

## REPORT TO THE AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	<b>1 February 2023</b>
<b>Application Number</b>	<b>PL/2022/00541</b>
<b>Site Address</b>	<b>Chelworth Industrial Estate, Chelworth Road, Cricklade, Swindon, SN6 6HE</b>
<b>Proposal</b>	<b>Demolition of 3 existing buildings and the erection of 3 light industrial buildings use class E, B2 and B8.</b>
<b>Applicant</b>	<b>Ridge and Partners LLP</b>
<b>Town/Parish Council</b>	<b>Cricklade Town Council</b>
<b>Division</b>	<b>Cricklade &amp; Latton</b>
<b>Grid Ref</b>	<b>408409 192353</b>
<b>Type of application</b>	<b>Full planning permission</b>
<b>Case Officer</b>	<b>Callan Powers</b>

### **Reason for the application being considered by Committee**

The application has been called-in by the Division Member Councillor Bob Jones to consider the scale of development, visual impact upon the surrounding area, relationship to adjoining properties, design, and environmental/highway impact. Two other issues have been raised by the Division Member. These are, (i) outside the framework boundary, and (ii) traffic issues.

### **1. Purpose of Report**

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved subject to conditions.

### **2. Report Summary**

The application has been the subject of consultation and publicity, including neighbour notification, site notice and publication on the Council's website. Representations have been received from four people objecting to the proposed development.

Cricklade Town Council objects to the proposal.

The key issues for consideration are:

- The principle of the development;
- Highways impact;
- Drainage impact;
- Ecological impact;
- Effect on the character and appearance of the area; and

- The impact on neighbouring uses.

### **3. Site Description**

The application site is located approximately 2km south west of Cricklade on the south-east side of Braydon Lane. It forms part of the Chelworth Industrial Estate. The site comprises approximately 2.4 hectares of land currently occupied by a mixture of office, light industrial, general industrial and storage or distribution buildings. The centre of the site is dominated by an area of hardstanding with buildings mostly situated around the edges.

There are further industrial buildings to the north west and the south west. There is a farm to the north and residential properties also to the north and the east. There are agricultural fields to the south.

The site is accessed from Braydon Lane which bounds the site to the north west.

The site and the locality are identified as being susceptible to ground water flooding; in a groundwater vulnerability zone; water source protection area; with records of protected species of bird; and a Health and Safety Executive site.

### **4. Planning History**

N/93/00063/S73 – Removal of condition no. 5 relating to permission N/88/2923/F – Use of warehouse buildings for packaging and distribution. Approved subject to conditions – 18 February 1993.

N/90/01669/FUL – Single storey extension to form reception area at office/factory. Approved subject to conditions – 21 August 1990.

N/89/00740/FUL - Amendment to N88.2923.F (Change of colour on walls & roof covering for new warehousing). Approved – 28 April 1989.

N/88/02923/FUL – Erection of new warehousing. Approved subject to conditions – 21 November 1988.

### **5. The Proposal**

The application seeks full planning permission to demolish three existing small buildings at the front of the site and to construct a new building at the front of the site and two buildings at the rear of the site. The buildings to be demolished are stated to have a gross external floor area of 618 square metres in total. The proposed buildings are stated to have a gross external floor area of 2,409 square metres in total. Thus, there would be a net increase of 1,791 square metres of gross external floor space.

The walls and roof of the proposed buildings would be clad in metallic silver metal sheets. The window frames, door frames and doors would have a mid-grey powder coated aluminium finish. The size and scale of the proposed buildings would be comparable with some of the existing buildings which would be retained on the site.

### **6. Planning Policy**

Wiltshire Core Strategy (WCS), Adopted January 2015

Core Policy 1: Settlement Strategy

Core Policy 2: Delivery Strategy  
Core Policy 19: Spatial Strategy for the Royal Wootton Bassett and Cricklade Community Area  
Core Policy 34: Additional Employment Land  
Core Policy 35: Existing Employment Sites  
Core Policy 50: Biodiversity and Geodiversity  
Core Policy 51: Landscape  
Core Policy 52: Green Infrastructure  
Core Policy 57: Ensuring High Quality Design and Place Shaping  
Core Policy 60: Sustainable Transport  
Core Policy 61: Transport and New Development  
Core Policy 62: Development Impacts on the Transport Network  
Core Policy 64: Demand Management  
Core Policy 67: Flood Risk

