

The Town and Country Planning Act 1990
Notice of Approval of Reserved Matters
Application Reference Number: PL/2022/09425
Decision Date: 05 December 2024

Applicant:

c/o Agent, LRM Planning Limited, United Kingdom, CF11 9LJ

Particulars of Development:

Demolition of existing buildings and structures and construction of 248 residential homes, playing pitches, allotments, areas of open space, upgrading of existing play area, sustainable drainage infrastructure, internal roads, paths and parking areas, landscaping and associated works, plant and infrastructure (Reserved Matters Application pursuant to 19/11459/OUT - relating to appearance, landscape, layout and scale) (Amended Details)

At:

Elm Grove Farm, Drynham Road, Trowbridge, Wilts, BA14 0PL

In pursuance of their powers under the above Act, the Council hereby PERMIT the above development to be carried out in accordance with the details of the RESERVED MATTERS submitted by you, and subject to compliance with the conditions specified here under:-

Conditions: (19)

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

All drawings and reports contained in the Plan List received by the Local Planning Authority on 12th November 2024 (dated November 2024)

Arboricultural Report, prepared by Silverback Consultancy Ltd and dated April 2024
Addendum to Arboricultural Report by Silverback Consultancy Ltd and dated 6th November 2024

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

- 2 No demolition, site clearance or development shall commence on Phase 1 identified

on drawing number 1955 119 Rev D until an Arboricultural Method Statement (AMS) relevant for that phase prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees has been submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following:

- o A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2013 and a plan indicating the alignment of the protective fencing;
- o A specification for scaffolding and ground protection within tree protection zones in accordance with British Standard 5837: 2013;
- o A schedule of tree works conforming to British Standard 3998: 2010;
- o Details of general arboricultural matters such as the area for storage of materials, concrete mixing.
- o Plans and particulars showing the siting of the service and piping infrastructure;
- o A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification;
- o Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and
- o Details of all other activities, which have implications for trees on or adjacent to the site.
- o In order that trees to be retained on-site are not damaged during the construction works and to ensure that as far as possible the work is carried no demolition, site clearance or development should commence on site until a pre-commencement site meeting has been held, attended by the developer's arboricultural consultant and the designated site foreman.

REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990

3

No demolition, site clearance or development shall commence on Phase 2 identified on drawing number 1955 119 Rev D until an Arboricultural Method Statement (AMS) relevant for that phase prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees has been submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method

statement must provide the following:

- o A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2013 and a plan indicating the alignment of the protective fencing;
- o A specification for scaffolding and ground protection within tree protection zones in accordance with British Standard 5837: 2013;
- o A schedule of tree works conforming to British Standard 3998: 2010;
- o Details of general arboricultural matters such as the area for storage of materials, concrete mixing.
- o Plans and particulars showing the siting of the service and piping infrastructure;
- o A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification;
- o Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and
- o Details of all other activities, which have implications for trees on or adjacent to the site.
- o In order that trees to be retained on-site are not damaged during the construction works and to ensure that as far as possible the work is carried no demolition, site clearance or development should commence on site until a pre-commencement site meeting has been held, attended by the developer's arboricultural consultant and the designated site foreman.

REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990

4

No demolition, site clearance or development shall commence on Phase 3 identified on drawing number 1955 119 Rev D until an Arboricultural Method Statement (AMS) relevant for that phase prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees has been submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following:

- o A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2013 and a plan indicating the alignment of the

protective fencing;

- o A specification for scaffolding and ground protection within tree protection zones in accordance with British Standard 5837: 2013;

- o A schedule of tree works conforming to British Standard 3998: 2010;

- o Details of general arboricultural matters such as the area for storage of materials, concrete mixing.

- o Plans and particulars showing the siting of the service and piping infrastructure;

- o A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification;

- o Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and

- o Details of all other activities, which have implications for trees on or adjacent to the site.

- o In order that trees to be retained on-site are not damaged during the construction works and to ensure that as far as possible the work is carried no demolition, site clearance or development should commence on site until a pre-commencement site meeting has been held, attended by the developer's arboricultural consultant and the designated site foreman.

REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990

5

No demolition, site clearance or development shall commence on Phase 4 identified on drawing number 1955 119 Rev D until an Arboricultural Method Statement (AMS) relevant for that phase prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees has been submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following:

- o A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2013 and a plan indicating the alignment of the protective fencing;

- o A specification for scaffolding and ground protection within tree protection zones in accordance with British Standard 5837: 2013;

- o A schedule of tree works conforming to British Standard 3998: 2010;

- o Details of general arboricultural matters such as the area for storage of materials,

concrete mixing.

- o Plans and particulars showing the siting of the service and piping infrastructure;
- o A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification;
- o Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and
- o Details of all other activities, which have implications for trees on or adjacent to the site.
- o In order that trees to be retained on-site are not damaged during the construction works and to ensure that as far as possible the work is carried no demolition, site clearance or development should commence on site until a pre-commencement site meeting has been held, attended by the developer's arboricultural consultant and the designated site foreman.

REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990

6

No development above slab level shall commence on Phase 1 as identified on drawing number 1955 119 Rev D (phasing plan) until the details of the materials (walls, roofs, windows) to be used in that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of the immediate area

7

No development above slab level shall commence on Phase 2 as identified on drawing number 1955 119 Rev D (phasing plan) until the details of the materials (walls, roofs, windows) to be used in that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be

considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of the immediate area

- 8 No development above slab level shall commence on Phase 3 as identified on drawing number 1955 119 Rev D (phasing plan) until the details of the materials (walls, roofs, windows) to be used in that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of the immediate area

- 9 No development above slab level shall commence on Phase 4 as identified on drawing number 1955 119 Rev D (phasing plan) until the details of the materials (walls, roofs, windows) to be used in that phase have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of the immediate area

- 10 No development above slab level shall commence on Phase 1 as identified on drawing number 1955 119 Rev D (phasing plan) until details of the mechanical ventilation system to be installed to bedrooms on facade of the properties marked in red shown in Figure 17 of the Environmental Noise Assessment Report (Reference 10259/AW) or an updated noise assessment demonstrating that mechanical ventilation is not required has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in strict accordance with the approved details for the lifetime of the development.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of the

amenity of future occupiers.

- 11 No development above slab level shall commence on Phase 3 as identified on drawing number 1955 119 Rev D (phasing plan) until details of the mechanical ventilation system to be installed to bedrooms on facade of the properties marked in red shown in Figure 16 of the Environmental Noise Assessment Report (Reference 10259/AW) or an updated noise assessment demonstrating that mechanical ventilation is not required has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in strict accordance with the approved details for the lifetime of the development.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of the amenity of future occupiers.

- 12 No development above slab level shall commence on Phase 4 as identified on drawing number 1955 119 Rev D (phasing plan) until details of the mechanical ventilation system to be installed to bedrooms on facade of the properties marked in red shown in Figure 15 of the Environmental Noise Assessment Report (Reference 10259/AW) or an updated noise assessment demonstrating that mechanical ventilation is not required has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in strict accordance with the approved details for the lifetime of the development.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of the amenity of future occupiers.

- 13 No development shall commence on Phase 2 as identified on drawing number 1955 119 Rev D (phasing plan) including vegetation removal until details of the replacement lesser horseshoe bat roost has been submitted to and approved in writing by the Local Planning Authority. The bat roost shall then be installed prior to the occupation of the 200th Dwelling.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of providing

mitigation and enhancement for biodiversity

- 14 Plots 4, 6, 7, 12, 13, 14, 15, 22, 30, 130, 131, 163, 164, 168 - 188 and 204, 248, 238 shall not be first occupied until their associated acoustic barriers shown in Figures 4, 5, 6, 7 in the Environmental Noise Assessment (Reference 10259/AW) have been erected in accordance with the details set out in the Noise Assessment Report. The acoustic barriers shall then remain for the lifetime of the development.

REASON: In the interest of amenity of future occupiers.

