The Town and Country Planning Act 1990

Approval of Full Planning Permission with Conditions

Application Reference Number: PL/2023/07518

Decision Date: 09/05/2024

Applicant:	Retirement Villages Group C/o Stantec, The Blade, Abbey St. Abbey Square, Reading, Berks, RG1 3BE
Particulars of Development:	Demolition of existing buildings (comprising 85 Care bedrooms), and proposed partial redevelopment and erection of new buildings to provide 71 Extra Care units and associated communal facilities (Use Class C2), parking and landscaping
At:	Avonpark Village, Winsley Hill, Winsley, BA2 7FF

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

Existing Block Plan scale 1:500 drg no. BA9516-2001

Proposed Block Plan scale 1:500 drg no. BA9516 2101

Existing Site Plan scale 1:500 drg no. BA9516-2002

Proposed Site Plan scale 1:500 drg no. BA9516-2102 rev B

Existing Location Plan scale 1:1250 drg no. BA9516-2000

Proposed Location Plan scale 1:1250 drg no. BA9516-2100

Proposed External Plant drg no. BA9516-2151

Kingfisher Court – Proposed Plans scale 1:200 drg no. BA9516-2160

Proposed Bat Tower drg no. BA9516-2150

Bay Study Alexnader Hall drg no. BA9516-2143

Bay Study Building A drg no. BA9516-2141

Bay Study Building B drg no. BA9516-2142 rev A

Bay Study Alexander Hall – Entrance drg no. BA9516-2144

Proposed Ground Floor Plan drg no. scale 1:200 drg no. BA9516-2110 rev A

Proposed First Floor Plan drg no. scale 1:200 drg no. BA9516-2111

Proposed Second Floor Plan drg no. scale 1:200 drg no. BA9516-2112

Proposed Third Floor Plan drg no. scale 1:200 drg no. BA9516-2113

Proposed Fourth Floor Plan drg no. scale 1:200 drg no. BA9516-2114 rev A

Proposed Roof Plan scale 1:200 drg no. BA9516-2115 rev B

Proposed Elevations Alexander House scale 1:100 drg no. BA9516-2132

Proposed Elevations – Block A scale 1:100 drg no. BA9516-2133 rev A

Proposed Elevations – Block B scale 1:100 drg no. BA9516-2134 rev A

Proposed sectional elevations 1 of 2 scale 1:250 drg no. BA9516-2130 rev A

Proposed sectional elevations 2 of 2 scale 1:250 drg no. BA9516-2131 rev B

Demolition Plans scale 1:500 drg no. BA9516-2030

Demolition Elevations scale 1:250 drg no. BA9516-2031

Proposed Parking Plan scale 1:500 drg no. BA9516-2171

Waste Strategy scale 1:500 drg no. BA9516-2170

Post Development BNG Plan ref 1519-EcIA-F4 Rev 1

Ecological Mitigation and Enhancement ref 1519-EcIA-F5

Landscape General Arrangement Overview scale 1:500 drg no. BR-LD-100 Rev C

Landscape General Arrangement Layout Sheet scale 1:400 drg no. BR-LD-101 Rev C

Landscape General Arrangement Sheet 1 scale 1:200 drg no BL-LD-102 Rev C

Landscape General Arrangement Sheet 2 scale 1:200 drg no BL-LD-103 Rev C

Landscape Proposals., Planting Plans, Plant Schedule scale 1:500 drg no. BL-LD-200 Rev B

Landscape Planting Proposals Sheets 1 to 5 (Sheet 1 drg no. BL-LD-201 Rev B, Sheet 2 drg no. BL-LD-202 Rev B, Sheet 3 drg no. BL-LD-203 Rev B, Sheet 4 drg no. BL-LD-204 Rev B, Sheet 5 drg no. BL-LD-205 Rev B)

Energy and Sustainability Statement dated Aug 2023 by Hoare Lea

Design and Access Statement dated Aug 2023 rev A by PRP

Shadow Habitats Regulations Assessment dated Dec 2023 by GE Consulting ref 1519-sHRA-LT-REV1

Lighting Design dated Jan 2024 by Hoare Lea

Baseline Lighting Survey dated Aug 2023 by Hoare Lea

Environmental Lighting dated Jan 2024 by Hoare Lea

Ecological Impact Assessment Lighting dated Jan 2024 by GE Consulting Rev 3

Ecological Addendum Note dated Oct 2023 by GE Consulting

Phase I and II Geoenvironmental Report Addendum note dated Aug 2023

Arboricultural Impact Assessment dated Aug 2023 by GE Consulting

Landscape, Visual & Green Belt Impact Assessment dated Aug 2023 by Stantec UK Ltd

Phase I and II Geoenvironmental Report

Environmental Noise Survey dated Aug 2023 by Hoare Lea Rev 02

Transport Assessment Part 1 and 2 dated Aug 2023 by Pater Evan Partnership

Heritage Statement dated Aug 2023 by Stantec UK Ltd

Specialist Housing Need Report dated Aug 2023 by Stantec UK Ltd

Odour Technical Note dated Aug 2023 by Hoare Lea

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

3 The buildings hereby approved shall be used for Use Class C2 (residential institution and care home) and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable, but the Local Planning Authority would wish to consider any future proposal for a change of use having regard to the circumstances of the case.

4 Bat roosts and bat access points shall be incorporated into the development in accordance with:

· Proposed Bat Tower. Ref: BA9516-2150 dated August 2023 by PRP.

· Figure 5: Bat Mitigation and Enhancement. Ref: 1519-EcIA-F5 Rev 1 dated December 2023 by GE Consulting.

· Proposed Elevations – Block A. Ref: BA9516-2133 Rev A dated July 2023 by PRP.

