

The Town and Country Planning Act 1990
Approval of Variation of Conditions
Application Reference Number: PL/2025/06462
Decision Date: 04/02/2026

Applicant:	Redcliffe Homes Ltd 4 High Street, Chipping Sodbury, BS37 6AH
Particulars of Development:	Variation of conditions 7, 8, 10, 11, 15, 16, 18, and 19 relating to application 20/07469/OUT, to include the wording 'Excluding Demolition' in conditions
At:	Beaumont Business Centre, Woodlands Road, Mere, Warminster, Wiltshire, BA12 6BT

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

In accordance with paragraph 38 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to compliance with the following conditions:

- 1 The development hereby permitted shall be begun either before the expiration of three years from 20th July 2023 (the date of the original outline permission), or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

a) The scale of the development;

b) The layout of the development;

- c) The external appearance of the development;
- d) The landscaping of the site (including strategic landscaping);

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

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

- 3** An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from 20th July 2023 (the date of the original outline permission).

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

- 4** The total number of dwellings hereby permitted shall be a maximum of 70 dwellings.

REASON: For the avoidance of doubt and in order to retain the character of the area and ensure highways safety is retained.

- 5** The development shall be carried out in accordance with following plans and reports:

Site and location plans (no reference)

Site access general arrangement design, 12599-HYD-XX-XX-DR-TP-0201 and 0202 PO3, dated 22/04/2021

Indicative position of crossings for Woodlands Road and Clements Lane, 12599-HYDXX-XX-DR-TP-0203 P01, 15/02/2021

Junction Visibility Splays – 2.4 x 43metres, 12599-HYD-XX-XX-DR-TP-0302 P01, 15/02/2021

Ecosupport ecology survey 9th November 2021 and EPP plan version 3

Tree survey and plan – Mark Hinsley 12th December 2019

REASON: For the avoidance of doubt

- 6** No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 08:00 to 18:00 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 interests of amenity

- 7** Based on the recommendation of the applicants' submitted report regards contamination a more detailed site investigation and risk assessment should be carried out. Consequently, no development shall commence on site, excluding demolition, until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

If the report submitted indicates that remedial works are required, full details shall be submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority. The report shall be in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance

- 8** No development shall commence on site, excluding demolition, until a scheme of Ultra Low Energy Vehicle infrastructure has been submitted to the LPA. The scheme must be approved by the LPA prior to implementation and thereafter be permanently retained.

REASON: In order to limit the impact of the development on air quality

- 9** No part of the development shall be first occupied, until the visibility splays (2.4m x 43m) shown on drawing Woodlands Road/ Clements Lane Junction Visibility Splays – 2.4 x 43metres, 12599-HYD-XX-XX-DR-TP-0302 P01, 15/02/2021 have been provided with no obstruction to visibility at or above a height of 0.6m above the nearside carriageway level. The visibility splays shall always be maintained free of obstruction thereafter.

REASON: In the interests of highway safety

- 10** No development shall commence on site, excluding demolition, until full technical details of a scheme of pedestrian crossing points, in Woodlands Road and Clements Lane as detailed on drawings Indicative position of crossings for Woodlands Road and Clements Lane, 12599- HYD-XX-XX-DR-TP-0203 P01, 15/02/2021, been submitted to and approved in writing by the Local Planning Authority. Such pedestrian facilities shall be provided in accordance with the approved details prior to any part of the development being first occupied (or such alternative timetable agreed with the local planning authority) and maintained thereafter.

REASON: In the interests of highway safety

- 11** No part of the development hereby permitted shall be first commenced, excluding demolition, until full technical details of the two vehicle junctions as detailed on drawings, Site access general arrangement design, 12599-HYD-XX-XX-DR-TP-0201 and 0202 PO3, 22/04/2021 has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the until the two junctions, signage (and TRO) have been completed in accordance with the details shown on the approved plans (or such alternative timetable agreed with Local Planning Authority). The junctions shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 12** No part of the development shall be first occupied (or such alternative timetable agreed with Local Planning Authority), until the visibility splays shown on the Site access general arrangement design, 12599-HYD-XX-XX-DR-DP-0202 PO2, 01/02/2021 have been provided with no obstruction to visibility at or above a height of 0.6m above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety

- 13** Before any of the dwellings are first occupied (or such alternative timetable agreed with the local planning authority), cycleway / footpath links shall be provided to the boundaries of the site to enable future connections to existing housing developments to the east and to the north, in accordance with details to be first submitted to and approved by the Local Planning Authority. The details so submitted shall include the ability to provide tie-ins with the existing adjacent carriageways and footways.

