



The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions
Application Reference Number: PL/2023/03573
Decision Date: 26/06/2025

Applicant:	Backhouse Housing Limited B2 Methuen South Methuen Park Chippenham SN14 0GT
Particulars of Development:	Redevelopment of the site to include 102 residential units (Class C3), the provision of 267sqm of retail space (Class E), open space and associated landscaping, improved access (pedestrian, cycle and vehicular) and parking.
At:	Northgate Brewery, Northgate Street, Devizes, SN10 1JW

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

- Site Location Plan – no. 1370_01-100-PL6
- Site Demolition Plan – no. 1370_03-201-PL6
- Block Plan – no. 1370_01-101-PL7
- Existing Ground Floor Site Plan – no. 1370_02_001-PL6
- Existing Roof Plan – no. 1370_02_004_PL6
- Existing Building Elevations – no. 1370_05_001_PL4
- Existing Site Sections A, B, C – no. 1370_04-101-PL5
- Site Survey Existing 1 of 3 – no. 20799-200-01 RevA
- Site Survey Existing 2 of 3 – no. 20799-200-02 RevA
- Site Survey Existing 3 of 3 – no. 20799-200-03 RevA
- Proposed Ground Floor Site Plan – no. 1370_02-102-PL11
- Proposed First Floor Site Plan – no. 1370_02-103-PL8
- Proposed Second Floor Site Plan – no. 1370_02-104-PL8
- Proposed Third Floor Site Plan – no. 1370_02-105-PL8
- Proposed Roof Site Plan – no. 1370_02-106-PL9
- Proposed Site Sections A, B, C – no. 1370_04-301-PL5
- Block A Elevations – no. 1370_05-401-PL6
- Block A Floor Plan – no. 1370_03-412-PL7
- Block F Floor Plan – no. 1370_03-405-PL5
- Block G Floor Plan – no. 1370_03-406-PL5
- Block C2 Elevations and Floor Plan – no. 1370_03-418-PL5
- Block C3 Elevations and Floor Plan – no. 1370_03-419-PL5
- Block MNPQ Ground Floor Plan – no. 1370_03-413-PL6

- Block MNPQ First Floor Plan – no. 1370_03-414-PL6
- Block MNPQ Second Floor Plan – no. 1370_03-415-PL6
- Block MNPQ Third Floor Plan – no. 1370_03-416-PL6
- Block MNPQ Roof Plan – no. 1370_03-417-PL7
- Block Q Elevations – no. 1370_05-404-PL6
- Block M Sections – no. 1370_04-202-PL6
- Block NP Sections – no. 1370_04-203-PL6
- Block Q Sections – no. 1370_04-204-PL6
- Avon Cottage Plans and Elevations – no. 1370_05-002-PL4
- House Type B2 Elevations and Sections – no. 1370_05-501-1-PL6
- House Type B5-A Elevations – no. 1370_05-521-PL3
- House Type C1-A Elevations and Sections – no. 1370_05-512-PL5
- House Type C2-A Elevations and Sections – no. 1370_05-512-1-PL5
- House Type C3-A Elevations and Sections – no. 1370_05-512-2-PL7
- House Type C4-A Elevations – no. 1370_05-517-PL5
- House Type C4-B Elevations – no. 1370_05-518-PL4
- House Type C5-A Elevations – no. 1370_05-519-PL5
- House Type C5-B Elevations – no. 1370_05-520-PL5
- House Type D1 Elevations and Sections – no. 1370_05-503-2-PL5
- House Type D2 Elevations and Sections – no. 1370_05-503-1-PL5
- House Type EH1 Elevations and Sections – no. 1370_05-505-PL5
- House Type EH2 Elevations and Sections – no. 1370_05-504-PL5
- House Type EH3 Elevations and Sections – no. 1370_05-505-1-PL5
- House Type FG1 Elevations and Sections – no. 1370_05-514-PL6
- House Type FG2 Elevations and Sections – no. 1370_05-506-PL6
- House Type FG3 Elevations and Sections – no. 1370_05-507-PL5

