

## Strategic Planning Committee

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### MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 12 JANUARY 2022 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

#### **Present:**

Cllr Howard Greenman (Chairman), Cllr Tony Trotman (Vice-Chairman), Cllr Ernie Clark, Cllr Adrian Foster, Cllr Sarah Gibson, Cllr Carole King, Cllr Pip Ridout, Cllr James Sheppard, Cllr Elizabeth Threlfall and Cllr Robert Yuill

#### **Also Present:**

Cllr Horace Prickett and Cllr Antonio Piazza

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#### 56 **Apologies**

Apologies for absence were received from Cllr Christopher Newbury.

#### 57 **Minutes of the Previous Meeting**

The minutes of the meeting held on 1 December 2021 were presented for consideration, and it was,

#### **Resolved:**

**To approve and sign the minutes as a true and correct record.**

#### 58 **Declarations of Interest**

There were no declarations of interest.

#### 59 **Chairman's Announcements**

The Chairman drew the Committee's attention to a Planning Inspectorate appeal decision, where 3 linked appeals in Malmesbury were determined. Two of the appeals were dismissed and one of the appeals allowed. Details of the decisions could be found online [here](#).

The Chairman noted that whilst the Committee was very passionate about Neighbourhood Plans, they should be mindful of the Malmesbury appeal decision and the lack of a five year land supply. As the Committee were aware applications should not be predetermined but should be considered on their own merits.

The Chairman made reference to the lack of an up to date Housing Land Supply figure, at the recent appeal the Inspector had stated that this figure was 4.41, which did not put the Committee in a strong position. It was hoped that the updated Housing Land Supply figure would be available in March 2022 and this would make it much easier for the Committee to make informed decisions.

60 **Public Participation**

The rules on public participation were noted.

61 **Planning Appeals and Updates**

There were no updates.

62 **Planning Applications**

The following planning application was considered.

63 **19/11459/OUT - Land at Elm Grove, Drynham Lane, Trowbridge, Wiltshire, BA14 0PL**

**Public Participation**

Simone Kermode spoke in objection to the application

Giuseppe Melillo spoke in objection to the application.

Chris Beaver (agent) spoke in support of the application.

Cllr Andrew Bryant of Trowbridge Town Council spoke in objection to the application.

Andrew Guest (Head of Development Management) presented a report which recommended that authority be delegated to the Head of Development Management to grant planning permission with conditions, subject to a s106 agreement for the erection of up to 261 dwellings following the demolition of Elm Grove Farmhouse; erection of multi-use community facility (Class F.2); strategic landscaping; access and drainage works; and demolition redundant former agricultural outbuildings.

The officer drew the Committee's attention to the amended wording of the recommendation and conditions contained within agenda supplement 2. Two conditions had been added and the highways terms slightly changed, with the agreement of the applicant and Highways. The officer also highlighted that the response from North Bradley Parish Council had not pasted properly within the report, so a hard copy of the full response was given to Members.

The officer gave a brief summary of the application explaining that the land at this site had been allocated under the housing development plan, although it was noted that a small area on the south side that was allocated had been excluded as this was under different ownership. There was also a little extra land included within the application, which was not in the allocations plan, this land was to provide access to the site. These areas were identified by the officer on the presentation slides.

The plans for the site were shown to the Committee (detailed in agenda supplement 1). The site would provide 184 private dwellings and 76 affordable dwellings as well as replacement for the farmhouse, which had its own planning permission. The landscape and ecology plans, including the bat corridors were highlighted.

The officer explained that there was to be a new spine road through the site, which was a requirement of the housing site allocations plan. Drynham Lane was to be closed to traffic but would remain as a route that pedestrians and cyclists could use. Access to Drynham Lane would be provided through the new development.

Members of the committee then had the opportunity to ask technical questions of the officer. In response the officer confirmed that the timescale for agreement of the s106 conditions was 6 months which was realistic, and the applicant was keen to start delivering houses.

In response to queries regarding the provision of affordable houses and whether this met local need, the officer stated that the usual expectation for affordable housing in this area was 30%. For this application the figure was 29% as the site had vacant building credit. The officer stated that he could supply the full report of the housing officer to the Committee outside of the meeting which was what would be agreed for the s106.

In response to further questions the officer stated that delayed inflation index would be taken into account and access to the A363 was provided via Wiltshire Drive. The Committee would be unable to impose conditions regarding EV charging points, or the type of heating installed, as at present there were no national or local policies governing this.

Members highlighted the community facility provided as part of the proposal and queried whether flexibility could be added to this, possibly to provide a kitchen or additional facilities which the community could use or develop if they wished. The officer explained that that what was proposed did meet the requirements of the development plan so it could not be added as a condition but an informative could be added to the recommendation.

Members of the public then had the opportunity to present their views, as detailed above.

