

Agenda item

20/03641/OUT - Land South of White Horse Business Park, Trowbridge, Wilts

- [Meeting of Strategic Planning Committee, Wednesday 19 March 2025 10.30 am \(Item 27.\)](#)

Outline application for up to 70 dwellings, landscaping, green infrastructure, associated drainage measures and vehicular access from the A363 as well as all associated works. Matters to be considered: Access into the site.

Minutes:

Public Participation

Francis Morland spoke in objection to the application.

David Murray-Cox (agent) spoke in support of the application.

Cllr Roger Evans of North Bradley Parish Council spoke in objection to the application.

Jemma Foster, Senior Planning Officer, introduced a report which recommended that the 'outline application for up to 70 dwellings, landscaping, green infrastructure, associated drainage measures and vehicular access from the A363 as well as all associated works. Matters to be considered: Access into the site' be delegated to the Director of Planning to grant outline planning permission subject to the prior completion of a Section 106 legal agreement to cover the contributions identified in Section 10.10 of the report, and subject to conditions.

Key details were stated to include the principle of development and access. The application was located outside the limits of development of Trowbridge; however, the land had been allocated as a housing site under Wiltshire Housing Site Allocations Plan (WHSAP) as site H2.2. The H2.2 allocation was for up to 175 dwellings; this proposal was part of the land allocated within the north of the allocation and was for up to 70 dwellings. It was noted that there was a separate full application being assessed by officers for 62 dwellings within the H2.2 allocated site.

The application site measured 8.37 hectares, and was bordered by the A363 to the North, North Bradley to the West, the White Horse Business Park to the East and agricultural land to the South. The agricultural land classification was grade 3 and 4 and was in flood zone 1. There were 3 trees protected by Tree Protection Orders (TPO's) on the site in the existing tree belt. A masterplan had been submitted for the application, identifying key areas including green corridors/dark corridors, the location of the play area and the location of the housing. The WHSAP housing allocation required the dwellings to be situated in the North and North East of the site.

There had been some revisions to the application since its initial submission, with a reduction in dwellings from 92 to up to 70 and the removal of a 64 bed care home.

Concerns had been raised by North Bradley Parish Council regarding the site not complying with the Trowbridge Bat Mitigation Strategy, largely related to the Eastern boundary of the site. It was noted that the strategy required 30m buffers. The proposed site buffer within the application site measured 15m. However, outside of the site boundary, there was a mature woodland tree belt. This, combined with the buffer inside the site boundary complied with the 30m buffer required by the Trowbridge Bat Mitigation Strategy. There was also a Lighting Strategy which demonstrated dark corridors along the Eastern boundary, as well as other locations on the site.

The proposed access to the site was off the A363, this included a right hand turn lane; a toucan crossing; foot and cycle paths and 2 new bus stops including shelters. The application had been supported by Wiltshire Council Highways. Attention was drawn to full details in the report on discussions with Network Rail and the possible stopping up of pedestrian level crossings at Yarnbrook and White Horse Level Crossings.

The application was recommended for approval as the site was allocated in the WHSAP plan and the Neighbourhood Plan, it complied with the WHSAP requirements and was supported by statutory consultees. The applicant had agreed to S106 contributions including 30% affordable housing; play areas; sporting pitch provisions; an early years contribution; a highway package including cycling improvements and a travel plan and monitoring fee; air quality contributions; Public Rights of Way (PROW) improvement contributions; ecology contributions; compliance with the Trowbridge Bat Mitigation Strategy; and waste and art contributions.

It was noted that an addendum to the report was published in agenda supplement 2 including updates on CIL and that the public open space was to be managed by a management company or Council Nominee. This could allow Trowbridge Town Council to take on the management of the open space. Also detailed in the supplement was a change in the wording of the recommendation and condition 16.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought on the buffer zone for the Trowbridge Bat Mitigation Strategy as part of the tree belt was outside the site boundary. The officer clarified that the tree belt was on a site which had permission for residential dwellings, and they did not have TPOs, so they could possibly be cut down. However, there was a hedgerow there as well, the removal of which would require consent from the local Planning Authority so the 30m buffer would remain.

Members also queried how far the site was from Trowbridge Town Centre and the size of the gardens, which looked small. It was clarified that gardens would form part of the reserve matters application, but there were guidelines regarding size. A question was asked regarding PROW to Woodmarsh Road, and further questions regarding the conditions particularly related to bats, acoustics and lighting and

the removal of the care home. Most of these were covered by conditions and would be looked at in greater detail in the reserve matters application.