North Wiltshire Local Plan 2011 (NWLP)  
Saved Policy NE18 Noise and pollution

Cricklade Neighbourhood Plan 2026 (CNP), Made March 2018  
Policy H1: The Settlement Boundary  
Policy H8: Foul Water Management, Flood Risk and Surface Water Management  
Policy TT1: Traffic Impact  
Policy B5: The Chelworth Commercial Area

Wiltshire Local Transport Plan 2011-2026  
Car Parking Strategy  
Cycling Strategy

National Planning Policy Framework (NPPF), 2021  
Section 2: Achieving sustainable development  
Section 6: Building a strong, competitive economy  
Section 9: Promoting sustainable transport  
Section 12: Achieving well-designed places  
Section 14: Meeting the challenge of climate change, flooding and coastal change  
Section 15: Conserving and enhancing the natural environment.

## **7. Summary of consultation responses**

Cricklade Town Council – Object

The Town Council is concerned about the impact of HGV traffic on the town and on the Conservation Area in particular. They consider the proposal to be in conflict with the neighbourhood plan.

Wiltshire Council Highways – No objection subject to conditions

The Highways Engineer has advised that the proposal would be unlikely to lead to an unacceptable impact on highway safety and that the local network is adequate for the operation of HGV traffic through and around Cricklade. The use of model conditions is recommended to secure a construction method statement, cycle parking facilities, electric vehicle charging points and completion of the access, parking spaces and turning area before the development is first brought into use.

Wiltshire Council Drainage – No objection subject to conditions

The revised drainage strategy is considered to be acceptable subject to conditions requiring:

- i. Confirmation that the existing drainage infrastructure has capacity and is of a suitable condition for re-use;
- ii. Revised hydraulic calculations;
- iii. A flood emergency plan;
- iv. An operations and maintenance plan for the proposed blue roof; and
- v. Details of any additional measures to improve the flood resilience of the development.

#### Thames Water – Comment

Thames Water has commented that network reinforcement works are likely to be required to accommodate surface water drainage from the proposed development, and that network reinforcement works may be required to accommodate foul water drainage from the proposed development. The use of model conditions is recommended in the event of planning permission being granted.

#### Wiltshire Council Public Protection – No objection subject to conditions

The Environmental Health Officer has recommended the use of conditions, which require the submission and approval of a Construction and Environmental Management Plan, details of the measures to be taken in the event that contaminated land is encountered, the provision of ultra-low energy vehicle infrastructure and restrictions on the hours of construction and operation to control noise.

#### Wiltshire Council Ecology – No objection subject to conditions

The Ecologist has raised no objection subject to the use of conditions requiring the submission, approval and subsequent implementation of a Construction Environmental Management Plan (CEMP), Landscape and Ecological Management Plan (LEMP) and details of any new external artificial lighting.

#### Wiltshire Council Landscape – Comment

The Council's Landscape Officer requested a landscaping scheme that would build upon the Blakehill Farm Nature Reserve which borders the south of the application site.

#### Wiltshire Council Waste (Refuse & Management) – No objection

The Waste Technical Officer highlighted the need for suitable storage space for waste containers, which is accessible for a refuse collection vehicle (RCV).

#### Wiltshire Council Archaeology – No Objection

The Council's archaeologist had no further comment.

## **8. Publicity**

As a result of publicity, representations have been received from four people objecting to the proposed development. The comments made against the proposal are:

- The proposed height and location of Building P will create an imposing industrial building overlooking residential property on the opposite side of Braydon Lane;
- An increase in HGV traffic visiting the site and passing through Cricklade;
- Noise and vibration from HGVs travelling along Braydon Lane;
- The effect of HGVs on the surface of Braydon Lane;
- The inability of Cricklade High Street to cope with an increase in large vehicles;
- A lack of facilities for lorry drivers;
- The risk of flooding to neighbouring property;
- Conflict with the Neighbourhood Plan;

- Conflict with Wiltshire Council's Climate Strategy; and
- The development would be better located beside the A419/major road network.

