



The Town and Country Planning Act 1990
Approval of Outline Planning Permission (Some Matters Reserved)
with Conditions

Application Reference Number: 20/03641/OUT

Decision Date: 11/08/2026

Applicant:	Neil Cowley 43-45 Devizes Road Swindon SN1 4BG Wiltshire
Particulars of Development:	Outline application for up to 70 dwellings, landscaping, green infrastructure, associated drainage measures and vehicular access from the A363 as well as all associated works. Matters to be considered: Access into the site
At:	Land South of White Horse Business Park, Trowbridge, Wilts

In pursuance of its powers under the above Act, the Council hereby grant **PLANNING PERMISSION** for the above development to be carried out in accordance with the application and plans submitted (listed below). In accordance with paragraph 39 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area. Subject to the following conditions:

- 1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 Application(s) for the approval of all of the reserved matters (should this development be advanced on a phased manner) shall be made to the Local Planning Authority before the expiration of three years from the date of outline permission being granted.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

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

Drawing Number 1001 (Location Plan) received by the Local Planning Authority on 1st June 2020

Drawing Number NPA 11020 301 Rev P04 (Green Infrastructure Parameters Plan), 500 Rev K (Parameter Plan – Land Use) received by the Local Planning Authority on 29th August 2023

Drawing Numbers: 003 Rev F (Proposed right turn lane access) 006 rev D (swept path analysis) received by the Local Planning Authority on 14th Feb 2024

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

- 5 No development shall commence on site until a Phasing Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in phases and each reserved matters application shall refer to a phase, phases, or part thereof, as identified in the Phasing Plan, as may be approved. Any subsequent changes to the approved Phasing Plan must be submitted to and approved in writing by the Local Planning Authority

REASON: to ensure the proper planning and delivery of the development and to deliver a sustainable development that protects protected species and habitats.

- 6 A detailed housing mix strategy, including the number and size of dwelling units shall be submitted with each reserved matters application which provides details of the proposed dwellings. The development shall be carried out in accordance with the approved housing mix

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 and to ensure that the proposed development provides a diverse and balanced range of housing types and sizes, contributing to the creation of a sustainable and inclusive community, in accordance with local planning policies and housing needs.

- 7 A revised Sustainable Energy Strategy shall be submitted with each reserved matters application which provides details of the proposed dwellings and shall include details of operational energy, embodied carbon, climate change adaptation measures, sustainable transport, low-carbon and renewable energy technologies, electric vehicle charging points. The development shall be carried out in accordance with the details approved by the Local Planning Authority.

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 and in response to climate change

- 8 An Acoustic Design Scheme or a scheme for the protection of the proposed dwellings from external traffic noise shall be submitted with each reserved matters application which provides details of the proposed dwellings. The Scheme shall use Good Acoustic Design (in accordance with the Professional Practice Guidance: Planning and Noise New Residential Development (May 2017 or later versions)) to achieve the following noise limits:

- a. bedrooms shall achieve an 8-hour LAeq (23:00 to 07:00) of 30dB(A) and an LAmax,F of 45dB.
- b. living rooms and dining rooms shall achieve a 16-hour LAeq (07:00 to 23:00) of 35dB(A)
- c. external noise levels within private external amenity spaces shall not exceed 50 dB LAeq,16hr (0700 – 2300)

The development shall be carried out in accordance with the details approved by the Local Planning Authority prior to the first occupation.

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 and to protect the amenity of future occupiers

- 9 A revised Arboricultural Impact Assessment, with Tree Constraints Plan, Tree Protection Plan and Arboricultural Method Statement, prepared in accordance with BS5837:2012, shall be submitted with the first reserved matters application and each subsequent reserved matters application. to demonstrate the consideration and protection of the trees within the revised design, as well as the appropriate methods and materials used for construction. The development shall then be

carried out in accordance with the details approved by the Local Planning Authority.

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, to ensure the amenity of protection of existing trees and hedges.

- 10** The development shall be completed in accordance with the Biodiversity Metric 3.0, NPA, July 2023 P02 or a subsequent revised Biodiversity Metric Calculation to be submitted to and approved in writing by the Local Planning Authority. This condition will be discharged when a report has been submitted to and approved in writing by the Local Planning Authority which demonstrates that the development has been completed in accordance with the approved metric calculation. The report will demonstrate for habitats and hedgerows and that the development will achieve at least 100% mitigation (ie: no net loss) for land lost to development. The development shall then be carried out in accordance with the details approved by the Local Planning Authority.

REASON: In the interest of Ecology and to meet the requirements of the Trowbridge Bat Mitigation Strategy

- 11** Prior to any construction starting on site, the site area covered by Trenches 13, 14, 15 as detailed in the submitted Archaeological Evaluation Report carried out by Cotswold Archaeology dated May 2021 shall be monitored by qualified archaeologists during preparatory groundworks. A full archaeological excavation shall also be carried out on the site area delimited by evaluation Trenches 18-22. A report identifying the results shall be submitted to and approved in writing. 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 and in the interests of archaeology.

