

Northern Area Planning Committee

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 8 JULY 2026 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Martin Denz JP (Chairman), Cllr Chuck Berry (Vice-Chairman), Cllr Jon Atkey, Cllr Matt Bragg, Cllr Gavin Grant, Cllr Howard Greenman, Cllr Jacqui Lay, Cllr Ashley O'Neill, Cllr Elizabeth Threlfall and Cllr Chris Vaughan (Substitute)

39 **Apologies**

Apologies were received from Cllr Augusta Urquhart-Nicholls, who was substituted by Cllr Chris Vaughan.

Cllr Ashley O'Neill provided apologies that he would arrive late to the meeting due to a vehicle issue.

40 **Minutes of the Previous Meeting**

The minutes of the meeting held on 13 May 2026 were presented for consideration.

Cllr Howard Greenman raised concerns that due to some procedural confusion at the meeting some Members may not have been clear about the proposition on which they voted for application PI/2025/16615 at Seagry House, though he later confirmed he had been clear in his own mind before voting. He raised concerns that the initial motion at the meeting had not been seconded, but other committee Members confirmed they had witnessed the seconding. Members were asked to be clear verbally when seconding motions in future.

The Chairman noted the points raised, but set out that following advice from officers on the procedures relating to withdrawal of motions, he had summarised the matter which was to be put to the vote to ensure all present were clear. The constitutional provisions relating to withdrawal of motions was also clarified to the Members at the current meeting. The Chairman stated he was comfortable that the minutes were an accurate reflection of the last meeting.

A statement was also received from Mr Andrew Scott arguing the minutes did not accurately record the sequence of events or full details.

The Committee did not agree to make any changes to the minutes as a result of the points raised.

Cllr Jacqui Lay requested additional wording be included under Minute 28 of the minutes of the last meeting, to include other matters which she had raised relating to rights of way, construction management plans and on agenda pack and appeal information. This was agreed by the Committee - under minute 42 the Chairman also provided updates on those points as requested by Cllr Lay.

At the conclusion of discussion, it was then,

Resolved:

Subject to the above change, to approve and sign the minutes as a true and correct record.

41 **Declarations of Interest**

Cllr Elizabeth Threlfall made a voluntary declaration that she had publicly expressed concerns regarding application PL/2025/07919 in the past, but that she would consider all material information with an open mind and participate and vote on the application.

42 **Chairman's Announcements**

The Chairman noted that Cllr Jacqui Lay had raised a number of practical points following earlier meetings about the handling of public rights of way during development, the use and accessibility of Construction Method Statements and Construction Management Plans, and the ability to efficiently navigate committee agenda packs.

He had raised these points with officers and updated the meeting as follows:

Public rights of way - the Development Management position is that where rights of way are affected, officer reports should already take account of comments from the Rights of Way team and deal with objections through revised plans, conditions or obligations where appropriate. Separate public rights of way regime may also apply as the main route for diversions and temporary closures. There may be scope, where justified by specific local impacts, to condition a more comprehensive temporary wayfinding scheme.

Construction Method Statements and Construction Management Plans – it was stated are already used where necessary in the interests of amenity, highway safety, and environmental protection, informed by technical consultees. Parish council comments are not the trigger in themselves but can provide useful local evidence. A practical improvement identified is to ensure that approved CMS/CMP documents are copied onto the original application file, because at present they may sit under separate discharge-of-condition references and therefore can be difficult for members and the public to find.

On agenda packs and appeals information, Cllr Lay also asked for better links within agenda documents and for appeal information to be easier to access without adding unnecessary bulk to packs. Cllr Lay has been added to the

appeal decision distribution list, and an appeals register is being developed with search by date, address and reference, and that the comments would be shared with Committee Chairs at the next regular meeting.

The update was therefore noted.

43 **Public Participation**

The Committee noted the rules on public participation.

44 **Planning Appeals and Updates**

The Committee noted the contents of the appeals update.

An update to all Members on national changes to the scheme of delegation would be provided soon.

45 **PL/2025/07919 - Malmesbury C Of E Primary School, Tetbury Hill, Malmesbury, SN16 9JR**

Public Participation

Kirsty Martin - Chair of Governors, St Joseph's Catholic Primary School - spoke in objection to the application.

