR-X-1006 Rev P02 Proposed Site Layout – CCTV Detail, dated 02/07/2024

Drawing Ref: 219580-AA-ZZ-ZZ-DR-X-1007 Rev P02 Proposed Drainage Layout, dated 02/07/2024

Drawing Ref: 219580-AA-ZZ-ZZ-DR-X-1008 Rev P02 Proposed Side Elevations, dated 02/07/2024

Drawing Ref: 219580-AA-ZZ-ZZ-DR-X-1009 Rev P02 Proposed End Elevation, dated 02/07/2024

Drawing Ref: 219580-AA-ZZ-ZZ-DR-X-1010 Rev P02 Proposed Kiosk Plan View, dated 02/07/2024

Drawing Ref: 219580-AA-ZZ-ZZ-DR-X-1011 Rev P03 Kiosk Elevations Internal works only proposed, dated 20/08/2024

Drawing Ref: 219580-AA-ZZ-ZZ-DR-X-1004 Rev P02 Proposed Site Layout – General oil tanker swept path analysis, dated 02/07/2024

Drawing Ref: 219580-AA-ZZ-GF-DR-X-1013 Rev P01 Transflo equipment layout and requirements, dated 12/12/2023; and

Drawing Ref: 219580-AA-ZZ-ZZ-DR-X-1014 Rev P01 Proposed Isometric Elevations, dated 12/12/2023

Biodiversity Net Gain (BNG) Assessment V2 dated 12/06/2024

Biodiversity Metric Condition Assessment dated Feb 2024

Ecological Impact Assessment (EcIA) dated 13/06/2024

External Lighting Impact Assessment (Part 1 Rev A – 15/03/2024)

External Lighting Impact Assessment (Part 2 – 21/05/2024)

Flood Risk Assessment and Surface Water Drainage Scheme dated 07/05/2024

Geo Environmental Site Investigation Report dated 26/04/2024

Historic Environment Desk Based Assessment (HEDBA) dated 11/01/2024

Landscape and Visual Appraisal (LVA) dated 11/06/2024 including 402.062255.00001 Rev P04 Larkhill POL Landscape Proposals Plan

Transport Statement dated 16/04/2024

Tree Survey Report dated January 2024

Arboricultural Development Statement (ADS) dated May 2024 including Tree Survey Schedule and Tree Survey Plan CBA11812.01 TSP, Root Protection Area Schedule, Landscape Proposals Plan/Tree Protection Plan (402.062255.00001 Rev P03 Larkhill POL Landscape Proposals is superseded by Rev P04 in the EcIA and LVA), Pre-commencement Tree Works Schedule)

Shadow Habitat Regulations Assessment, dated 21/08/2024

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

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

- Ecological Impact Assessment (EcIA) Rev3 dated 13/06/2024
- External Lighting Impact Assessment (Part 2 – 21/05/2024)
- Statutory Biodiversity Metric. May 2024. SLR Consulting

- Drawing Ref: 219580-AA-ZZ-ZZ-DR-X-1007 Rev P02 Proposed Drainage Layout, dated 02/07/2024
- Drawing Ref: 219580-AA-ZZ-ZZ-DR-X-1005 Rev P02, Proposed Site Layout, Scale 1:100 @ A1, dated 02/07/2024
- Shadow Habitat Regulations Assessment, dated 21/08/2024
- Tree Survey Report dated January 2024
- Arboricultural Development Statement (ADS) dated May 2024 including Tree Survey Schedule and Tree Survey Plan CBA11812.01 TSP, Root Protection Area Schedule, Pre-commencement Tree Works Schedule)

No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until the protective tree fencing shown on the Landscape Proposals (drawing Ref: 402.062255.00001 Rev P04 dated 24/05/2024 included at appendix C of the EclA) and Tree Survey Schedule and Tree Survey Plan CBA11812.01 TSP in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction - Recommendations"; have been erected in accordance with the approved details. 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 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.

Areas of grassland disturbed during the works shall be reinstated in accordance with the approved Landscape Proposals (drawing Ref: 402.062255.00001 Rev P04 dated 24/05/2024) in the first planting and seeding season following the completion of the development. Any reinstated grassland 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.

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

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Remediation Strategy

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. An additional site investigation scheme, based on the SLR Ltd Geoenvironmental Site Investigation Report dated 26 April 2024 to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
2. The results of the site investigation and the detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
3. A verification plan providing details of the data that will be collected in order to

demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution in line with paragraph 180 of the National Planning Policy Framework.

5 Verification Report

Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

REASON: To ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with Paragraph 180 of the National Planning Policy Framework.

6 Contamination Not Previously Identified

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

REASON: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with Paragraph 180 of the National Planning Policy Framework.

7 Storage of above ground fuels and oils.

No development approved by this planning permission shall commence until details of any facilities for the storage of oils, fuels associated with this development shall be submitted to and approved by the local planning authority. The details shall include: -

- secondary containment that is impermeable to both the oil, fuel, and water, with no opening used to drain the system.

- a minimum volume of secondary containment at least equivalent to the capacity of the tank plus 10% or, if there is more than one tank in the secondary containment, at least equivalent to the capacity of the largest tank plus 10% or 25% of the total tank capacity, whichever is greatest.
- all fill points, vents, gauges, and sight gauge located within the secondary containment.
- associated above ground pipework protected from accidental damage.
- below ground pipework having no mechanical joints, except at inspection hatches and have either leak detection equipment installed or regular leak checks.
- all fill points and tank vent pipe outlets designed to discharge downwards into the bund.

The scheme shall be implemented as approved prior to any storage of oils and fuels.

REASON: To ensure that the proposed, does not harm groundwater resources in line with paragraph 180 of the National Planning Policy Framework.

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Infiltration of surface water

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters and shall be submitted to and approved in writing by the local planning authority prior to installation. The development shall be carried out in accordance with the approved details.

REASON: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 180 of the National Planning Policy Framework.

Informatives: (3)

Bird Nesting

The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding.

Please be advised that works should not take place that will harm nesting birds from March to August inclusive. 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.

Environment Agency

More guidance is available on the following link Oil storage regulations for businesses - <https://www.gov.uk/guidance/storing-oil-at-a-home-or-business>.

Biodiversity Net Gain

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 the 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.

Biodiversity gain plans are required to be submitted to, and approved by, the planning authority before development may be begun and need to demonstrate how the biodiversity objective (10% biodiversity net gain) will be met.

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

