Wiltshire Council

The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/11008

Decision Date: 04 December 2024

Applicant:	Coulston Estates Ltd Baynton House, Coulston, Wiltshire, BA13 4NY
Particulars of Development:	Demolition of redundant stone barns; Conversion and extension of farmhouse to form co-working hub and children's nursery at ground floor (Class E) and conversion of first floor to a single residential apartment (Class C3); Erection of convenience store (Class E); and associated access and landscaping works (Amended Design)
At:	Southview Farm, Drynham Road, Trowbridge, BA14 0PJ

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: (19)

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 and documents:

Drawing Numbers AL(0): 01C (location plan), 02B (Existing site Plan), 03A (demolition plan), 06 (existing barn elevations), 07 (existing garage elevation and floor plan),12C (proposed retail unit elevations and floor plan) received by the Local Planning

Authority on 18th December 2023

19682-PDL-01 Rev E (drainage strategy) received by the Local Planning Authority on 22nd January 2024

Drawing Numbers AL(0): 11T (proposed layout plan), 13B (proposed farmhouse elevations and floor plans) and Drawing Numbers 259-SCH-001 (Plant schedule), 259-G101 (landscape strategy part 2) received by the Local Planning Authority on 20th March 2024

Drawing Numbers: 22051-GA01 Rev F (Proposed site access), 3420-DFL-ELG-XX-LD-EO-13001-S3-P01 (horizontal illuminance), eg230014.03 (lighting assessment) and Drawing Numbers AL(0): 10K (proposed site plan), 15D (proposed street scene) received by the Local Planning Authority on 14th May 2024

3420-DFL-ELG-XX-RP-EO-13001-S3-P03 (lighting strategy), 3420-DFL-ELG-XX-LD-EO-13002-S3-P02 (Lighting report), 3420-DFL-ELG-XX-LD-EO-13001-S3-P02 (lighting plan) BNG sites metric received by the Local Planning Authority on 2nd September 2024

Drawing Numbers 259-003_P5 (Landscape Plan, 259-201_P4 (planting plan), 259-801_P4 (Illustrative masterplan), LEMP, Ecology Note dated September 2024 received by the Local Planning Authority on 2nd September 2024

Landscape Plan. Drwg. No. 259-003. P5. (Greenhalgh Landscape Architecture, 04/05/2023). Further Ecological Information (Engain, 27th August 2024).Updated Metric. Completed by JF (Engain, 28th August, 2024).Lighting Strategy. Version V2.3: Rev. 3 (updated 19/08/2024) (DFL, March 2024). Landscape and Ecology Management Plan. Rev. 02 (Engain, 02/09/2024).

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

3 No development shall commence on site until details and samples of the materials to be used for the external walls, roofs, windows, doors, access, parking areas, footways, walls have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

4 The development hereby approved shall not commence on site until a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority. The CMP shall include details of the following relevant measures:

i. An introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location;
ii. A description of management responsibilities;
iii. A description of the construction programme;
iv. Site working hours and a named person for
residents to contact;
v. Detailed Site logistics arrangements;
vi. Details regarding parking, deliveries, and
storage;
vii. Details regarding dust and noise mitigation;
viii. Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network; and
ix. Communication procedures with the LPA and local community regarding key construction issues – newsletters, fliers etc.3

There shall be no burning undertaken on site at any time.

Construction hours shall be limited to 0800 to 1800 hrs Monday to Friday, 0800 to 1300 hrs Saturday and no working on Sundays or Bank Holidays.

REASON: To ensure high design and place shaping such that appropriate levels of amenity are achievable

5 No works shall commence on the proposed retail unit above slab level until an assessment of the acoustic impact arising from the operation of the proposed retail unit and associated plant room shall be undertaken in accordance with BS 4142:2019. The assessment shall be submitted to and approved in writing by the Local Planning Authority together with a scheme of attenuation measures to demonstrate the rated level of noise shall be -5dB below background for new plant and is protective of local amenity. Background levels are to be taken as a 15 minute LA90 at the boundary of the nearest residential noise-sensitive receptors. The development shall then be carried out in accordance with the approve details.

A post installation noise assessment shall be carried out within 3 months of the first use of the retail unit hereby approved to confirm compliance with the noise criteria and additional steps required to achieve compliance shall be taken, as necessary. The details as approved shall be implemented prior to occupation of the development and thereafter be permanently retained.

REASON: To Ensure high design and place shaping such that appropriate levels of amenity are achievable

6

Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The CEMP shall include a detailed marked-up plan showing detail of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:
a) Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.
b) Location of temporary work areas/construction compounds.
c) Details on locations of any construction lighting (if required: Note: this must be kept away from boundary features).
d) Working method statements for protected/priority species, such as nesting birds and reptiles.
e) Mitigation strategies already agreed with the local planning authority prior to determination, such as for great crested newts, dormice or bats; this should comprise the preconstruction/construction related elements of strategies only.
f) Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.
g) Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).
h) Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.