Steve Heal - Headteacher, Malmesbury Church of England Primary School - spoke in support of the application.

Gary Collins, Head of Development Management, introduced the application and provided advice on matters raised by the Education team regarding the level of need for school places in Malmesbury, which due to falling birth rates had not risen to the level anticipated when the Local and Neighbourhood Plans had been adopted. It was advised this was a material consideration but that planning officers, also taking external advice, had applied limited weight during consideration of the planning balance, as due to the myriad factors impacting demand for school places in different places, it was not considered there was a direct causal link to suggest definitive negative impact on other schools as a result of expansion.

Julie Mitchell, Senior Planning Officer, presented a report which recommended that approval be granted for the extension of Malmesbury Primary School from 420 to 630 places by building nine additional classrooms and associated facilities, and a multi-purpose hall. Also to include internal alterations to the existing building, a new car park and vehicular access from Gleiser View, reconfiguration of the existing car park, new pedestrian and cycle routes, and landscaping improvements including new play areas and a Multi-Use Game Area (MUGA). Late representations received were summarised to the meeting.

Key issues included but were not limited to the principle of development including given the level of need for school places, impact on open space provision, residential amenity, access, landscape impact, and flood risks. There was an update to the recommendation to include requiring completion of a deed

of variation to the existing s.106 legal agreement on the site, to amend the public open space obligation. This was due to proposed landscape works including land included as part of that provision. An amendment to the proposed site layout plan to distance the school boundary fence from the footpath was highlighted. A revision to the plans listed in Condition 2 of the officer report was also identified.

Members of the public then had the opportunity to make statements, as set out above.

The Local Unitary Member, Cllr Gavin Grant, then spoke in support of the application, setting out the history of the site, the unique and significant opportunity afforded by the application, government approval of the scheme subject to conditions, positive engagement by the school and Persimmon, and support from the Town Council and community.

Members of the Committee then had the opportunity to ask technical questions on the applications. Details were sought on flood zoning and attenuation, use of the Science, Technology, Engineering, Arts, and Mathematics (STEAM) facility proposed, access to the staff car park, design of the new structures, sustainability, level of consultation, and obligations on the local authority on maintaining appropriate numbers of available school places.

The Committee debated the application, with comments supportive of the opportunity provided by the extension and the design of the new facilities. Other comments were concerned about the lack of clear need for additional school places and potential impact on other schools in the area.

At the conclusion of debate, and on the motion of Cllr Gavin Grant, seconded by Cllr Ashley O'Neill, it was then,

Resolved:

That authority be delegated to the Head of Development Management to GRANT full planning permission subject to conditions as set out below and completion of a Section 106 legal agreement to secure monitoring contributions, and completion of Deed of Variation to Section 106 legal agreement to amend Public Open Space obligation.

Conditions

1 TIME LIMIT FOR COMMENCEMENT

The development hereby permitted shall be begun before the expiration of five 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 APPROVED PLANS

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

Location Plan 2005-WEA-SI-XX-DR-A-0001 P04

Site Plan Existing 2005-WEA-SI-XX-DR-A-0100 P08

Site Plan Existing Constraints 2005-WEA-SI-XX-DR-A-0101 P08

Site Plan Proposed 2005-WEA-SI-XX-DR-A-0200 P08

Site Plan Proposed Ground Floor 2005-WEA-SI-XX-DR-A-0201 P10

Site Plan - Proposed Ground Floor – Constraints 2005-WEA-SI-XX-DR-A-0202 P10

Site Plan - Proposed Level 01 2005-WEA-SI-XX-DR-A-0203 P03

Ground Floor Plan New Building – Proposed 2005-WEA-NB-00-DR-A-1000 P09

Roof Plan – New Building – Proposed 2005-WEA-NB-RF-DR-A-1001 P07

Classroom Cluster – External Elevation – Proposed 2005-WEA-NB-XX-DR-A-2000 P08

Multi-Purpose Hall – External Elevation – Proposed 2005-WEA-NB-XX-DR-A-2010 P08

Classroom Cluster - GA Section - Proposed 2005-WEA-NB-XX-DR-A-3100 P08

Multi-Purpose Hall - GA Section - Proposed 2005-WEA-NB-XX-DR-A-3110 P08

Ground Floor – Classroom Cluster Detail Plan – Proposed 2005-WEA-NB-00-DR-A-5000 P09

