

REPORT FOR STRATEGIC PLANNING COMMITTEE

Date of Meeting	17 April 2024
Application Number	18/10035/OUT
Site Address	Land South of Church Lane, Upper Studley, Trowbridge
Proposal	Outline application for residential development of 55 houses including creation of new access from Frome Road and removal/demolition of all existing buildings (all matters aside from access reserved).
Applicant	Ms Judith Parry c/o RPS
Town/Parish Council	TROWBRIDGE CP
Electoral Division	TROWBRIDGE GROVE (Cllr David Vigar)
Type of Application	Outline
Case Officer	Ruaridh O'Donoghue

1. Purpose of Report

The purpose of the report is to update the committee on changes that have occurred following publication of the revised NPPF in December 2023 that may have a material impact on this planning application, and to consider the recommendation that the application still be granted planning permission subject to completion of the legal agreement.

2. Background

On 22 February 2023 the Strategic Planning Committee resolved to grant planning permission for this application subject to the applicant first entering into a S106 legal agreement (committee report attached as Annex 1). Work commenced on the legal agreement, although it has not yet been completed and so the planning permission has not been given. The legal agreement is at an advanced stage but, at the point this report was drafted, is not yet complete. In making its decision to approve subject to the legal agreement the Committee took account of all matters relevant at the time. These included the development plan policies and national legislation/guidance.

In the broadest terms, planning law requires the local planning authority in dealing with a planning application to have regard to the development plan and all material considerations. Where the issuing of a decision is delayed between the point in time at which the authority resolves to make the decision and when the decision notice is actually issued, and if during this 'gap' the authority becomes aware of new, or changed, material considerations, then the relevant law requires the authority to have regard to these considerations before finally determining the application.

In December 2023 the government issued its revised National Planning Policy Framework (NPPF). This is a changed material consideration that must be taken into account in determining this planning application.

It is the opinion of officers that the changes to the NPPF do not materially affect the Committee's original decision for this particular application. However, as the Committee (and not officers) was the original 'decision maker', it is necessary for the Committee to consider the changes and then make the decision. For completeness, and so that the Committee has the full picture, the relevant NPPF changes are set out below. A detailed explanation as to why these changes do not affect the original decision follows on from this.

3. Housing land supply and delivery

The December 2023 NPPF contains two important amended/new paragraphs concerning housing supply and delivery, as follows –

76. *Local planning authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision making purposes if the following criteria are met:*
- a) *their adopted plan is less than five years old; and*
 - b) *that adopted plan identified at least a five year supply of specific, deliverable sites at the time that its examination concluded.*
77. *In all other circumstances, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years' worth of housing, or a minimum of four years' worth of housing if the provisions in paragraph 226 apply. The supply should be demonstrated against either the housing requirement set out in adopted strategic policies, or against the local housing need where the strategic policies are more than five years old. Where there has been significant under delivery of housing over the previous three years, the supply of specific deliverable sites should in addition include a buffer of 20% (moved forward from later in the plan period). National planning guidance provides further information on calculating the housing land supply, including the circumstances in which past shortfalls or over-supply can be addressed.*

Paragraph 226 referred to in paragraph 77 states the following –

226. *From the date of publication of this revision of the Framework, for decision-making purposes only, certain local planning authorities will only be required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of four years' worth of housing (with a buffer, if applicable, as set out in paragraph 77) against the housing requirement set out in adopted strategic policies, or against local housing need where the strategic policies are more than five years old, instead of a minimum of five years as set out in paragraph 77 of this Framework. This policy applies to those authorities which have an emerging local plan that has either been submitted for examination or has reached Regulation 18 or Regulation 19 (Town and Country Planning (Local Planning) (England) Regulations 2012) stage, including both a policies map and proposed allocations towards meeting housing need. This provision does not apply to authorities who are not required to demonstrate a housing land supply, as set out in paragraph 76. These arrangements will apply for a period of two years from the publication date of this revision of the Framework.*

For the purposes of the revised NPPF Wiltshire Council is a 'paragraph 77 authority'; and, because Wiltshire Council has an emerging local plan that has now passed the Regulation 19 stage of the plan-making process – with both a policies map and proposed allocations towards meeting housing need – it is now only required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of four years' worth of housing. Previously, and at the time this application was being considered by the Committee a 5-year housing land supply was required to be demonstrated.

