



Planning Statement

Section 73 application to vary condition 2 (approved plans), 8 (Planting details on proposed Site Masterplan), and discharge conditions 3 (Contamination), 4 (Surface Water), 5 (Construction Management Plan), 6 (Written Scheme of Archaeological Investigation), 7 (Materials Details), 13 (External Lighting Details), of allowed Planning Appeal APP/Y3940/W/24/3352756 (pursuant to Planning Application PL/2024/01979)

Land opposite Nos 6 and 7 Silver Street, Gastard, Corsham, Wiltshire, SN13 9PY

On behalf of:
Mowles Developments Ltd
July 2026

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Appendix A - APP/Y3940/W/24/3352756 – Inspectors Report and Decision Notice

1.0 Introduction and Background

- 1.1. Zesta Planning Ltd has been appointed by Mowles Developments Ltd (The Applicant) to submit a Section 73 planning application to vary condition 2 (approved plans), 8 (Planting details on proposed Site Masterplan), and discharge conditions 3 (Contamination), 4 (Surface Water), 5 (Construction Management Plan), 6 (Written Scheme of Archaeological Investigation), 7 (Materials Details), 13 (External Lighting Details), of allowed Planning Appeal APP/Y3940/W/24/3352756 (pursuant to Planning Application PL/2024/01979 which was refused by Wiltshire District Council on 30th August 2024).
- 1.2. On 30th August 2024 Wiltshire District Council refused planning permission for the “erection of 4 residential dwellings, access, footpath extension, landscaping and associated works” at Land opposite Nos 6 and 7 Silver Street, Gastard, Corsham, Wiltshire, SN13 9PY (application reference: PL/2024/01979). This refusal decision was taken to Appeal under Section 78 of the Town and Country Planning Act 1990 (as amended). The Appeal, reference APP/Y3940/W/24/3352756, was subsequently allowed by the Planning Inspector and permission was granted for the proposed development of 4 dwellings at the site. The Appeal Decision Notice and Inspectors Report which includes the conditions attached to the approval is attached to this statement at **Appendix A**.
- 1.3. This application seeks to amend the approved plans (varying Condition 2 of the extant approval) primarily comprising modest changes to the design and appearance of the dwellings including changes to fenestration, removal of chimneys, change to the porch canopy detailing, changes to proposed elevational and roof materials and removal of balcony features. Dwelling footprint has also been very minorly increased through the introduction of 600mm of additional depth. The Site Layout has been very modestly amended, involving removal of the car port structures to be replaced with garages and very minor changes to some hard and soft landscaping, most aspects of the layout remaining exactly as per the extant permission. These changes are considered minor material amendments.
- 1.4. This Statement details the proposed changes and establishes that the revisions to the plans, as approved, are very modest and simply seeks to secure the most appropriate design and layout at the site to ensure that the development is attractive to prospective occupants and functions in the most effective way for future occupiers.
- 1.5. With regard to Condition 8, which relates to implementation of planting and ecological mitigation as detailed on the Proposed Masterplan, this application seeks to amend the wording of this compliance condition to reflect the updated Masterplan. This statement confirms that

the revised Masterplan is acceptable in regard to the planting that it features and arrangement within the site which remain broadly similar to the extant approval. The variation to this condition simply seeks to amend the plan reference to ensure consistency across all conditions.

- 1.6. In addition to varying Condition 2 and 8 to reflect the amended plans, this Section 73 also seeks to submit a pack of technical information which will enable 'discharge' of those conditions which currently require submission of details for approval pre-commencement. Through submitting the required material, this S73 application seeks to amend the wording of these conditions to 'compliance' conditions which reference adherence to specifically approved documents. This aspect of the Section 73 is detailed at points 5.26 to 5.48 of this Statement.
- 1.7. For the reasons set out in this Statement below, it is our view that the amended scheme would fall within the category of minor material amendments and as a result this application is made under Section 73 of the Town and Country Planning Act. Under this process the decision maker is required to solely assess the significance of the changes to the scheme. The principle of this development has already been established and therefore cannot be revisited.
- 1.8. This application has been submitted electronically via the Planning Portal and is accompanied by the following documents:
 - Planning Statement
 - Application Form
 - Plans and Drawings (including Materials and External Lighting Details):
 - Proposed Dwellings – CH210-100C
 - Proposed Garages – CH210-101B
 - Proposed Site Plan – CH210-102B
 - Geo-Environmental Ground Investigation Report - 5710
 - Technical Note – Drainage Strategy & Flood Risk Assessment – 26-4193-KTN-TN-01-A
 - Construction Phase Plan – 15th July Rev 0
 - A Written Scheme of Investigation for a Programme of Archaeological Monitoring and Recording
- 1.9. This Planning Statement sets out the proposed changes to the scheme, the planning policies relevant to this case and finally assesses the scheme against each layer of planning policy. It makes the clear case as to why the proposed amended scheme should be similarly approved.

2.0 The Application Site and Planning History

The Application Site

- 2.1. The application site relates to land opposite number 6 and 7 Silver Street to the west of Gastard which is a village in Wiltshire. The site is relatively flat, rectangular in shape and comprises approximately 0.2 hectares. The site was last used for equestrian purposes and has a field gate and three bay stable units to the front of the site. The site is bound on all sides by hedgerow. **Figure 1** below provides an extract of the location of the site (outlined in red) within its wider spatial context.



Figure 1 - Application site in its wider spatial context

- 2.2. To the north of the site are the wider paddocks which do not form part of this proposal and will remain in equestrian use. To the east are existing residential dwellings which form the western arm of Gastard village, the main built-up area of which sits further east. To the south the site is bound by Silver Street and open agricultural fields beyond this. To the immediate west the site adjoins a commercial building which is in use as an interiors and homeware shop and a car repair garage beyond.
- 2.3. The site sits approximately 230 metres west of the centre of the village of Gastard and Corsham is the nearest town to the site and is located approximately 2km to the northwest.
- 2.4. The main public vantage point of the proposed development is from Silver Street and there are no Public Rights of Way (PROW) crossing the site or its boundaries. The nearest PROW is to the south.

- 2.5. In terms of designations, the site is not within a Conservation Area, National Landscape Area, or Green Belt and the site is wholly within Flood Zone 1 (low risk). The site does not have any significant constraints and the extant planning approval for 4 dwellings confirms this.

Planning History

Extant Planning Permission PL/2024/01979

- 2.6. Most critically for this current application is the extant planning permission associated with the site to which this Section 73 relates. The application for 'Erection of 4 residential dwellings, access, footpath extension, landscaping and associated works' was initially refused by Wiltshire Council on 30th August 2024 for two reasons which we summarise briefly below;
- 1) The location of the site within the 'open countryside' would conflict with the Wiltshire Core Strategy settlement strategy as it would elongate built form along Silver Street and not be 'infill' development. Its location means that it has limited access to local services and public transport.
 - 2) Failure to demonstrate how the development would be sympathetic to the historic landscape and relate positively to its surroundings and contribute to the character of the area.
- 2.7. However, this refusal decision was appealed under Section 78 of the Town and Country Planning Act 1990 under a written representations process. On 7th March 2025 the Appeal was **allowed and planning permission was granted**. It is this approval that this Section 73 application relates to.
- 2.8. **Figure 2** below provides an extract of the approved Site Layout Plan to which this Section 73 relates. This demonstrates the almost identical nature of the current Section 73 plans with that approved.

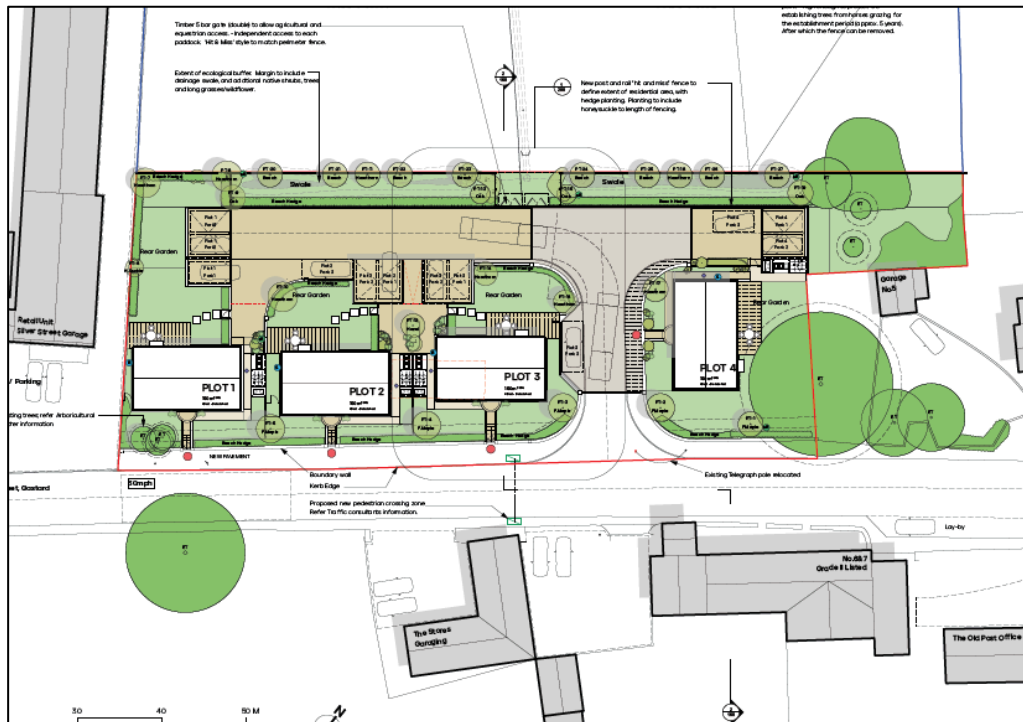


Figure 2 - Extract of layout plan as approved

- 2.9. The allowed appeal was subject to various planning conditions, the most relevant to this Section 73 being:

Compliance Conditions

- **Condition 2:** The development hereby permitted shall be carried out in accordance with drawing nos: 2315-100-01, 2315-150-03, 2315-300-01, 2315-301-01, 2315-201-01, 2315-202-01, 2315-200-01, 2315-160-01, 8230241/6201 D, 8230241/6202 D, 8230241/6203 C.
- **Condition 8:** All planting, seeding or turning shown on Proposed Site Masterplan Plan, Ref: 2315-150 Rev: 03 shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Pre-commencement Conditions

- **Condition 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 has been carried out and all of the following steps have been complied with:

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 for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether 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 or under the site, 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 have been 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.