Ground Floor - Multi-Purpose Hall - Detail Plan – Proposed 2005-WEA-NB-00-DR-A-5010 P01

Classroom Cluster - External Glazing - Details 2005-WEA-NB-XX-DR-A-4401 P04

Multi-Purpose Hall – External Glazing - Details 2005-WEA-NB-XX-DR-A-4451 P04

Multi-Purpose Hall – External Glazing - Details 2005-WEA-NB-XX-DR-A-4452 P03

Multi-Purpose Hall – External Glazing - Details 2005-WEA-NB-XX-DR-A-4453 P01

Existing Site Wide 13086-LUC-XX-XX-DR-L-0000-S2-P08

Existing Site GA 1 West Site 13086-LUC-XX-XX-DR-L-0001-S2-P03

Existing Site GA 2 Car Park 13086-LUC-XX-XX-DR-L-0002-S2-P04

Existing Site GA 3 MUGA 13086-LUC-XX-XX-DR-L-0003-S2-P02

Site-Wide GA 13086-LUC-XX-XX-DR-L-0005-S2-P08

Landscape GA 1 West Site 13086-LUC-XX-XX-DR-L-0011-S2-P05

Landscape GA 2 Car Park 13086-LUC-XX-XX-DR-L-0012-S2-P06

Landscape GA 3 MUGA 13086-LUC-XX-XX-DR-L-0013-S2-P03

Landscape General Arrangement & Footpath Proposal 13086-LUC-XX-XX-DR-L-0022-S2-P02

Demolition 1 West Site 13086-LUC-XX-XX-DR-L-0111-S2-P02

Demolition 2 Car Park 13086-LUC-XX-XX-DR-L-0112-S2-P04

Demolition 3 MUGA 13086-LUC-XX-XX-DR-L-0113-S2-P02

Tree Removals 13086-LUC-XX-XX-DR-L-0120-S2-P05
 Hard Landscape 1 West Site 13086-LUC-XX-XX-DR-L-0211-S2-P06
 Hard Landscape 2 Car Park 13086-LUC-XX-XX-DR-L-0212-S2-P06
 Hard Landscape 3 MUGA 13086-LUC-XX-XX-DR-L-0213-S2-P02
 Soil Works 13086-LUC-XX-XX-DR-L-0311-S2-P05
 Soil Works 2 Car Park 13086-LUC-XX-XX-DR-L-0312-S2-P02
 Soft Landscape Sheet 1 West Site 13086-LUC-XX-XX-DR-L-0411-S2-P05
 Soft Landscape Sheet 2 Car Park 13086-LUC-XX-XX-DR-L-0413-S2-P02
 Mulching Plan 13086-LUC-XX-XX-DR-L-0421-S2-P05
 Mulching plan 2 Car Park 13086-LUC-XX-XX-DR-L-0422-S2-P02
 Levels and Earthworks 1 West Site 13086-LUC-XX-XX-DR-L-0511-S2-P05
 Levels and Earthworks 2 Car Park 13086-LUC-XX-XX-DR-L-0512-S2-P05
 Levels and Earthworks 3 MUGA 13086-LUC-XX-XX-DR-L-0513-S2-P02
 Landscape Sections 13086-LUC-XX-XX-DR-L-0601-S2-P05
 Haul Road Approach Plan 13086-LUC-XX-XX-DR-L-0021 S2 P02

Biodiversity Net Gain Assessment - IES/2024/055/Version 3.0 (IES, March 26)
 BNG Metric - Version 3 (IES, March 26)
 Preliminary Tree Protection Plan - 2366-02 Rev A (SJ Stephens, March 26)
 Arboricultural Impact Assessment - 2366 (IES, March 26)
 Design and Access Statement (Wilkinson Eyre, March 26)
 Preliminary Ecological Assessment Report - IES/2025/100/Version 3.0 (IES, March 26)
 Drainage Strategy and Flood Risk Assessment (AKT, March 26)
 Travel Plan (PEP, March 26)
 Interim Construction Traffic Management Plan (PEP, March 26)
 External Lighting Strategy Statement (Daniel Connal Partnership, March 26)