## 9. Planning Considerations

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Section 70(2) of the Town and Country Planning Act 1990 provides that:

In dealing with an application for planning permission, the authority shall have regard to:

- the provisions of the development plan, so far as material to the application,
- a post-examination draft neighbourhood development plan, so far as material to the application,
- any local finance considerations, so far as material to the application, and
- any other material considerations.

For the purpose of determining this application, the development plan comprises the Wiltshire Core Strategy Adopted January 2015 (WCS), the Saved Policies of the North Wiltshire Local Plan 2011 (NWLP) and the Cricklade Neighbourhood Plan 2026 (CNP).

### Principle of the development

Core Policy 1 of the WCS sets out the settlement strategy for the County. It identifies a hierarchy of settlements to which development will be directed with the aim of achieving sustainable development. Core Policy 2 provides a more detailed delivery strategy for the provision of employment land and housing. It states that, within the limits of development as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages. It continues that, other than in specified circumstances (including additional employment land (Core Policy 34)) development will not be permitted outside the limits of development as, defined on the policies map.

Core Policy 19 identifies the settlements in the Royal Wootton Bassett and Cricklade Community Area and the category in which they appear in the hierarchy. Cricklade is categorised as a 'Local Service Centre'. The application site lies outside the settlement framework for Cricklade as defined on the policies map.

Core Policy 34 states that, outside the principal settlements, market towns and local service centres, developments will be supported that "...are for new and existing rural based businesses within or adjacent to Large and Small Villages" where, among other matters, they "b. are consistent in scale with their location, do not adversely affect nearby buildings and the surrounding area or detract from residential amenity" and "e. are supported by adequate infrastructure". The application site is not within or adjacent to a Large or Small Village. Nor is it listed as a Principal Employment Area within Core Policy 35 and Core Policy 19.

The CNP does not allocate the site for development, but it does define the extent of the Chelworth Commercial Area in Figure 14. Policy B5 of the CNP states that, in this Area, proposals to extend the uses into the surrounding countryside will not be supported. It continues that proposals for the conversion or change of use of existing buildings within the

defined Commercial Area to other commercial uses will be supported where the resulting new uses would have a reduced visual impact on the rural environment and would generate a lower level of commercial and/or HGV traffic.

The red-edged application site boundary shown on the submitted location plan extends further north-east and south-east of the boundary of the Commercial Area in Figure 14. However, the proposed development itself does not extend beyond the defined Commercial Area into the surrounding countryside. Therefore, in principle, the proposed development is considered to accord with Policy B5.

The explanatory text in the CNP states that “The Commercial Area is located in an inherently unsustainable location” (4.3.10). While the text is a material consideration that may assist with interpreting the policy, it is not itself policy. There are important differences in the impacts likely to arise from a rationalisation of the existing employment uses as opposed to expansion of the industrial estate into the open countryside. These differences include a reduced landscape impact, the more efficient use of land and the preservation of biodiversity. The two forms of development would not be equivalent to each other and accordingly the text would not override the policy support found elsewhere toward the improvement of existing employment sites.

There is no policy requirement to consider alternative locations for the proposed development, alongside the strategic road network, in the determination of this application. The application is required to be considered on its own merits.

On this basis, it is considered that an objection in principle could not reasonably be sustained as the proposal would not conflict with the development plan. The proposal is acceptable in principle subject to other relevant policies of the development plan and any site specific impacts.

### Highways impact

The proposal includes retention of the existing accesses into the site as well as the internal access layout.

A Transport Assessment has been submitted as part of the application. The report identifies:

- The proposed development is likely to generate a slight increase in vehicle trips over a twelve hour period; a total of 4 trips which is considered to be de minimis;
- An increase of 8 HGVs over a twelve hour period; again, this is considered to be de minimis;
- No existing highway safety issues on the network close to the site;
- The provision of an additional 20 parking spaces, in accordance with the parking standards; and
- The provision of 10 covered, safe and secure cycle parking spaces.

A framework Travel Plan for the site, to promote sustainable travel, has also been submitted.

The Council's Highway's Officer has reviewed the plans, drawings and documents accompanying the application. Whilst recognising the desire of the Town Council to see no more HGVs operating through the town, he has advised that it would be difficult to object to the proposal based upon an unknown number of future HGV movements. However, from the amount of development proposed, he concluded that the local highway network would be adequate for the operation of such traffic through and around Cricklade.

