

The Town and Country Planning Act 1990
Approval of Full Planning Permission with Conditions
Application Reference Number: PL/2025/09067
Decision Date: 17/06/2026

Applicant:	TORH Pension Scheme c/o Agent, Spruce Town Planning Ltd, Office 9 Fleming Court, Leigh Road, Eastleigh, Hampshire, SO50 9PD
Particulars of Development:	Construction of three houses with access from Winterslow Road
At:	Land to the rear of the Old Railway Hotel (formerly the Porton Hotel), Winterslow Road, Porton, SP4 0JU

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 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** No excavations shall take place on the site (other than any investigative works to comply with Condition 3 – contamination) until a Slope Stability Risk Assessment with any necessary mitigation measures has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details and timings and before the dwellings are occupied.

Reason: To ensure land stability for the development and to safeguard neighbouring properties.

- 3** 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:

Step (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.

Step (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 "Model Procedures for the Management of Land Contamination CLR11" 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.

Step (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.

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

- 4** No development shall commence on site (including any vegetation removal or works to existing structures), until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The Construction Method Statement shall include all precautionary measures to be implemented during the construction period, for the protection of sensitive habitats and species known to be present within or adjacent the site, with particular reference to Bats, Birds, Badgers and Reptiles.

The development shall be carried out in accordance with the approved Construction Method Statement.

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

- 5 Prior to the commencement of any works, including vegetation removal and demolition, details of the number, design and locations of bat roosts and nesting opportunities for birds (e.g. bat and bird boxes) shall be submitted to the local authority for approval. The approved details shall be implemented before the occupation of the dwellings and the measures shall be maintained for the lifetime of the development.

REASON: To provide mitigation /enhancement for biodiversity.

- 6 The trees shown to be retained on the Landscape Plan ref 1052 P001 dated 26/3/24 and the Tree Constraints Plan ref TCPH (in tree report) dated March 2024 version V1.0 hereby approved shall be protected during the site clearance, excavation and construction phases of the development in accordance with a Tree Protection Plan and Arboricultural Method Statement (in compliance with BS5837:2013) to be submitted to and approved in writing before any site clearance or excavation work commences on site.

Any 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.

REASON: To ensure that the development is undertaken in an acceptable manner, to enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity of the area.

- 7 The development hereby approved shall not commence until a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority. The CMP 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.

The development shall be implemented in accordance with the agreed CMP.

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

- 8** Construction hours shall be limited to 0800 to 1800 hrs Monday to Friday, 0800 to 1300 hrs Saturday and no working on Sundays or Bank Holidays.

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

- 9** The development hereby permitted shall be carried out in accordance with the following approved plans and document listed in schedule:

Location Plan ref 20/3332/LOC1 Rev D dated 4/10/23

Landscape Plan ref 1052 P001 dated 26/3/24

Tree Survey & Arboricultural Impact Assessment by Hellis Solutions Ltd dated March 2023 V 3.0

Tree Constraints Plan ref TCPPH (in 2023 tree report) dated March 2024 version V1.0

Proposed Site Plan ref 20/3332/200 Rev B dated 30/5/24

Proposed Plot 1 Floorplans ref 20/3332/201 Rev B dated 30/5/24

Proposed Plot 2 Floorplans ref 20/3332/203 Rev B dated 30/5/24

Proposed Plot 3 Floorplans ref 20/3332/205 Rev B dated 30/5/24

Proposed Section AA and BB ref 20/3332/208 dated July 2023

Proposed Plot 1 Elevations ref 20/3332/202 Rev A dated 30/5/24

Proposed Plot 2 Elevations ref 20/3332/204 Rev B dated 27/1/25

Proposed Plot 3 Elevations ref 20/3332/206 dated July 2023

Context Elevation to Winterslow Road ref 20/3332/207 Rev B dated 27/1/25

Noise Impact Assessment ref IMP7402 -3 by Impact Acoustics dated Jan 2025

Lighting Assessment ref 3658-DFL-ELG-XX-TN-EO-13001-S3-P02 by DFL Ltd dated 8/10/21

Surface Water Drainage Report by CGS Civils ref C2910 Rev P dated 13/12/23

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

10 The development will be carried out in accordance with the following documents:

- Sections 4 and 5 of the Preliminary Ecological Appraisal Survey Report. 23 October 2025. Daniel Ahern Ecology. Doc Ref. 5780.1;
- Natural England Nutrient Neutrality budget calculator for the River Avon SAC. Phosphate Nutrient budget;
- The Statutory Biodiversity Metric. 23 October 2025. Daniel Ahern. 5780.1;
- The Statutory Biodiversity Metric -Technical Annex 1: Condition Assessment Sheets and Methodology. 30 September 2025;
- Landscape Plan. 26 March 2024. JPS Landscape Design. Drawing No. LANDP001;
- Tree Survey & Arboricultural Impact Assessment. March 2023. Hellis Solutions Ltd. Ref. 22/09/198/NH. V3.0.

