

Application Reference Number: 16/00672/OUT

Decision Date: 06 May 2021

Applicant: HGT Developments LLP
c/o Framptons Planning, Oriel House, 42 North Bar,
Banbury, Oxfordshire, OX16 0TH

Particulars of Development: Proposed development comprising up to 165 new homes with access from the newly constructed relief road, new open space and associated infrastructure (Amended information). (Outline application relating to principle and access).

At: Land West of Elizabeth Way, (Land SW of Hilpertons Marsh) (HILPERTON GAP), Trowbridge, Wiltshire

Conditions: (30)

- 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 for approval of the reserved matters specified in Condition 3 below, must be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

- 3 No development shall commence 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; (d) The landscaping of the site.

The development shall be carried out in accordance with the approved details. The reserved matters shall be submitted as a single phase, unless otherwise agreed by the Local Planning Authority.

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 and Country Planning (Development Management Procedure) (England) Order 2015.

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

Red Line Ref. 24687 9000

Land Use Parameter Plan Ref. 24687 9601 Rev A Access Parameter Plan Ref. 24687 9602 Rev A Access Plan 11703-SK-001 C Northern Site Access Access plan 11703-SK-002 C Southern Site Access ECO3 - An Ecological Parameters Plan (in the Bat Mitigation Strategy, Ecology Solutions April 2020)

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

- 5 The development and all reserved matters submitted pursuant to this permission shall generally accord with the principles of the Urban Design Framework Plan (Illustrative) Ref. 24678 9300 Rev F; Illustrative Masterplan Ref. 24678 9302 Rev D, Updated Illustrative Landscape Masterplan Ref. Bir.4786_11G; Plan ECO2 - Habitat creation and enhancements Rev A, July 2020 (Ecology Solutions) and the Design and Access Statement (September 2020).

REASON: In the interest of the visual amenity, character and appearance of the area, residential amenity, achieving high quality and in the interest of proper planning.

- 6 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

1. location and current canopy spread of all existing trees and hedgerows on the land and full details of any to be retained, together with measures for their protection during development;
2. all bat mitigation required through the Habitat creation and enhancement plan other wildlife mitigation measures which will be in place during the operational phase;
3. detailed cross-sections to accurately locate development in relation

- to landscape vegetation features;
- 4. a detailed planting specification showing all plant species, supply and planting sizes and planting densities, together with details of how grassland habitats will be established;
- 5. finished levels and contours;
- 6. means of enclosure;
- 7. car park layouts;
- 8. other vehicle and pedestrian access and circulation areas;
- 9. all hard and soft surfacing materials;
- 10. minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- 11. proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- 12. retained historic landscape features and proposed restoration, where relevant;
- 13. Size, species and location of trees to plot frontages demonstrating that zones of influence of trees will not conflict with the proposed built development in the long term;

Trees to open spaces will be large canopy forest species native to the UK. Size, species and locations demonstrating that zones of influence of trees will not conflict with the proposed built development in the long term. All trees tree(s) shall be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428.

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 a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 7 Prior to the commencement of development a detailed landscape plan shall be submitted to and approved in writing by the local planning authority. All soft landscaping comprised in the approved plan shall be carried out in accordance with timescales agreed by the local planning authority. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years from planting, 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, unless otherwise agreed in writing by the local planning authority. All hard landscaping within a Phase shall also be carried out in accordance with the approved details in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 8 Crack willows along the water course through the site will be retained and managed throughout the development to retain roosting habitat for bats. No development shall commence until a report providing detailed calculations with recommendations for foundations design has been approved in writing by the Local Planning Authority for any building which comes within 30m of crack willows along the water course. The development will be built in accordance with the approved report's recommendations.

REASON: the development contains high water demanding trees which are necessary for ecological purposes and may lead to building subsidence where foundations are inadequate.

- 9 No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays except for the period of British summer time between April and October 2021 when no construction or demolition work shall take place outside the hours of 07.30 to 21.00 Monday to Friday and 08.00 to 13.00 on Saturdays. No burning of waste or other materials shall take place on the development site during the demolition/construction phase of the development.

REASON: In the interest of Residential Amenity.

- 10 No development shall commence 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 construction phase of the development. It shall include details of the following:

- i. The cutting or other processing of building materials on site;
- ii. Details as to routeing and signing arrangements for lorries delivering to the 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);
- vi. The loading and unloading of equipment and materials;
- vii. The location and use of generators and temporary site accommodation;
- viii. Pile driving (If it is to be within 200m of residential properties). The construction/demolition phase of the development will be carried out fully in accordance with the construction management plan at all times.