Accordingly, no objection was raised subject to the use of model conditions to secure a construction method statement, the provision of cycle parking facilities, electric vehicle charging points and completion of the access, parking spaces and turning area before the development is first brought into use.

The effect of construction traffic on the surface of Braydon Lane is capable of being addressed through the approval and subsequent implementation of a construction method statement/management plan. However, the ongoing condition of the surface of Braydon Lane following completion of the development and the general provision of facilities for lorry drivers lie outside the remit of this application.

It is agreed that the application site is an existing established employment site and that the traffic that is likely to be generated by the proposed development can be satisfactorily accommodated on the highway network. The projected amount of traffic is such that the development would neither have an unacceptable impact on highway safety, nor that the residual cumulative impacts on the road network would be severe. Therefore, it is concluded that the proposal would accord with Core Policies 60, 61, 62 & 64 of the WCS, Policy TT1 of the CNP and Paragraphs 110-113 of the NPPF.

#### Drainage impact

A Baseline Flood Study & SuDS Appraisal Report, and a Drainage Strategy have been submitted with the application. The report concluded that the site is situated within Flood Zone 1, at low risk of tidal and fluvial flooding. Also, that all other sources of flooding are considered to be low. It added that the proposed development is not anticipated to result in any increase in impermeable area across the site and it is possible that the existing drainage infrastructure could be largely retained and reused as part of the proposed development. A revised Drainage Strategy was submitted while the proposal was being considered and the Council's Drainage Engineer has no objection subject to the use of appropriate conditions.

Policy H8 of the CNP addresses flood risk and drainage matters in relation to new development in the plan area. Whilst the policy is contained within the housing chapter of the plan it does not refer exclusively to housing development. It states that proposals for new development will be required to demonstrate that they will not increase the risk of flooding or surface water run-off within the site or surrounding area. The policy goes on to state that support will be given to sustainable drainage systems where the use of such facilities will prevent the potential for flooding or surface water run-off. Given the findings of the submitted report and the revised drainage strategy, alongside the Drainage Engineer's comments and recommended conditions, it is considered that the requirements of Core Policy 67 of the WCS, Policy H8 of the CNP and paragraph 167 of the NPPF have been met.

#### Ecological impact

As the site comprises mainly areas of hardstanding and existing buildings, it is of a nature generally unlikely to support protected species on a significant scale. There is a field adjacent to the site, but the proposals would not encroach into this area. However, the possibility of the presence of protected ecology meant that the application initially gave rise to an objection based upon the lack of ecological information.

In response, an Ecological Assessment report has been submitted, which explores whether particular species may be present. While no roosts were discovered supporting bats, there is evidence of badgers foraging within the site. The report concluded that significant impacts upon these animals can be effectively avoided through appropriate measures in the construction phase, while the retention of grassland and the addition of specified plant

species in the landscaping scheme will maintain or enhance the value of the site for foraging.

Although there is a pond nearby, the Ecological Assessment confirms that it is not of a nature generally expected to support great crested newts. Furthermore, due to the distance from the development and its nature, this was not considered to present a significant risk to amphibians. Likewise, no significant risks were identified with respect to protected invertebrates.

The findings of the Ecological Assessment, alongside the proposals to secure a net gain for biodiversity, have been accepted by the Council's Ecologist and the objection has since been withdrawn. Nonetheless, conditions requiring the submission, approval and subsequent implementation of a Construction Environmental Management Plan (CEMP), Landscape and Ecological Management Plan (LEMP) and details of any new external artificial lighting have been recommended. Subject to the use of these conditions, the proposal is considered to accord with Core Policies 50, 52 and 57 of the WCS and Paragraph 174 of the NPPF.

#### Effect on the character and appearance of the area

The application site is part of an existing industrial area with a variety of buildings already in situ. The proposed new buildings would be constructed within the limits of the existing site and would not extend into the surrounding countryside. As such, the site does not appear visually as open countryside or agricultural land, forming an already-urbanised landscape. Consequently, the impact of the erection of the proposed buildings on the character and appearance of the area is considered to be minimal.

