



The Town and Country Planning Act 1990
Approval of Variation of Conditions
Application Reference Number: PL/2025/01523
Decision Date: 04/09/2025

Applicant:	Keepmoat Homes C/O Agent, Pegasus Group, First Floor, South Wing, Equinox North, Great Park Road, United Kingdom, BS32 4QL
Particulars of Development:	Variation of conditions 2 (approved plans), 8 (construction traffic management plan), 9 (construction environmental management plan), 10 (junction details), 11 (tree and hedgerow protection), 12 (contamination), 13 (engineering plans), 14 (phasing plan), 15 (foul drainage), 16 (surface water drainage), 17 (landscape delivery schedule), 18 (lighting strategy) and removal of condition 7 (WSI) relating to 17/01463/FUL (A Comprehensive Development Comprising Demolition of the Existing Farm Buildings, Construction of 227 Residential Dwellings (Use Class C3), a New Vehicular Access, Public Open Space, Landscaping, Sustainable Urban Drainage and other Associated Infrastructure Works).
At:	Bugley Barton Farm, Land South of Victoria Road, Warminster

In pursuance of its powers under the above Act, the Council hereby **GRANT PLANNING PERMISSION** for variation or non-compliance with a condition or conditions imposed on an earlier permission in accordance with the application and plans submitted by you.

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 compliance with the following conditions:

- 1** The development hereby permitted shall be begun before the expiration of three years from the date of the original consent granted under 17/01463/FUL (i.e. 20/10/2025).

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:

Site Location Plan drg no. P24-0579_DE___04-1 dard 4/2/25

Site Layout Plan drg no. P24-0579_DE_01_M_01 dated 7/7/25

Materials Plan drg no. P24-0579_DE___A_12 dated 4/2/25

Tenure Plan drg no. P24-0579_DE_01_A_20 dated 28/4/25

House Type Pack drg no. P24-0579_DE_A-02 dated July 2025

Phasing Plan drg no. P24-0579_DE___25 dated 4/2/25

Phasing Plan (Roads) drg no. P24-0579_DE___A_25 dated 7/2/25

Illustrative Street Scene drg no. P24-0579_DE_03_01 dated 03/02/25

Illustrative Sections drg no. P24-0060_DE_05___01 dated 29/1/25

Building Heights Plan drg no. P24-0579_DE___18 dated 4/2/25

Density Plan drg no. P24-0579_DE___23 dated 4/2/25

Character Areas drg no. P24-0579_DE___24 dated 4/2/25

Boundaries and Enclosures Plan drg no. P24-0579_DE___19 dated 4/2/25

Refuse Strategy Plan drg no. P24-0579_DE_01_A_21 dated 4/2/25

Parking Strategy Plan drg no. P24-0579_DE___22 dated 4/2/25

Proposed Drainage Strategy Sheet 1 of 2 drg no. 23211-JUB-ZZ-XX-DR-C-500 rev P7

Proposed Drainage Strategy Sheet 2 of 2 drg no. 23211-JUB-ZZ-XX-DR-C-501 rev P7

Proposed General Arrangement Southern Arm of Existing Roundabout drg no. 24233-JUB-ZZ-XX-DR-C-102 rev P3

Proposed Bus Route Tracking to New Southern Arm of Existing Roundabout drg no. 24233-JUB-ZZ-XX-DR-C-2600 rev P2

Proposed Tracking Refuse Vehicle drg no. 24233-JUB-ZZ-XX-DR-C-2601 rev P6

Proposed Visibility Layout drg no. 24233-JUB-ZZ-XX-DR-C-101 rev P2

Temporary Construction Access drg no. 24233-JUB-ZZ-XX-DR-C-108 rev P1

External lighting Layout & Light Spill drg no. QL1030-QODA-XX-XX-DR-YL-0901
rev P04

Masterplan drg no. WHL-1872-01

Design for LEAP drg no. WHL/LSVR/0005/B rev B

Ecological Features Plan drg no. edp3431_d038

Proposed Planning Levels Sheet 1 of 4 drg no. 23211-JUB-ZZ-XX-DR-C-700 rev
P4

Proposed Planning Levels Sheet 2 of 4 drg no. 23211-JUB-ZZ-XX-DR-C-701 rev
P4

Proposed Planning Levels Sheet 3 of 4 drg no. 23211-JUB-ZZ-XX-DR-C-702 rev
P4

Proposed Planning Levels Sheet 4 of 4 drg no. 23211-JUB-ZZ-XX-DR-C-703 rev
P4

Landscape and Ecological Management Plan by WHLandscape Feb 2024

Construction Environmental Management Plan ref. HSS-PL-001-CEMP rev 2 dated
May 2025