- 12** No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses (including asbestos) has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site and any adjacent sites for at least the last 100 years and a description of the current condition of the sites with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site and the potential impact of any adjacent sites.

Step (ii) If the above report indicates that contamination may be present on, under or potentially affecting the proposed development site from adjacent land, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details must be submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: To reduce and manage the risks associated with land contamination.

13 No development shall commence on site until the the following information regarding drainage have been submitted to and approved in writing by the Local Planning Authority:

- Calculations and drawings for the drainage system design showing designated holding areas and conveyance routes based on no flooding on site for a 1 in 30 year rainfall event with no flooding on site
- Calculations which demonstrate that the required 20% betterment against greenfield rates has been achieved for all storm events between the 1 in 1 year and the 1 in 100year return period storm events.
- Mitigation measures that are to be put in place to reduce the risk of flooding to any property in the 1 in 100 year + climate change event]
- details of the finished floor levels which should be at minimum 150mm above the 1 in 100 year + climate change flood level
- groundwater monitoring that accounts for seasonal variation to determine the highest groundwater level
- confirmation that groundwater can interact with the proposed attenuation basins and if necessary provide flotation calculations and consider lining the attenuation basin

- arrangements for ownership and ongoing maintenance of SuDS over the lifetime of the development.
- an emergency plan due to the access predicted to flood

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 interest of drainage.

14 No development shall commence on site (including any works of demolition), until a Construction Management Statement, together with a site plan, which shall include the following:

1. the parking of vehicles of site operatives and visitors;
2. loading and unloading of plant and materials;
3. storage of plant and materials used in constructing the development;
4. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
5. wheel washing facilities;
6. measures to control the emission of dust and dirt during construction;
7. a scheme for recycling/disposing of waste resulting from demolition and construction works; and
8. measures for the protection of the natural environment.
9. hours of construction, including deliveries;
10. pre-condition photo survey

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

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 and to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

- 15** No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

1. Routing plan
2. Traffic Management Plan (including signage drawing(s))
3. Number (daily/weekly) and size of delivery vehicles.
4. Number of staff vehicle movements.
5. Details of temporary/permanent Traffic Regulation Orders
6. Phases plan

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

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 and to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

- 16** No development shall commence on site, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, until a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The CEMP shall include a detailed marked-up plan showing detail of the avoidance, mitigation and

protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- a) Phasing plan for bat habitat creation and landscape works along the eastern boundary and the area of informal bat habitat in the south/south-western part of the site.
- b) Identification of ecological protection areas/buffer zones/bat habitat and tree root protection areas and details of physical means of protection, e.g. exclusion fencing and including who will be responsible for its installation.
- c) Locations of temporary work areas/construction compounds.
- d) Details on locations of any construction lighting (if required: Note: this must be kept away from boundary features).
- e) Working method statements for protected/priority species, such as nesting birds, and reptiles.
- f) Mitigation strategies already agreed with the local planning authority prior to determination, such as for great crested newts/bats; this should comprise the pre-construction/construction related elements of strategies only.
- g) Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.
- h) Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).
- i) Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.

The development shall then be carried out in accordance with the approved CEMP.

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 and to ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

- 17 No development shall commence on site until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall be based on the approved Green Infrastructure Parameters Plan NPA 11020 301 P04 and the Biodiversity Metric 3.0 (NPA July 2023 P02 submitted with the application, or a revised Biodiversity Metric

submitted and approved. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development in perpetuity, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.

The LEMP shall include a plan to clearly indicate who the area will be adopted and maintained by, details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured and a timetable for the monitoring of the habitats post construction.

The LEMP shall be implemented in full and for the lifetime of the development 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 and to ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

- 18** No development shall commence on site until a plan (details) for the selection, siting, positioning and installation of integral roosting/nesting features

(ratio of 1 feature: 1 building) for bats and birds has been submitted to, and approved in writing by, the

local planning authority. The plan should show the green infrastructure that the development is to provide, illustrating how birds and bats that will be using the features have access to the relevant habitat/food resource in nearby suitable habitat.

The installation plan should be prepared in accordance with the requirements of BS 42021.

The integral feature should identify, as a minimum:

- a) the bird/bat species likely to benefit from the proposed integral nest feature.;
- b) the type of integral feature to be installed;
- c) the specific buildings on the development into which features are to be installed, shown on

appropriate scale drawings. Note: where integrated features are being provided for colonial nesters e.g.

swifts, house sparrows some buildings will have more integrated features and some buildings will have

no integrated features and this is acceptable;

d) the location on each building where features are to be installed, shown on all appropriate building

plans and elevations;

The integral feature plan should be implemented in accordance with the approved details and all

features retained in that manner for the lifetime of the development.