· Page 17 of Ecological Impact Assessment. Ref: 1519-EcIA-LT-REV3 dated January 2024 by GE Consulting.

or as otherwise specified in a relevant European Protected Species Licence superseding this permission. The installation of these bat roosts and access features will be supervised by a professional ecologist and this part of the condition will be discharged when photographic evidence of installed features have been submitted to and approved in writing by the Local Planning Authority. These bat roosts and access points will continue to be available for bats for the lifetime of the development.

REASON: To mitigate for impacts to bats arising from the development.

5 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the buildings 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.

6 The external artificial lighting shall be installed in strict accordance with the submitted documents. No additional external light fixtures shall be installed unless details of proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details must demonstrate how the proposed lighting would impact on bat habitat / ecological interest compared to the pre-existing situation.

REASON: To avoid illumination of habitat used by bats.

7 Prior to the commencement of works on site, including 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 Plan 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, e.g. exclusion fencing.

· Working method statements for protected/priority species, such as bats, to be implemented during the demolition phase.

· Working method statements for protected/priority species to be implemented during the construction phase.

· 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 an ecological clerk of works (ECoW) shall be present on site.

· Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).

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.

8 Prior to the commencement of works on site, 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 in accordance with the Biodiversity Metric 4.0 Calculation Tool – Rev 2.

· Management responsibilities and maintenance schedules for each ecological feature within the development as identified in the Biodiversity Metric 4.0 Calculation Tool – Rev 2 and the Landscape Proposals.

· The mechanism for monitoring success of the management prescriptions with reference to the appropriate Biodiversity Metric target Condition Assessment Sheet(s).

· Maintenance schedules for features such as bird and bat boxes, hedgehog domes and habitat piles.

· A procedure for review and necessary adaptive management in order to attain targets.

· 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.

9 Prior to the commencement of works on site, 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 "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.

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: In order that the development is undertaken in an acceptable manner and to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

10 No development shall commence on site until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:

- The movement of construction vehicles

· The cutting or other processing of building materials on site

· Wheel washing and vehicle wash down facilities

· The transportation and storage of waste and building materials

· The recycling of waste materials

· The loading and unloading of equipment and materials

· The location and use of generators and temporary site accommodation

· Where piling is required, this must be Continuous flight auger piling wherever practicable to minimise impacts

· Hours of construction

The construction/demolition phase of the development will be carried out fully in accordance with the construction management plan at all times.

REASON: In order that the development is undertaken in an acceptable manner and 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.

11 No works shall extend above slab level for the new buildings hereby approved until details and samples of the materials to be used for the external walls and roofs 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: In the interests of visual amenity and the character and appearance of the area.

12 Prior to any occupation of the new buildings hereby approved, full details of the mitigation measures to reduce light spillage (including, but not exclusively limited to, use of reduced light spill glass / black out blinds and curtains) from buildings Block A and Block B, shall be submitted to and approved in writing by the Local Planning Authority, The approved measures shall therefore be maintained at all times thereafter in accordance with the approved details.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site and to minimise the impact of the development on existing biodiversity and nature habitats.

13 No part of the development hereby permitted shall be first brought into use until the access or turning areas & parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter.

REASON: In the interests of highway safety.

14 No part of the development hereby permitted shall be first brought into use until details of the proposed highway works at the access, including the proposed informal pedestrian crossing on the B3108 and details of the proposed bus shelter, along with a timetable for its delivery have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the above works shall be delivered in accordance with the approved details.

REASON: In the interests of highway safety.

15 The development hereby approved shall not be brought into use until a scheme for the discharge of surface water from the site, incorporating sustainable drainage details together with permeability test results to BRE365, and an updated drainage strategy that details the implementation, maintenance and management of the sustainable drainage scheme, including infiltration details of the site, has been submitted to and approved in writing by 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: In order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

16 In the event that any contamination on the site is encountered at any time when carrying out the approved development, the Local Planning Authority must be advised of the steps that will be taken by an appropriate contractor; to deal with contamination and provide a written remedial statement to be followed be a written verification report that confirms what works that have been undertaken to render the development suitable for use.

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.

17 The hereby approved C2 development shall be constructed to meet, as a minimum, the higher Building Regulations standard Part G for water consumption limited to 110 litres per person per day using the fittings approach as per the

commitment in the Energy and Sustainability Statement dated August 2023 by Hoare Lea.

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.

18 The additional extra care units permitted by this development shall be occupied only by persons of at least 55 years of age ("a Primary Resident") and a spouse, or partner of such a person, irrespective of the age of such spouse or partner. In the event any Primary Resident in occupation of one of the additional extra care units dies or vacates such a unit, the spouse or partner of such a Primary Resident shall be entitled to remain within the unit, irrespective of whether they satisfy the age restriction.

REASON: The residential units have been designed for occupation by persons who satisfy the above criteria and are unsuitable for family housing.

Informative

19 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

Informative

20 The developer/applicant will be required to enter into a S278 Highways Agreement with the Local Highway Authority, to include funding of the new cantilever bus shelter, before the commencement of any of the identified highway works.

Informative

21 Roosting bats have been confirmed in Alexander Heights and Alexander Hall. 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 to implement this planning permission. Future conversion of the roof space to living accommodation or replacing the roof could also breach this legislation and specialist advice should be obtained from a professional bat ecologist before proceeding with work of this nature.

Informative

22 The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Habitats 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.

Informative

23 Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses the site.

Informative

24 The applicant's attention is drawn to the Western Area Planning Committees' concerns regarding the current speed limit (50mph) and vehicle weight limit along the B3108 and, in particular, visibility and highway safety issues at the access to the development site. The Western Area Planning Committee would like the applicant to wherever possible assist the Council in its efforts to improve the safety of the B3108 to the benefit of the residents on the Avonpark site, as well as the wider local community.

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