Travel Plan by Jubb Consulting Engineers Ltd dated Jan 2025

Transport Assessment by Jubb Consulting Engineers Ltd dated Jan 2025

Shadow Habitat Regulation Assessment (rev 3) by Nutrient Neutral dated June
2025

Nutrient Neutral Assessment & Mitigation Strategy (ref NNAMS/454 Rev 3) by
Nutrient Neutral dated June 2025

Flood Risk and Drainage Strategy (Jubb Consulting Engineers, April, 2025)

Memorandum: Detailed Hydrogeological Assessment in the vicinity of Bugley Farm
Warminster (Nutrient Neutral, 15th July 2025)

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

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no garage hereby approved shall be converted to ancillary habitable accommodation without first obtaining planning permission.

REASON: To safeguard the amenities and character of the area and in the interest of highway safety and to ensure there is adequate car parking provision.

NOTE: Future PD rights to convert garaging into additional ancillary habitable accommodation would still apply to plots that can accommodate the requisite parking provision on-site. This condition would only apply for plots/properties that rely on the garaging for off-street car parking.

- 4 No demolition or construction works shall take place on the site outside the following hours: 07:30 to 18:00 Mondays to Fridays; and 08:00-13:00 on Saturdays; and, at any time on Sundays or Bank Holidays.

REASON: In the interests of protecting the amenity of nearby residential properties.

- 5 The development hereby approved shall be carried out in full accordance with the noise mitigation recommendations as set out within the Noise Impact Assessment (rev 1 SLR ref: 403.065671.00001) produced by SLR Consulting Limited dated Jan 2025.

REASON: In the interests of protecting future residential amenity.

- 6 No vehicular access shall be made to the site for construction vehicles via the St Andrews Road cul-de-sacs during the construction phases.

REASON: To define the terms of this permission and in order to protect the amenities of local residents of the Broadway estate and to limit the adverse consequences of construction traffic.

- 7 The development hereby approved shall be completed in accordance with the submitted details within section 1 'Keepmoat Responsibilities' of the Construction Environmental Management Plan (Rev 2) dated May 2025 by Keepmoat.

REASON: In the interests of highway safety and residential amenity.

NOTE: Details submitted in section 1 of the above CEMP deal with the discharge of condition 8 of application 17/01463/FUL with regards the submission of a Construction Traffic Management Plan (CTMP).

- 8** The development hereby approved shall be completed in accordance with the submitted Construction Environment Management Plan (Rev 2) dated May 2025 by Keepmoat.

REASON: To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats in accordance with submitted ecological reports.

NOTE: There shall be no burning of waste materials on the site during the demolition and construction phases.

- 9** No dwelling hereby approved shall be first occupied until full engineering plan details for the main access to the site consisting of the fourth arm of the Victoria Road roundabout, have been submitted to and approved in writing by the Local Planning Authority (LPA). The main access works shall thereafter be completed in full and in accordance with the approved details before first occupation of any dwelling.

REASON: In the interests of road safety and sustainable transport opportunities.

- 10** The development hereby approved shall be completed in accordance with the submitted tree and hedge protection details detailed within with the approved Technical Appendix 9.4 Arboricultural Method Statement dated Jan 2025 by The Environmental Dimension Partnership Ltd. The protective fencing shall be erected in accordance with the approved details. The protective fencing shall thereafter 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. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work - Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practice. If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority. In this condition

"retained tree and/or hedge" means an existing tree and hedgerow which is to be retained in accordance with the approved plans and particulars.

REASON: To safeguard trees to be retained in the interests of amenity.

- 11** No construction works with respect to plots 2-17, 121-123 and 126-128 (inclusive) shall commence until a further contamination remediation strategy (steps ii, iii and iv below) and a verification report along with any necessary long term monitoring in relation to the land in question have been submitted to and approved in writing by the Local Planning Authority for these areas.

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 (referred to in the former PPS23 as a validation report) must be produced. The report should demonstrate the effectiveness of the remedial works. A statement should also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the approved scheme have been carried out. The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage (ii) above. The verification

report and signed statement 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: To ensure that the development does not pose unacceptable pollution risks to controlled waters or future users of the land and residents, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

NOTE: The previous site use as a working farm may have caused contamination of soils/subsoils/groundwater, which should be fully assessed. In addition, the site is within a Source Protection Zone 3.