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

3 ECOLOGY COMPLIANCE

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

- Section 5, Figures 2, 3 and 5 and Condition Sheets of the Preliminary Ecological Appraisal. March 2026. IES Consulting. Job No. IES/2025/100. Rev. 003;
- The Statutory Biodiversity Metric. 02 April 2026. V4;
- Biodiversity Net Gain Design Stage Report. March 2026. IES Consulting. Job No. IES/2024/055. Rev. 003;
- Arboricultural Impact Assessment. 09 March 2026. SJ Stephens Associates. Project No. 2366;

- Tree Removals. 19 February 2026. LUC. Drawing No. 13086-LUC-XX-XX-DR-L-0120. Rev. P05;
- Preliminary Tree Protection Plan. March 2026. SJ Stephens Associates. Drawing No. 2366-02. Rev. A;
- External Lighting Strategy Statement. March 2026. Daniel Connal Partnership. Job No. 4722;
- Soft Landscape Sheet 1: West Site. 04 February 2026. LUC. Drawing No. 13086-LUC-XX-XX-DR-L-0411. Rev. P05;
- Soft Landscape Sheet 2: Car Park. 27 February 2026. LUC. Drawing No. 13086-LUC-XX-XX-DR-L-0413. Rev. P02;
- Landscape General Arrangement Sheet 1: West Site. 19 February 2026. LUC. Drawing No. 13086-LUC-XX-XX-DR-L-0011. Rev. P05;
- Landscape General Arrangement & Footpath Proposals. 27 February 2026. LUC. Drawing No.13086-LUC-XX-XX-DR-L-0022. Rev. P02.

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

- 4 CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**
Prior to the commencement of works, 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:
- a. Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.
 - b. Working method statements for protected/priority species, such as bats, nesting birds, great crested newts and reptiles.
 - c. Mitigation strategies already agreed with the local planning authority prior to determination, such as for bats and reptiles; this should comprise the pre-construction/construction related elements of strategies only.
 - d. 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.
 - e. 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.

5 LANDSCAPE AND ECOLOGY MANAGEMENT PLAN

Prior to the start of construction, 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 to attain targets. 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.

6 HABITAT MANAGEMENT AND MONITORING PLAN

No development shall commence on site until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the statutory Biodiversity Gain Plan and including:

1. a non-technical summary;
2. the roles and responsibilities of the people or organisation(s) delivering the HMMP;
3. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the statutory Biodiversity Gain Plan and schedule for implementation;
4. the management measures to maintain habitat in accordance with the statutory Biodiversity Gain Plan for a period of 30 years from the completion of development; and
5. the monitoring methodology and specification of a Monitoring Pack (to include but not exclusively up to date Management Actions Logs, Habitat Condition Assessment Reports, metric calculation; and corresponding post intervention Habitat Map) which shall be submitted to the Local Planning Authority in years 2 (two) 5 (five) 10 (ten) 15 (fifteen) 20 (twenty) and 30 (thirty) of the Maintenance Period, has been submitted to, and approved in writing by, the local planning authority. No more than 50% of the floor space shall be occupied) until the habitat creation and enhancement works set out in the approved HMMP have been implemented. The created and/or enhanced habitat shall be managed and maintained in accordance with the statutory HMMP at all times thereafter.

REASON: To ensure the development delivers a biodiversity net

gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

CONSTRUCTION TRAFFIC MANAGEMENT PLAN

- 7** No commencement of site operations shall occur on site (including any works of demolition), until a Construction Management Plan (CMP), together with a site plan, has been submitted to and approved by the Local Planning Authority. The approved shall include but not be limited to:

- 1. Construction/demolition phasing plan and programme;**
- 2. Details of parking provision for vehicles of site operatives and visitors;
Number and size of delivery vehicles/construction vehicles/site operative vehicles and visitor vehicles;**
- 3. Full vehicle tracking details for all identified delivery vehicles, including routing that accommodates site access junctions from a public highway, internal routing and on-site turning facilities and associated requirements;**
- 4. Details of loading/unloading and storage of plant and materials used in construction and demolition associated with the development;**
- 5. Measures to control the emission of noise/vibration during construction and demolition, including the location of generators if used;**
- 6. No burning of materials shall occur within the construction site;**
- 7. Details of wheel washing facilities and additional measures to control the emission of dust and dirt during construction;**
- 8. Details of a scheme for recycling/disposing of waste resulting from demolition and construction works (including site storage, transportation and material specification);**
- 9. Measures for the protection of the natural environment (including but not exclusive to tree protection, protection of grasslands and waterways);**
- 10. Hours of construction and demolition shall be limited to 0800 to 1800 hrs Monday to Friday, 0800 to 1300 hrs Saturday and no working on Sundays or Bank Holidays;**
- 11. Details of hours of delivery access to and from the site including off-site delivery waiting location and dwell time;**
- 12. HGV routing plan including network signage details and programme for implementation;**
- 13. Details of vehicle log and means of recording vehicle details associated with deliveries to and from the site;**
- 14. Measures to ensure Pedestrian Safety and site security including full details of security/Heras fencing and alternative means to segregate construction traffic from pedestrians/cyclists and necessary security cameras positioning and field of view;**
- 15. Details of necessary controlled pedestrian crossing points**

- within the development site and on the highway network;
16. Details of temporary/permanent Traffic Regulation Orders required to protect HGV routes from indiscriminate parking and local residential areas from overspill parking as a result of construction/demolition activities;
 17. Prior to commencement of on-site operations, a pre-condition and post-condition photo dilapidation survey of the highway network within extents to be agreed with the Local Planning Authority shall be carried out, submitted to and agreed with the Local Planning Authority. Any identified damage related to the development shall be corrected to the satisfaction of the LPA within 6 months of the development completion.
 18. Full contact details of a named representative of the principal contractor for the LPA and residents to contact in the event of emergency or complain to be submitted to the LPA and residents of Poole Road and displayed in a prominent location on site hoardings.

- 8 The approved Construction Management Plan shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved Construction Management Plan 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 and vulnerable user safety, during the construction phase of the development in compliance with Core Policies 57 and 62.

PARKING (CYCLE) - DETAILS REQUIRED

- 9 No development shall commence on site until details of secure covered cycle parking and changing and/or shower facilities have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall accord with dimensions, access, location, design and security principals laid out in Appendix 4 of Wiltshire's LTP3 Cycling Strategy. These facilities shall thereafter be provided in accordance with the approved details and made available for use prior to the first occupation of the development hereby permitted and shall always be retained for use thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

- 10 **MATERIALS**
Notwithstanding Condition 2 above, before any superstructure works commence at the site, details/samples of the materials to be used in the construction of the external surface(s) of the building(s)

hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed strictly in accordance with these approved details.

REASON: In order to ensure that the development has a satisfactory appearance.

11 FOOTPATH

Prior to the first use/occupation of the development hereby approved the footpath link within the school site shall be completed in accordance with the detail contained within approved drawing no. 13086-LUC-XX-XX-DR-L-0022 P02 and unrestricted public access shall thereafter be retained.

REASON: In the interests of providing a sustainable connection to existing pedestrian and cycling routes.

12 SCHOOL TRAVEL PLANS

Prior to occupation of the development hereby approved a full travel plan shall be submitted to and approved in writing by the Local Planning Authority, to be monitored on a timetable to be agreed with the LPA and monitored initially within the first year of occupation. The full travel plan when approved shall be implemented (including the appointment of a travel plan co-ordinator) prior to first occupation/use.

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

13 ACOUSTIC IMPACT

An assessment of the acoustic impact arising from the operation of the proposed plant room shall be undertaken in accordance with BS4142:2014 +A1:2019. Background levels are to be taken as a LA90 1 hour and the ambient noise levels shall be expressed as an LAeq 1 hour during the daytime [07:00- - 23:00] and shall be expressed as an LA90 and LAeq 5 minutes during the night [23:00 – 07:00] at the boundary of the nearest residential noise-sensitive receptor.