- **Condition 4:** No development shall commence on site until a scheme for the discharge of surface water from the site has been submitted to and approved in writing by the local planning authority. The scheme shall be informed by a site specific Flood Risk Assessment (FRA) and incorporate sustainable drainage details including any off-site works and any permissions for connections to private drainage systems/land drainage consent.
- **Condition 5:** No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning

authority. The approved Construction Management Plan shall be adhered to throughout the construction period for the development.

- **Condition 6:** No development shall commence until:
 - a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the local planning authority; and
 - b) The approved programme of archaeological work has been carried out in accordance with the approved details.
- **Condition 7:** No development shall commence on site above slab level until the exact details and samples of the materials to be used for the external walls, roofs and fenestration have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- **Condition 13:** No external light fixture or fitting will be installed within the application site unless in accordance with details of existing and proposed new lighting that has been submitted to and approved by the local planning authority. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

2.10. Review of the Inspectors Report confirms the assessment of the 4-dwelling scheme and ultimately its acceptability.

2.11. Given that this Section 73 application pertains to minor material amendments to the extant permission and is limited to matters of subtle design and layout changes in addition to submission of details to enable 'discharge' of pre-commencement conditions 3, 4, 5, 6, 7 and 13, the principle of development should not form part of the S73 application assessment process. The principle is established and should not be in doubt here. Notwithstanding this, it is helpful to set out some key points of assessment made by the Planning Inspector who ultimately came to the conclusion that:

*"I conclude that local and national policies dictate that **the appeal site is suitable located for new dwellings**, in accordance with CS Policies 1, 2, 11, 60 and 61". (bold and underlined is our emphasis).*

- 2.12. In coming to this conclusion, the Inspector notes that the Wiltshire Core Strategy identifies Gastard as a ‘small village’ and that Policy 2 sets out that development within small villages should be limited to infill within the existing built area and that ‘proposals for development at the small villages will be supported where they seek to meet housing needs of settlements,...provided that the development: respects the existing character and form of the settlement, does not elongate the village or impose development in sensitive landscape areas, and does not consolidate an existing sporadic loose knit area of development related to the settlement’. In assessing the proposal against this policy approach the Inspector finds that:

“The proposed 4 dwellings would represent a few dwellings, and their scale and density would sit comfortably within the surrounding context and not appear overly large or set apart. The appeal site and proposal would therefore meet the requirement of ‘small gap’.

The proposal would sit in between development and would not elongate the village.

The proposed dwellings would appear as part of the built area of Gastard rather than the open countryside.

Policy H1 of the Corsham Neighbourhood Plan 2016-2026 supports proposals for small infill sites within Gastard...the proposal would provide small scale family sized dwellings that meet the aspirations of the NP...there is no conflict with CS Policy 2 in this respect.”

- 2.13. The Inspector then turns to the location of the site in terms of its accessibility and connectivity. Whilst the Inspector recognises that Gastard is defined as a small village, with a low level of services and facilities, they also take account of the fact that the NPPF (paragraph 110) acknowledges that opportunities to maximise sustainable transport solutions vary between urban and rural areas. The Inspector finds that facilities and services in Corsham are within ‘safe and convenient walking and cycling distance’ and ‘there are bus stops near the site offering services between Corsham and Trowbridge...**The site is reasonably well connected...occupiers of the new dwellings would not necessarily be likely to have high reliance on a private motor vehicle to access day to day services**’ (bold and underlined is our emphasis).

- 2.14. This S73 application relates to the same red line boundary and thus its spatial context, location in relation to the settlement of Gastard and connections in terms of public transport along with the caveat under paragraph 110 of the NPPF all remain applicable as per the Inspectors conclusions.

2.15. We turn to the Inspectors assessment of the development design and layout as it related to impact upon character and appearance. We set out some key comments in **Table 1** below which underpin the approach taken in relation to the modest design and layout changes sought under this S73.

<u>Key comment/assessment point</u>	<u>S73 approach</u>
A mixture of hedgerow and short stone walls are characteristic of the built area. The roadside hedgerow and surrounding trees provide a verdant character.	The boundary treatments remain the same as the extant approval and the trees are to be retained as shown on the submitted and approved AIA and Tree method Statement.
The surrounding built form is characterised by two storey dwellings which are mixed in their detailing but have some consistency derived from their two storey scale, pitched roofs and use of stone.	The modestly amended dwelling design retains the approved two storey massing, pitched roof style and proposes the use of traditional stone material.
Two storey dwellings would use traditional materials such as stone and timber and their simple traditional appearance with pitched roofs would be in keeping with the surrounding context.	The proposed design revisions ensure that this two-storey massing, use of traditional materials and pitched roof form is retained. The minor increase in depth of 600mm is immaterial in the context of the site as a whole and the benefits of this additional space, facilitating an enhanced internal arrangement, are clear.
The dwellings would mostly front the highway with one unit having its side facing the road. As such the proposal would sit comfortably within the existing context.	The layout as approved is to be retained with Plots 1 to 3 facing Silver Street in a linear form and with Plot 4 being side facing. As such the layout continues to be acceptable.
The hardstanding would not extent as far to the rear as the neighbouring commercial building and parking areas and would be	The site layout is retained broadly as per the extant approval, with only minor changes to the depth of dwellings and modifications to

similar in depth to the existing residential dwellings along this side and part of Silver Street. The majority of the open field would remain, and views of it would be possible in between the new dwellings, retaining the sense of spaciousness.	the car ports, replaced by garages. As such, the development would continue to retain the open field to the rear and sense of spaciousness.
The proposed arrangement would avoid excessive urbanising hardstanding to the frontage, where the use of a natural stone boundary wall and hedge planting would be appropriate for the location. Additional planting, secured through condition, would retain the verdant surrounding character and soften the built form.	The proposed extent of hardstanding remains identical to the extant approval. Similarly, the proposed planting and landscaping (as detailed on the layout plan) is largely the same as the extant approval and thus provides the same softening and screening effects.
The Inspector acknowledges that the site sits within the Bath and Bradford-upon-Avon Bats Special Area of Conservation. It was accepted that the mitigation proposed and set out on the site masterplan (including bat boxes and details of planting including hedgerow) and the attachment of a condition for external lighting details provided sufficient mitigation. Indeed Natural England confirmed that they have no objection subject to the identified mitigation being secured.	Under this S73 the wording of Condition 8 is to be amended to reference the updated layout Plan which provides identical ecology mitigation measures and landscaping details. Therefore, this S73 is similarly acceptable in terms of the impact on the SAC and the requirement for landscaping.

- 2.16. Ultimately, the Inspector concludes that *“the proposal would relate positively to the existing pattern of development and its immediate setting and would integrate effectively into the surroundings and would not harm the character of this route into the centre of Gastard. There is no conflict with Core Strategy Policy 57, enhancing local distinctiveness, and relate well to the existing landscape and wider character”*. On the basis that this S73, largely retains the layout of the extant approval and the design changes are modest, there is no doubt that the proposal remains acceptable as per the allowed appeal. Indeed, the proposed revisions which provide a

more simplistic design, uniform fenestration, incorporate traditional stone materials and replace flat roof car ports with pitched roof garage structures that match the design of the main dwellings, means it is considered that the S73 plans assimilate even more effectively and responsively to the site and surroundings.

- 2.17. In terms of access, the proposal retains the exact same access arrangement as per the extant permission which was confirmed by the Highways Officer as acceptable subject to implementation of visibility splays. In terms of parking provision on the site, under the extant permission, the Highways Officer did not raise any objections to the application. In commenting on the parking provision, they confirmed that *'the proposal seeks to provide four, 4-bed dwellings, with parking provision of three spaces per dwelling. This accords with the requirements for residential parking'*. Whilst they note that the level of visitor parking would fall short by 1 space, they consider that *'there would be space within the internal layout for more than a single vehicle to park on a casual basis'*. Given that the S73 proposal provides for the same level of parking per dwelling (3 spaces) and the layout remains almost identical to the approved scheme, it is considered that there would be ample space for visitors and as such the modestly revised scheme would be acceptable in highways terms.

3.0 The Proposed Development

- 3.1. This S73 proposal seeks to make minor changes to the extant approval. The description of development remains as per the approved scheme and is for “erection of four residential dwellings, access and footpath, landscaping and associated works”.
- 3.2. **Figure 3** below provides an extract of the proposed site layout plan which demonstrates that the amount of development, layout and arrangement in terms of access, landscaping and trees, hardstanding and relationship with Silver Street to the south, and open field to the north remains exactly as per the extant permission.