Members of the public then had the opportunity to present their views to the Committee as detailed above.

The unitary division member, Cllr Horace Prickett (Southwick division), then spoke in objection to the application. Cllr Prickett concurred with all the points raised by North Bradley Parish Council who had highlighted that there was not a master plan covering the whole H2.2 allocation. A summary of their concerns was contained in paragraph 8 of the report. Mainly they felt that the Elm Grove development had not been taken into consideration, and the access for both sites would be close together on to the A363 which was already a congested road. It was felt that there was a need to safeguard the link road through the village of Woodmarsh and the parish council wanted to ensure that the S106 agreement adequately covered traffic calming and wanted this added to conditions.

In response to public statements the officer stated that the master plan did not include all of the site. There were slight differences in the master plan outline, compared to the WHSAP site H2.2 allocated land due to land ownership changes. It was clarified that the WHSAP allocation for H2.2 was for up to 175 dwellings, this application which was in that allocation was for up to 70 dwellings, and the other application received which was also in H2.2 was for up to 62, so this gave a combined total of up to 132, which was less than the allocation. There had been further issues identified with bats since the WHSAP allocation, which required a larger buffer and so the dwelling numbers were reduced.

Furthermore, the officer clarified that in the WHSAP allocation it stated clearly that housing should be located to the North and North East of the site. The area of land not included in the master plan was to South and so would be used for bat mitigation purposes. Highways impact had been assessed and found to be acceptable. The officer had also discussed traffic calming in Woodmarsh with highways officers and they did not support this.

At the request of Members, the officer explained that the Trowbridge Bat Mitigation Strategy was guidance, rather than policy. In addition, the Elm Grove site across the road already had permission and the build had started, so there was nothing that could be done to co-join the 2 accesses. Furthermore, despite asking for clarity from those who had raised this, the officer was unaware of where the master plan and the site allocation did not match up apart from very minor differences of maybe metres. Those minor differences meant that the site masterplan was smaller than the allocation. The parcels of allocated land not included were far too small to see further speculative applications on them. If one was talking about the outline on the master plan which was dotted black, this was in the South of the site and was primarily for bat mitigation. If a separate speculative application was submitted for this parcel, then that would be dealt with at the time of application.

Cllr Stewart Palmen proposed the officer recommendation, which was seconded by Cllr Carol King.

A further question was asked regarding which Committee the reserve matters application would go to when received, the officer stated that this would be the Western Area Planning Committee (WAPC). Members noted that WAPC had recently refused a reserve matters application as it varied so much from the original outline matters application.

Members noted that there was £120,000 within the S106 for child minding and wondered how that was implemented. The planning officer was unaware of the full details regarding implementation; however, this had been requested by the Wiltshire Council education department and was fairly standard on large applications. The planning officers would request that the education team contact Cllr Newbury to explain the process.

Cllr Ernie Clark pondered whether anything more could be done regarding the parish council request regarding traffic calming on Woodmarsh. The officer explained that Highways had not felt this was necessary. It was explained that all conditions/S106 contributions had to pass the 6 tests (detailed in the report) and to have the agreement of the applicant. If Members wanted the application to address that concern, the suggestion was that the issue be delegated back to officers, so that it could be discussed with Highways and the applicant. So, the recommendation could be amended to similar to the following; to delegate to officers to grant permission, subject to a S106 agreement and conditions and consideration of the possibility of adding traffic calming in Woodmarsh to the S106, in consultation with Highways and the local division Member.

The officers noted that this did not mean that planning permission would be refused if it was found that adding traffic calming to the S106 was not reasonable, but at least it would have been considered further. Cllr Clark felt that it was reasonable and proposed adding this as an amendment, which was accepted as a friendly amendment by the proposer and seconder of the original motion. Following a vote, it was,

Resolved

To delegate to the Director of Planning, in conjunction with the Council Highway Engineer, the local ward member and the applicant, to explore the reasonableness of the development being compelled to bring forward additional traffic calming along Woodmarsh Road.

Upon resolution of foregoing matter, to GRANT planning permission subject to the prior completion of a s106 legal agreement, and the specified conditions set out in the committee report.