The assessment shall be submitted to the Local Planning Authority together with a scheme of attenuation measures to demonstrate the development can achieve a rating level of 5dB (LAeq) below the typical background (LA90) level at the nearest noise sensitive location.' The attenuation scheme shall be implemented in full prior to occupation of the development and thereafter be permanently retained.

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

SOFT LANDSCAPING

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 building(s) 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, hedging 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.

14 EXTERNAL LIGHTING

No external light fixture or fitting will 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 will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation. The plans will 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.

Informatives

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.

Prior to any works commencing on the upstream drainage network, the approved outfall structure and flow control device shall be fully constructed, tested, and commissioned. No discharge to the receiving system (including watercourses, waterbodies, sewers, or drains) shall occur until these measures are operational to ensure compliance with agreed discharge rates and prevent an increase in flood risk elsewhere.

The applicant will need to enter into a S38 Agreement with the Highway Authority prior to commencement of development in order to facilitate the proposed footway works.

Cllr Ashley O'Neill arrived 1535, and was present for presentation of all information relating to the application.

A break was taken from 1715 - 1725.

46 **PL/2026/02397 - Land south of Malmesbury Church of England Primary School, Tetbury Hill, SN16 9JR**

Public Participation

Steve Heal - Headteacher, Malmesbury Church of England Primary School - spoke in support of the application.

Julie Mitchell, Senior Planning Officer, presented a report which recommended that permission be granted for construction of a new path, to be used as a temporary vehicle access route during construction for the proposed extension of Malmesbury Church of England Primary School. Key issues included the principle of the application, impact on landscape and amenity, and flood risks. A revision to the time limit of condition 1 to allow 5 years for commencement, to align with the limit on the school extension permission was highlighted.

A member of the public addressed the committee with their views, as detailed above.

The local unitary Member, Cllr Gavin Grant, then spoke in support of the application, as providing a high-quality connection for the nearby estates and the town centre.

Members of the committee then had the opportunity to ask technical questions of the officers. Details were sought over potential periods of construction, and other access points for the area.

Following a procedural motion to move directly to the vote, there was no additional debate, and on the motion of Cllr Gavin Grant, seconded by Cllr Ashley O'Neill, it was,

Resolved:

To GRANT full planning permission subject to conditions as set out below:

Conditions

1 TIME LIMIT FOR COMMENCEMENT

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 APPROVED PLANS

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

Footpath - Landscape General Arrangement - 13086-LUC-XX-XX-DR-L-0008-S2-P04 (LUC, April 2026),
Landscape General Arrangement & School Extension Proposals - 13086-LUC-XX-XX-DR-L-0009-S2-P02 (LUC, April 2026),
Demolitions Plan - 13086-LUC-XX-XX-DR-L-0115-S2-P03 (LUC, April 2026),
Tree and Vegetation Removals Plan - 13086-LUC-XX-XX-DR-L-0121-S2-P02 (LUC, April 2026),
Existing and Proposed Elevations - 13086-LUC-XX-XX-DR-L-0602-S2-P02 (LUC, April 2026)
Existing and Proposed Section - 13086-LUC-XX-XX-DR-L-0603-S2-P02 (LUC, April 2026)
Footpath Lighting Layout (Daniel Connal Partnership).

Planning Statement (LUC, April 2026)
Flood Risk and Drainage Constraints (akt II, 10/04/26), Design and Access (LUC, March 2026)
Biodiversity Net Gain Design Stage Report (IES Consulting, March 2026)
External Lighting Strategy Statement (Daniel Connal Partnership, April 2026), Arboricultural Impact Assessment (SJ Stephens Associates, 2nd April 2026, no: 2366)
Biodiversity Net Gain metric
Preliminary Ecological Appraisal (IES Consulting, February 2026, IES/2025/134/Version 3.0).