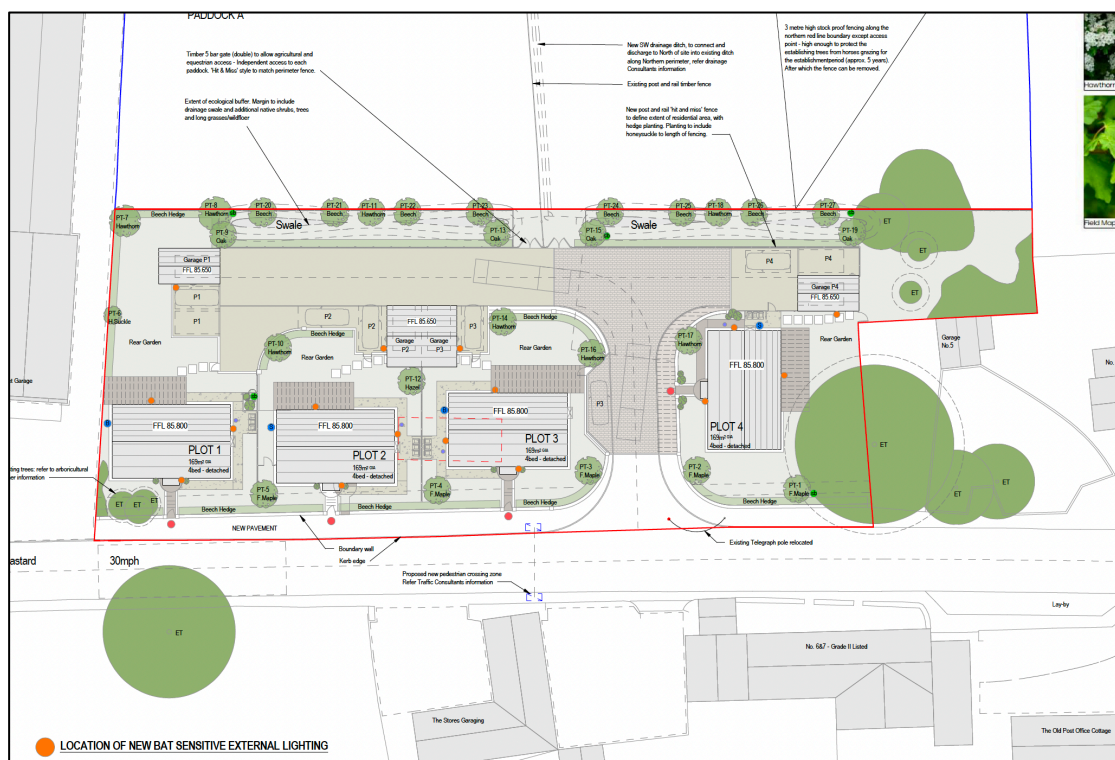


Figure 3 - Extract of Proposed Site Layout

- 3.3. Plots 1 to 3 all occupy a broadly linear formation fronting Silver Street and Plot 4 sits at a 90-degree angle to Silver Street with its principal elevation west facing. All plots will be provided with dedicated bin storage and the detached single garages shown will provide for wall mounted cycle storage to be located on the internal rear wall of each garage. The details of this are shown on the proposed Site Layout Plan.
- 3.4. In terms of the dwellings themselves, all 4 plots are to remain as 4-bedroom, family sized dwellings and occupy broadly the same footprint as the extant permission. The only minor change is that the depth of each dwelling has been marginally increased from 7.2 metres to 7.8 metres (an additional 600mm), this is not a material change and simply ensures that the most

effective internal layout can be secured. The dwellings continue to comprise the same simple, rectangular shape with pitched roof style and a uniform arrangement of fenestration with the front door located in the centre of the principal elevation and a simple lean-to canopy porch feature. The focus is on achieving a simple yet traditional and high-quality design that responds to the character of the locality. **Figure 4** below provides an extract of the proposed elevations.



Figure 4 - Extract of Proposed Elevations

- 3.5. Internally, the dwelling layout has been altered from the extant permission, facilitated in part by the additional 600mm depth, with the sole purpose of simplifying the room arrangement and ensuring circulation spaces and main living spaces/habitable rooms 'flow' and will be desirable for future occupants. **Figure 5** below provides an extract of the proposed layouts.

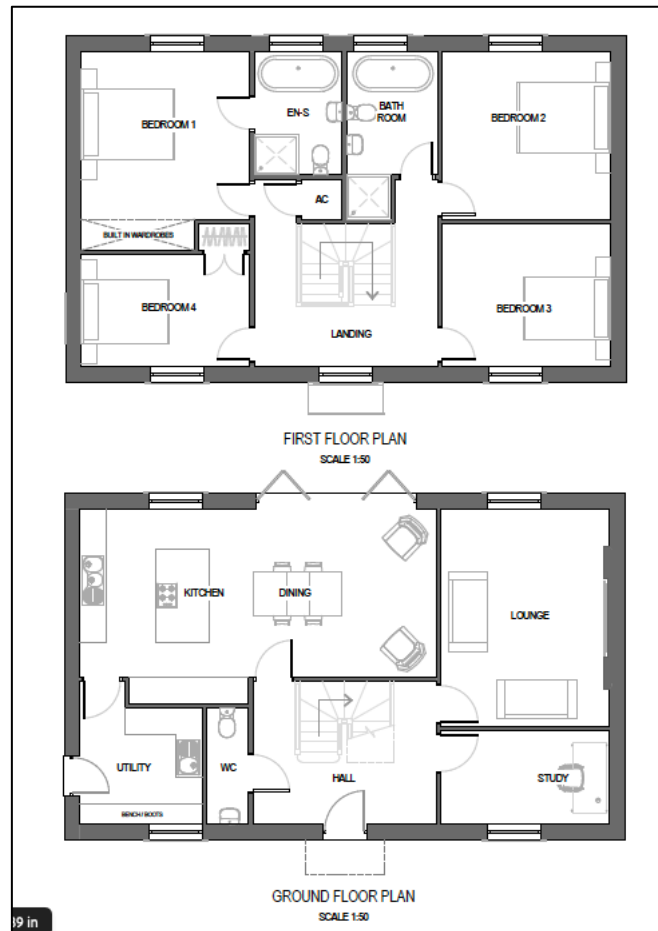


Figure 5 - Extract of Proposed Floorplan Layouts

- 3.6. Ground floors will comprise hallway, study, toilet and utility, kitchen/dining and a lounge. First floors will comprise a landing area, 4 bedrooms, one of which benefits from an en-suite and the other three with access to a shared main family bathroom. All rooms exceed the Nationally Described Space Standards (NDSS) and provide ample windows will good access to natural light. The proposed internal arrangements will provide a high standard of amenity for future occupants.
- 3.7. The access into the site is as per the extant permission comprising an improved access which is currently via an equestrian field gate. The bell mouth access will achieve required visibility splays and provide for a pedestrian footway along the front of the site. This access was confirmed as acceptable by the Highways Officer under the extant approval subject to implementation of visibility splays as shown at Drawing 8230241/6108 (included at appendix L of the Transport Statement submitted under the extant permission).
- 3.8. **Table 2** below provides a complete list of all the proposed minor changes that are submitted for consideration under this S73 application. All other aspects of the application are to remain as per the extant permission.

<u>Site Layout</u>	
Parking Provision	Location and amount of parking provision remains the same – 2 spaces per plot and each plot benefitting from a single garage (total 3 spaces) which includes secure wall mounted cycle storage. Removal of open sided, flat roof car ports and replacement with enclosed, pitched roof garage structures with materiality to match main dwellings.
Bin storage	Dedicated bin storage is provided at the same level as the extant permission however the location has been moved for Plot 2 and 3 – provision moved slightly south, for Plot 4 – provision moved slightly west. These minor changes to location are the result of the removal of separate cycle storage areas which are now integral to the garage outbuildings. The wooden enclosed structures providing bin storage on the approved plans are removed and the storage areas are instead to be open, contained on either side by bamboo screens.
Hardstanding	The extent of hardstanding has been subject to very minor changes but which only amount to reduction in extent therefore are considered a betterment from the extant permission. These areas of change are: Reduction in hardstanding extent to immediate south of plot 4 parking provision.

	Removal of hardstanding area between Plot 2 and Plot 3 south of garage structures.
Landscaping	Some very small elements of soft landscaping are changed from the extant permission, and these are as follows: Removal of small extent of beech hedging within Plot 1 rear garden (along eastern side and northern side of garage). Introduction of additional beech trees and hedging along the northern boundary of the site. Change to small area of landscaping to north of Plot 4, south of its allocated parking area. All other landscaping, trees and ecological mitigation measures remain exactly as per the extant approval.
<u>Dwelling Design and layout (internal)</u>	
Dwelling footprint	Each dwelling has been increased very minorly in depth by 600mm (60cm) (from 7.2 metres to 7.8 metres). The reason for this is that the additional 600mm enables the most effective internal layout to be achieved without materially changing the layout or appearance of the development. The resulting changes to dwelling footprint are: Extant permission: 150 square metres Proposed S73: 169 square metres
Dwelling External elevations/architectural features	The external appearance of the dwellings has been amended to reflect a design which is

	more responsive and sensitive to the character and setting of the locality and prioritises achieving a traditional, high-quality appearance. The following design features have been removed from the dwellings as it is considered these introduced alien architectural features to the locality, detracting from the desired simple, traditional design approach. Removal of chimney features. Removal of balconies. Removal of timber shutters. Removal of pre-formed arch stone porch and replacement with lean-to cast stone porch canopy. Removal of glass-to-glass corner window feature with extended hardwood Groove panelling. The fenestration is altered to reflect a more uniform siting of windows on the principal and rear elevations of each Plot.
Dwelling Materials	All materials are traditional and reflective of those prominent in the surrounding locality: Elevations comprising Bekstone walling with cast stone cills, lintels and quoins. White UPVC sash windows with cast stone heads and cills. Black UPVC doors and rainwater goods. Grey Spanish slate roof.

Garages materiality and design	As stated above, the approved flat roof car ports are to be replaced by simple, pitched roof garages. The car ports previously comprised timber post and beam which would introduce a different material palette to the site and not match with the main dwellings. The proposed garages match the main dwellings in terms of their materiality and their roof design sharing the same pitched form. The materials comprise: Bekstone walling with cast stone quoins and slate roof.
Dwelling Internal Layout	Internally the layout has been amended to ensure that the space 'flows' and is desirable for future occupants. These changes include: <u>Ground Floor</u> Retention of open plan kitchen/dining room but separating lounge space. Study moved so it can be accessed directly from the hallway, not requiring access through the utility and kitchen. Store area moved to under stairs provision. <u>First Floor</u> Ensuite provided for Bedroom 1 and one main family bathroom accessed directly from landing. Built in storage spaces removed to provide larger bedroom spaces.