4. Consequences for the 'planning balance'

The Council's most recent Housing Land Supply Statement (published May 2023; base date April 2022) sets out the number of years supply against local housing need as 4.60 years. In subsequent appeals this figure has been reassessed to be 4.59 years. These figures exceed the 4-year threshold now relevant to Wiltshire, and for the planning balance this means that it is not 'tilted' by virtue of a lack of housing land supply.

That said, the tilted balance can still apply even with a sufficient housing land supply in situations where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (paragraph 11(d) NPPF). A recent appeal decision at Land off Pound Lane, Semington (ref: PL/2022/09397) considered this issue and concluded that the most important policies for determining that application (CP 1 and 2, and the area-based policy for Melksham (CP 14)) were not out of date and as such the tilted balance was not engaged by virtue of this point.

The same conclusions can be drawn for this site and therefore, in terms of paragraph 11 of the NPPF, for decision making part 11(c) is now relevant i.e. it is a 'flat', or level, rather than tilted, balance.

5. Consequences of the changes to the NPPF in relation to this application

As the site is allocated in the Wiltshire Housing Sites Allocation Plan under the reference H2.4, the changes within the NPPF should not affect or change the Committee's decision to approve this application for the following reasons.

- This remains an allocated site in the Council's adopted Wiltshire Housing Sites Allocation Plan, and the proposal is broadly compliant with the allocation in terms of the proposed quantum of development. In principle therefore, this proposal is supported by WCS Core Policies 1 and 2.
- There remain no technical objections to the scheme against any of the WCS policies when read as a whole and, therefore, the scheme is considered to be in compliance with the development plan.
- At the time the Committee considered its resolution to grant planning permission on this site, the committee report did not identify any 'other material considerations' (e.g. policies within the NPPF) that were relevant to the recommendation to approve the application that would now no longer be relevant in light of the changes.

As such, and for the above reasons, the issue of housing land supply was not a determinative factor for this case; or in other words, at the time of the Committee's decision in February 2023, the recommendation would have still been to approve regardless of whether the planning balance was flat or tilted. The Council's housing land supply position is therefore of lesser relevance to this application. Paragraph 11(c) of the NPPF applies; that is, to approve development proposals that accord with an up-to-date development plan without delay.

Although the planning balance is now flat, rather than titled, the conclusions contained within Chapter 10 of the original committee report (attached at Annex 1) remain valid. The scheme is considered to comply with the development plan when taken as a whole and would still be delivering the positive benefits that are identified in the original report – notably, in terms of delivering policy compliant market and affordable housing.

It should be noted that despite only needing to demonstrate 4-years' worth of housing land supply, this is still a matter that can be afforded significant positive weight (especially the delivery of affordable housing) – noting the Government's objective of significantly boosting the supply of homes. This is explained in paragraph 60 of the NPPF where it states:

To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of 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 unnecessary delay. The overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community.

6. Conclusion

With due regard to the changes set out in the December 2023 NPPF, it is recommended that the application continues to be supported for the aforementioned reasons. Notably, the fact this is an WHSAP allocated site and so a case where the titled planning balance was not a determinative factor in the original recommendation to the Committee to grant planning permission.

RECOMMENDATION:

That the Head of Development Management continues to be authorised to grant planning permission, subject to first completion of the planning obligation / Section 106 agreement currently in preparation covering the matters set out below, and subject also to planning conditions listed below.

S106 matters –

- Affordable housing – at 30%
- Education – Requirement to be confirmed at reserved matters. Based upon up to 55 homes as follows:

£122,654 for early years,
£300,128 for primary and
£252,340 for secondary.

- The formulae for re-calculations at Reserved Matters are as per the Education S106 Methodology.
- All payment is required in full, upon or prior to commencement of development. Phasing of payments is not applicable here, and in view of that, no bond is required. All contributions are to be subject to indexation to the BCIS All In Tender Price Index from date of completion of agreement until payment.
- The Council require 10 years from the date of receipt of the contributions by the Council, in which to spend/commit in accordance with the S106, before they qualify to be returned.
- Since the abolition of the CIL pooling limit for S106s the Council does not quote the names of individual schools.
- A 30% discount is applied to the affordable housing element of an application. This is applied as a reduction to the number of AH units proposed/approved, as

part of the process of calculating the number of places generated by the development from the qualifying properties. It is therefore reflected in the standard formulae.