- 12** No dwelling hereby approved (pursuant to each phase) shall be occupied until details of all internal roads, verges, junctions, street lighting, sewers, drains, any retaining walls, service routes, surface water outfalls, vehicle overhang margins, any embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, footpaths and associated works; and, details of street lighting, fire-fighting apparatus and fire hydrants, have been submitted to and approved by the local planning authority. Thereafter, the roads, paths and associated works shall be provided in accordance with the approved details

REASON: To ensure that the highway infrastructure is of an acceptable standard.

- 13** The development hereby approved shall be completed in accordance with the submitted phasing plans drg no. P24-0579_DE_25 and drg no. P24-0579_DE_A_25. This condition will be fully discharged when the internal footpath and cycle track infrastructure is connected to WARM6 and when the site distributor road is completed to facilitate a connection with the distributor road on the adjacent Redrow Homes site.

REASON: In order to ensure that local sustainable transport infrastructure is delivered to an acceptable timescale, and to aid the implementation of Travel Plan initiatives.

- 14** No dwelling hereby approved (pursuant to each phase) shall commence beyond slab level until a foul water drainage strategy has been submitted and approved in writing by the local planning authority to secure the following:

A detailed drainage scheme which refers to a phased construction programme and includes appropriate arrangements for the agreed points of connections, discharge rates and the capacity improvements required to serve the proposed development phasing; and following the approval of the strategy; and,

The drainage scheme shall be completed in accordance with the approved details and following a timetable to be agreed in writing with the local planning authority.

REASON: To ensure that the appropriate foul sewerage infrastructure is available to service the site and to ensure that the development does not increase the risk of sewer flooding to downstream properties.

- 15** No dwelling hereby approved (pursuant to each phase) shall commence beyond slab level until a scheme for the discharge of surface water from the site to include the provisions and measures to prevent pollution of receiving groundwater and/or surface waters, a timetable for its implementation; and a construction management and maintenance plan for the lifetime of the development incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the phased development shall not be first brought into use until the surface water drainage provisions have been completed and connections are made available in accordance with the drainage scheme.

REASON: This matter is required to be agreed with the Local Planning Authority before development commences to ensure that the development is undertaken in an acceptable manner and to ensure that the development does not increase the risk of flooding.

- 16** The proposed tree and shrub landscape planting hereby approved shall be completed in accordance with the submitted landscape delivery schedule as detailed in the approved Landscape and Ecological Mitigation Plan (LEMP) dated Feb 2025 by WHLandscape.

The first phase of development; and, for the remainder of the scheme, the landscape planting (pursuant to each phase) shall be carried out in the first planting and seeding season following the first occupation of the related buildings. Any trees or plants which 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: This information is required to ensure that the phased development and proposed landscaping is undertaken in an acceptable manner.

- 17** The development hereby approved shall be completed in accordance with the submitted lighting strategy (drg no. QL1030-QODA-XX-XX-DR-YL-0901 rev P04). All lighting proposed shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To minimise light spillage and pollution into hedgerows and trees, and to ensure that there is no illumination of the bat roost and to maintain dark foraging and commuting corridors for bats, particularly along the northern boundary hedgerow; and to safeguard the National Landscape dark skies character and status.

- 18** The residential development hereby approved shall be designed to ensure it does not exceed 85 litres per person per day water consumption levels (which includes external water usage). Within 3 months of each phase being completed and the housing being brought into use, a water efficiency report certifying that this standard has been achieved shall be submitted to the Local Planning Authority for its written approval.

REASON: To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

- 19** The roads, including footpaths and turning spaces pursuant to each phase of development shall be constructed so as to ensure that, before each dwelling is occupied it has been provided with a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

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

- 20** No dwelling hereby approved (pursuant to each phase) shall be occupied until the necessary foul drainage infrastructure and capacity improvements have been completed in accordance with an agreed drainage strategy.

REASON: To ensure that the appropriate foul sewerage infrastructure is available to service the site.

- 21** The development hereby approved shall be completed in accordance with the submitted Landscape and Ecological Mitigation Plan (LEMP) dated Feb 2025 by WHLandscape.