- 11 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 GN01:2011, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2011), have been submitted to and approved in writing by the Local Planning Authority. Where light spill has the potential to impact core bat habitat, the lighting impact assessment of the reserved matters application(s) must meet the requirements of section 8.3 of the Trowbridge Bat Mitigation Strategy in terms of the methodology for predicting post-development lighting condition; maintenance of illuminance zones A, B and C, and; lighting design solutions. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area, to minimise unnecessary light spillage above and outside the development site and to ensure core bat habitat meets the requirements of the Trowbridge Bat Mitigation Strategy.

- 12 Within three months following completion of the development, a post-development lighting survey conducted in accordance with section 8.3.4 of the Trowbridge Bat Mitigation Strategy shall be submitted to and approved by the Local Planning Authority demonstrating 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 ensure core bat habitat meets the requirements of the Trowbridge Bat Mitigation Strategy

- 13 Prior to the commencement of development a noise mitigation scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall achieve the habitable room standard as detailed in BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' with no relaxation for exceptional circumstances unless agreed in writing with the local planning authority and must include details of post construction validation. The approved noise and vibration attenuation measures shall thereafter be retained and maintained in working order for the duration of the use in accordance with the approved details.

REASON: In the interest of Residential Amenity.

- 14 Prior to the commencement of development a scheme of measures to ensure noise levels in all private amenity spaces within that phase or sub phase do not exceed the BS8233:2014 upper guideline value of 55dB shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall include details of post construction validation. Thereafter the development shall be carried out in accordance with the approved details and a separate validation report shall be submitted to and approved in writing by the Local Planning Authority prior to occupation.

REASON: In the interest of Residential Amenity.

- 15 A Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority before commencement of the development. The LEMP shall include:
1. Information and map(s) to explain to householders the firm ecological requirements the landscaping scheme must meet in relation to core bat habitat: all such habitat to be retained as informal open space; no lighting of core bat habitats; all such habitat to be managed to maximise bat foraging (i.e. for invertebrate prey);
 2. The ecological and landscape objectives for each habitat in the public open space and each formal landscaped area within development footprint;
 3. 1-5 year and long-term maintenance requirements for each formal landscaped area and habitat type after the initial 12 month planting contract;
 4. Requirements for replanting where planting stock becomes diseased or dies after the initial 12 month planting contract;
 5. Annual and five-year work schedule capable of being rolled forward;
 6. Details of who is responsible for implementation and funding of the plan, and any necessary remedial measures to meet the objectives;
 7. Ongoing requirements for monitoring and reviewing effectiveness of the plan; and,
 8. Details of SuDs management unless this is contained in a separate SuDs maintenance manual in which case this document should be referenced in the LEMP.

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

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission.

- 16 The first reserved matters application will include a revised Biodiversity Metric Calculation broadly in accordance with that submitted to the Council on 18/08/2020 but taking account of any revisions to the calculation methodology made by Natural England and recalculated to reflect the details of the reserved matters application(s). The calculation will be supported by a revised plan for Habitat creation and enhancements demonstrating the extent and area of each habitat in ha / m2. Accurate

development boundaries will be overlaid on the plan to allow accurate scaling and location of mitigation measures. The calculation will demonstrate for both habitats and hedgerows that the development will target 100% mitigation (i.e. no net loss) for land lost to development. Any shortfall in mitigation within the application site will be made up through a scheme approved by the Local Planning Authority prior to determination of the first reserved matters application, to secure, deliver and manage mitigation at land off site.

REASON: to meet the requirements of the Trowbridge Bat Mitigation Strategy.

- 17 No development shall commence on site (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:

a) Measures to ensure all land included within public open space on the Concept Illustrative Masterplan is excluded from any temporary or construction related use throughout the entire period of construction. Works permitted for these areas will be limited to site investigation works, SuDs creation, landscaping, foot and cycle path creation and essential utilities.

b) Location of temporary work compounds throughout the construction phase

c) The procedures, including details of compliance checking by a third party, which will be in place throughout the construction period to ensure conditions relating to biodiversity are complied with in a timely way

d) Measures, including surveys, mitigation and translocation, which will be undertaken to ensure risks to badgers, water voles, bats, herptiles, hedgehogs, birds and any other relevant species are identified and protected across the site before construction commences and throughout the construction period.

e) Any critical periods or locations where construction works will need to be controlled to avoid causing harm to biodiversity features and how such works will be overseen

f) Responsible persons and lines of communication

g) The mechanism for identifying and rectifying remedial measures.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details. Details of the Ecologist supervising the ecological works will be forwarded to the Local Planning Authority before vegetation clearance works commence. A report prepared by a competent person(s), certifying that the required

mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, shall be submitted to the Local Planning Authority within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner.