1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 Application(s) for the approval of all of the reserved matters (should this development be advanced on a phased manner) shall be made to the Local Planning Authority before the expiration of three years from the date of outline permission being granted.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

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

Drawing Number 1001 (Location Plan) received by the Local Planning Authority on 1st June 2020

Drawing Number NPA 11020 301 Rev P03 (Green Infrastructure Parameters Plan), 500 Rev K (Parameter Plan – Land Use) received by the Local Planning Authority on 29th August 2023

Drawing Numbers: 003 Rev F (Proposed right turn lane access) 006 rev D (swept path analysis) received by the Local Planning Authority on 14th Feb 2024

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

4 No development shall commence on site until a Phasing Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in phases and each reserved matters application shall refer to a phase, phases, or part thereof, as identified in the Phasing Plan, as may be approved. Any subsequent changes to the approved Phasing Plan must be submitted to and approved in writing by the Local Planning Authority.

REASON: to ensure the proper planning and delivery of the development and to deliver a sustainable development that protects protected species and habitats.

5 A detailed housing mix strategy, including the number and size of dwelling units shall be submitted with each reserved matters application which provides details of the proposed dwellings. The development shall be carried out in accordance with the approved housing mix

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 and to ensure that the proposed development provides a diverse and balanced range of housing types and sizes, contributing to the creation of a sustainable and inclusive community, in accordance with local planning policies and housing needs.

6 A revised Sustainable Energy Strategy shall be submitted with each reserved matters application which provides details of the proposed dwellings and shall include details of operational energy, embodied carbon, climate change adaptation measures. sustainable transport, low-carbon and renewable energy technologies, electric vehicle charging points. The development shall be carried out in accordance with the details approved by the Local Planning Authority.

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 and in response to climate change

7 An Acoustic Design Scheme or a scheme for the protection of the proposed dwellings from external traffic noise shall be submitted with each reserved matters application which provides details of the proposed dwellings. The Scheme shall use Good Acoustic Design (in accordance with the Professional Practice Guidance: Planning and Noise New Residential Development (May 2017 or later versions)) to achieve the following noise limits:

- a. bedrooms shall achieve an 8-hour LAeq (23:00 to 07:00) of 30dB(A) and an L_{Amax,F} of 45dB.
- b. living rooms and dining rooms shall achieve a 16-hour LAeq (07:00 to 23:00) of 35dB(A)
- c. external noise levels within private external amenity spaces shall not exceed 50 dB LAeq,16hr (0700 – 2300)

The development shall be carried out in accordance with the details

approved by the Local Planning Authority prior to the first occupation.

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 and to protect the amenity of future occupiers

8 A revised Arboricultural Impact Assessment, with Tree Constraints Plan, Tree Protection Plan and Arboricultural Method Statement, prepared in accordance with BS5837:2012, shall be submitted with the first reserved matters application and each subsequent reserved matters application. to demonstrate the consideration and protection of the trees within the revised design, as well as the appropriate methods and materials used for construction. The development shall then be carried out in accordance with the details approved by the Local Planning Authority.

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 the amenity of protection of existing trees and hedges.

9 The development shall be completed in accordance with the Biodiversity Metric 3.0, NPA, July 2023 P02 or a subsequent revised Biodiversity Metric Calculation to be submitted to and approved in writing by the Local Planning Authority. This condition will be discharged when a report has been submitted to and approved in writing by the Local Planning Authority which demonstrates that the development has been completed in accordance with the approved metric calculation. The report will demonstrate for habitats and hedgerows and that the development will achieve at least 100% mitigation (ie: no net loss) for land lost to development. The development shall then be carried out in accordance with the details approved by the Local Planning Authority.

REASON: In the interest of Ecology and to meet the requirements of the Trowbridge Bat Mitigation Strategy

10 Prior to any construction starting on site, the site area covered by Trenches 13, 14, 15 as detailed in the submitted Archaeological Evaluation Report carried out by Cotswold Archaeology dated May 2021 shall be monitored by qualified archaeologists during preparatory

groundworks. A full archaeological excavation shall also be carried out on the site area delimited by evaluation Trenches 18-22. A report identifying the results shall

be submitted to and approved in writing. The development shall then be carried out in accordance with the approved details.

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 and in the interests of archaeology.

11 No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses (including asbestos) has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site and any adjacent sites for at least the last 100 years and a description of the current condition of the sites with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site and the potential impact of any adjacent sites.

Step (ii) If the above report indicates that contamination may be present on, under or potentially affecting the proposed development site from adjacent land, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details must be submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: To reduce and manage the risks associated with land contamination.