Whilst comments have been received about the size of the replacement buildings, particularly the height of proposed 'Building P', they would be significantly less visually imposing than the largest buildings already at the site. In any event, the visual impact can be ameliorated through the use of conditions requiring the submission and approval of details for landscaping and boundary treatments and any external lighting.

As such, it is considered that the proposal does not conflict with the provisions of Core Policies 51 and 57 of the WCS and Paragraph 174 of the NPPF.

#### Impact on neighbouring uses

The presence of residential properties to the north of the site is the exception to what is a broadly industrial/commercial area, albeit it is acknowledged that the residential uses significantly predate the use as an industrial estate. The neighbouring commercial uses are not considered to give rise to any concerns with respect to the compatibility of the proposal.

Comments have been received from neighbouring residents raising concerns regarding the noise and vibration associated with heavy goods vehicles using the public highway. However, given the site's context and existing background sound levels, it is not considered that intensifying the use of this part of the industrial estate, to the degree proposed, would result in significant additional noise and disturbance to the extent that planning permission could reasonably be refused on those grounds. The hours of construction or demolition work are capable of being controlled through the use of a suitably worded condition.

Proposed 'Building P' would be set back further into the site from the Braydon Lane frontage than the existing (retained) buildings B1, B2 and F. The north west elevation of that proposed building has no windows at first floor level from which it would be possible to overlook residential property on the opposite side of Braydon Lane to the north.



Therefore, it is considered that appropriate levels of amenity for the occupiers of neighbouring residential properties would be maintained in accordance with Core Policy 57vii of the WCS, Saved Policy NE18 of the NWLP and Paragraph 185 of the NPPF.

### Other matters

Given the existing and previous uses of the site and adjoining land, the Council's Environmental Health Officer identified the possibility of ground contamination and recommended site investigations prior to the commencement of development, secured through the use of a condition. This is considered to be reasonable and necessary, and sufficient to manage the identified risk. Therefore, it is recommended that a condition be attached to any planning permission that may be granted.

The Environmental Health Officer has also raised air quality as an issue and, while not objecting to the development, requested that a scheme of Ultra Low Energy Vehicle Infrastructure be secured through the use of a condition. The applicant has agreed to this as a pre-commencement condition.

## **10. Conclusion**

Whilst the application site is not within the defined limits of a settlement or a principal employment area, the proposal involves the development of existing commercial undertakings within the Chelworth Commercial Area as defined on Figure 14 and referenced under Policy B5 of the CNP. In this respect, the proposed development is considered to be acceptable in principle.

Planning permission has also been granted in the past for similar uses and similar forms of development on the site and adjacent land.

Subject to the use of planning conditions and the provision of on-site mitigation measures, the proposal is considered unlikely to give rise to any site specific harmful impacts in terms of highways and access, drainage, ecology or landscape that would justify refusal. The siting and design of the proposed buildings and their relationship with neighbouring residential properties would maintain appropriate levels of amenities for existing residents. Therefore, the proposed development would accord with relevant policies of the development plan and the NPPF.

The proposal is likely to result in economic benefits in terms of job creation and provision of improved accommodation capable of meeting the needs of existing local businesses seeking to expand.