- House Type JK1 Elevations and Sections – no. 1370_05-508-PL5
- House Type JK2 Elevations and Sections – no. 1370_05-508-1-PL5
- House Type JK3 Elevations and Sections – no. 1370_05-515-PL5
- House Type JK4 Elevations and Sections – no. 1370_05-508-2-PL5
- House Type L1 Elevations and Sections – no. 1370_05-509-PL5
- House Type L2 Elevations and Sections – no. 1370_05-510-PL5
- House Type L3 Elevations and Sections – no. 1370_05-509-1-PL5
- House Type R1-A Elevations – no. 1370_05-511-PL7
- House Type R1-B Sections – no. 1370_05-516-PL7
- House Type B2 Floor Plans – no. 1370_03-502-PL6
- House Type B5 Floor Plans – no. 1370_03-519-PL3
- House Type C1 Floor Plans – no. 1370_03-512-PL5
- House Type C2 & C3 Floor Plans – no. 1370_03-516-PL7
- House Type C4 Floor Plans – no. 1370_03-517-PL5
- House Type C5 Floor Plans – no. 1370_03-518-PL5
- House Type D1 & D2 Floor Plans – no. 1370_03-503-PL5
- House Type EH1 & EH3 Floor Plans -no. 1370_03-505-PL5
- House Type EH2 Floor Plans – no. 1370_03-504-PL5
- House Type FG1 Floor Plans – no. 1370_03-513-PL5
- House Type FG2 Floor Plans – no. 1370_03-506-PL5
- House Type FG3 Floor Plans – no. 1370_03-507-PL5
- House Type JK1, JK2 & JK4 Floor Plans – no. 1370_03-508-PL6
- House Type JK3 Floor Plans – no. 1370_03-514-PL6
- House Type L1 & L3 Floor Plans – no. 1370_03-509-PL5
- House Type L2 Floor Plans – no. 1370_03-510-PL5
- House Type R1 Floor Plans – no. 1370_03-511-PL7

- Apartment Types A1-A5 Floor Plans – no. 1370_03-601-PL5
- Apartment Types MP1, MP2, M1, M2 Floor Plans – no. 1370_03-612-PL5
- Apartment Types M3 Floor Plans – no. 1370_03-611-PL5
- Apartment Types MP3, MP4, M4 Floor Plans – no. 1370_03-613-PL5
- Apartment Types N1-N3 Floor Plans – no. 1370_03-621-PL5
- Apartment Types N4-N5 Floor Plans – no. 1370_03-622-PL5
- Apartment Types P1-P3 Floor Plans – no. 1370_03-625-PL5
- Apartment Types P4, P5 Floor Plans – no. 1370_03-626-PL5
- Apartment Types Q1-Q4 Floor Plans – no. 1370_03-651-PL4
- Apartment Types Q5-Q7 Floor Plans – no. 1370_03-652-PL4
- Block A Demolition Plans – no. 1370_05-003-PL5
- Block A Demolition Elevations – no. 1370_05-004-PL5
- Block A Demolition Sections – no. 1370_05-005-PL5
- General Arrangement Plan Roof Level 1 of 2 – no. 1364-013-P6
- General Arrangement Plan Roof Level 2 of 2 – no. 1364-014-P6
- Typical Detail Tree Pit in Soft Landscape – Planted Beds – no. 1364-401-P3
- Typical Detail Tree Pit in Hard Landscape – Brewery Yard – no. 1364-402-P3
- Typical Detail Tree Pit in Hard Landscape – Parking Bays – no. 1364-403-P3
- Typical Detail Tree Pit in Soft Landscape – Restricted Areas – no. 1346-404-P1
- Hard Landscape Plan 1 of 2 – no. 1364-301-P1
- Hard Landscape Plan 2 of 2 – no. 1364-302-P1
- Illustrative Masterplan – no. 1364-G804-P8
- Strategic Levels Layout – no. 890645-RSK-ZZ-XX-DR-C-1001-P13
- Strategic Drainage Layout – no. 890645-RSK-ZZ-XX-DR-C-3001-P09
- Drainage Catchment Plan – no. 890645-RSK-ZZ-XX-DR-C-3002-P04
- Overland Flow Route Plan – no. 890645-RSK-ZZ-XX-DR-C-3003-P03