12 No development shall commence on site until the the following information regarding drainage have been submitted to and approved in writing by the

Local Planning Authority:

- Calculations and drawings for the drainage system design showing designated holding areas and conveyance routes based on no flooding on site for a 1 in 30 year rainfall event with no flooding on site
- 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 100year return period storm events.
- Mitigation measures that are to be put in place to reduce the risk of flooding to any property in the 1 in 100 year + climate change event]
- details of the finished floor levels which should be at minimum 150mm above the 1 in 100 year + climate change flood level
- groundwater monitoring that accounts for seasonal variation to determine the highest groundwater level
- confirmation that groundwater can interact with the proposed attenuation basins and if necessary provide flotation calculations and consider lining the attenuation basin
- arrangements for ownership and ongoing maintenance of SuDS over the lifetime of the development.
- an emergency plan due to the access predicted to flood

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

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 in the interest of drainage.

13 No development shall commence on site (including any works of demolition), until a Construction Management Statement, together with a site plan, which shall include the following:

1. the parking of vehicles of site operatives and visitors;

2. loading and unloading of plant and materials;
3. storage of plant and materials used in constructing the development;
4. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
5. wheel washing facilities;
6. measures to control the emission of dust and dirt during construction;
7. a scheme for recycling/disposing of waste resulting from demolition and construction works; and
8. measures for the protection of the natural environment.
9. hours of construction, including deliveries;
10. pre-condition photo survey

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.

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 and 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.

14 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. Traffic Management Plan (including signage drawing(s))
3. Number (daily/weekly) and size of delivery vehicles.
4. Number of staff vehicle movements.
5. Details of temporary/permanent Traffic Regulation Orders
6. 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.

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 and 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.

15 No development shall commence on site, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, until 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) Phasing plan for bat habitat creation and landscape works along the

eastern boundary and the area of informal bat habitat in the south/south- western part of the site.

b) Identification of ecological protection areas/buffer zones/bat habitat and tree root protection areas and details of physical means of protection, e.g. exclusion fencing and including who will be responsible for its installation.

c) Locations of temporary work areas/construction compounds.

d) Details on locations of any construction lighting (if required: Note: this must be kept away from boundary features).

e) Working method statements for protected/priority species, such as nesting birds, and reptiles.

f) Mitigation strategies already agreed with the local planning authority prior to determination, such as for great crested newts/bats; this should comprise the pre-construction/construction related elements of strategies only.

g) 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.

h) Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).

i) **Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECOW and to include photographic evidence.**

The development shall then be carried out in accordance with the approved CEMP.

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 and 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.

16 No development shall commence on site until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall be based on the approved Green Infrastructure Parameters Plan NPA 11020 301 P04 and the Biodiversity Metric 3.0 (NPA July 2023 P02 submitted with the application, or a revised Biodiversity Metric submitted and approved. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development in perpetuity, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.

The LEMP shall include a plan to clearly indicate who the area will be adopted and maintained by, details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured and a timetable for the monitoring of the habitats post construction.

The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

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 and to ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

Informative: It is advised that when discharging the Landscape and Ecology Management Plan (LEMP) the timetable for monitoring the habitats post construction are in years 1,3, 5, 7 & 12 following the occupation of 80% of the development hereby approved.

17 No development shall commence on site until a plan (details) for the selection, siting, positioning and installation of integral roosting/nesting features (ratio of 1 feature: 1 building) for bats and birds has been submitted to, and approved in writing by, the local planning authority. The plan should show the green infrastructure that the development is to provide, illustrating how birds and bats that will be using the features have access to the relevant habitat/food resource in nearby suitable habitat.

The installation plan should be prepared in accordance with the requirements of BS 42021.

The integral feature should identify, as a minimum:

- a) the bird/bat species likely to benefit from the proposed integral nest feature.;
- b) the type of integral feature to be installed;
- c) the specific buildings on the development into which features are to be installed, shown on appropriate scale drawings. Note: where integrated features are being provided for colonial nesters e.g. swifts, house sparrows some buildings will have more integrated features and some buildings will have no integrated features and this is acceptable;
- d) the location on each building where features are to be installed, shown on all appropriate building plans and elevations;

The integral feature plan should be implemented in accordance with the approved details and all features retained in that manner for the lifetime of the development.