- 3.9. The above demonstrates that the proposed Section 73 plans only involve minor changes from the approved plans and are not material. We assess the changes in more detail and against planning policy in the subsequent sections of this statement.
- 3.10. In addition to the minor changes to the approved plans, as introduced at point 1.6 above, this S73 also seeks to provide details to address Conditions 3 (contamination), 4 (drainage), 5 (Construction Management Plan), 6 (Written Scheme of Archaeological Investigation), 7 (Materials) and 13 (Lighting). We address these detailed matters more thoroughly in the subsequent section of this statement and refer directly to the suite of technical documents that are submitted to support each matter.

4.0 Planning Policy Context

- 4.1. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 sets out that applications should be determined in accordance with the Development Plan unless other material considerations indicate otherwise. The Development Plan in this case comprises of Wiltshire Core Strategy 2011-2026 (adopted January 2015) (WCS) and the Corsham Neighbourhood Plan (adopted 2019).
- 4.2. Other relevant material considerations include the Government's National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG).
- 4.3. As stated at point 1.6 above, under this S73 application, assessment must be limited to the significance of the changes made to the scheme compared with the extant permission. This application does not present an opportunity for reconsideration of the principle of this development where the allowed appeal and resulting extant approval establishes acceptability of the principle of delivering four, family sized residential dwellings at this site. Given this, the policies set out below focus on those more detailed and technical matters.

The Wiltshire Core Strategy 2011-2026 (January 2015) (WCS)

- 4.4. The WCS for Wiltshire was adopted in January 2015 and forms part of the Development Plan for the area. The following policies of the WCS are relevant to this S73 application:
- 4.5. **Core Policy 45: Meeting Wiltshire's Housing Needs** – states that new housing must be well designed and incorporate types, tenures and sizes that create mixed and balanced communities.
- 4.6. **Core Policy 50: Biodiversity and Geodiversity** – states that development must demonstrate how features of nature are protected, enhanced and managed. All proposals must incorporate appropriate measures to avoid disturbance to sensitive species and habitats and must seek opportunities to enhance biodiversity.
- 4.7. **Core Policy 51: Landscape** – requires that developments should protect and enhance landscape character and impacts mitigated through sensitive design and landscape measures. Such measures can include:
 - Locally distinctive species composition including trees, hedgerow, field boundaries, waterbodies etc.
 - Retention of views and visual amenity.

- 4.8. **Core Policy 52: Green Infrastructure** – requires development to make provision for the retention of an enhancement to the GI network including through on site provisions and GI features can include trees, hedgerow, planting and implementation of SuDS features.
- 4.9. **Core Policy 56: Contaminated Land** – requires that proposals which are likely to be on or adjacent to land subject to contamination must demonstrate measures can be taken to effectively mitigate impacts and demonstrate that the site is or will be made suitable for the proposed use.
- 4.10. **Core Policy 57: Ensuring High Quality Design and Place Shaping** – sets out that development must create a strong sense of place through drawing on local context and being complementary to the locality. It must be demonstrated that proposals make a positive contribution to the character of Wiltshire by, inter alia:
- Enhancing local distinctiveness, relating positively to landscape setting and existing patterns of development and ensuring important views into, within and out of the site are retained.
 - Retention and enhancement of important landscaping and natural features (trees, hedges, watercourses).
 - Having a sympathetic and responsive layout, built form, height, mass, scale, building line, plots size, elevational design, materials, streetscape and rooflines that enable integration into setting.
 - Consideration for needs of potential occupants and considering how buildings will be used in the future.
 - Using high standards of building materials, finishes and landscaping.
- 4.11. **Core Policy 60: Sustainable Transport** – seeks to reduce the need to travel by private car through supporting provision of sustainable modes.
- 4.12. **Core Policy 61: Transport and Development** – similarly seeks to ensure development is designed to reduce the need to travel and encourage alternative modes including cycling. Development must also demonstrate that they are capable of being served by a safe access.
- 4.13. **Core Policy 67: Flood Risk** – sets out that all new development should include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground (SuDS).

Corsham Neighbourhood Plan 2016-2026 (November 2019)

- 4.14. **Policy CNP E1:** requires proposals to demonstrate consideration for the Bath and Bradford on Avon Bats SAC and demonstrate how proposals contribute to the delivery of the Batscape Strategy including mitigation measures. Proposals that enhance biodiversity will be supported.
- 4.15. **Policy CNP E2:** requires that development should:
- Safeguard and enhance biodiversity and geodiversity;
 - Adopt best practice in sustainable urban drainage;
 - Reduce flood risk and ensure that the design and location of new development is resilient to effects of flooding;
- 4.16. **Policy CNP E3:** requires development to protect, conserve and enhance distinctive landscape characteristics including maintaining tree and hedgerow cover, ensuring proposals relate to their landscape, setting and visual effects are minimised, incorporate landscaping which is of an appropriate mix.
- 4.17. **Policy CNP HE1:** requires all new development to demonstrate good quality design which responds to and integrates with local surroundings and landscape context. Good design includes appropriate scale, character and consideration to established plot arrangements, widths, architectural rhythm of the street including front gardens, boundary treatment and hedges, and use of good quality materials.
- 4.18. **Policy CNP H1:** states that proposals for small infill sites within Gastard will be supported where they have a scale, form and density which would be complementary to surrounding properties and would not result in loss of amenity for existing residents, should aim to achieve high standards of sustainable and low carbon design and be accompanied by appropriate provision for parking, access and storage of waste.
- 4.19. **Policy CNP T2:** States that development should provide safe pedestrian and cycle routes and provide suitable cycle parking facilities in convenient locations.

Wiltshire Council Local Plan Review

- 4.20. It is pertinent to note that Wiltshire Council were undertaking a review of their Core Strategy which is considered out of date given that it is over 5 years old and that the Council cannot demonstrate a 5-year housing land supply (supply is just 2.8 years as of June 2026). The Local Plan Review was submitted to the Secretary of State for examination on 28th November 2024. However, at a meeting of full council on 19th May 2026 Councillors voted to withdraw the Wiltshire Local Plan Review from examination. The reason for this was that the Inspector raised

significant soundness concerns citing that the Council failed to allocate enough land to meet the county's housing needs.

- 4.21. As such, the adopted Core Strategy and Neighbourhood Plan continue to be the starting point for consideration of planning applications however the weight given to these policies is diminished and the 'tilted balance' is engaged under paragraph 11d of the NPPF.

The National Planning Policy Framework (NPPF)

- 4.22. The NPPF 2024 sets out the Governments overarching planning policies and how it intends them to be applied at the local level. The NPPF provides guidance for local planning authorities in determining applications.
- 4.23. As national guidance, it can outweigh the provisions of the development plan, particularly in this instance where the inability of the Council to demonstrate a 5YHLS means that **paragraph 11d** is engaged in accordance with footnote 8¹.
- 4.24. **Paragraph 11** continues to provide a presumption in favour of sustainable development. This means approving development proposals that accord with the development plan without delay; and where the development plan is out-of-date (as is the case here) granting planning permission, unless the adverse impacts of development significantly and demonstrably outweigh the benefits.
- 4.25. **Paragraph 61** sets out the Government's objective of significantly boosting the supply of new housing, and to achieve this it is important that enough land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without delay.
- 4.26. **Paragraph 73** states that small sites can make an important contribution to meeting the housing requirement of an area and local planning authorities should support the development of windfall sites through their policies and decisions.
- 4.27. **Paragraph 96** outlines decisions should aim to achieve healthy, inclusive, and safe places which promote social interaction, are safe and accessible, support healthy lives through, inter alia, layouts which encourage walking and cycling.
- 4.28. **Paragraph 110** aims for the transport system to be balanced in favour of sustainable modes of travel, which will in turn offer people a genuine choice over how they travel.

¹ NPPF Paragraph 11d footnote 8 states that the presumption applies to applications involving the provision of housing, where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

- 4.29. **Paragraph 115** requires safe and suitable access to be provided. It states that development should only be refused on transport grounds where the cumulative impacts of development are 'severe'.
- 4.30. **Paragraph 124** seeks effective use of land in meeting the need for homes and **Paragraph 124** promotes efficient use of land.
- 4.31. **Paragraph 131** highlights the importance the government attaches to the design of the built environment by stating, "good design is a key aspect of sustainable development".
- 4.32. In relation to flood risk, **Paragraph 159** sets out that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.
- 4.33. **Paragraph 162** provides for a sequential test to steer new development to areas with the lowest risk of flooding from any source, specifying that development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.

5.0 Analysis of Planning Considerations

- 5.1. This section of the Statement is split into two parts, the first makes an assessment of the proposed changes to the design and layout of the scheme as approved under Condition 2 (approved plans) and condition 8 (landscaping and planting) of the extant permission. The second deals with the technical details pertaining to the pre-commencement conditions 3, 4, 5, 6, 7 and 13, providing the required technical details to enable the wording of these conditions to be amended from ‘discharge prior to commencement’ to ‘compliance’ with specifically referenced documents.

Proposed Design and Layout Changes (Conditions 2 and 8)

- 5.2. This Section 73 application is pursuant to an extant planning approval which was allowed at Appeal on 7th March 2025 under appeal reference APP/Y3940/W/24/3352756 and Local Planning Authority planning reference PL/2024/01979. The approval is for “erection of 4 residential dwellings, access, footpath extension, landscaping and associated works”. As has been established in the Proposed Development Section 3 above, this application retains the exact same location and site boundary, proposes the same residential (C3) land use, the same number of units (4 dwellings), and broadly the same layout, massing and scale. As detailed at points 2.11 to 2.14 above, under the allowed Appeal the Inspector has confirmed the acceptability of the principle of development and therefore this is not for review or consideration under this S73. The principle of development is secured.
- 5.3. The analysis of the design and layout changes are limited to the following issues, which are then addressed in turn under separate sub-headings:
- Layout
 - Design
 - Amenity
 - Access and Parking
 - Landscaping and Ecology

Site Layout

- 5.4. In regard to the layout, the proposed amendments to the proposed Site Plan are extremely minor and seek only to better what is currently approved. Indeed, it has been ensured that the landscape and visual considerations for this development have been at the forefront. The field to the north of the site has been retained as open field, as has the spacious nature of the plots

ensuring views through the site between the dwellings, thus maintaining the rural appearance that the Inspector welcomed under the extant approval.