- Construction Details Sheet 1 – no. 890645-RSK-ZZ-XX-DR-C-4003-P02
- Construction Details Sheet 2 – no. 890645-RSK-ZZ-XX-DR-C-4004-P01
- Design and Access Statement REV K – Dated. 09/10/2024
- Landscape Design Statement – Dated. 09/10/2024
- Planning Statement – Dated. 09/10/2024
- Heritage and Archaeology Statement – Dated. 21/04/2023
- Heritage Addendum – Dated. 09/10/2024
- Archaeology Addendum – Dated. 09/10/2024
- Transport Assessment – Dated. 09/10/2024
- Travel Plan – Dated. 09/10/2024
- Transport Assessment Addendum – Dated. 09/10/2024
- Flood Risk Assessment (including Drainage) – Dated. 09/10/2024
- Energy and Sustainability Strategy – Dated. 09/10/2024
- Air Quality Assessment – Dated. 21/04/2023
- Noise Assessment – Dated. 09/10/2024
- Phase 1 Contaminated Land Desk Study Report – Dated. 21/04/2023
- Waste Audit – Dated. 09/10/2024
- Public Art Strategy – Dated. 09/10/202

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

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

- Block B. Drawing no: 1370_03-401-PL6

- Block C. Drawing no: 1370_03-402-PL7
- Block D. Drawing no: 1370_03-403-PL5
- Block E. Drawing no: 1370_03-404-PL5
- Block F. Drawing no: 1370_03-405-1-PL6
- Block G. Drawing no: 1370_03-406-1-PL6
- Block H. Drawing no: 1370_03-407_PL5
- Block J. Drawing no: 1370_03-408-PL5
- Block K. Drawing no: 1370_03-409-PL5
- Block L. Drawing no: 1370_03-410-PL5
- Block M. Drawing no: 1370_05-402-PL6
- Block NP. Drawing no: 1370_05-403-PL6
- Block R. Drawing no: 1370_03-411-PL7
- Landscape and Ecology Management Plan. Report ref: 1696B-LEMP-VB-REV1.
- Rev 1. 09/10/24.
- Arboricultural Impact Assessment. Report ref: 09/10/2024. GE Consulting.
- Ecological Impact Assessment. Report ref: 1696B-EcIA-VB-REV1. September 2023.
- Landscape Masterplan 1364-010-P6
- General Arrangement Plan Ground Level 1 of 2 1364-011-P6
- General Arrangement Plan Ground Level 2 of 2 1364-012-P6
- Planting Plan Ground Level 1 of 2 1364-201-P6
- Planting Plan Ground Level 2 of 2 1364-202-P6
- Typical Detail Tree Protective Fence 1364-400-P2
- Vegetation Retention and Removal Plan 1 of 2 1364-002-P3
- Vegetation Retention and Removal 1364-003-P3
- Base Landscape Plans 1 of 2 1364-101-P4

- Base Landscape Plans 2 of 2 1364-102-P4
- External Lighting Plan CPW-221283-ZZ-00-DR-E-22101_S3 P08

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

- 4** Prior to commencement of the development, a programme, or phasing plan for the delivery and completion of the dwellings, the commercial space and the public open space(s) shall be first submitted to, and approved in writing by, the local planning authority. The dwellings, the commercial space and the public open space(s) shall then be delivered and completed in accordance with the approved programme.

REASON: To ensure the creation of a sustainable development which is in character with its surroundings and in accordance with the terms of the planning application.

- 5** The development hereby approved shall not commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of the following relevant measures:

- i. An introduction consisting of a construction phase environmental management plan, definitions and abbreviations and project description and location;
- ii. A description of management responsibilities;
- iii. A description of the construction programme;
- iv. Site working hours and a named person and telephone number for residents to contact;
- v. Detailed Site logistics arrangements;
- vi. Details regarding parking, deliveries, and storage;
- vii. Details regarding dust mitigation;

viii. Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network;

ix. Communication procedures with the Local Planning Authority and local community regarding key construction issues – newsletters, fliers etc.;

x. Details of how surface water quantity and quality will be managed throughout construction;

xi. Details of the safeguarding measures to deal with the following pollution risks:

- the use of plant and machinery
- wheel washing and vehicle wash-down and disposal of resultant dirty water
- oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes

xii. Details of safeguarding measures to highway safety to include:

- A Traffic Management Plan (including signage drawing(s))
- Routing Plan
- Details of temporary/permanent Traffic Regulation Orders
- pre-condition photo survey - Highway dilapidation survey
- Number (daily/weekly) and size of delivery vehicles.
- Number of staff vehicle movements.

xii. In addition, the Plan shall provide details of the ecological avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. protection fencing.
- Working method statements for protected/priority species, such as nesting birds and bats (to include Appendix 6 and 7 of the Ecological Assessment Report (Report ref: 1696B-EcIA-VB-REV1. September 2023).
- 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.
- Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).

There shall be no burning undertaken on-site at any time.

