



The Town and Country Planning Act 1990
Approval of Outline Planning Permission (Some Matters Reserved)
with Conditions

Application Reference Number: PL/2025/00965

Decision Date: 29/04/2026

Applicant:	Mr & Mrs Terry & Sam Weaver 31 Sarum Avenue, Melksham, Wiltshire, SN12 6BN
Particulars of Development:	Outline planning application for the erection of 2No. dwellings with all matters reserved apart from access and layout.
At:	Home Farm, Shaw Hill, Shaw, Melksham, SN12 8EW

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 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

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

- 2 An application for the approval of all the reserved matters specified in condition (3) shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

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

- 3 a) 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:

- i) The scale of the development

ii) The external appearance of the development

iii) The landscaping of the site

b) 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 4(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)

- 4** The development hereby permitted shall be carried out in accordance with the following approved plans, insofar as they relate to access and layout only:

Site Location Plan, 320/101 Rev A; received 04.03.2026

Proposed Site Plan, 320/102 Rev D, received 16.03.2026

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

- 5** The development shall be carried out in strict accordance with the following documents:

Ecological Method Statement, BatCraft, 13/09/2025

Ecological enhancements and mitigation shown on the Proposed Site Plan, 320/102 Rev D, Poulson, May 2024

Precautionary mitigation detailed for birds, badgers, reptiles, amphibians and 'other' in the Preliminary Ecological Appraisal and Roost Assessment, Arbtech, 22/08/2024

Biodiversity Net Gain Assessment, Arbtech, 20/02/2026

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

- 6** a) As part of the submission of the reserved matters specified in condition (3)(a), a site-specific amenity assessment shall be submitted to an approved in writing by the Local Planning Authority. The assessment shall identify potential impacts on future residential occupants arising from the adjacent use and shall demonstrate, by reference to the submitted plans and drawings, how the proposed design and landscape incorporate appropriate and proportionate mitigation measures to secure acceptable living conditions.

b) no dwelling shall be occupied until the approved amenity mitigation measures have been fully implemented in accordance with the approved reserved matters details.

c) The approved mitigation measures shall thereafter be retained for the lifetime of the development.

REASON: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

- 7 a) As part of the submission of the reserved matters specified in condition (3)(a), a detailed Surface Water Drainage Strategy (SuDS) and Management and Maintenance Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall demonstrate the management and maintenance for the lifetime of the development, and the strategy shall be based on sustainable drainage principles. The detail shall include, but not necessarily be limited to, the following:
- i) Evidence that the surface water disposal hierarchy has been applied to the strategy
 - ii) Evidence that the strategy mimics the existing drainage characteristics of the site by retaining and utilising any existing drainage features
 - iii) Soakaway testing in accordance with BRE365, and groundwater level monitoring which takes into account seasonal variations.
 - iv) Pre and post development runoff rates for the site, in accordance with Wiltshire Council's betterment policy update
 - v) Where applicable, calculations that demonstrate the sizing of any attenuation / SuDS features and cross section drawings of these features
 - vi) Pre and post development exceedance routing that demonstrates flood risk is not increased elsewhere
 - vii) Evidence that the finished floor levels are either:
 - Above the maximum predicted 100-year flood level; or, if no flooding is predicted
 - At a sufficient level above the SW drainage cover levels
 - viii) Consent for any outfalls from the proposed drainage systems to a public sewer or other drainage system not owned by the applicant
 - ix) Detail of how the proposed and existing drainage features of the site will be maintained and managed after the completion
- b) The SuDS shall be installed and made fully operational in accordance with the approved details prior to the first occupation of the dwelling.
- c) The SuDS shall be managed and maintained in accordance with the approved detail for the lifetime of the development.

REASON: To ensure that surface-water drainage is appropriately designed and integrated into the detailed layout and landscaping of the dwelling, in the interest of ensuring that the site can be adequately drained, and to secure a sustainable and maintainable drainage system for the lifetime of the development in the interests of flood prevention and long-term sustainability.

