Wiltshire Council

The Town and Country Planning Act 1990

Approval of Outline Planning Permission (Some Matters Reserved) with Conditions

Application Reference Number: PL/2023/08640

Decision Date: 25/06/2025

Applicant:	David Wilson Homes South West Unit 1, Great Park Court, Bradley Stoke, Bristol, BS42 4PY
Particulars of Development:	Outline planning application for the development of up to 150 residential dwellings with associated parking, green infrastructure, engineering works and other infrastructure with all matters reserved except access.
At:	Land South of Stanley Lane, Chippenham

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 39 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

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 No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

(a) The scale of the development;

(b) The layout of the development;

(c) The external appearance of the development; and

(d) The landscaping of the site.

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

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3 An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

4 The development hereby permitted shall be carried out in accordance with the following approved plans;

22548_1000Rev A Site location Plan

22548_4030A Access and Movement Parameters Plan

22548_4040A Green and Blue Infrastructure Parameters Plan

22548_4010 Land Use Parameters Plan

(received 15 November 2024)

1207-001G Proposed Site Access Plan

Ecological Parameters Plan - Drawing no: A. Clarkson & Woods

(received 23 May 2024)

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

5 The reserved matters submitted pursuant to Condition 2 must be accompanied by details and arrangement plans for the low-carbon and renewable energy technologies including a scheme for Ultra Low Energy vehicle Infrastructure. The arrangement plans should include as a minimum the location of solar panels, ASHP's and charging point locations with associated cable routes. The development shall be implemented in accordance with the approved details.

REASON: To ensure that the objectives of sustainable development are achieved

6 The reserved matters submitted pursuant to Condition 2 must be accompanied an external Lighting Strategy. The Lighting Strategy must demonstrate that the dark corridors shown on the Ecological Parameters Plan (Drawing no: A) can be achieved as specified on the plan. The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals (ILP) Guidance Notes on the Avoidance of Obtrusive Light (GN 01/2021) and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals. The development shall be implemented in accordance with the approved details.

REASON: To avoid illumination of habitat used by bats.

7 The reserved matters submitted pursuant to Condition 2 must be accompanied by a Sustainable Energy Strategy, including details of operational carbon/energy, embodied carbon and climate change adaptation measures. The Strategy shall be based on the principles set out in the hereby approved Sustainability and Energy Statement Land at Gate Farm Chippenham by David Wilson Homes South West, Dated March 2024; in particular the commitments at paragraph 7.5. The development shall be implemented in accordance with the approved details.

REASON: To ensure that the objectives of sustainable development are achieved.

8 No development shall commence on site (other than that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition), until steps (i) to (iii) below have been fully complied with.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until step (iv) has been complied with in full in relation to that contamination.

Step (i) Site Characterisation:

An investigation and risk assessment must be completed to assess the nature and extent of any contamination (including asbestos) on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings submitted to and

approved in writing by the Local Planning Authority. The report of the findings must include:

- A survey of the extent, nature and scale of contamination on site;

- The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages;

- If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants;

- An assessment of the potential risks to

• human health,

• property (existing or proposed) including buildings, crops,

livestock, pets, woodland and service lines and pipes,

• adjoining land,

• groundwater and surface waters,

• ecological systems,

• archaeological sites and ancient monuments;

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

Step (ii) Submission of Remediation Scheme: If any unacceptable risks are identified as a result of the investigation and assessment referred to in step (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, should be submitted to and approved in writing by the Local Planning Authority.

The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

Step (iii) Implementation of Approved Remediation Scheme:

The approved remediation scheme under step (ii) must be carried out in accordance with its requirements. The Local Planning Authority must be given at least two weeks written notification of

commencement of the remediation scheme works.

Step (iv) Reporting of Unexpected Contamination:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing immediately to the Local Planning

Authority. An investigation and risk assessment should be undertaken in accordance with the requirements of step (i) above and where remediation is necessary, a remediation scheme should be prepared in accordance with the requirements of step (ii) and submitted to and approved in writing by the Local Planning Authority.

Step (v) Verification of remedial works:

Following completion of measures identified in the approved remediation scheme a verification report

must be produced. The report should demonstrate the effectiveness of the remedial works. The verification report should be submitted to and approved in writing of the Local Planning Authority.

Step (vi) Long Term Monitoring and Maintenance:

If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in the scheme approved pursuant to step (ii) above, until all the remediation objectives in that scheme have been achieved.

All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

REASON: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

9 No development shall commence on site until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:

i. Site management arrangements including on-site storage of materials, plant and machinery; on-site parking and turning provision for vehicles for site operatives, visitors and construction vehicles; and provision for the loading/unloading of plant and materials within the site

ii. Delivery, demolition and construction working hours

ii. The cutting or other processing of building materials on site;

iii. Wheel washing and vehicle wash down facilities;

iv. The transportation and storage of waste and building materials;

v. The recycling of waste materials (if any)

vii. The location and use of generators and temporary site accommodation

viii. Where piling is required this must be Continuous flight auger piling wherever practicable to minimise impacts

The demolition and construction phase of the development will be carried out fully in accordance with the construction management plan at all times.

REASON: Ensuring appropriate levels of amenity are achievable and to ensure protection of the natural environment.

10 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 Plan shall provide details 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) Working method statements for protected/priority species, such as nesting birds, badgers, dormice, amphibians and reptiles.

c) Mitigation strategies already agreed with the local planning authority prior to determination, such as for reptiles/amphibians; this should comprise the preconstruction/construction related elements of strategies only.

d) Invasive species management plan.

e) Sensitive lighting strategy to ensure dark corridors (as identified on Ecological Parameters Plan, Drawing no: A) are maintained.