Construction hours shall be limited to 0730 to 1800 hrs Monday to Friday, 0730 to 1300 hrs Saturday and no working on Sundays or Bank Holidays.

REASON: To minimise potential detrimental impacts on the Devizes Conservation Area, neighbouring properties and the surrounding area—including the Kennet and Avon Canal—protect the natural environment from pollution risks and ensure highway safety during the construction phase.

- 6** No development shall commence on site other than archaeological investigations, ground investigations and demolition, until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall take account of the letter dated the 10th of February 2024 from the Wiltshire Council Drainage Team to the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

- 7** No development shall commence on site, other than archaeological investigations, demolition and 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 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 should be submitted to the Local Planning Authority. 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 risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 8** No development shall commence within the red line boundary of the site as shown on drawing no. 01-100 Rev PL6, other than archaeological investigations, ground investigations and demolition, until:

a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and

b) The approved programme of archaeological work has been carried out in accordance with the approved details.

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

- 9** No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development until the tree protective fencing has been laid out in accordance with drawing ref: 1364-400-P2 - Typical Detail Tree Protective Fence.

The protective fencing shall be erected in accordance with the approved details. The protective fencing shall 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 practise.

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.

No concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later].

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

- 10** No part of any building attached to the historic Wadworth Brewery shall be demolished until a scheme for these works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

- The full extent of demolition works clearly demarcated on a plan
- The method of demolition
- The means of making good the listed building
- A timetable in which the above works are to take place.

The development shall be carried out in accordance with the approved scheme and timetable.

REASON: To ensure that any demolition and rebuilding works are carried out in an appropriate and timely manner in the interests of preserving the character and special interest of the listed building.

INFORMATIVE TO APPLICANT:

The Local Planning Authority will expect the means of making good the listed building to be carried out significantly in advance of the full occupation of the development.

- 11** No eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys, dormers and canopies shall be constructed on site until details of them have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure the development will be of a high-quality finish that preserves the character and appearance of the Devizes Conservation Area, respects the setting of nearby listed buildings, and contributes positively to the historic and visual quality of the town centre.

- 12** Notwithstanding the submitted details, no development shall commence above the ground floor slab level until details and samples of the materials to be used for the external walls (including brick colour, texture, face bond, size, jointing and pointing) and roofs have been submitted to and approved in writing by the Local Planning Authority. This shall include a sample wall panel, not less than 1 metre squared constructed on-site for inspection. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved details.

REASON: To ensure the development will be of a high-quality finish that preserves the character and appearance of the Devizes Conservation Area, respects the setting of nearby listed buildings, and contributes positively to the historic and visual quality of the town centre

- 13** Prior to use commencing in any non-residential building an assessment of the acoustic impact arising from any externally mounted plant shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall:

- be undertaken in accordance with BS 4142: 2014+A1:2019; and,

- include a scheme of attenuation measures to demonstrate the rated level of noise shall be 5dB (LA_{eq}) below typical background (LA₉₀) levels at the nearest noise sensitive location.

If the precise detail of the scheme, such as specific use or plant specifications, is not known, then likely worst-case scenarios with respect to noise impact on residential premises should be assumed. Development shall be carried out in accordance with the approved details prior to the use commencing.

Background levels are to be taken as an LA₉₀ (1 hour) and the ambient noise levels shall be expressed as an LA_{eq} (1 hour) during the daytime (0700 – 2300) and shall be expressed as an LA₉₀ and LA_{eq}(15 minutes) during the night (2300 – 0700) at the boundary of the nearest residential noise-sensitive receptor.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

- 14** Prior to use commencing in any non-residential building that requires mechanical air extraction or ventilation systems, a scheme of works for the control and dispersal of any atmospheric emissions from them, including odours, fumes, smoke & other particulates, shall be submitted to and approved in writing by the Local Planning Authority. The works detailed in the approved scheme shall be installed in their entirety before the operation of the use hereby permitted. The equipment shall thereafter be maintained in accordance with the manufacturer's instructions for the lifetime of the development.

The scheme must include full technical details and a risk assessment in accordance with Appendix 2 and 3 respectively of the EMAQ "Control of odour and noise from commercial kitchen exhaust systems" Guidance DEFRA 05.09.2019.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

INFORMATIVE:

In discharging this condition we recommend the applicant ensures that the ventilation system discharges vertically at a height of at least 1m above the heights of any nearby sensitive buildings or uses and not less than 1m above the eaves.