- Open space – to be confirmed at Reserved Matters stage based upon:
 - 1 dwelling = 34.93m² public open space and 1.77m² equipped play. Once calculated the amount must be secured in perpetuity. Wiltshire Council will not adopt the POS.
 - If, once calculated, the requirement does not meet the minimum for a LEAP (400m²) that Trim Trails are proposed instead of a LAP (100m²) if required.
 - A sports contribution calculated at £236.00 per dwelling is required to go towards upgrading provision of Sports/playing pitch contribution of £12,980 is for the upgrade of playing pitch and ancillary provision at Lambrook Recreation Field and Studley Green Community Centre changing rooms, storage and utilities, and/or sports/playing pitch provision within the vicinity of the land.
- Ecology
 - £777.62 per dwelling (index linked) before development commences to offset residual / in-combination losses.
 - Contribution of £3,237.20 (index linked) before development commences to account for loss of 1.01 hedgerow units which the planning permission will not be able to deliver on site.
 - Provision and management of off-site Biodiversity Provision into perpetuity.

Off-site Biodiversity Provision must be described as Floodplain wetland mosaic (1.25 hectares) in fairly good condition as described in the Upper Studley, Trowbridge Habitat Creation and Management Plan (RPS Group, May 2022) and as shown on the Habitat Creation and Management Plan Drawing JPW1108-005 (RPS Group, Jan 2022). The habitat creation works in relation to the Ecology Corridor, Lambrook Stream Ecology Corridor and Public Open Space off-site and adjacent to the Lambrook Stream Ecology Corridor will be completed in advance of or alongside vegetation stripping.

Submission of an Off-site Biodiversity Provision completion certificate to the local authority prior to construction commencing. The certificate must demonstrate works to deliver habitat creation works in relation to the Ecology Corridor, Lambrook Stream Ecology Corridor and Public Open Space off-site and adjacent to the Lambrook Stream Ecology Corridor as detailed in the in the Upper Studley, Trowbridge Habitat Creation and Management Plan (RPS Group, May 2022) has been completed.

Where a Management Company is being required through the S106 agreement to manage open space across an application site and a LEMP has either been submitted or will be submitted by condition, the S106 should make clear that the Management Company is obliged to manage open space in accordance with the LEMP as approved by the LPA.

- Highways - £40,949 for sustainable transport as follows:
 - A contribution of £7,377 towards pedestrian and cycle enhancements/schemes identified in the Trowbridge Transport Strategy along the Frome Rd corridor.
 - Bus stop shelter – Whiterow Park - £12,571
 - Church Lane works – pedestrian/cycle improvements - £10,000
 - Transport strategy works to facilitate improved pedestrian and cycle access to Church Lane, with enhancements to Frome Road to improve the pedestrian

- environment and generate increased levels of driver awareness - £6,000 (sum previously requested for speed limit TRO)
 - Transport strategy works to facilitate improved pedestrian and cycle access to Church Lane, with enhancements to Frome Road to improve the pedestrian environment and generate increased levels of driver awareness - £5,000 (sum previously requested for speed limit works)
- Waste - £5,005
- Arts contribution is 55 x £300 = £16,500:

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. No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The scale of the development;
- (b) The layout of the development;
- (c) The external appearance of the development;
- (d) The landscaping of the site;

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

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

4. No application for reserved matters shall be submitted until there has been submitted to and approved in writing by the local planning authority a detailed Phasing Plan for the entire application site indicating geographical phases for the entire development. Where relevant these phases shall form the basis for the reserved matters applications. Each phase shall include within it defined areas and quantities of housing and infrastructure relevant to the phase. No more than 50% of the houses (or no more than a meaningful percentage of houses to be first agreed in writing by the local planning authority) to be built in any particular phase shall be first occupied until the infrastructure relevant to the phase has been completed.

The development shall be carried out strictly in accordance with the approved Phasing Plan.

REASON: To ensure appropriate phasing of the development and delivery of the development, and in particular the infrastructure the development has made necessary, in accordance with the overall proposal and good planning in general.

