



The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions
Application Reference Number: PL/2024/05017
Decision Date: 13/10/2025

Applicant:	Mr Mark Kurton Brighthouse Court, Barnett Way, Barnwood, Gloucester, GL4 3RT
Particulars of Development:	Erection of 34 dwellings (comprising 33 open-market homes and one affordable First Home) including demolition of existing office building, new vehicular access, parking, drainage, landscaping and associated works.
At:	Southgate House, Pans Lane, Devizes, SN10 5EQ

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:

1. Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. Approved plans

The development hereby approved shall be implemented in accordance with the details of approved plan numbers and documents:

Drawings:

- 935-01 - Location Plan
- 935-06-B - Planning Layout
- 935-12-A - Street Scenes
- 935-24086-101 - Landscape Proposals - Rev D
- 935-30-A - HN Floor Plans and Elevations

- 935-31-A - HO Floor Plans and Elevations
- 935-32-A - CV Floor Plans and Elevations
- 935-33-A - HT Floor Plans and Elevations
- 935-34-A - PB Floor Plans and Elevations
- 935-35-A - HA Floor Plans and Elevations
- 935-36-A - 1B and A6 Elevations
- 935-37-A - 1B and A6 Floor Plans
- 935-PAP - Parking Allocation Plan
- 935-RSP - Refuse Strategy Plan
- 935-SPA-1 Rev - Swept Path Assessment - Refuse Collection
- 935-SPA-2 Rev - Swept Path Assessment - Fire Tender
- 935-VIS Rev - Visibility Splay Plan

Documents:

- 11582_2025-03-07 v1C AIA complete
- 2404-011 Transport Statement 01 240529
- 2404-011_Travel Plan 01_240529
- 935 - Waste Minimisation Statement
- CS-2278 Factual Ground Investigation Report
- Flood Risk Assessment and Drainage Strategy Rev A
- M2420 R01b Southgate House - Noise Impact Assessment
- Southgate House Biodiversity Net Gain Report_V2
- Southgate House Construction and Environmental Management Plan V1
- Southgate House Ecological Impact Assessment_V1

Reason: In the interests of proper planning and to define the planning permission.

Pre-construction

3. Landscape and Environmental Management Plan (LEMP)

With the except of demolition, prior to the start of construction, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. As a minimum, the LEMP will include:

- i. An Ecological Enhancement Plan showing:
 - a) The location, number and type of features for wildlife in accordance with Section 7 of the Ecological Impact Assessment;
 - b) The location, type and extent of fencing along the woodland edge, this fencing must be permeable by badger;
 - c) Locations of fence gaps for hedgehog;
 - d) Identification of the habitats to be created/enhanced and managed for the benefit of target species such as invertebrates and badger
- ii. Long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature shown on the Ecological Enhancement Plan.
- iii. The mechanism for monitoring success of the management prescriptions and a procedure for review and necessary adaptive management in order to attain targets.
- iv. Details of the mechanism(s) by which long-term implementation of the plan will be secured.

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 ecological features retained and created by the development, for the benefit of biodiversity for the lifetime of the scheme.

4. Habitat Management and Monitoring Plan (HMMP)

With the exception of demolition, construction of the development hereby approved shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan, has been submitted to, and approved in writing by, the local planning authority. As a minimum, the HMMP shall include:

- a) a non-technical summary;
- b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- e) the monitoring methodology and specification of a Monitoring Pack (to include but not exclusively up to date Management Actions Logs, Habitat Condition Assessment Reports, metric calculation; and corresponding post intervention Habitat Map) which shall be submitted to the Local Planning Authority in years 2 (two) 5 (five) 10 (ten) 15 (fifteen) 20 (twenty) and 30 (thirty) of the Maintenance Period.

Notice in writing shall be given to the Council when the:

- 1) HMMP has been implemented; and
- 2) habitat creation and enhancement works as set out in the HMMP have been completed.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

REASON: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

Construction phase

5. CEMP compliance

All phases of the development hereby approved shall be implemented in accordance with the measures as detailed within the submitted Construction Environment Management Plan (Author: Ethos Environmental Planning, Dated: August 2025).