- 5.5. The primary change is the removal of the flat roof car port structures and replacement with single garages for each of the plots. The car ports as approved introduced what could reasonably be considered alien in terms of their character and architectural appearance. Their flat roof design and timber materiality is not reflective of design precedents in the locality. In contrast, the proposed single garages are designed to match the main dwellings, sharing the same pitched roof style and pitch angle and with the same Bekstone walling with cast stone quoins and slate roof. This will unify the built form on site and minimise the visual impact of the garages providing an improved design. The garages will occupy the same footprint and locations as the car ports and so would not result in a material change to the layout.
- 5.6. Also linked to the garage provision is the removal of separate stand-alone bicycle storage, instead bicycle storage would be provided for within the garages through wall mounted storage located on the rear wall of each garage (see Site Plan for details). This has freed up small external areas at each plot which have been returned to soft landscaping, reducing the perceived extent of hardstanding and ultimately providing a visual benefit. Where the dedicated bin store provision for each plot was previously connected with the bike storage, detaching these two components this has given more flexibility in terms of locating the bin storage. In the case of Plots 2 and 3 the bin storage has been shifted very marginally south, creating more soft landscaping area between the two plots and Plot 3 the bin storage has been shifted to the west, closer to the access point for occupants.
- 5.7. Notwithstanding the above minor layout changes, all other aspects of the site layout remain as per the extant approval. This includes:
- The provision for and extent of soft landscaping within the site inclusive of hedgerow and trees, as well as proposed ecological enhancements and mitigations which are set out in detail on the amended Site Plan and mirror that of the approved scheme (as secured under Condition 8).
 - The extent of hardstanding including the internal access driveway, turning and circulation space and patio areas for each plot remain as per the approved scheme and therefore sufficient to serve the site. The access arrangement from Silver Street into the site also remains as per the extant permission.
 - All external private amenity spaces remain generous in size and the site boundary treatments comprising a mixture of hedgerow and stone walling,

which were deemed appropriate and sensitive to the local character under the extant permission, are retained.

- 5.8. It has been important to the applicant to ensure that the design and layout of the extant permission has been retained as far as possible, and proposed amendments have been minimised to those necessary to enhance the contribution that the development can make to the character and appearance of the site and locality and secure the development is deliverable.
- 5.9. Given the above assessment, it is clear that the proposed minor amendments to the layout ensure compliance with WCS Core Policies 51, 57, CNP Policies E3, HE1 and H1, and provisions of the NPPF.

Design of Dwellings

- 5.10. With regard to the design of the dwellings, to avoid repetition, **Table 2** above should be referred to for details on the exact design changes. However, **Figure 6** below provides a comparison of the approved dwelling elevations (top) and the proposed dwelling elevations (bottom).



Figure 6 - Extract comparing approved elevations and proposed amended elevations

5.11. As detailed earlier in this statement, Section 2.0 'Planning History', the Planning inspector ultimately found the design of the four dwellings as approved to be acceptable, specifically the Inspector notes that "dwellings in the surrounding area are mixed in detailing, but have consistency derived from their two storey scale, pitched roofs and use of stone" then, the Inspector cites the Wiltshire landscape Character Assessment (LCA) where the area within which the S73 site sits must seek development that *'retains the distinctive character of villages, ensuring any change respects the traditional stone built character and vernacular form'*. Under the proposed design changes subject of this S73 application the importance of retaining and following this local character has been the focus of the amendments. **Figure 7** below provides evidence of the prevailing architectural design of dwellings along Silver Street and in the vicinity of the site. It is indisputable that the proposed design changes directly reflect these existing properties and so would integrate well into the surroundings and achieve the requirements of local policies WCS Policy 57 and CNP Policy HE1.



Figure 7 - Photographic extracts showing prevailing architectural character in locality

5.12. The changes seek to simplify the appearance of the dwellings removing features of the approved designs that are considered to be out of place in the context of surrounding built form. As CNP Policy ED1 requires, design should reflect the character and features of the local area in terms of scale, design, colours, proportion and materials. The scale of the dwellings, their layout and massing is retained as per the extant approval as this is considered to be responsive to the setting. Similarly, as confirmed in the assessment of 'layout' above (refer sub-point 5.7) the proposed boundary treatments which comprise hedgerow and traditional stone walling are retained as the extant approval. However, the following features are proposed to be removed and replaced with features that assimilate more effectively with the prominent character of the area:

- Arched stone porch removed of which is there no existing precedent for such features in the locality. Replaced with lean-to cast stone porch canopy of which there are examples along Silver Street (including one example shown at Figure 7 above).
- Removal of chimney features, and whilst it is acknowledged that there is a precedent for chimneys in the locality, it is not considered that their removal in this instance impacts or alters the ability of the dwellings to be viewed as

integrated into and complementary to the character of the surrounding built form.

- Removal of balconies of which is there no existing precedent for such features in the locality. Indeed, each of the plots is provided with ample outdoor amenity space and therefore balconies are of limited benefit to future occupants and introduce an alien design feature to the locality.
- Removal of timber shutters and solid timber panelling of which is there no existing precedent for such features in the locality. The proposed fenestration comprises UPVC sash style windows with cast stone heads and cills which are prominent in the locality as demonstrated at Figure 7 above. Windows will be uniform in their proportions and located on the front and rear elevations in a regular and symmetrical manner.
- The hardwood timber clad bin and bike store structures are replaced by smaller bin store areas (bike storage integral to garages) which will not be enclosed structures but simply contained by bamboo style screens on either side, minimising their visual impact.

5.13. The design changes will enhance the contribution that the dwellings can make to the character of the area. The proposed material palette includes Bekstone reconstituted stone walling, cast stone cills, lintels and quoins, grey Spanish natural slate roof, anthracite UPVC windows and doors, and UPVC black rainwater goods. The garage structures would also comprise of this same material palette securing uniformity across the site.

5.14. Given the above assessment, it is clear that the proposed design changes will provide a betterment from the extant approved designs, and the revised appearance will enable the dwellings to integrate more seamlessly into the surrounding locality in terms of mirroring and complementing character. The proposed minor amendments ensure compliance with WCS Core Policy 57, CNP Policy ED1, the Corsham Design Guide, and relevant provisions of the NPPF.

Amenity

5.15. As confirmed in Section 3.0 above, the proposal retains the 4 dwellings on site occupying the same positions as per the approved plans with Plots 1 to 3 adopting a slightly staggered yet linear formation, fronting Silver Street, and Plot 4 occupying a side-facing orientation. The only minor change is the increase in the depth of each dwelling by 600mm. This results in all plots measuring 7.8 metres in depth compared with the previous 7.2 metres depth. Given the generous plot sizes, spacing between the dwellings and the siting of windows and openings this

additional depth does not have any impact in terms of overbearing or overshadowing. Indeed, the modest additional GIFA created for each dwelling which equates to 12sqm simply enhances the internal amenity and living experience for prospective future occupants of the dwellings. The extra depth means that the dwellings surpass the Nationally Described Space Standards further and ensures the desired internal layout can be achieved, with spaces 'flowing' more efficiently. The internal layout proposed is reflective of the developer's experience of market demand. In terms of the materiality of this change, it is clear from comparing the approved Proposed Site Layout Plan (refer **Figure 2** above) and the new Proposed Site Layout Plan (refer **Figure 3** above) that 600mm per dwelling is easily absorbed into the site. The very minor additional building footprint (12sqm) resulting at each Plot does not encroach materially into private outdoor garden spaces, parking provision, circulation/turning spaces and landscaping, all of which remain generous and more than sufficient to serve the plots.

- 5.16. In addition, as well as the design benefits of the proposed changes to the fenestration, as earlier in this statement, the siting of windows ensures that all rooms benefit from natural light securing a high level of amenity for future occupants. The siting of the windows to the principal and rear elevations only also ensures that the amenity of neighbouring occupants (relationship between Plots) is acceptable with no resulting overlooking, or privacy impacts.
- 5.17. Given the above assessment it is clear that the proposed minor amendments ensure compliance with WCS Core Policy 57, CNP Policy H1, and relevant provisions of the NPPF.

Access and Parking

- 5.18. Given the very minor changes made to the layout, including the replacement of car ports with single garages, it is important to comment upon the parking provision and access. Critically, no changes are incurred to the level of provision. Each plot benefits from 2 allocated parking spaces plus a space within the garage. The garage also includes for safe and secure cycle storage. As confirmed at point 2.17 above, the Highways Officer raised no objection to this level of parking provision on the site under the extant approval and so this remains acceptable. Whilst they note that the level of visitor parking would fall short by 1 space, they consider that *'there would be space within the internal layout for more than a single vehicle to park on a casual basis'*. Given that the S73 proposal provides for an almost identical layout, the same conclusion is applicable in terms of visitor parking provision.
- 5.19. The access as approved including achievement of visibility splays, space for turning and circulation all remain as per the extant approval.

- 5.20. Given the above, this modestly revised scheme would be acceptable in highways terms, according with WCS Policy 60 and 62, CNP Policy T2 and relevant provisions of the NPPF.