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

11 No part of the development shall be first brought into occupied, until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall always be maintained free of obstruction thereafter.

REASON: In the interests of highway safety

12 The proposed shared vehicle turning area for plots 1 and 2, as shown hatched on the approved Site Plan No. 20/3332/200 Rev B, shall be surfaced and kept clear

for the turning of vehicles at all times and remain as such for the lifetime of the development.

REASON: In the interests of highway safety

- 13** The development hereby permitted shall not be first occupied until the accesses and the parking areas and spaces have been consolidated and surfaced (not loose stone or gravel) in their entirety and completed in accordance with the details shown on the approved plans. The accesses and parking areas shall be maintained for these purposes thereafter for the lifetime of the development.

REASON: In the interests of highway safety

- 14** Notwithstanding the submitted details, the proposed development shall not be occupied until means/works have been implemented to avoid private surface water from entering the highway.

REASON: To ensure that the highway (Winterslow Road) is not inundated with private surface water from the development.

- 15** The gradient of the access way shall not at any point be no steeper than 1m in 12m from its junction with the public highway. The proposed accesses shall remain un-gated in perpetuity.

REASON: In the interests of highway safety.

- 16** The dwellings hereby approved shall not be occupied until the Building Regulations Optional requirement of maximum water use of 110 litres per person per day has been complied with.

REASON: To avoid any adverse effects upon the integrity of the River Avon Special Area of Conservation

- 17** No development shall commence above slab level until a scheme of Mechanical Ventilation Heat Recovery (MVHR) has been submitted to and approved in writing by the local planning authority. The scheme shall demonstrate compliance with the Acoustic Ventilation and Overheating Residential Design Guide, version 1.1 January 2020.

The measures in the agreed scheme shall be implemented before the dwellings are occupied. The dwellings shall be maintained in that condition for the lifetime of the development.

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

- 18** The three dwellings shall be provided with acoustic glazing and ventilation as detailed in section 10.8 – 10.13 of the Impact Acoustics Noise Impact Assessment reference IMP7402-3 before they are occupied. The dwellings shall be maintained in that condition for the lifetime of the development.

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

- 19** The materials for the development hereby approved shall be in accordance with the details shown on the submitted elevation plans hereby approved, namely a red/orange facing brick for the walls and plain clay tiles or slate for the roofs.

Reason: To secure a harmonious form of development

- 20** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or reenacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

- 21** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or reenacting or amending that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the walls and roofslopes of the development hereby permitted. There shall be no extensions to the dwellings hereby permitted.

REASON: In the interests of residential amenity and privacy.

- 22** All soft landscaping and the new tree planting comprised in the approved details of landscaping on the Landscape Plan ref 1052 P001 dated 26/3/24 (or as subsequently amended by the Wildlife Protection and Enhancement Scheme to be submitted) shall be carried out in the first planting and seeding season following

the first occupation of any of the three dwellings or the completion of the development whichever is the sooner.

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. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

Informative

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.

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 require the approval of a biodiversity gain plan before development is begun** because none of the statutory exemptions or transitional arrangements are considered to apply.

Statutory credits can be bought without providing evidence that insufficient off-site options are available in England. For further information please refer to guidance on Statutory Biodiversity Credits on the GOV.UK website (<https://www.gov.uk/guidance/statutory-biodiversity-credits>) under ‘How to prove statutory credits are needed.’

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.

Nesting Birds

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.

Highways

The application involves an extension to the existing/creation of a new vehicle access/dropped kerb. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will 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. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website at <http://wiltshire.gov.uk/highways-streets> to make an application.

Legal Agreement

This decision shall be read in conjunction with the legal agreement under S106 completed on 5th June 2026 to secure nutrient neutrality mitigation for the River Avon SAC.

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](#)