REASON: To ensure adequate protection and mitigation for ecological receptors 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.

6. Unexpected contamination

In the event unexpected contamination is encountered, construction of the development hereby permitted shall cease until a phased contamination risk assessment (to be carried out by a competent person in accordance with current government guidance and approved codes of practice) has been submitted to and approved in writing by the local planning authority. The phased contamination risk assessment shall be completed in accordance with the below requirements:

- Phase 1 shall include a comprehensive intrusive investigation in order to identify and characterise the type, nature and extent of contamination present, the risks to receptors and if significant contamination is identified to inform a Phase 2 remediation strategy,

- Phase 2 shall require the preparation and submission of a remediation strategy to ensure the site will be rendered suitable for its intended use. Thereafter the development shall be completed strictly in accordance with the remediation strategy approved under Phase 2 of this condition and the use shall not commence until a validation report confirming completion of these works has been submitted to and approved in writing by the local planning authority.

REASON: To ensure that any risk of ground, water and/or associated gas contamination is identified and, if necessary, a scheme implemented to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use in accordance with the planning policy advice of paragraph 189 of the National Planning Policy Framework.

7. Below ground services/utilities locations

With the exception of the demolition of the existing building, construction of the development hereby approved shall not commence until full details of the locations and types of all below ground services/utilities have been submitted to and approved in writing by the local planning authority.

As a minimum, the details shall include the locations and specifications any existing services to be reused and any new services required to be provided, shown on a scale plan and, if any services are required to be installed within areas of protected woodland, written details of mitigation measures to ensure no harm to the trees/habitat occurs during the construction phase shall be submitted.

Thereafter, the development shall be completed and maintained in accordance with the approved details.

8. External materials (apartment block)

Notwithstanding the details of the approved plans, construction of the apartment block (plots 19-28) hereby approved shall not proceed above finished floor (slab) level until details of all external materials have been submitted to and approved in writing by the local planning authority.

As a minimum, the details shall include the manufacturer/material name, details of the colour and/or external finish and a photographic sample of the material.

Thereafter, the development shall be completed and maintained in accordance with the approved details.

REASON: To ensure the development is completed to a high-quality design and is sympathetic to the existing character of the site and street scene in accordance with the aims of Core Policies 51 and 57 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

9. External materials (houses)

Notwithstanding the details of the approved plans, construction of the dwellinghouses hereby approved (plots 1-18 and 29-34) shall not proceed above finished floor (slab) level until details of all external materials have been submitted to and approved in writing by the local planning authority.

As a minimum, the details shall include the manufacturer/material name, details of the colour and/or external finish and a photographic sample of the material.

Thereafter, the development shall be completed and maintained in accordance with the approved details.

REASON: To ensure the development is completed to a high-quality design and is sympathetic to the existing character of the site and street scene in accordance with the aims of Core Policies 51 and 57 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

10. Low-carbon and renewable energy technologies

No development above slab level shall occur until final details of the low-carbon and renewable energy technologies (such as air source heat pumps and roof-mounted solar PV) has been submitted to and approved in writing by the local planning authority. Details shall include, but not necessarily be limited to location, number, dimensions and manufacturer's details (to include noise mitigation measures if required for air source heat pumps). The development shall be carried out and maintained in accordance with the approved details.

REASON: In order to define the terms of the permission and in order to support and encourage sustainable construction in accordance with policies CP41, CP55 and CP57 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

Pre-occupation

11. Drainage scheme (implementation)

The development hereby permitted shall not be occupied or brought into use until the drainage system for the disposal and management of surface water has been

installed, in full, in accordance with the details of the submitted Flood Risk Assessment and Drainage Strategy (Report No. NHL / 935 - ER – 01 - Issue A; Dated: 11-Oct-2024). Thereafter, the development shall be maintained in accordance with the approved details.

REASON: To ensure that surface water is sufficiently managed within the site in the interests of protecting future occupiers of the development and neighbouring land from increased risk of flooding in accordance with the aims of Core Policy 67 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

12. Noise mitigation and mechanical ventilation

The apartments and dwellings hereby approved shall not be occupied or brought into use until all noise mitigation and mechanical ventilation measures, relevant to the respective plot, have been installed in accordance with the details of the submitted Noise Assessment for Planning (Author: Ion Acoustics Ltd. Issue/Revision Number: A1772 R02). The development shall be maintained in accordance with the approved details thereafter.