Development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable

7 The lighting shall be installed and shall be maintained in accordance with the approved details (Lighting Strategy. Version V2.3: Rev. 3 (updated 19/08/2024) (DFL, March 2024) and no additional external lighting shall be installed on site.

The development hereby approved shall not be first put into use until a post-development lighting survey conducted in accordance with section 8.3.4 of the Trowbridge Bat Mitigation Strategy has been submitted to and approved by the Local Planning Authority. This lighting survey shall demonstrate compliance with the approved lighting plans, having implemented and retested any necessary remedial measures

REASON: In the interests of the amenities of the area, to minimise unnecessary light

spillage above and outside the development site and to core bat habitat meets the requirements of the Trowbridge Bat Mitigation Strategy.

8 Prior to the first use of the retail unit hereby approved, details of the opening and closing hours and timings of deliveries shall be submitted to and approved in writing by the Local Planning Authority.

The uses shall then be carried out in accordance with the approved details.

REASON: In the interest of neighbouring amenity levels.

9 Prior to the first use of the co-working hub hereby approved, details of the opening and closing hours and timings of deliveries shall be submitted to and approved in writing by the Local Planning Authority.

The uses shall then be carried out in accordance with the approved details.

REASON: In the interest of neighbouring amenity levels.

10 Prior to the first use of the childrens nursery hereby approved, details of the opening and closing hours and timings of deliveries shall be submitted to and approved in writing by the Local Planning Authority.

The uses shall then be carried out in accordance with the approved details.

REASON: In the interest of neighbouring amenity levels.

11 No part of the development hereby approved shall be first brought into use/occupied, until the footway has been provided and surfaced over the site frontage in accordance with the approved plans (22051-GA01 F) in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

12 No part of the development hereby approved shall be first brought into use/occupied until full details of the relocation of the street lighting apparatus has been submitted to and approved in writing by the Local Planning Authority

REASON: In the interests of safe and convenient use of the access and the footway.

13 No part of the development hereby approved shall be first brought into use/occupied, until access to the site has been provided in accordance with the approved plans (22051-GA01 F).

REASON: In the interests of highway safety.

14 No part of the development shall be first brought into use/occupied, until the visibility splays shown on the approved plans (22051-GA-01 Rev F) have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall always be maintained free of obstruction thereafter for the lifetime of the development.

Reason: In the interests of highway safety.

15 The front boundary wall must not exceed 600mm in height for a minimum of 2m either side of the vehicle access and must be free of obstruction above this height of 600mm.

REASON: In the interests of highway safety.

16 The proposed development hereby approved shall not be first brought into use/occupied until means/works have been implemented to avoid surface water from the access area entering the highway.

REASON: To ensure that the highway is not inundated with water from the car park area.

17 No part of the development hereby approved shall be first brought into use/occupied until the access, turning area, parking spaces and cycle parking facilities have been completed, consolidated and surfaced in accordance with the details shown on the approved plans (2226 AL(0)10 K).

The parking spaces shall be allocated and demarcated and always be maintained for those purposes thereafter and maintained free from the storage of materials for the lifetime of the development.

The cycle parking shall be retained for use in accordance with the approved details for the lifetime of the development.

REASON: In the interests of highway safety.

18 The development hereby permitted shall not be first brought into use/occupied until the keep clear road markings have been installed.

REASON: In the interests of highway safety.

19 In the event that contamination is encountered at any time when carrying out the approved development, the Local Planning Authority must be advised of the steps that will be taken by an appropriate contractor; to deal with contamination and provide a written remedial statement to be followed be a written verification report that confirms what works that have been undertaken to render the development suitable for use.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Informatives: (3)

20 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.

21 The applicant should be informed that every effort should be made to avoid deliveries at nursery pick up and set down times.

The application involves the creation of a new vehicle access. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire’s Highway Authority

before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website at http://wiltshire.gov.uk/highways-streets to make an application.

22 SAFETY

Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3months notice before works start. Initially the outside party should contact assetprotectionwestern@networkrail.co.uk.

DRAINAGE

Soakaways / attenuation ponds / septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure. Ground levels – if altered, to be such that water flows away from the railway. Drainage does not show up on Buried service checks.

GROUND LEVELS

The developers should be made aware that Network Rail needs to be consulted on any alterations to ground levels. No excavations should be carried out near railway embankments, retaining walls or bridges.

FOUNDATIONS

Network Rail offers no right of support to the development. Where foundation works penetrate Network Rail's support zone or ground displacement techniques are used the works will require specific approval and careful monitoring by Network Rail. There should be no additional loading placed on the cutting and no deep continuous excavations parallel to the boundary without prior approval.

SAFETY BARRIER SHORTER

Where new roads, turning spaces or parking areas are to be situated adjacent to the railway; which is at or below the level of the development, suitable crash barriers or high kerbs should be provided to prevent vehicles accidentally driving or rolling onto the railway.

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 Community Infrastructure Levy (CIL) - Wiltshire Council