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

3 ECOLOGY COMPLIANCE

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

- Preliminary Ecological Appraisal, IES Consulting, February 2026

- Biodiversity Net Gain Design Stage Report, IES Consulting, March 2026
- Statutory Biodiversity Metric, Daisy Bradley-White, April 2026
- Footpath Lighting Layout, Daniel Connal Partnership, March 2026
- External Lighting Strategy Statement, Daniel Connal Partnership, April 2026
- Footpath – Landscape General Arrangement, LUC, March 2026, P04

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

4 ARBORICULTURAL COMPLIANCE

The development shall be carried out in accordance with the Arboricultural Impact Assessment incorporating Tree Survey, Arboricultural Method Statement and Tree Protection Plan dated 2nd April 2026.

REASON: To ensure the protection of existing trees in the interests of visual amenity.

5 CONSTRUCTION TRAFFIC MANAGEMENT PLAN

No commencement of site operations shall occur on site (including any works of demolition), until a Construction Management Plan (CMP), together with a site plan, has been submitted to and approved by the Local Planning Authority. The approved shall include but not be limited to:

1. Construction/demolition phasing plan and programme;
2. Details of parking provision for vehicles of site operatives and visitors;
Number and size of delivery vehicles/construction vehicles/site operative vehicles and visitor vehicles;
3. Full vehicle tracking details for all identified delivery vehicles, including routing that accommodates site access junctions from a public highway, internal routing and on-site turning facilities and associated requirements;
4. Details of loading/unloading and storage of plant and materials used in construction and demolition associated with the development;
5. Measures to control the emission of noise/vibration during construction and demolition, including the location of generators if used;
6. No burning of materials shall occur within the construction site;
7. Details of wheel washing facilities and additional measures to control the emission of dust and dirt during construction;
8. Details of a scheme for recycling/disposing of waste resulting from demolition and construction works (including site storage, transportation and material specification);
9. Measures for the protection of the natural environment (including but not exclusive to tree protection, protection of grasslands and waterways);

- 10. Hours of construction and demolition shall be limited to 0800 to 1800 hrs Monday to Friday, 0800 to 1300 hrs Saturday and no working on Sundays or Bank Holidays;**
- 11. Details of hours of delivery access to and from the site including off-site delivery waiting location and dwell time;**
- 12. HGV routing plan including network signage details and programme for implementation;**
- 13. Details of vehicle log and means of recording vehicle details associated with deliveries to and from the site;**
- 14. Measures to ensure Pedestrian Safety and site security including full details of security/Heras fencing and alternative means to segregate construction traffic from pedestrians/cyclists and necessary security cameras positioning and field of view;**
- 15. Details of necessary controlled pedestrian crossing points within the development site and on the highway network;**
- 16. Details of temporary/permanent Traffic Regulation Orders required to protect HGV routes from indiscriminate parking and local residential areas from overspill parking as a result of construction/demolition activities;**
- 17. Prior to commencement of on-site operations, a pre-condition and post-condition photo dilapidation survey of the highway network within extents to be agreed with the Local Planning Authority shall be carried out, submitted to and agreed with the Local Planning Authority. Any identified damage related to the development shall be corrected to the satisfaction of the LPA within 6 months of the development completion.**
- 18. Full contact details of a named representative of the principal contractor for the LPA and residents to contact in the event of emergency or complain to be submitted to the LPA and residents of Poole Road and displayed in a prominent location on site hoardings.**

The approved Construction Management Plan shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved Construction Management Plan 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 and vulnerable user safety, during the construction phase of the development in compliance with Core Policies 57 and 62.

6 SOFT LANDSCAPING

All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the cessation of the use of the footpath route for temporary vehicular use or 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, hedging 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.

7 EXTERNAL LIGHTING

No external light fixture or fitting shall be installed within the application site other than in accordance with the lighting specifications, layouts, controls, and mitigation measures contained within the External Lighting Strategy Statement (April 2026).

REASON: To ensure that the impact of lighting is acceptable having regard to neighbouring amenity and protected species having regard to 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.

Informative

The applicant will need to enter into a S38 Agreement with the Highway Authority prior to commencement of development in order to facilitate the proposed footway works.

47 Urgent Items

There were no urgent items.

(Duration of meeting: 3.00 - 5.50 pm)

The Officer who has produced these minutes is Kieran Elliott - Democratic Services,
e-mail committee@wiltshire.gov.uk

Press enquiries to Communications, direct line 01225 713114 or email
communications@wiltshire.gov.uk