Landscaping and Ecology

- 5.21. As established under the assessment of layout section above (points 5.4 to 5.9) there are only very minor and inconsequential changes in terms of landscaping at the site, these changes are summarised at Table 2 but essentially result from moving of bin store areas and removal of separate bike store areas which are now integral to the garages. This has meant an increase in the extent of soft landscaping on site, albeit very minor increases. All trees and boundary hedgerow and planting is to remain as per the extant approval. In addition, along the northern boundary the ecological buffer is retained as an important feature of the site and includes drainage swale, native shrubs, trees and long grasses/wildflowers. The timber gate which allows agricultural access and equestrian access to the north, open field/paddock land is also retained.
- 5.22. Under the extant permission Condition 8 makes specific reference to the need for compliance with the planting, seeding and turfing shown on the Proposed Site Masterplan Plan (2315-150, Rev: 03). Under this Section 73, the amended Site Masterplan includes the same planting, ecological mitigation and management measures/details as on the current approved plan. The importance of securing this landscaping and ecological mitigation is recognised, particularly given the location of the site within the Bath and Bradford-upon-Avon Bats Special Area of Conservation. The mitigation (including bat boxes and details of planting including hedgerow) was confirmed by the Inspector as sufficient and the amended Site Masterplan submitted under this S73 includes those exact same details and thus is considered acceptable in this regard. Furthermore, as is detailed in the subsequent section of this report, details of external lighting are provided to discharge condition 6 which also pertains to ecological protection.
- 5.23. Overall, the proposed amended plans continue to secure high quality landscaping, green infrastructure provision and necessary mitigation and enhancement for ecology. Indeed, given the inconsequential changes in terms of landscaping on site the previous BNG in excess of the minimum 10% policy requirement will continue to be achieved. The application complies with WCS Policy 50, 52, CNP Policy E1 and E2 and the relevant provisions of the NPPF.

Proposed Amendments Conclusion – Conditions 2 and 8

- 5.24. The above assessment demonstrates that the proposed changes to the approved plans are minor and as such can be considered under this Section 73 application process. The changes both in terms of design and layout ensure high quality design, protection and enhancement of the landscape and local character, secure a high level of amenity for occupants, retain effective

layout specifically in relation to access and parking, and secure ecology and green infrastructure protection and enhancement. The amended proposals are wholly policy compliant and as such should be viewed favourably by the Council.

- 5.25. Following on from the proposed amendments, it is suggested that the wording of Condition 2 and Condition 8 are amended as set out in **Table 3** below.

Current Condition Wording	Proposed Condition Wording (bold and underlined text reflects amendment/addition)
Condition 2: The development hereby permitted shall be carried out in accordance with drawing nos: 2315-100-01, 2315-150-03, 2315-300-01, 2315-301-01, 2315-201-01, 2315-202-01, 2315-200-01, 2315-160-01, 8230241/6201 D, 8230241/6202 D, 8230241/6203 C.	Condition 2: The development hereby permitted shall be carried out in accordance with drawing nos: 2315-100 01 <u>Location Plan, CH210-102 B Proposed Site Plan, CH210-101 B Proposed Garages, CH210-100 C Proposed Dwellings, 8230241/6201 D (Swept Path Analysis Refuse vehicle), 8230241/6202 D (Swept Path Analysis Fire Tender), 8230241/6203 C (Swept path Analysis Large Car), 8230241/6208 (Site Access and Visibility Splays)</u>
Condition 8: All planting, seeding or turning shown on Proposed Site Masterplan Plan, Ref: 2315-150 Rev: 03 shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or	Condition 8: All planting, seeding or turning shown on <u>Proposed Site Plan, CH210-102 B Proposed Site Plan</u> shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or

diseased shall be replaced in the next planting season with others of similar size and species.	diseased shall be replaced in the next planting season with others of similar size and species.
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Discharge of Conditions

- 5.26. This section of the Statement deals with the technical details pertaining to what are currently ‘pre-commencement’ conditions under the extant approval. This means that technical details to address each of these conditions need to be submitted to and agreed in writing by the local Planning Authority prior to commencement of development on site. This would be done through formal submission of a Discharge of Conditions Planning Application. However, as part of this Section 73 application details to address each of these conditions, effectively ‘discharging’ them are being submitted for consideration. Subject to acceptability of the suite of technical reports it is considered that the wording of these conditions can be amended under this S73, if approved, to reflect ‘compliance’ against the relevant technical documents.
- 5.27. For ease of reference, **Table 4** below provides a summary of the documents submitted to address each condition.

Condition No.	Document	Document Reference
3 - Contamination	Geo-Environmental Ground Investigation Report	5710
4 – Surface Water Drainage	Technical Note – Drainage Strategy & Flood Risk Assessment	26-4193-KTN-TN-01-A
5 – Construction Management Plan	Construction Phase Plan	15 th July 2026, Rev 0
6 – Written Scheme of Investigation	A Written Scheme of Investigation for a Programme of	-

	Archaeological Monitoring and Recording	
7 – Details of Materials	Proposed Dwellings	CH210-100C
	Proposed Garages	CH210-101B
	Proposed Site Plan	CH210-102B
8 – Details of External Lighting	Proposed Dwellings	CH210-100C
	Proposed Garages	CH210-101B
	Proposed Site Plan	CH210-102B

Condition 3 (Land Contamination)

5.28. Condition 3 reads:

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 has been carried out and all of the following steps have been complied with:

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 for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether 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 or under the site, 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 have been 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.

- 5.29. A Phase I Geo-Environmental Desk Study assessment and a Phase 2 testing and Contamination Risk Assessment has been prepared by Wilson Associates (ref: 5710). This document addresses Step (i) and Step (ii) of the condition.
- 5.30. The report confirms that there is generally a low risk of the site for contaminants. However, given the high sensitivity of the proposed residential development a contamination assessment has been undertaken. The assessment is followed by remedial measures to ensure the development site will be 'fit for purpose'. The report indicates that no remedial works are required on site and therefore, the subsequent Step (iii) is not applicable in this case. The documents provide all details necessary to address the requirements of Condition 3.
- 5.31. It is requested that Condition 3 be amended to reflect compliance with Geo-Environmental Ground Investigation Report (ref: 5710).

Condition 4 (Surface Water Drainage)

- 5.32. Condition 4 reads:

No development shall commence on site until a scheme for the discharge of surface water from the site has been submitted to and approved in writing by the local planning authority. The scheme shall be informed by a site specific Flood Risk Assessment (FRA) and incorporate sustainable drainage details including any off-site works and any permissions for connections to private drainage systems/land drainage consent.

- 5.33. A Technical Note – Drainage Strategy & Flood Risk Assessment (26-4193-KTN-TN-01-A) has been prepared by K-Ten and provides all details necessary to address the requirements of Condition 4. The Technical Note follows the drainage principles established by the Foul and Surface Water Drainage Strategy prepared by Glanville (February 2024) as part of the extant permission. Surface water will be managed through rainwater harvesting, permeable paving and two grassed detention basins, with discharge restricted to 2.0 l/s before being conveyed via a new ditch to the existing watercourse.

- 5.34. It is requested that Condition 4 be amended to reflect compliance with Technical Note – Drainage Strategy & Flood Risk Assessment (26-4193-KTN-TN-01-A).

Condition 5 (Construction Management Plan)

- 5.35. Condition 5 reads:

No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The approved Construction Management Plan shall be adhered to throughout the construction period for the development.

- 5.36. A Construction Phase Plan has been prepared by Mowles Construction Ltd and provides all details necessary to address the requirements of Condition 5. The Plan has been developed from pre-construction information, drawings and site assessment and will be reviewed and amended as works progress. The document includes details pertaining to Health and Safety Plan, Arrangements, responsibilities and duties or the CDM, considers site specific issues, identifies key risks and provides a series of supplementary information.

- 5.37. It is requested that Condition 5 be amended to reflect compliance with Construction Phase Plan (15th July 2026) Rev 0.

Condition 6 (Written Scheme of Investigation)

- 5.38. Condition 6 reads:

No development shall commence until:

A) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the local planning authority; and

B) The approved programme of archaeological work has been carried out in accordance with the approved details.

- 5.39. A Written Scheme of Investigation for a Programme of Archaeological Monitoring and Recording has been prepared by HPS Professional Archaeological Services. This document follows on from an Archaeological desk-based Assessment (prepared by Heritage Planning Services, August 2023) which did not rule out the potential for archaeology on the site. As such, the submitted Programme of Archaeological investigation detailed in this report addresses the requirements of Condition 6. The document covers Archaeological Significance, a methodology for works, post excavation works, reporting, and archiving, storage and curation. The document provides all details necessary to address the requirements of Condition 6.

- 5.40. It is requested that Condition 6 be amended to reflect compliance with A Written Scheme of Investigation for a Programme of Archaeological Monitoring and Recording (10th July 2026).

Condition 7 (Details of Materials)

- 5.41. Condition 7 reads:

No development shall commence on site above slab level until the exact details and samples of the materials to be used for the external walls, roofs and fenestration have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

- 5.42. The plans prepared by Apex Architecture, references CH210-100C, CH210-101B and CH210-102B provide exact details and photographic sample images of all materials to be used including walls, roofs, fenestration and rainwater goods. In addition, details of surfacing materials are included on the plans.

- 5.43. The plans provide all details necessary to address the requirements of Condition 7.

- 5.44. It is requested that Condition 7 be amended to reflect compliance with the following plans; CH210-100C, CH210-101B and CH210-102B.

Condition 13 (Details of External Lighting)

- 5.45. Condition 13 reads:

No external light fixture or fitting will be installed within the application site unless in accordance with details of existing and proposed new lighting that has been submitted to and approved by the local planning authority. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

- 5.46. The plans prepared by Apex Architecture, references CH210-100C, CH210-101B and CH210-102B provide exact details of External Lighting. The details demonstrate that the lighting as proposed will minimise impact upon bat habitat ('bat sensitive lighting'). The document provides all details necessary to address the requirements of Condition 13.

- 5.47. It is requested that Condition 13 be amended to reflect compliance with the following plans; CH210-100C, CH210-101B and CH210-102B.

Discharge of Conditions – Conclusion

- 5.48. The above assessment coupled with the suite of technical reports and information accompanying this Section 73 application demonstrates that the above conditions can be amended to reflect 'compliance' against the relevant documents.

- 5.49. It is requested that the condition wording be amended upon issue of a Section 73 permission as delivery of the proposals against the details pertaining to land contamination, drainage, construction, archaeological working practice, materials, and lighting will all secure an acceptable and policy compliant scheme.