REASON: To ensure the long-term management of protected and priority habitats and other landscape and ecological features, and to maintain and enhance these habitats and features in perpetuity.

- 22** No dwelling hereby approved (pursuant to each phase) shall be occupied until the parking space(s) together with the access thereto, have been provided in accordance with the approved plans.

REASON: In the interests of highway safety and the amenity of future occupants.

- 23** No dwelling hereby approved shall be occupied until the visibility splays shown on the approved plans have been provided with no obstructions to hinder visibility at or above a height of 500mm above the nearside carriageway level. Thereafter, the visibility splays within the scheme shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

- 24** No dwelling hereby approved (pursuant to each phase) shall be occupied until the enclosures, refuse storage and cycle parking respective to that dwelling has been provided in accordance with the approved plans.

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

- 25** That for the avoidance of any doubt, there shall be no vehicular access permitted to the site other than via the Victoria Road junction, unless and until the road connecting to the adjacent Redrow site has been completed and certified in writing by the local planning authority to be acceptable for use. Existing points of vehicular access to the site shall be closed prior to the commencement of the residential development (with the exception of the highway access works themselves) and their use prevented by means of an enclosure, the details of which shall require the written agreement by the local planning authority.

REASON: To ensure that access to and egress from the site is achieved in a safe manner.

- 26** The development hereby approved shall be completed in accordance with the submitted waste audit and management strategy approved under application 17/01463/FUL.

REASON: In order to minimise waste production and the safe handling of any hazardous materials as well as ensuring that any waste is handled and transported in full accordance with the duty of care in full compliance with environmental requirements.

- 27** The development will be carried out in strict accordance with the following documents:

Shadow Habitat Regulation Assessment (HRA) Screening Report and Appropriate Assessment. Rev. 3 (Nutrient Neutral, June 2025)

Flood Risk and Drainage Strategy (Jubb Consulting Engineers, April, 2025)

Proposed Drainage Strategy. Sheet 1 of 2. Drwg. No. 23211-JUB-ZZ-XX-DR-C-500. P7. (Jubb Consulting Engineers, 12/06/2025)

Proposed Drainage Strategy. Sheet 2 of 2. Drwg. No. 23211-JUB-ZZ-XX-DR-C-501. P7. (Jubb Consulting Engineers, 12/06/2025)

Ecological Features Plan. Drwg. No. Edp3431_d038. (EDP, 27 January 2025)

Site Layout Drwg. No. P24 – 0579_DE_01_M_01 (Pegasus Group, 07/072025)

Memorandum: Detailed Hydrogeological Assessment in the vicinity of Bugley Farm Warminster (Nutrient Neutral, 15th July 2025).

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

Informative

- 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>.

Informative

- 29** The applicant is encouraged to enter into a CoPA (Control of Pollution Act) s61 agreement with the Council to secure details on the construction phases, the construction compound locations, the hours of work, the delivery routes, the proposed plant and equipment to be used, identifying noise/vibration generators once the specific construction programme and plant type are known as well as identifying the measures to be adopted to minimise noise/vibration impacts (with community liaison, control measures and compliance monitoring schemes).

Informative

- 30** The applicant is advised that the local authority will require an indemnity in order to operate on any road within the scheme that serve any houses that are not formally adopted, even on a temporary basis whilst the development is being completed. The applicant should refer to Appendix C of the Council's Waste Management guidance which includes a sample indemnity agreement.

Informative

- 31** The Wiltshire Fire & Rescue Service recommends the provision of the following as part of satisfying Building Regulations and reducing the risk of death, injury and property damage: Sprinklers work from a standard main, although a 32mm connection is required. They are inexpensive to install, particularly in a new building. They do not activate by accident causing unwanted damage. They only operate through individually activated heads, not the whole system. They can be designed to fit flush to the ceiling behind a flat cover. They cause less water damage in a fire than normal fire-fighting operations. They significantly reduce fire and smoke damage.

Informative

- 32** To avoid disturbing nesting birds and breeding season, no works should take place to the site boundaries between March to July inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the Council Ecologists.

Informative

- 33** A water efficiency calculation will be needed to discharge condition 18. For guidance on how to do this and what is required, please refer to the following document: 'The Building Regulations 2010 – Sanitation, hot water safety and water efficiency', Appendix A (p36-44).
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/504207/BR_PDF_AD_G_2015_with_2016_amendments.pdf

Nic Thomas - Director of Planning, Economy and Regeneration

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