REASON: For the protection, mitigation and enhancement of biodiversity

18 No development shall commence on site, a detailed scheme and timetable for the provision and creation of the SuDs located in the northern part of the site/within the public open space area has been submitted to and approved in writing by the Local Planning Authority. The SuDs shall be designed as a permanent waterbody with a diverse marginal structure using trees, shrubs and grasses to provide suitable aquatic habitat for foraging bats.

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

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, in the interests of mitigation and enhancement of biodiversity.

19 The development hereby approved shall be carried out in accordance with the following documents:

? Ecological Impact Assessment (NPA 11020) April 2020)

? Ecology Addendum (NPA 11020, January 2022)

? Ecology Addendum (NPA 11020, July 2023).

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

20 The dwellings hereby approved shall not be first occupied until a post- development lighting strategy survey has been submitted to and approved in writing by the Local Planning Authority. The survey shall be conducted in accordance with the Trowbridge Bat Mitigation Strategy and 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

23 No development shall commence on site until full details of the pedestrian route and connection to Woodmarsh has been submitted and approved in writing by the LPA. The pedestrian route shall thereafter be provided prior to the occupation of the 35th residential unit on the site and shall remain open for public use at all times in perpetuity.

Reason: In the interests of highway safety and encouraging sustainable

travel.

24 **No part of the development hereby approved shall be first occupied, until the visibility splays shown on the approved plans 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.**

Reason: In the interests of highway safety

25 **No external lighting shall be installed on site until plans showing the type of light appliance, the height, and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'The Reduction of Obtrusive Light' (ILP, 2021), have been submitted to and approved in writing by the Local Planning Authority.**

The approved lighting shall be installed and shall be maintained in accordance with the approved details.

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 and 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.

26 **Notwithstanding the submitted details, the proposed development hereby approved shall not be first occupied until means/works have been implemented to avoid private water (any supply of water intended for human consumption which is not provided by a water company) from entering the highway.**

Reason: To ensure that the highway is not inundated with private water

Informatives: (10)

27 **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 [INSERT].**

28 **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>.

29 The applicant is advised to use the letter from Wessex Water dated 14th November 2023 when designing the final layout of the proposed development.

30 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].

31 The developer/applicant will be expected to enter into a S278 Agreement with the Highway Authority in respect to the access/highway works on the A363, before commencement of the works on site hereby approved. The access works shall include, but not be limited to the provision of a right turn lane, toucan crossing, 4m segregated foot/cycle paths, two new bus stops with shelters, raised kerbs and RTPI and any necessary alterations to highway drainage and to street lighting all as shown on the Badingham drawing "Proposed Right Turn Lane Access" 003 – Revision F.

32 With regards to the submission of an Acoustic Design Scheme using closed windows to achieve the internal noise level target shall only be considered once all other good acoustic design acoustic mitigation measures have been utilised. A good acoustic design process should be followed to ensure that the internal noise criteria are achieved with windows open. Using closed windows to achieve the internal noise level target shall only be considered once all other good

acoustic design acoustic mitigation measures have been utilised. When relying on closed windows to meet the internal guide values, there needs to be an appropriate method of ventilation that does not compromise the façade insulation or the resulting internal ambient noise level.

33 The reserved matters application shall explore a cycle path connection from the site to Woodmarsh Road to enable the free flow of pedestrian and cycle traffic through the site.

34 It is advised that the reserved matters application should include connected streets through the use of pedestrian and cycle paths to ensure the proposal accords with Streets for a Healthy Life (P.53). This should also include a connection from the South West Corner into the planned continuation of housing into the field to the south and likewise in regards to the open space corridor shown inside the north east hedge boundary.

35 The housing mix strategy shall demonstrate how the proposed development will meet the latest up to date local housing needs and provide a balanced mix of dwellings, with consideration given to the requirements of the local housing market and any relevant housing policies.

36 The scheme will be operating under a District Level Licence (DLL) for Great Crested Newts. Great Crested Newts are protected under Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation

Note: The Chairman called a 15 minute recess at 12.30pm. The meeting reconvened at 12.47pm.

Supporting documents:

- [20.03641.OUT White Horse Business Park Trowbridge - Report, item 27. PDF 1 MB](#)
- [20.03641.OUT Location Plan, item 27. PDF 759 KB](#)
- [Addendum to report for 20.03641.OUT, Land South of White Horse Business Park, Trowbridge, Wilts, item 27. PDF 64 KB](#)