5. The development hereby permitted shall make provision for the following –

- (i) Up to 55 dwellings
- (ii) At least 3.12 ha of public open space, including the Ecology Corridor and the Lambrok Stream Ecology Corridor

The 'layout of the development' (as to be submitted and approved under condition no. 2) shall accommodate all of the above broadly in accordance with the "Concept Masterplan' (JPW1108-004 Rev C) dated Mar 2022, the 'Parameter Plan' (JPW1108-003 Rev K) dated Jan 2022, the 'Parameter Plan Notes' (JPW1108-003 Rev I 210930), the 'Habitat Creation and Management Plan' (JPW1108-005) dated Jan 2022, the 'Conceptual Drainage Strategy' (DO1 Rev A) dated 29/09/2021, the 'Pond Cross Sections' (DO2 Rev A) dated 29/09/2021, and the Design and Access Statement dated 17/10/2018.

REASON: To clarify the terms of the planning permission and to ensure the creation of a sustainable development, in accordance with the Wiltshire Core Strategy and the Wiltshire Housing Site Allocations Plan.

6. The 'means of access' to the site shall be provided in accordance with the details shown in drawing no. JNY9623-01 Rev B ('Proposed Access from Frome Road Visibility Splays') dated 01/08/2018.

REASON: To clarify the terms of the planning permission.

7. Prior to the commencement of development details of a Surface Water Mitigation Scheme in accordance with the principles set out in the Flood Risk Assessment (RPS for Parry-Land off Church Lane, Upper Studley, Trowbridge, BA14 0HS, October 2018, Ref: RCEF65635-002R and RPS, RE: EA'S response to FRA supporting planning application Land South of Church Lane, Upper Studley, Trowbridge, Ref:RCEF65635-0035L, 4 July 2019) shall be submitted to and approved in writing by the local planning authority. The Scheme shall include the location and size of the proposed attenuation pond, with allowable discharge rate set at 4.9 l/s. Any requirements for compensatory storage must also be specified. The development shall be carried out in accordance with the Flood Risk Assessment and the approved Surface Water Mitigation Scheme, and in addition there shall be –

- no storage of any materials including soil within the 1% annual probability (1 in 100) flood extent with an appropriate allowance for climate change; and
- The mitigation measures specified in the FRA and the Surface Water Mitigation Scheme shall be fully implemented prior to any first occupation of the development and subsequently in accordance with the timing / phasing arrangements embodied within the Surface Water Mitigation Scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: to ensure that the development does not increase flood risk.

8. Prior to the commencement of development details of a groundwater levels allowing for seasonal variations and groundwater assessment must be submitted to the Local Planning Authority for agreement in writing. The agreed details shall then be used to inform the Surface Water Mitigation Scheme referred to in condition 7.

REASON: to ensure that the development does not increase flood risk.

9. The development hereby approved shall not commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of the following relevant measures:

- i. An introduction consisting of a construction phase environmental management plan, definitions and abbreviations and project description and location;
- ii. A description of management responsibilities;
- iii. A description of the construction programme;
- iv. Site working hours and a named person for residents to contact;
- v. Detailed Site logistics arrangements;
- vi. Details regarding parking, deliveries, and storage;
- vii. Details regarding dust mitigation;
- viii. Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network;
- ix. Communication procedures with the LPA and local community regarding key construction issues – newsletters, fliers etc;
- x. Details of how surface water quantity and quality will be managed throughout construction;
- xi. Details of the safeguarding measures to deal with the following pollution risks:
 - the use of plant and machinery
 - wheel washing and vehicle wash-down and disposal of resultant dirty water
 - oils/chemicals and materials
 - the use and routing of heavy plant and vehicles
 - the location and form of work and storage areas and compounds
 - the control and removal of spoil and wastes
- xii. Details of safeguarding measures to highway safety to include:
 - A Traffic Management Plan (including signage drawing(s))
 - Routing Plan
 - Details of temporary/permanent Traffic Regulation Orders
 - pre-condition photo survey - Highway dilapidation survey
 - Number (daily/weekly) and size of delivery vehicles.
 - Number of staff vehicle movements.
- xiii. In addition, the Plan shall provide details of the ecological avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:
 - Pre-development species surveys including but not exclusively roosting bats, otter, water vole and birds.
 - Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. protection fencing.
 - Working method statements for protected/priority species, such as nesting birds, reptiles, amphibians, roosting bats, otter, water vole, badger and dormice.
 - Reptile mitigation strategy in accordance with Section 4 of the submitted Reptile Survey Report prepared by RPS (January, 2018).
 - 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.
 - Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).
 - Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.