REASON: To ensure a satisfactory noise environment is achieved and maintained in the interests of residential amenities in accordance with the aims of Core Policy 57 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

13. Site planting

The dwellings and apartment block hereby approved shall not be occupied or brought into use until the planting scheme for each respective plot (or in the case of the apartment block plots 19-28) has been completed in accordance with the details of approved plan no. 935-24086-101 rev D.

Any trees or plants (including existing trees and hedges to be retained) which, within a period of five years from first occupation of the development, 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.

REASON: To ensure a satisfactory landscaped setting for the development, to provide biodiversity enhancement and a high quality of residential amenity in accordance with the aims of Core Policies 50, 51 and 57 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

14. Bat and bird boxes

The development hereby permitted shall not be occupied or brought into use until at least 10 integrated bat bricks, 15 integrated bird boxes and 10 integrated bee bricks have been installed in accordance with details that shall first be submitted to and approved in writing by the local planning authority.

As a minimum, the details shall include technical specifications and locations of the ecological enhancement features (to be shown on architect's elevations drawings and a site layout plan). It must be demonstrated that the features will benefit a target species or group(s) and demonstrate viability in terms of position on building, location and clustering in accordance with relevant guidance.

Thereafter, the ecological enhancement features will be maintained in accordance with the approved details to continue to be available for the target species for the lifetime of the development.

REASON: To provide enhancement for biodiversity in accordance with the aims of Core Policy 50 of the Wiltshire Core Strategy and the relevant planning policy advice of the National Planning Policy Framework.

15. Site roads and access

The development hereby permitted shall not be occupied or brought into use until the site roads, access(es) to the public highway (including visibility splays), footpaths and visitor car parking spaces have been constructed/laid out in full in accordance with the details of approved plan nos. 935-PAP and 935-VIS. Thereafter, the development shall be maintained in accordance with the approved details.

REASON: To ensure that future residents of the development have safe access to the public highway sufficient levels of visitor car parking, at the time of occupation, in the interests of residential amenities and highway safety in accordance with the aims of Core Policies 61 and 64 of the Wiltshire Core Strategy and relevant planning policy advice of the National Planning Policy Framework.

16. Off-street parking (cars/cycles - apartments) and bin storage

The apartments hereby approved (plots 19-28) shall not be occupied or brought into use until the associated car and cycle parking areas and bin/recycling storage areas have been constructed/laid out in full in accordance with the details of approved plan no. 935-PAP and made available for use. Thereafter, the parking spaces shall be kept unobstructed and available for use in association with the respective plot no./address.

REASON: To ensure that future residents of the development have safe access to sufficient levels of off-street car parking, at the time of occupation, in the interests of residential amenities and highway safety in accordance with the aims of Core Policies 61 and 64 of the Wiltshire Core Strategy and relevant planning policy advice of the National Planning Policy Framework.

17. Off-street parking (cars and EV charging – houses) and bin storage

The dwellinghouses hereby approved (plots 1-18 and 29-34) shall not be occupied or brought into use until the associated car parking spaces (to include a minimum of one EV charging point per plot) and areas for the storage of bins/recycling boxes have been constructed/laid out in full in accordance with the details of approved plan no. 935-PAP and made available for use. Thereafter, the parking spaces shall be kept unobstructed and available for use in association with the respective plot no./address.

REASON: To ensure that future residents of the development have safe access to sufficient levels of off-street car parking, at the time of occupation, in the interests of residential amenities and highway safety in accordance with the aims of Core Policies 61 and 64 of the Wiltshire Core Strategy and relevant planning policy advice of the National Planning Policy Framework.

18. Travel plan compliance

No part of the development shall be occupied or brought into use until the details/recommendations of Section 6 of the submitted Travel Plan (Author: Transport Planning Associates, Dated: May 2024, Doc Ref. 2404-011/TP/01) have been implemented. Thereafter, the development shall be operated in accordance with the approved details.