## **RECOMMENDATION**

**That Planning Permission be GRANTED subject to the following conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

Drawing No. 004 Revision P4: Proposed North West and South East Elevations, dated 14/01/22 and received 21 January 2022;  
Drawing No. 005 Revision P4: Proposed North East and South West Elevations, dated 14/01/22 and received 21 January 2022;  
Drawing No. 010 Revision P4: Proposed Site Plan, dated 14/01/2022 and received 21 January 2022;  
Drawing No. 011 Revision P4: Unit P Proposed Floor Plan, Section and Elevations, dated 14/01/22 and received 21 January 2022;  
Drawing No. 013 Revision P3: Unit G1 Proposed Floor Plan, Section and Elevations, dated 14/01/22 and received 21 January 2022;  
Drawing No. 014 Revision P3: Units H2 & H3 Proposed Floor Plan, Section and Elevations, dated 14/01/22 and received 21 January 2022;  
Drawing No. 017 Revision P1: Demolition Plan, dated 24/01/2022 and received 24 January 2022;  
Drawing No. 0001: Visibility Splays, dated 16/12/2021 and received 21 January 2022;  
Drawing No. 2200: Articulated Vehicle Tracking Plan, received 21 January 2022;  
Drawing No. 507/01: Landscape Strategy, dated Mar 22 and received 13 April 2022;  
Building Areas and Eaves Heights, dated 14/01/2022 and received 21 January 2022;  
Design and Access Statement Revision B, received 21 January 2022;  
Document No. 16200012519-BFSSA: Baseline Flood Study and SuDS Appraisal, dated January 2022 and received 21 January 2022;  
Technical Note No. 1620012519-RAM-RP-WA-00001 Version 2: Drainage Strategy, dated 07/06/2022 and received 09 June 2022;  
Travel Plan, dated January 2022 and received 21 January 2022;  
Biodiversity Net Gain Note, dated August 2022 and received 08 August 2022;  
Phase I Environmental Site Assessment Issue No. 01, dated 20 September 2021 and received 21 January 2022; and  
Application Form, dated 13/01/2022 and received 21 January 2022.

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking or re-enacting or amending that Order with or without modification), the site shall be used solely for purposes within Classes B2, B8 and E(g)(iii) of the Schedules to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable, but the Local Planning Authority wish to consider any future proposal for a change of use, other than a use within the same class(es), having regard to the circumstances of the case.

4. No development shall take place until a CCTV survey report including a capacity and condition assessment has been submitted to and agreed in writing by the local planning authority. The survey report should make recommendations for improvement if it is discovered that upgrades are required. The development shall proceed in accordance with any recommendations made in the approved report.

REASON: To ensure that drainage is sufficient in capacity and of suitable condition to address the drainage impacts of the development.

5. No development shall take place until a revised drainage strategy, where hydraulic calculations have been updated using a MADD factor of 0m<sup>3</sup>/ha, and any required

changes made to the proposed attenuation volumes to fully attenuate the 1 in 100yr + climate change rainfall without flooding, have been submitted to and agreed in writing by the local planning authority. The development shall proceed in accordance with the approved drainage strategy.

REASON: To ensure that surface water flood risk is safely managed.

6. No development shall take place until details of building-based flood defence measures have been submitted to and agreed in writing by the local planning authority. This should include any maintenance and operational measures required, including for the 'blue roof' installation. The development shall proceed in accordance with the approved details.

REASON: To ensure flood resilient design that is adequately managed and maintained.

7. No development shall take place until a Flood Risk Emergency Plan has been submitted to and approved in writing by the local planning authority. The Plan should follow the guidance set out in the document 'Flood Risk Emergency Plans For New Development', published by the Environment Agency and ADEPT. The Emergency Plan shall include a timetable for monitoring and review, and shall detail where the Plan will be recorded and/or publicised. Once approved the Emergency Plan shall be adhered to thereafter.

REASON: To ensure that an emergency plan is in place in the event of a flooding emergency.

8. No development shall take place until a maintenance plan for the proposed surface water drainage & SuDS features, showing details of proposed maintenance activities, frequency, and their responsible parties, has been submitted to and agreed in writing by the local planning authority.

REASON: To ensure drainage is sufficiently maintained, in order that surface water is managed safely throughout the lifetime of the development.

9. No development shall commence on site until a scheme of Ultra Low Energy Vehicle (ULEV) infrastructure has been submitted to and approved in writing by the local planning authority. Details shall include:

- a) Location and number of active charge points;
- b) Specification of charging equipment; and
- c) Operation/management strategy.

No part of the development hereby approved shall be occupied until the approved Scheme of ULEV Infrastructure has been implemented in full, and that all specified active charge points are live and ready for use. The approved equipment and operation/management strategy shall be actively maintained thereafter.

REASON: Core Policy 55; Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

10. No development shall commence on site until details of secure covered cycle parking have been submitted to and approved in writing by the Local Planning Authority. The

submitted details shall accord with dimensions, access, location, design and security principles laid out in Appendix 4 of Wiltshire's LTP3 Cycling Strategy. These facilities shall thereafter be provided in accordance with the approved details and made available for use prior to the first occupation of the development hereby permitted and shall always be retained for use thereafter.