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).

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

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

11 No development shall commence on site until a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development, 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 be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: 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.

12 No development shall commence on site, including vegetation removal and demolition, until details of the number, design and locations of ecological enhancements such as roosting bat features, bird boxes and habitat piles/hibernacula shall be submitted to the local authority for approval. These details should be clearly shown on an enforceable plan (e.g., site plan/technical elevations drawing). The approved details shall be implemented before occupation of the final works. These features will continue to be available for the target species for the lifetime of the development.

REASON: To provide enhancement for biodiversity

13 No development shall commence on site until details of a scheme for protecting the proposed dwellings from external traffic noise has been submitted to and approved in writing by the local planning authority.

The scheme shall ensure that, upon completion of the development, the following noise criteria shall be met, with windows open, in accordance with the Professional Practice Guidance: Planning and Noise – New Residential Development (May 2017):

A. bedrooms shall achieve an 8-hour LAeq (23:00 to 07:00) of 30dB(A) and an LAmax, F of 45 dB

B. living rooms and dining rooms shall achieve a 16 – hour LAeq (07:00 to 23:00) of 35dB(A)

C. external amenity spaces shall achieve a 16 – hour LAeq (07:00 to 23:00) of 55dB(A)

A noise validation report, demonstrating compliance with the noise criteria shall be submitted to and approved by the local planning authority before any of the dwellings are occupied. This assessment shall be conducted in accordance with Professional Practice Guidance: Planning and Noise – New Residential Development (May 2017) and the approved noise design scheme.

Such noise protection measures shall thereafter be maintained and operated in accordance with the approved scheme.

REASON: To ensure that appropriate levels of amenity are achievable within the development.

14 No development shall commence on site until a scheme for the discharge of surface water from the site has been submitted to and approved in writing by the local planning authority.

The scheme shall incorporate sustainable drainage details, including any off-site works and any permissions for connections to private drainage systems/land drainage consents. The submitted scheme must be in accordance with the LLFA response (received 21 November 2023) and include:

a) Strategy to demonstrate how surface water will be managed throughout the construction phase.

b) Detailed hydraulic modelling calculations, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters.

c) A timetable for its phased implementation.

d) The management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The development shall be implemented in accordance with the approved details and shall not be first occupied until surface water drainage, including any off-site works, has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained and that flood risk is not increased on or off site.

15 No development shall commence on site until a foul water drainage strategy is submitted and approved in writing by the local Planning Authority in consultation the sewerage undertaker. The Strategy shall include a drainage scheme providing detailed arrangements for the means of connection to the main sewer network and

the capacity improvements required to serve the proposed development, including any phasing.

No dwelling shall be first occupied or other building brought into use until the drainage scheme has been completed in full, in accordance with the approved details.

REASON: To ensure that the development is provided with a satisfactory means of drainage

16 With the exception of the removal of existing buildings, structures and topsoil, no development shall commence on site until the approved programme of archaeological work as set out within the Cotswold Archaeology Written Scheme of Investigation for an Archaeological Evaluation (Rev B) dated 19.11.24 has been carried out in accordance with the approved details.

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

17 The development shall be carried out as specified in the approved Arboricultural Report Impact Assessment & Method Statement V6 prepared by Silver Maple Consultants Ltd & Greenway Tree Surgery (dated 01 January 2025) and shall be supervised by an arboricultural consultant.

REASON: To prevent retained trees on or adjacent to the site from being damaged during construction works.

18 The dwellings shall be constructed to meet, as a minimum, the higher Building Regulations standard Part G for water consumption limited to 110 litres per person per day using the fittings approach.

REASON: The site is in an area of serious water stress requiring water efficiency opportunities to be maximised.

19 Each dwelling shall be provided with an Air Source Heat Pump and Solar Panel(s) in accordance with the approved Sustainability and Energy Statement Land at Gate Farm Chippenham by David Wilson Homes South West, Dated March 2024.

No dwelling shall be occupied until the Solar Panel(s) and Air Source Heat Pump on that respective dwelling has been installed and brought into operation.

REASON: To ensure that the objectives of sustainable development are achieved.

20 No Air Source Heat Pumps shall be installed until a Noise Assessment has been submitted to and approved in writing by the Local Planning Authority. The noise assessment must demonstrate that the cumulative noise impact from all heat

pumps installed at the development, achieve a rating level of 35dBLAeq15mins at 1m of the facade of any residential property (including those outside of the development). The noise limit would include the ASHPs at both full duty and when in reverse and defrost mode. The installation works shall be carried out in accordance with the approved details.

REASON: To ensure that appropriate levels of amenity are achievable within and outside of the development.

21 No part of the development shall be first brought into use/occupied until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 43m in each direction from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 600mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

Informative

1 This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated 17.06.2025

Informative

2

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.

Informative

3 The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may 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.

The off-site works will require the Developer to enter into a S278 Agreement, and a S38 Agreement will be required for the on-site works. Early contact is recommended with the Sustainable Transport Team with regard to securing the full approval of the details to enable the Agreements to be progressed, and to avoid delays in the commencement of the works

Informative

4 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.

Informative

5 The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

The point of connection to the public network is by application and agreement with Wessex Water and subject to satisfactory engineering proposals constructed to current adoptable standards. The developer should contact the local development team development.north@wessexwater.co.uk to agree proposals for the Section 104 adoption or Section 106 connection and submit details for technical review prior to construction.

Informative

6 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.

Informative

7 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.

Informative

8 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (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. For further information on exempt developments please refer to:

https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements is considered to apply.

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