- 15** Prior to occupation of the commercial unit, a schedule of opening hours for it shall be submitted to and approved in writing by the Local Planning Authority. The unit shall be operated in accordance with the approved schedule of opening hours.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

- 16** Deliveries and collections for all non-residential uses on the site shall be restricted to 07:00 – 21:00 Monday to Sunday (including Bank Holidays). No deliveries or collections shall take place outside of these hours.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

- 17** The façade glazing types and ventilation shall be carried out in accordance with the recommendations and mitigation measures detailed within the Noise Assessment by Noise Consultants and dated October 2024. The precise design and details of the façade glazing and mechanical ventilation for each dwelling shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground development associated with that dwelling. The approved scheme shall thereafter be installed and maintained in a serviceable condition for the lifetime of the development.

REASON: In the interests of residential health and amenity

INFORMATIVE TO APPLICANT:

The applicant is advised to refer to the Professional Practice Guidance: Planning and Noise New Residential Development (May 2017 or later versions)) when seeking to discharge the above condition. Bedrooms should achieve an 8-hour LAeq (23:00 to 07:00) of 30dB(A) and an LAmax,F of 45dB with living rooms and dining rooms achieving a 16-hour LAeq (07:00 to 23:00) of 35dB(A).

- 18** No air source heat pump(s) shall be installed until details, including their design, location, noise levels, and any associated mitigation measures, have been submitted to and approved in writing by the Local Planning Authority. The details shall be in accordance with the guidance provided by the Chartered Institute of Environmental Health (CIEH) and Institute of Acoustics (IOA) Professional Advice Note, November 2022. The ASHPs will be appropriately sited and will not result in harmful noise or other environmental impacts to neighbouring properties. The approved air source heat pump system shall be installed and operated in accordance with the approved details.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area, in order to support and encourage sustainable construction and to ensure high-quality design and the protection of the historic environment, in accordance with Core Policies 41 and 57 and 58 of the Wiltshire Core Strategy.

- 19** No development, other than archaeological investigations, ground investigations and demolition, shall commence until a phasing plan for the construction of Kennet Drive and Brewery Avenue has been submitted to and approved in writing by the Local Planning Authority and to the satisfaction of the Local Highways Authority. The roads shall then be constructed in accordance with that phasing plan.

REASON: In the interests of sustainability and pedestrian amenity.

- 20** No dwelling hereby permitted shall be first occupied until the access, turning area and parking spaces [each unit to be provided with an EV charging point] have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.

REASON: In the interests of highway safety.

- 21** All soft landscaping comprised in the approved details of landscaping (drawing ref: Landscape Masterplan 1364-010-P3, Planting Plan Ground Level 1 of 2 1364-201-P2, Planting Plan Ground Level 2 of 2 1364-202-P2, Vegetation Retention and Removal Plan 1 of 2 1364-002-P3, Vegetation Retention and Removal 1364-003-P3, Base Landscape Plans 1 of 2 1364-101-P1 and Base Landscape Plans 2 of 2 1364-102-P1) shall be carried out in accordance with the approved Phasing and

Completion Plan agreed under Condition 4. 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, 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 and the protection of existing important landscape features.

- 22** All hard landscaping shall be carried out in accordance with drawing ref: Hard Landscape Plan 1 of 2 – no. 1364-301-P1 and Hard Landscape Plan 2 of 2 – no. 1364-302-P1. The final details of the materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details in accordance with the approved Phasing and Completion Plan agreed under Condition 4.

REASON: To ensure a consistent and cohesive visual appearance across the development and wider Devizes Wharf, maintaining uniformity in the choice, design, and specification of hard surfacing materials across.

- 23** Prior to the construction of any tree pits, details of them shall be submitted to and approved in writing by the Local Planning Authority. The tree pits shall be designed in accordance with the guidance set out in BS8545:2014 – 'Trees: from nursery to independence in the landscape'. They must provide adequate uncompacted, aerated, and free-draining soil volumes appropriate to the species of tree being planted, to ensure their successful establishment and ability to reach maturity. The design shall incorporate soil cell crate systems, as recommended by BS8545, in preference to traditional 'tree soil' systems, due to their ability to provide the necessary soil volume and nutrients for optimal tree growth.

REASON: To ensure the trees within the development are provided with the optimal growing conditions to thrive and mature, which is essential for both the long-term health of the trees and the broader ecological and aesthetic benefits of the development.