6.0 Summary and Conclusions

- 6.1. Planning permission was granted on the 7th March 2025 following an allowed planning appeal APP/Y3940/W/24/3352756 and permitted erection of 4 residential dwellings, access, footpath extension, landscaping and associated works at Land opposite Nos 6 and 7 Silver Street, Gastard, Corsham, Wiltshire, SN13 9PY (originally refused by the Council, reference PL/2024/01979).
- 6.2. As demonstrated throughout this statement, the applicant is seeking to make a minor material amendments to the extant scheme under Section 73 of the Town and Country Planning Act. The principle of development has already been established, and this is not to be revisited. Under the Section 73 process, the Council's consideration is limited to the extent of the material changes from that of the originally approved scheme.
- 6.3. For the reasons set out in this Planning Statement, the proposed amendments are relatively minor and relate to the layout and design of the development. Indeed the changes will secure only a betterment from the extant approval and maximise the contribution that the four two-storey, 4-bed, family homes can make to the character of the site and the wider locality. The changes are limited to those necessary to secure the best possible development approach and are wholly policy compliant. The changes can be secured through varying the wording of Condition 2 and 8 to reflect the revised proposed plans submitted.
- 6.4. In addition to the revisions to the layout and design of the development this Section 73 also seeks to discharge details relating to Conditions 3, 4, 5, 6, 7 and 13 of the extant permission. Through demonstrating provision of all technical documents required under these conditions, it is requested that the wording of these conditions are subsequently amended to reflect 'compliance' with the relevant documents. All of these details ensure that a technically sound development can come forward at the site and complement the minor amendments to the proposed layout and design. The proposal is therefore wholly compliant with local and national policies pertaining to these technical aspects.
- 6.5. We conclude that this Section 73 application remains fully compliant with the Development Plan and can be granted planning permission.

7.0 Appendices

**Appendix A – APP/Y3940/W/24/3352756 – Inspectors Report and Decision
Notice**



The Planning Inspectorate

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Your Ref: PL/2024/01979

Our Ref: APP/Y3940/W/24/3352756

Planning Appeals
Wiltshire Council
Monkton Park Office
Chippenham
Wiltshire
SN5 1ER

07 March 2025

Dear Sir/Madam,

Town and Country Planning Act 1990
Appeal by Mr and Mrs Peter Collier
Site Address: Land opposite Nos 6 and 7 Silver Street , Gastard, Corsham,
Wiltshire , SN13 9PY

I enclose a copy of our Inspector's decision on the above appeal(s).

If you have queries or feedback about the decision or the way we handled the appeal(s), you should submit them using our "Feedback" webpage at <https://www.gov.uk/government/organisations/planning-inspectorate/about/complaints-procedure>.

If you do not have internet access please write to the Customer Quality Unit at the address above.

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Thank you in advance for taking the time to provide us with valuable feedback.

Yours sincerely,

Jenni Ball

Jenni Ball

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Appeal Decision

Site visit made on 23 January 2025

by **B Phillips BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 07 March 2025

Appeal Ref: APP/Y3940/W/24/3352756

Land opposite Nos 6 and 7 Silver Street, Gastard, Corsham, Wiltshire SN13 9PY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Peter Collier against the decision of Wiltshire Council.
 - The application Ref is PL/2024/01979.
 - The development proposed is the erection of 4 residential dwellings, access, footpath extension, landscaping and associated works.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of 4 residential dwellings, access, footpath extension, landscaping and associated works at Land opposite Nos 6 and 7 Silver Street, Gastard, Corsham, Wiltshire SN13 9PY in accordance with the terms of the application, Ref PL/2024/01979, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matters

2. The Government published in December 2024 a revised version of the National Planning Policy Framework (the Framework). The Council and the appellant have referenced this document within their appeal statements and as such I am satisfied that no party would be prejudiced by my also making reference to the Framework in this decision.
3. It is evident that the comments received from the Council's Conservation Officer dated 10 May 2024 were superseded by comments received on 27 June 2024. As such, I have not taken the first comments into account.

Main Issues

4. The main issues in this case are:
 - whether the appeal site is a suitable location for the proposal having regard to the development plan and national strategy, including accessibility to services and facilities; and
 - the effect of the proposal on the character and appearance of the surrounding area.

Reasons

Location

5. The appeal site consists of a field adjacent to Silver Street, currently free and open from development save for a small timber outbuilding (stables). The field is located

between residential dwellings facing Silver Street and a commercial buildings and bungalow. To the rear are open, undeveloped fields and on the opposite side of Silver Street are residential properties, a commercial workshop and open fields.

6. Policies 1 and 2 of the Wiltshire Core Strategy (2015) (CS) seek to direct new residential development to the existing urban areas and defined settlements to meet the general aims of promoting sustainable development and the protection of the countryside. CS Policy 11 sets out that development in the Corsham community area should be in accordance with the settlement strategy set out in CS Policy 1.
7. The CS identifies Gastard as a “Small Village” with no settlement boundary. CS Policy 2 sets out that development within Small Villages will be limited to infill within the existing built area. It states that *‘Proposals for development at the Small Villages will be supported where they seek to meet housing needs of settlements or provide employment, services and facilities provided that the development:*
 - i) *Respects the existing character and form of the settlement*
 - ii) *Does not elongate the village or impose development in sensitive landscape areas, and*
 - iii) *Does not consolidate an existing sporadic loose knit area of development related to the settlement.*
8. The supporting text of CS Policy 2 defines infill as the filling of a small gap within the village that is only large enough for *‘not more than a few dwellings, generally only one dwelling’*.
9. The proposed 4 dwellings would represent ‘a few dwellings’, and their scale and density would sit comfortably within the surrounding context, and not appear overly large or set apart. The appeal site and proposal would therefore meet the requirement of ‘small gap’.
10. The built form of Gastard is centred around the junction of Silver Street/Velley Hill, Coppershell and Lanes End, with mainly linear development along these roads. The appeal site sits on Silver Street as it extends away from this centre. The proposal would sit in between development and would not elongate the village. The site represents a clear gap between the highway fronting residential development extending out of the settlement core and the commercial buildings. There is built form and dwellings opposite the site. As such, the proposed dwellings would appear as part of the built area of Gastard rather than the open countryside. The four dwellings would front the highway and sit in parallel with Silver Street, like the majority of dwellings in the vicinity.
11. The proposal would not therefore consolidate sporadic loose knit areas of development and would respect the existing form of the settlement. The dismissed appeal¹ referenced by the Council was 3km away from the nearest ‘small village’ and nearby a ‘hamlet’. As such this example is not directly comparable to the proposal before me.
12. No definition of the ‘housing needs of settlements’ is provided in relation to Gastard. However, Policy H1 of the Corsham Neighbourhood Plan 2016-2026

¹ Appeal reference APP/Y3940/W/24/3342226

(2019) (NP) supports proposals for small infill sites within Gastard. Section 6.4 and 6.5 of the Housing section of the NP identifies key objectives, including *'to support the delivery of housing to meet the demand of an existing and growing population there is a need to provide a wider range of housing, particularly family homes....'* The proposal would provide small scale family sized dwellings that meet the aspirations of the NP. As such, in the absence of evidence to the contrary, there is no conflict with CS Policy 2 in this respect

13. Gastard, a defined small village, is described in the CS as having a low level of services and facilities, and few employment opportunities. Facilities within Gastard are limited to a public house, church, playing fields and the studio space opposite the site. The Framework does however acknowledge that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.
14. I observed that the facilities and services of Corsham are within safe and convenient walking and cycling distance. These include schools, pubs, shops and hotels. Moreover, there are also bus stops near the appeal site offering services between Corsham and Trowbridge. Even if the service is limited, it is regular and offers a genuine convenient alternative choice of means of travel to future occupiers. The appeal site is therefore reasonably well connected.
15. Accordingly, the intended future occupiers of the new dwellings would not necessarily be likely to have a high reliance on a private motor vehicle to access day to day services. Consequently, I find no conflict with CS Policies 60 and 61 which seek to help reduce the need to travel by private car.
16. As such, I conclude that local and national policies dictate that the appeal site is suitably located for new dwellings, in accordance with CS Policies 1, 2, 11, 60 and 61.

Character and appearance

17. The existing site is a mostly undeveloped field located on Silver Street as it extends out of the settlement. Open views across the site are possible from Silver Street although it is partly screened from the road by some hedgerow. A mixture of hedgerow and short stone walls are characteristic of the built area.
18. There is built form directly opposite and close to the highway, and structures on either side. As such, as set out above, whilst currently mostly development free, the site has the characteristic of a gap in the built form rather than being part of the surrounding countryside. A wider feeling of spaciousness is retained along the throughout the nearby built area through views of the surrounding countryside possible through gaps between dwellings. The roadside hedgerow and number of surrounding trees provide a verdant character.
19. The surrounding built form is characterized by two storey dwellings that mostly front the highway, with some examples of the sides of dwellings facing Silver Street. These dwellings are mixed in detailing, but have some consistency derived from their general two storey scale, pitched roofs and use of stone.
20. The Wiltshire Landscape Character Assessment (LCA) indicates that the management objectives for the Malmesbury - Corsham Limestone Lowland area, which includes the appeal site, includes the requirement to retain the distinctive character of the villages, ensuring any change respects the traditional stone built

character and vernacular form, and encouraging the rebuilding of dry stone wall boundaries.

21. The proposed two storey dwellings would use traditional materials such as stone and timber, and their simple traditional appearance with pitched roofs would be in keeping with the surrounding context. They would mostly front the highway with one unit having its side facing the road. As such, the proposal would sit comfortably within the existing context. The hardstanding would not extend as far to the rear as the neighbouring commercial building and parking areas and would be similar in depth to the existing residential dwellings along this side and part of Silver Street. The majority of the open field would remain, and views of it would be possible in between the new dwellings, retaining the sense of spaciousness.
22. This arrangement would also avoid excessive urbanising hardstanding to the frontage, where the use of a natural stone boundary wall and hedge planting would also be appropriate for the location. Additional planting, secured through condition, would also retain the verdant surrounding character and soften the built form.
23. The proposal would relate positively to the existing pattern of development and its immediate setting and would integrate effectively into the surroundings and would not harm the character of this route into the centre of Gastard. It would not conflict with the management objectives of the LCA.
24. I conclude that the development would not harm the character and appearance of the area. There is therefore no conflict with CS Policy 57, which requires development to enhance local distinctiveness, respond positively and relate effectively to the existing townscape, landscape features and wider character and be sympathetic to historic landscapes.