REASON: In order to provide non car accessibly with surrounding housing in the interests of sustainable and low carbon development

- 14** No development shall commence (no further than damp proof course on any dwelling) until a Residential Travel Plan has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied prior to the implementation of the Travel Plan.

Reason: In the interests of reducing the amount of private car movements to and from the development.

- 15** No development shall commence on site, excluding demolition, until a Construction Management Statement, together with a site plan, which shall include the following:

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- measures for the protection of the natural environment.
- hours of construction, including deliveries;
- pre-condition photo survey
- Routing plan – including no construction traffic (and contractors) to use Southbrook.
- Traffic Management Plan (including signage drawing(s))
- Number (daily/weekly) and size of delivery vehicles.
- Number of staff vehicle movements.
- Details of temporary/permanent Traffic Regulation Orders
- Phasing plan has been submitted to, and approved in writing by, the Local Planning Authority.

The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

- 16** No development shall commence on site, excluding demolition, until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, swept paths, 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 shall be constructed and laid out in accordance with the approved details.

REASON: To ensure that the roads are laid out and constructed in a satisfactory manner.

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

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

- 18** Prior to the commencement of works, excluding demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The CEMP shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection marked on a plan, e.g.

exclusion fencing.

- Working method statements for protected/priority species, such as nesting birds and reptiles.

- Mitigation strategies already agreed with the local planning authority prior to determination, including for great crested newts, reptiles, breeding birds and bats; this should comprise the pre-construction/construction related elements of strategies only.

- 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).

- Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.

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

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

- 19** Prior to the commencement of development, excluding demolition, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.

The LEMP shall also include details of the legal and funding 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 landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme

- 20** Plans and calculations to demonstrate the development will achieve a net biodiversity gain shall be submitted to and agreed in writing by the Local Planning Authority as part of any future reserved matters application. Calculations must be based on the most recent version of the Natural England Biodiversity Metric and will be supported by a plan showing habitat creation and enhancements demonstrating the extent and area of each habitat in relation to the development footprint. Any shortfall in measures within the application site will be made up

through a scheme approved by the Council prior to determination to secure, deliver and manage land off site for the operational lifetime of the development.

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

- 21** All lighting provided on site during the construction phase, and with regards the development phase and street lighting, shall be in accordance with the appropriate Environmental Zone 2 standards set out by the Institute of Lighting Engineers in their publication GN01:2011, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2011), and Guidance note 08/18 "Bats and artificial lighting in the UK", 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.

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.

- 22** As part of the reserved matters application for layout, a scheme for the sustainable drainage of the site shall be submitted to and approved in writing by the Local Planning Authority. Any such scheme should include the following:

- revised drainage calculations based on runoff from the whole site and not just the areas of hardstanding.
- how overland exceedance flows in excess of the 1 in 100year + 40% rainfall event will be wholly and safely managed on site
- the contamination risk to local watercourses is appropriately managed
- additional groundwater investigations, focused around the areas of proposed attenuation. The additional investigations shall consider:
 - Groundwater level monitoring (taking into account seasonal variations).
 - The interaction between different sources of flooding.
 - How groundwater will impact on the proposed drainage system.
 - The interaction between groundwater, groundwater recharge and aquifers.

The development shall be carried out in accordance with the agreed scheme.

REASON: To ensure that surface water is appropriately managed on site, the impact on downstream receptors is fully understood, in order to demonstrate that the risk of flooding from groundwater has been appropriately managed and to demonstrate that the risk of surface water flooding, as a result of drainage exceedance flows, will be safely managed. To prevent a contamination pathway

being formed between sources and sensitive receptors (including residential properties and watercourses)

Informatives

Biodiversity Net Gain, CP51 and Ecology

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Wiltshire Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Based on the information available this permission is considered to be one **which will not require** the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.

Regards condition 20 above, and the biodiversity matters in relation to a future reserved matters scheme, the Council will expect the development hereby permitted to be carried out in accordance with Appendix 4 Ecological Parameters Plan (EPP) V3 (Ecosupport, 15/07/2022) received on 29.07.2022 and in line with Biodiversity Net Gain included in the Ecology Report (Ecosupport 9/11/2021), and the EPP will form the basis for the site layout, unless detailed justification based on additional habitat and wildlife species surveys is submitted with any future reserved matters application.

Similarly, the Council will expect the development will be carried out in accordance with details of Biodiversity Net Gain and enhancements submitted in the Ecology Report (Ecosupport 9/11/2021), unless otherwise modified under the European Protected Species Mitigation Licence for Great Crested Newts and/or following updated ecology surveys at the Reserved Matters application stage.

S106 and Deed of Variation

This permission shall be read in conjunction with a Deed of Variation dated 22nd January 2026 (to vary the Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated 18th July 2023).

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. 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 www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy

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