- 24** Before Block G is first occupied the bathroom window in the east elevation of Block G at the 2nd floor shall be glazed with obscure glass only [to an obscurity level of

no less than level 3] and the windows shall be permanently maintained with obscure glazing for the lifetime of the development.

REASON: In the interests of residential amenity and privacy.

- 25** No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

REASON: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework.

INFORMATIVE TO APPLICANT:

Any soakaways should not be located in areas known to be affected by contamination. The applicant should read G11 – Discharges from areas subject to contamination from ‘The Environment Agency’s approach to groundwater protection’

This document includes our groundwater position statements and sets out our position for a wide range of activities and developments, including:

- Discharge of liquid effluents
- Land contamination
- Drainage

- 26** No development shall commence above ground floor slab level until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

REASON: The site is in an area of serious water stress requiring water efficiency opportunities to be maximised, to mitigate the impacts of climate change, in the interests of sustainability and to use natural resources prudently in accordance with the National Planning Policy Framework.

- 27** A removable bollard shall be installed between blocks F & G and maintained in the upright position unless access is required for emergency, inspection or maintenance purposes.

REASON: To prevent unauthorised vehicle access to the canalside area in the interests of visual amenity, to protect the structural integrity of the canal bank and to prevent conflict between different types of users.

- 28** Lighting will be installed in accordance with the submitted documents (External Lightin Plan: CPW-221283-ZZ-00-DR-E-22101_S3 P06). No new external artificial lighting shall be installed at the site unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of conserving biodiversity.

- 29** In relation to the commercial unit, no part of the commercial unit hereby permitted shall be first brought into use until the turning area and loading bay (including EV charging provision) outlined in the submitted information have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.

REASON: In the interests of highway safety and amenity.

- 30** No part of the development hereby permitted shall be first occupied until the dropped kerbs and pedestrian crossing on New Park Street have been implemented to the satisfaction of the Local Highways Authority.

REASON: In the interests of sustainability and pedestrian amenity.

- 31** Within 6 months of occupation of the development hereby approved a full travel plan shall be submitted to and approved in writing by the Local Planning Authority. The full travel plan when approved shall be implemented (including the appointment of a travel plan co-ordinator) within 2 months/from the date of approval.

REASON: In the interests of promoting sustainable patterns of travel to and from the development.

- 32** Prior to the first occupation of each dwelling, the cycle parking for that property shall be provided and made available for use in accordance with the approved details.

REASON: To ensure that the objectives of sustainable development set out in policies CP41, CP55, CP57 and CP60 of the Wiltshire Core Strategy are achieved.

- 33** No roof-mounted solar PV shall be installed until details have 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. The development shall be carried out in accordance with the approved details.

REASON: In order to define the terms of the permission, to support and encourage sustainable construction, to promote high-quality design and to protect the historic environment in accordance with Core Policies 41, 57 and 58 of the Wiltshire Core Strategy.

- 34** No development shall commence above ground floor slab level until a final Sustainable Energy Strategy, explaining the low-carbon approach of the scheme taken in the technical design stages shall be submitted to and approved in writing by the Local Planning Authority. This shall include but not necessarily be limited to consideration of operational carbon, embodied carbon, climate change adaptation and sustainable transport. It shall be based on the Energy and Sustainability Strategy Revision H by JS Lewis Ltd. dated October 2024. The development shall be carried out in accordance with the agreed details.

REASON: To ensure that the objectives of sustainable development set out in policies Core Policies 41, 55, 57 and 60 of the Wiltshire Core Strategy are achieved.

Informative

- 35** The developer/applicant will be expected to enter into a S278/S38 Agreement with the Highway Authority to ensure that the adoption of the noted internal roads and the off site crossing point will be adopted by the LHA and this will need to be in place before commencement of works hereby approved.

Informative

- 36** The Environment Agency notes there is a mains foul sewer in the site. The proposed development should connect to this sewer, in accordance with the foul drainage hierarchy.

Informative

- 37** INFORMATIVE TO APPLICANT:

The applicant should contact the Canal & River Trust's Estate Surveyor, Steven Slocombe by email to Steven.slocombe@canalrivertrust.org.uk to agree the position of the boundary with the Canal & River Trust.

The applicant should contact the Canal & River Trusts Third Party Works Engineer by email Enquiries.TPWSouth@canalrivertrust.org.uk to ensure that the development complies with the Canal & River Trust's 'Code of Practice for works affecting the Canal & River Trust' and to discuss drainage arrangements.

Informative

- 38** 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>.

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
- 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](#)