- 8** a) As part of the submission of the reserved matters specified in condition (3)(a), a detailed foul water drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include, but not necessarily be limited to, the following:
- i) Full details of the proposed foul drainage system, including the point of connection
 - ii) Consent from the relevant sewerage undertaker that capacity that:
 - Capacity exists within the receiving system to accept foul flows from the development; or
 - Any necessary upgrades to provide adequate capacity have been agreed
 - iii) Where foul drainage infrastructure is required: plans and sections showing gradients and cover levels
 - iv) A foul drainage management and maintenance plan
- b) The development shall be carried out in accordance with the approved strategy, and the dwelling shall not be occupied until the approved system has been installed and made fully operational.

REASON: To ensure that foul drainage is appropriately design and integrated into the detailed layout and landscaping of the dwelling, in the interest of preventing pollution and to safeguard the environment and public health.

- 9** 7. No external light fixture or fitting shall be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details shall demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation. The plans shall be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals (ILP) Guidance Notes on the Avoidance of Obtrusive Light (GN 01/2021) and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

REASON: To avoid illumination of habitat used by bats.

- 10** No part of the development hereby permitted shall be occupied until the access, turning area, parking spaces, and secure cycle storage 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.

- 11** No part of the development shall be occupied until the passing/waiting bay shown on the plans hereby approved has been formed in accordance with the approved details. The passing/waiting bay shall always thereafter be kept clear of obstructions and available for passing of vehicles.

REASON: To enable vehicles to pass/stand clear of the highway in the interests of highway safety.

- 12** a) 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 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 for residents to contact;

v) Detailed Site logistics arrangements;

vi) Details regarding parking, deliveries, and storage;

vii) Details regarding dust and noise 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; and

ix) Communication procedures with the LPA and local community regarding key construction issues – newsletters, fliers etc.

b) The approved CEMP shall be implemented in full throughout the construction phase of the development

REASON: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

- 13** No materials, waste or vegetation arising from the demolition or construction of the development hereby approved shall be burnt on site at any time.

REASON: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

- 14** a) No construction or demolition works shall take place outside the following hours:

i) 0800 to 1800 hrs Monday to Friday

ii) 0800 to 1300 hrs Saturday

b) No work shall take place on Sundays or Bank Holidays.

REASON: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.

- 15** a) No development shall commence on site 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 (including asbestos) has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site and any adjacent sites for at least the last 100 years and a description of the current condition of the sites with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site and the potential impact of any adjacent sites.

ii) If the above report indicates that contamination may be present on, under or potentially affecting the proposed development site from adjacent land, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "LCRM" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details must 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.

b) 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: Core policy 56, To reduce the risks associated with land contamination

- 16** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted

REASON: To enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements in the interest of ensuring that appropriate levels of amenity are achievable and to safeguard the character and appearance of the area.

- 17** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order no window, dormer window or rooflight shall be inserted in the roof slope(s) of the development at any time, unless such details are submitted to and approved by the Local Planning Authority as part of, or subsequent to, the reserved matters specified in condition (3)(a).

REASON: To enable the Local Planning Authority to consider individually whether planning permission should be granted, in the interest of ensuring that appropriate levels of amenity are achievable and to safeguard the character and appearance of the area.

Informative

- 1 - There is evidence that the site is used by roosting bats. Under the Conservation of Habitats and Species Regulations 2017 (as amended), it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under this legislation. The applicant is advised that a European Protected Species Licence will be required before any work is undertaken that will damage or destroy roosts. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist.

- All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.

- 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. Before commencing development, you should consider whether a Biodiversity Gain Plan needs to be submitted and approved. 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>

- The applicant is advised that the drainage strategy, required to be submitted as part of condition (6), will be expected to demonstrate compliance with drainage strategies, including the drainage hierarchy.

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