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

11. 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 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 (of site operatives and visitors), deliveries, and storage;
- vii. Storage of plant and materials used in constructing the development;
- viii. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- ix. Wheel washing facilities;
- x. Measures to control the emission of dust and dirt during construction;
- xi. A scheme for recycling/disposing of waste resulting from clearance, demolition and construction works (including confirming that there shall be no burning associated with construction processes at any time);
- xii. 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; and

Development shall proceed in strict accordance with the approved CEMP.

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

12. Development, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, shall not commence until an Ecological Construction Environmental Management Plan (Ecological CEMP) has been submitted to and approved in writing by the local planning authority. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- a) Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.
- b) Working method statements for protected/priority species, such as nesting birds and reptiles.
- c) Mitigation strategies already agreed with the local planning authority prior to

determination, such as for great crested newts, dormice or bats; this should comprise the pre-construction/construction related elements of strategies only.

- d) Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.
- e) Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).
- f) Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.

Development shall be carried out in strict accordance with the approved Ecological CEMP.

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

13. Development shall not commence until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets. The LEMP shall also include 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.

14. No development shall commence on site until a final scheme of hard and soft landscaping has been submitted to and approved in writing by the local planning authority. The details of the scheme 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;
- all hard and soft surfacing materials; and
- details of restoration work proposed to the pond.

REASON: The application contained a landscape strategy including outline planting specification with details reserved for consideration following a decision. 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 a satisfactory landscaped setting for the development and the protection of existing important landscape features.

15. In the event that contamination is encountered at any time when carrying out the approved development, the Local Planning Authority must be advised of the steps that will be taken by an appropriate contractor to deal with contamination and provide a written remedial statement to be followed by a written verification report that confirms what works have been undertaken to render the development suitable for use.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

16. No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

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

17. No final surface materials shall be laid until the exact details of the surfacing material to be used for the parking area and the demarcation of the parking bays have been submitted to and approved in writing by the Local Planning Authority. Development shall 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 visual amenity and the character and appearance of the area.

18. The development hereby permitted shall not be brought into use until a plan showing the precise location of any areas of open storage and specifying a maximum height of open storage within such area(s) has been submitted to and approved in writing by the Local Planning Authority. No materials, goods, plants, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored on the site outside the approved storage area, or above the height agreed as part of this condition.

REASON: In the interests of the appearance of the site and the amenities of the area.

19. The development shall be carried out in strict accordance with the following documents:  
Biodiversity Net Gain Note (Ecology Solutions, 08/08/2022);  
Ecological Assessment, Ecology Solutions, August 2022); and  
Landscape Strategy Drawing no. 507/01 (Enderby Associates, March 2022).

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

20. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees 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.

21. No part of the development hereby permitted shall be first brought into use until the access, parking spaces, and turning area have been completed in accordance with the details shown on the approved plans 'Proposed Site Plan, 21054\_010\_P3'. The areas shall always be maintained for those purposes thereafter.

REASON: In the interests of highway safety.

22. The development shall not be first occupied until confirmation has been provided to and approved in writing by the local planning authority that either:
- a. All surface water network upgrades required to accommodate the additional flows from the development have been completed; or
  - b. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied.

Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

REASON: Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

23. The development shall not be first occupied until confirmation has been provided to and approved in writing by the local planning authority that either:
- a. Foul water capacity exists off site to serve the development; or
  - b. A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan; or
  - c. All Foul water network upgrades required to accommodate the additional flows from the development have been completed.

REASON: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

24. The development hereby approved shall not enter use until a validation and completion report, prepared by a suitably qualified land contamination specialist, confirming that works have been completed in accordance with the recommendations of the Phase I Environmental Assessment and that there is no or minimal risk to human health or environmental health or to buildings, has been submitted to and approved in writing by the local planning authority.

All works must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and other appropriate authoritative guidance.

REASON: In the interests of environmental health as recommended by the Phase I Environmental Assessment, to ensure that the risk of contamination is managed appropriately.

25. No new external artificial lighting shall be installed at the site unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of conserving biodiversity.

#### INFORMATIVES TO APPLICANT:

26. Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
27. The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.
28. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.
29. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.
30. 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>.

31. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.