REASON: For the protection, mitigation and enhancement of biodiversity

- 19** No development shall commence on site, a detailed scheme and timetable for the provision and creation of the SuDs located in the northern part of the site/within the public open space area has been submitted to and approved in writing by the Local Planning Authority. The SuDs shall be designed as a permanent waterbody with a diverse marginal structure using trees, shrubs and grasses to provide suitable aquatic habitat for foraging bats.

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 mitigation and enhancement of biodiversity.

- 20** The development hereby approved shall be carried out in accordance with the following documents:

- Ecological Impact Assessment (NPA 11020) April 2020)
- Ecology Addendum (NPA 11020, January 2022)
- Ecology Addendum (NPA 11020, July 2023).

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

- 21** The dwellings hereby approved shall not be first occupied until a post-development lighting strategy survey has been submitted to and approved in writing by the Local Planning Authority. The survey shall be conducted in accordance with the Trowbridge Bat Mitigation Strategy and shall demonstrate compliance with the approved lighting plans, having implemented and retested any necessary remedial measures

REASON: In the interests of the amenities of the area, to minimise unnecessary light spillage above and outside the development site and to core bat habitat meets the requirements of the Trowbridge Bat Mitigation Strategy

- 23** No development shall commence on site until full details of the pedestrian route and connection to Woodmarsh has been submitted and approved in writing by the LPA. The pedestrian route shall thereafter be provided prior to the occupation of the 35th residential unit on the site and shall remain open for public use at all times in perpetuity.

Reason: In the interests of highway safety and encouraging sustainable travel.

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

Reason: In the interests of highway safety

- 25** No external lighting shall be installed on site until plans showing the type of light appliance, the height, and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'The Reduction of Obtrusive Light' (ILP, 2021), have been submitted to and approved in writing by the Local Planning Authority.

The approved lighting shall be installed and shall be maintained 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 and to minimise unnecessary light spillage above and outside the development site and to core bat habitat meets the requirements of the Trowbridge Bat Mitigation Strategy.

- 26** Notwithstanding the submitted details, the proposed development hereby approved shall not be first occupied until means/works have been implemented to avoid private water (any supply of water intended for human consumption which is not provided by a water company) from entering the highway.

Reason: To ensure that the highway is not inundated with private water

Informative

- 27** This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the 7th August 2026.

Informative

- 28** 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>.

Informative

- 29** The applicant is advised to use the letter from Wessex Water dated 14th November 2023 when designing the final layout of the proposed development.

Informative

- 30** Wiltshire Council is the land drainage authority under the Land Drainage Act 1991. Land drainage consent is required if a development proposes to discharge flow into

an ordinary watercourse or carry out work within 8m of an ordinary watercourse. [An ordinary watercourse is a watercourse that does not form part of a main river. The term watercourse includes all rivers and streams and all ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows].

Informative

- 31** The developer/applicant will be expected to enter into a S278 Agreement with the Highway Authority in respect to the access/highway works on the A363, before commencement of the works on site hereby approved. The access works shall include, but not be limited to the provision of a right turn lane, toucan crossing, 4m segregated foot/cycle paths, two new bus stops with shelters, raised kerbs and RTPI and any necessary alterations to highway drainage and to street lighting all as shown on the Badingham drawing "Proposed Right Turn Lane Access" 003 – Revision F.

Informative

- 32** With regards to the submission of an Acoustic Design Scheme using closed windows to achieve the internal noise level target shall only be considered once all other good acoustic design acoustic mitigation measures have been utilised. A good acoustic design process should be followed to ensure that the internal noise criteria are achieved with windows open. Using closed windows to achieve the internal noise level target shall only be considered once all other good acoustic design acoustic mitigation measures have been utilised. When relying on closed windows to meet the internal guide values, there needs to be an appropriate method of ventilation that does not compromise the façade insulation or the resulting internal ambient noise level.

Informative

- 33** The reserved matters application shall explore a cycle path connection from the site to Woodmarsh Road to enable the free flow of pedestrian and cycle traffic through the site.

Informative

- 34** It is advised that the reserved matters application should include connected streets through the use of pedestrian and cycle paths to ensure the proposal accords with Streets for a Healthy Life (P.53). This should also include a connection from the South West Corner into the planned continuation of housing into the field to the south and likewise in regards to the open space corridor shown inside the north east hedge boundary.

Informative

- 35** The housing mix strategy shall demonstrate how the proposed development will meet the latest up to date local housing needs and provide a balanced mix of

dwellings, with consideration given to the requirements of the local housing market and any relevant housing policies.

Informative

- 36** The scheme will be operating under a District Level Licence (DLL) for Great Crested Newts. Great Crested Newts are protected under Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended). Planning permission for development does not provide a defence against prosecution under this legislation.

Informative

- 37** It is advised that when discharging the Landscape and Ecology Management Plan (LEMP) the timetable for monitoring the habitats post construction are in years 1,3, 5, 7 & 12 following the occupation of 80% of the development hereby approved

Níc Thomas - Director of Planning, Economy and Climate

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