REASON: To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

- 18 Car and cycle parking provision for the site shall be in accordance with the required standards set out in the Wiltshire LTP3 Car Parking Strategy.

REASON In order to ensure an adequacy of site parking provision and to avoid inappropriate levels of on-street parking.

- 19 No occupation of a phase shall take place until a full Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation, and monitoring, and shall be implemented in accordance with the approved details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

REASON: In the interests of road safety and reducing vehicular traffic to the development.

- 20 No development shall take place on site until details of the estate roads, footways, footpaths (including surfacing of public footpaths), verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The development of a phase shall not be first occupied until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture have all been constructed and laid out in accordance with the approved details, unless an alternative timetable is agreed in the approved details.

REASON: To ensure that the site highway and transport infrastructure is constructed in a satisfactory manner.

- 21 No dwelling shall be occupied until all existing field access points serving the site have been permanently closed in accordance with boundary details which shall have first been approved in writing by the local planning authority and, where applicable, the existing lowered kerbs have been replaced by full height kerbs.

REASON: In the interests of highway safety.

- 22 The existing highway drain entering the site from Horse Road and shown on a plan in the Design and Access Statement, shall be located prior to the construction of any roads within the site. The highway drain shall be protected or otherwise incorporated into the site drainage system in accordance with details to be submitted to and approved by the local planning authority.

REASON: In order to ensure that existing highway drainage is not prejudiced by the development.

- 23 No development shall commence on site until a scheme of Ultra Low Energy Vehicle infrastructure has been submitted to the local planning authority. The scheme must be approved by the local planning authority prior to implementation and thereafter be permanently retained.

REASON: Core Policy 55; Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

- 24 The development hereby permitted must not be commenced until such time as a scheme to determine final bridge specifications for the proposed vehicular crossing, has been submitted to, and approved in writing by, the local planning authority. The plan shall demonstrate but not necessarily be limited to: " a clear span bridge with a soffit level of at least 36.717mAOD " the design will not increase flood risk elsewhere. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To ensure that there are no detrimental impacts to flood storage or flood flow routes and reduce the risk of flooding to the proposed development and future users.

- 25 The development hereby permitted must not be commenced until such time

as a scheme to ensure finished flood levels are set no lower than 300mm above the design flood level plus an appropriate allowance for climate change, has been submitted to, and approved in writing by, the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To reduce the risk of flooding to the proposed development and future users.

- 26 No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate a standard of a maximum of 110 litres per person per day is applied for all residential development. The scheme shall be implemented in accordance with the agreed details.

REASON: This condition contributes to sustainable development and meeting the demands of climate change. Increased water efficiency for all new developments enables more growth with the same water resources.

- 27 INFORMATIVE TO APPLICANT: The scheme pursuant to the reserved matters application shall include the following:

a) Section drawings of the SUDs basins and swales showing detailing of appearance any above ground structures (i.e. headwalls, barriers). b) A design specification for the upgrading of existing Public Rights of Way crossing the site. The specification shall be designed in discussion with the local planning authority.
c) Details of slab levels, steps, slopes, retaining walls and surrounding ground levels
d) A public art strategy
e) A design compliance statement, demonstrating that the REM details comply with the outline DAS, notwithstanding informative 1 (about street typology) below.

- 28 No development approved by this planning permission shall take place until such time as further infiltration testing has been carried out to confirm (or otherwise) the suitability of the site for the use of infiltration as a drainage element, and the surface water drainage strategy has been updated accordingly to reflect this is submitted and approved by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme. The surface water drainage strategy shall generally accord with the principles of the following approved plans and documents: " Surface Water

Drainage Strategy 2020 Revision No. 5 dated February 2020 by Quad Consult.

REASON: As the drainage is proposed by soakaway, although the infiltration tests seem favourable, the infiltration rates would only be acceptable at the time of the test. In case the soakaways would prove to be unfeasible and therefore, the above cannot be implemented, an alternative drainage method should be proposed and approved in writing by the Local Planning Authority. to ensure that the development can be adequately drained

- 29 INFORMATIVE TO APPLICANT: Any Reserved Matters applications submitted under this permission will be reassessed under the Habitats Regulations for compliance with the Trowbridge Bat Mitigation Strategy.
- 30 INFORMATIVE TO APPLICANT: 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 5th May 2021.

Sam Fox - Director Economic Development & Planning