Other Matters

25. The appeal site is within a consultation zone for the Bath and Bradford-upon-Avon Bats Special Area of Conservation (SAC), specifically the Box Mine component of the SAC. The SAC is designated for supporting internationally important populations of hibernating greater horseshoe, lesser horseshoe and Bechstein's bat. The conservation objectives for the SPA are, in summary, to maintain or restore the habitat for qualifying species and the populations and the distribution of qualifying species within the SAC.
26. The SAC itself comprises extensive networks of caves, mines and man-made tunnels which are used by bats for hibernation, mating and as a staging post prior to dispersal. It also includes areas of calcareous grassland, scrub and woodland which are used as feeding and commuting habitat by the bats. All three species are highly mobile throughout the year and the grassland, watercourses, scrub and woodland surrounding the SAC are also used by bats for feeding and commuting.
27. The Supplementary Planning Document Trowbridge Bat Mitigation Strategy (2020) (SPD) identifies significant potential effects to the SAC as including impacts to the foraging areas and commuting routes in the surrounding landscape used by the bats as well as roosts. The proposal would lead to a permanent loss of vegetation and potential for loss of habitat and has the potential to impact a feeding and commuting area used by qualifying features of the SAC. A likely significant effect therefore cannot be ruled out. An appropriate assessment is therefore required under the Habitat Regulations 2017 (as amended).

28. CS Policy 50 requires development proposals to demonstrate how they protect features of nature conservation and geological value as part of the design rationale and necessary appropriate mitigation would need to be secured.
29. The submitted Ecology Report² sets out that the stable building within the site provides negligible roosting potential for bats. No bats were noted to be present inside the stable building to be demolished and no droppings were noted to be present internally or externally. Trees present within the site were not suitable for roosting bats and did not have features such as cracks, crevices or splits that could support bat species. It concludes that overall, the site is assessed as providing low suitability to support protected species and no evidence of protected species were detected during the survey.
30. Nevertheless, the ecology report sets out that the trees and hedgerows provide suitable habitat for commuting and foraging bats. There is potential for disturbance, albeit limited, as a result of lighting during demolition/construction and operation and possible permanent loss of habitat. The mitigation proposed, set out on the site masterplan, includes bat boxes and details of planting, including new hedgerow, in addition to a condition controlling external lighting
31. This is in accordance with the mitigation strategies outlined in the SPD, section 5 the Bat Special Areas of Conservation Planning Guidance for Wiltshire document (2015) and part 3.2 of the Corsham Batscape Strategy (2019). Natural England have confirmed that, subject to this mitigation being secured, they have no objection. I am therefore satisfied that the mitigation measures would be effective.
32. The proposed mitigation would meet the requirements of the mitigation strategies outlined in the above-mentioned documents. As the competent authority, I am therefore satisfied that with the proposed mitigation, the development would not have an adverse effect on the integrity of the SAC. The development would therefore comply with CS Policy 50, NP Policy ED1 and the Conservation of Habitats and Species Regulations 2017 (as amended).
33. The site also falls within the 'amber' risk zone for great crested newts (GCN). The submitted ecology report concludes that the main area of the site is dominated by semi-improved neutral grassland with a low sward height, which is limited in its potential to provide suitable habitat for protected species, and no evidence of any, including GCN, were detected during the survey.
34. A reptile/amphibian receptor is shown on the submitted site masterplan and further planting of native shrubs, again shown on the submitted plans, would bolster the existing habitat. Based on what I observed on site and from the information before me, I am satisfied with the Council's conclusion that the site is not likely to be used by GCN. There is no conflict therefore with the protection of protected species requirements of CS Policy 50, in addition to the Habitats Regulations and Framework.
35. The closest listed buildings are 3 -5 Silver Street and 6-7 Silver Street, adjacent and opposite the appeal site respectively, all of which are Grade II listed. From my observations and the listing descriptions of these properties, their significance in part relates to their rubble stone walls, arrangement of the historic fenestration and architectural details.

² Preliminary Ecological Assessment, by Ellendale Environmental, Dated 13/02/2024

36. The 1880 map provided in the submitted Heritage Impact Assessment³ shows no development to the side of the properties. This space has now been partly filled by newer dwellings and 'The stores' a garage/studio building immediately next to Nos 6 and 7. The setting of these late 17th Century listed properties is therefore partly open fields and partly newer residential/mixed use development. As such, the setting has a limited role in the significance of the heritage asset.
37. The proposal would be seen in the context of, and would sit comfortably within, the existing surrounding built form. The development therefore would not harm the setting and significance of these listed buildings.
38. The proposal would provide 3 parking spaces per dwelling, in accordance with development plan requirements, in addition to there being space within the development for visitor parking. The proposed single access point would have appropriate sight lines for the speed of the road, and it is not demonstrated that one additional access point off Silver Street would lead to an increase in potential for conflict with other road users. It is noteworthy that the Council's Highways Officer does not object to the proposal on this basis.
39. The policies referenced above do not require affordable units in this instance. Given the nearby residential properties the occupation of 4 dwellings would not lead to unacceptable noise pollution. The site is within Flood Zone 1, and conditions would ensure that the Council can secure appropriate details in regard to drainage in order to ensure that the development does not lead to flooding issues.
40. The possible moving of a telegraph pole would be a separate issue for the developer to address and would not prevent planning permission being granted.
41. I have found that the appeal site does not conflict with the location and character policies set out above. Therefore, this scheme does not in my view set a harmful precedent for development elsewhere.

Conditions

42. The Council has provided a list of suggested conditions that it considers would be appropriate. I have considered these in light of the Planning Practice Guidance (PPG) and the test set out in the Framework. For clarity and to ensure compliance with the tests, I have amended some of the Council's suggested wording.
43. In addition to the standard time limit condition, I have imposed a condition requiring the development to be carried out in accordance with the approved plans as this provides certainty.
44. Given that the uncertain nature of previous land use on and adjacent to the appeal site, a condition securing site investigation is carried out is necessary.
45. A condition requiring appropriate surface water drainage details and a site specific Flood Risk Assessment is necessary in order to ensure that the proposal does not result in flooding issues on or off site.
46. A construction management plan is required to prevent harm to living conditions, highway safety and the character and appearance of the area.

³ by Ian Lund, February 2024

47. The submitted archaeological desk-based assessment⁴ does not rule out the potential for archaeology on the site. As such, a condition securing a written programme of archaeological investigation is appropriate.
48. These pre-commencement conditions are so as they relate to and/or affect the early part of the development.
49. A condition requiring details of finishing materials is necessary in order to ensure that the development is in keeping with the surroundings.
50. Conditions securing the landscaping details as submitted, in addition to the Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan is necessary in order to safeguard the character and appearance of the area and in the interest of ecology.
51. Conditions securing the visibility splay and parking areas, and consolidating the access are necessary in the interest of highway safety. As set out above, a condition requiring details of external lighting is necessary in the interest of ecology.
52. Whilst the dwellings would sit in close proximity to Silver Street, there is little substantive evidence put forward to justify a condition requiring a scheme for protecting the proposed dwellings from external traffic noise. Therefore, such a condition would not meet the tests of necessity.
53. Paragraph 55 of the National Planning Policy Framework (the Framework) states that planning conditions should not be used to restrict national permitted development rights unless there is clear justification for doing so. The Planning Practice Guidance advises that conditions restricting the future use of permitted development rights should only be used in exceptional circumstances.
54. The Council have not provided this clear justification in this instance and as such the suggested condition removing permitted development rights for development such as buildings, structures, gates or walls is not appropriate.

Conclusion

55. For the reasons above, the appeal is allowed.

B Phillips

INSPECTOR

⁴ By HPS, August 2023

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with drawing nos: 2315-100-01, 2315-150-03, 2315-300-01, 2315-301-01, 2315-201-01, 2315-202-01, 2315-200 -01, 2315-160-01, 8230241/6201 D, 8230241/6202 D, 8230241/6203 C.
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 has been carried out and all of the following steps have been complied with::

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 for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether 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 or under the site, 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 have been 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.

4. No development shall commence on site until a scheme for the discharge of surface water from the site has been submitted to and approved in writing by the local planning authority. The scheme shall be informed by a site specific Flood Risk Assessment (FRA) and incorporate sustainable drainage details including any off-site works and any permissions for connections to private drainage systems/land drainage consent.

5. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The approved Construction Management Plan shall be adhered to throughout the construction period for the development.
6. No development shall commence site until:
 - a) a written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the local planning authority; and
 - b) the approved programme of archaeological work has been carried out in accordance with the approved details.
7. No development shall commence on site above slab level until the exact details and samples of the materials to be used for the external walls, roofs and fenestration have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
8. All planting, seeding or turfing shown on Proposed Site Masterplan Plan, Ref: 2315-150, Rev: 03 shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
9. All works shall be carried out in accordance with the approved Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan prepared by NB Tree Management.
10. Prior to the occupation of the development hereby permitted, the associated allocated parking area shown on the approved plans shall be consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.
11. Prior to the occupation of the development hereby permitted, the visibility splays shown on the approved plans shall be 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.
12. Prior to the occupation of the development hereby permitted, the first 5m of the access, measured from the edge of the carriageway and/or whole of the parking area, shall be consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.
13. No external light fixture or fitting will be installed within the application site unless in accordance with details of existing and proposed new lighting that has been submitted to and approved by the local planning authority. The submitted details

will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

End of Schedule



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