- 15 The windows located in the yellow and orange zone identified in Figure 11-14 of the Environmental Noise Assessment Report (Reference 10259/AW) shall be installed in accordance with the noise insulation requirements set out in specification 7.3.3 and table 5 of the Environmental Noise Assessment Report (Reference 10259/AW). The windows shall thereafter be maintained in accordance with the approved details for the lifetime of the development.

REASON: In the interest of amenity of future occupiers

- 16 The windows located in the yellow and orange zone identified in Figure 11-14 of the Environmental Noise Assessment Report (Reference 10259/AW) shall be installed in accordance with the passive ventilation requirements set out in table 6 of the Environmental Noise Assessment Report (Reference 10259/AW). The windows shall thereafter be maintained in accordance with the approved details for the lifetime of the development.

REASON: In the interest of amenity of future occupiers

- 17 No dwelling hereby approved shall be first occupied until the access, turning area and parking spaces in association with that dwelling have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 18 Plot 180 - 188 shall not be first occupied until the secure covered cycle parking has been erected in accordance with the approved details and shall be retained for use at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided

and to encourage travel by means other than the private car.

- 19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.

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

Informatives: (4)

- 1 The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website <https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy>.
- 2 It is important for the applicant to note that the development should also be carried out in accordance with the conditions imposed on the outline planning consent reference 19/11459/OUT
- 3 It is important for the applicant to note that the approved development will be operating under a District Level Licence (DLL) for Great Crested Newts. Great Crested Newts are protected under Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation.
- 4 The applicant must note the following from Drainage:

We note the applicant has stated Land Drainage Consent is required, the applicant will be required to gain land drainage consent to de-culvert where the swale is proposed. Land Drainage Consent is also required to discharge into the Ordinary Watercourse & River Biss.

- We note the applicant has said the maintenance for SuDS features, such as rain gardens, on individual plots will be the responsibility of the owner of the plot. The applicant must ensure this included in the property deeds.

- We note the applicant has stated there could be 300mm flood depths of the access road to the site, we recommend the applicant shares flood evacuation advice as stated in Section 6 of the Flood Risk Assessment Addendum 2 to the owners and site management to ensure the safe ingress for emergency services, and safe egress for those on site

- 5 The Western Area Planning Committee would welcome the relocation of the hammerhead on Drynham Lane away from residential properties.

Parvis Khansari - Corporate Director, Place

NOTES

- 1 **Other Necessary Consents.** This document only conveys permission for the proposed development under Part III of the Town and Country Planning Act 1990 and the applicant must also comply with all the byelaws, regulations and statutory provisions in force in the area and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 or other legislation.
 - 1.1 the need in appropriate cases to obtain approval under Building Regulations. **(The Building Regulations may be applicable to this proposal. Please contact the Council's Building Control team before considering work on site);**
 - 1.2 the need to obtain an appropriate order if the proposal involves the stopping up or diversion of a public right of way or other highway (including highway verge);
 - 1.3 the need to obtain a separate "Listed Building Consent" to the demolition, alteration or extension of any listed building of architectural or historic interest;
 - 1.4 the need to make any appropriate arrangements under the Highways Act 1980, in respect of any works within the limits of a highway. The address of the Highway Authority is County Hall, Trowbridge, BA14 8JD (It is the responsibility of the applicant to ascertain whether the proposed development affects any listed building or public right of way / other highway, including highway verge).
- 2 **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of this decision. (Information and forms relating to the appeals process can be found at the Planning Portal - <http://www.planningportal.gov.uk/planning/appeals>).
- 3 **Climate Change.** Wiltshire Council acknowledges the climate emergency and is seeking to make the county carbon neutral. You are encouraged to include energy efficiency that exceeds building regulations and to meet residual energy demand through renewable energy and low-carbon technologies, including high levels of electric vehicle charging points. The developer is encouraged to contact the climate team to discuss this further. climate@wiltshire.gov.uk
- 4 **CIL.** The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website [Community Infrastructure Levy \(CIL\) - Wiltshire Council](#)