There shall be no burning undertaken on site at any time.

Construction hours shall be limited to 0730 to 1800 hrs Monday to Friday, 0730 to 1300 hrs Saturday and no working on Sundays or Bank Holidays.

The development shall subsequently be implemented in accordance with the approved details of the CEMP.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, and detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase and in compliance with Core Strategy Policy 62.

10. No development shall commence on site until a Construction Management Plan for Drainage (CMPfD) detailing drainage arrangements during the construction stage has been submitted to and approved in writing by the Local Planning Authority. The development shall at all times be constructed in strict accordance with the approved CMPfD.

REASON: To ensure that the development can be adequately drained without increasing flood risk to others during construction works.

11. No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

REASON: In the interests of sustainable development and climate change adaptation.

INFORMATIVE

The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered.

An appropriate submitted scheme to discharge the condition will include a water usage calculator showing how the development will not exceed a total (internal and external) usage level of 110 litres per person per day.

12. Prior to commencement of development a foul drainage strategy/programme shall be submitted to the local planning authority for approval in writing setting out any capacity works to be provided by the sewerage undertaker. The development shall be carried out in accordance with the approved strategy/programme.

REASON: To ensure adequate foul drainage systems are available for the development.

13. The detailed designs of the houses shall make provision for a minimum of 55 integrated swift nest bricks in north, west and/or east elevations.

REASON: Provision of integrated swift bricks in the development will contribute towards demonstrating compliance with government policies and guidance as the new dwellings can themselves be an important biodiversity enhancer by providing a new habitat in a 'Built Environment' that previously did not exist.

14. No part of the development hereby permitted shall be first occupied until full details, including relating to phasing/timescales for provision, of the pedestrian and cycle links to be provided between the site and Acorn Meadow, Church Lane and Southwick Country Park, have been submitted to and approved in writing by the LPA. The said links shall thereafter be provided in accordance with the approved details/timescales and maintained in perpetuity thereafter.

REASON: To ensure that adequate pedestrian/cycle links are provided to the site.

15. Prior to the start of construction, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will detail

long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development as described in the Upper Studley, Trowbridge Habitat Creation and Management Plan (RPS Group, May 2022) and required by the BNG assessment including, but not exclusively: Wildlife ponds and wetland for SUDS, Floodplain Wetland Mosaic (wet grassland, scrapes, reedbed), Native tree and scrub planting, Semi-natural neutral meadow grassland and retained hedge, scrub and trees.

The LEMP will include:

- A phasing plan demonstrating the timing of habitat creation works in relation to the Ecology Corridor, Lambrok Stream Ecology Corridor and Public Open Space off-site and adjacent to the Lambrok Stream Ecology Corridor will be completed in advance of or alongside vegetation stripping.
- A plan specifying the location and type of integral bird nesting features (including for swift) and bat roosting features to be provided.
- A mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.
- Details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured.

The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

16. In accordance with condition no. 2, no development within any Phase of the development hereby approved shall commence until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- minor artefacts and structures (e.g. signs, etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc).

The scheme shall be informed by the Habitat Creation and Management Plan Drawing JPW1108-005 (RPS Group, Jan 2022).

All soft landscaping comprised in the approved details of landscaping for any particular Phase of the development shall be carried out in the first planting and seeding season following the first occupation of any building within the Phase or the completion of the Phase whichever is the sooner; all shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the

development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features and in the interests of wildlife.

17. 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 have been submitted to and approved in writing by the Local Planning Authority. The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2011, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2011), and Guidance note GN08-18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

Where light spill has the potential to impact bat habitat, a lighting impact assessment must be submitted with the reserved matter application(s) to demonstrate the requirements of section 8.3 of the Trowbridge Bat Mitigation Strategy February 2020 are met.

The approved lighting shall be installed and maintained in accordance with the approved details and no additional external lighting shall be installed. This condition will be discharged when a post-development lighting survey conducted in accordance with section 8.3.4 of the Trowbridge Bat Mitigation Strategy has been submitted to the Local Planning Authority demonstrating 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 ensure lighting meets the requirements of the Trowbridge Bat Mitigation Strategy.

Annex A: 22/02/2023 Committee report