Reason: To ensure the development promotes the use of sustainable modes of transport in accordance with the aims of Core Policies 60 and 61 of the Wiltshire Core Strategy, policy T1 of the Devizes Area Neighbourhood Plan and the planning policy advice of the National Planning Policy Framework.

Compliance

19. External lighting

All lighting provided on site shall be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2021), and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals and will demonstrate that bat habitat (trees, scrub and hedgerows) on the perimeter of the site will remain below 1 lux (or no higher than existing).

REASON: In the interests of the amenities of the area and to minimize impacts on biodiversity caused by light spillage to areas above and outside the development site in accordance with the aims of Core Policies 50, 51 and 57 of the Wiltshire Core Strategy and relevant planning policy advice of the National Planning Policy Framework.

20. Obscure glazing (Plots 1-18 and 29-34)

The dwellinghouses at Plots 1-18 and 29-34 hereby approved shall not be occupied or brought into use until all first-floor windows serving bathrooms, WCs and ensembles for each plot have been fitted with obscure glazing, non-opening to a minimum height of 1.7 metres from the internal first-floor level. The development shall be maintained in that state thereafter.

REASON: To ensure sufficient levels of privacy are secured in accordance with the aims of Core Policy 57 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

21. Means of enclosure (Plots 1-18 and 29-34)

The dwellinghouses at Plots 1-18 and 29-34 hereby approved shall not be occupied or brought into use until means of enclosure around the rear private gardens for each plot has been constructed/installed to a minimum height of 1.8 metres (no greater than 2 metres in height). The development shall be maintained in that state thereafter.

REASON: To ensure sufficient levels of privacy are secured in accordance with the aims of Core Policy 57 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

22. PD restriction windows and doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) no windows or doors (to include rooflights and dormer windows) shall be constructed/installed other than those shown on the approved plans. The development shall be maintained in that state thereafter.

REASON: To ensure that sufficient levels of privacy of between neighbouring plots and neighbouring properties are maintained in accordance with the aims of Core Policy 57 of the Wiltshire Core Strategy and the planning policy advice of the National Planning Policy Framework.

Informative Notes:

Linked s.106

This planning permission must be read in conjunction with the linked Section 106 agreement dated 7th October 2025, the requirements of which must be met, before the development can commence or at such a time as defined within the s.106 agreement, along with the requirements of the conditions of this planning permission.

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the 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.

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

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.

In this case, a Biodiversity Gain Plan needs to be submitted and approved prior to the commencement of the development (the construction of the exercise

arena). Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action for breach of planning control.

For further information please refer to:

<https://www.gov.uk/government/collections/biodiversity-net-gain#developer-guidance>

Surface Water guidance

Details submitted to discharge the surface water drainage condition should confirm that the design has been undertaken in accordance with the Department for Environment, Food and Rural Affairs “National standards for sustainable drainage systems (SuDS)” (that was updated on 30th July 2025). With particular attention to the requirements to include water quality improvements.

Wherever possible the applicant should seek to provide additional blue-green SuDS features throughout the development in order to provide increased climate resilience, and a drainage system with multi-faceted benefits. The use of source control features throughout the development may help reduce the size of a single site-wide attenuation system.

Artificial Lighting

Artificial light at night can have a substantial adverse effect on biodiversity. Any new lighting should be for the purposes for safe access and security and be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, ‘Guidance for the Reduction of Obtrusive Light’ (ILP, 2021), and Guidance note GN08/23 “Bats and artificial lighting at night”, issued by the Bat Conservation Trust and Institution of Lighting Professionals.

Protected Species

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Conservation of Habitats and Species Regulations 2017 (as amended) it is an offence to disturb or harm any protected species including for example, breeding birds and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England’s website for further information on protected species.

Community Infrastructure Levy

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>

Highways

The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license or s.278 agreement 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. All appropriate licences for skips or waivers for construction-related vehicles should be sought from the appropriate teams within the Council.

General Notes

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 landowner's 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.

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.

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
- 4 **CIL.** The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website [Community Infrastructure Levy \(CIL\) - Wiltshire Council](#)