The unitary division member, Cllr Antonio Piazza, spoke regarding the application. Cllr Piazza highlighted the work done by the community, the local MP and himself to influence the application which had resulted in the revised scheme currently before the Committee. Cllr Piazza hoped that Trowbridge Town Council would take on the management of the community facility. Cllr Piazza stated that he agreed with the public and town council comments regarding the application. Drainage was a considerable issue and it was hoped that the mitigations within the report would cover the issues. Atkins had been undertaking a survey of the watercourse in the area and it was hoped that this

would be taken into consideration at the reserved matters stage. Traffic congestion was also a considerable issue for residents and whilst he was happy to see the mitigations within the report the Cllr felt that further funding was required to improve the situation.

In response to public statements on flooding the officer explained that application was accompanied by a drainage strategy which set out the principle and should improve the existing situation. The existing drain under the railway would be improved and there were also attenuation ponds. The drainage engineers were satisfied that the proposals would work and further details would be available once the reserved matters applications came in.

The Chairman thanked the speakers for their comments and stated that large applications were always emotional for those living nearby. Nonetheless, he felt that there were positives and that the applicant had worked hard to mitigate and address concerns raised.

The Chairman proposed the recommendation as detailed within agenda supplement 2, with the addition of an informative regarding making the community facility more flexible. This was seconded by Cllr Pip Ridout.

A debate followed whereby some Members discussed the merits of the application, stating that they felt the developers had worked well with the community to mitigate concerns raised which was welcomed.

Members also discussed the informative regarding the community facility and most felt that making the building more flexible so that it could be used according to community usage needs was a good idea. A Member highlighted that some of residents might not want the facility changed in this way and it was clarified that the suggestion was not to impose a large café (or similar) on the residents, but for flexibility to be added so that there was the possibility of increased facilities should the community want that.

The concerns regarding flooding were discussed, Members hoped that drainage engineers' solutions would be enough to mitigate or even improve the situation. Members sought details from the officer as to whether attenuation ponds could be moved as suggested by one of the speakers. The officer explained the attenuation ponds were situated depending on how water moved and where it sat. This was highly technical in nature hence the drainage strategy which should be adhered to.

Members also thanked the speakers for their moderate approach.

At the conclusion of the debate it was,

**Resolved:**

**That the Head of Development Management be authorised to grant planning permission, subject to first completion of a planning obligation / Section 106 agreement covering the matters set out below, this within six**

months of the date of the resolution of this Committee; and subject to planning conditions.

**S106 matters –**

- Affordable housing - 29% of the Residential Units as Affordable Housing at Nil Subsidy;
- 60% of the Affordable Housing Units shall be Affordable Rented Units and 40% shall be Shared Ownership Units
- Education - Secondary education - £1,147,000; Primary education - £1,331,818; Early Years / Nursery education provision - £535,660
- Air Quality monitoring - £1,472
- Waste & Recycling Facilities – £23,660
- Highways - Bus stops - £21,000; Cycleway improvements - £200,000; PROW Maintenance as part of the general site maintenance; Street Trees - £20,503. Section 38. Works to Drynham Lane
- Healthcare - £155,915
- Biodiversity - Off-site biodiversity mitigation - £202,181; Terms for LEMP and future management
- Public Art - £78,000
- Open Space SUDS Management & Maintenance Provisions

**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 (non-strategic) 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 (including open space and play areas, and where relevant, the allotments, the new sports pitches, the leisure/recreation changing facility and the upgraded NEAP) 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 approved shall make provision for the following –**

- (i) Up to 261 dwellings;**
- (ii) Existing play area at QEII playing field to be upgraded to NEAP;**
- (iii) Allotments;**
- (iv) New sports pitches;**
- (v) Leisure/recreation changing facility, and associated parking.**

**The ‘scale of the development’, the ‘layout of the development’, the ‘external appearance of the development’, the ‘external appearance of the development’ and the ‘landscaping (non-strategic) of the site’ (as to be submitted and approved under condition no. 2) shall be substantially in accordance with the following plans and documents –**

- 038-027\_B – Site Location Plan**
- A-P10-001-D – Site Layout Masterplan**
- A-P10-007B – Site Layout Demolition Plan**

- 038-001\_P – Landscape Masterplan
- 038-R001\_J – Illustrative Landscape Plan
- 1178.P.0109G – Parameter Plan Land Use
- 038-038\_E – Parameter Plan Tree Retention and Removal
- 038-022\_J – Parameters Plan Levels
- 038-021\_R – Parameters Plan Landscape and Ecology
- 038-1D-108 (May 2021) – Landscape Strategy & Placemaking Guide
- Design & Access Statement Vol 2 (Oct 2020)

**REASON:** To ensure the creation of a sustainable development, in accordance with the requirements of the Wiltshire Core Strategy and the terms of the supporting documentation with the application, including the Master Plan, Parameters Plans, and Design & Access Statement.

**6** The 'means of access to the site' shall be constructed in accordance with the following approved detailed drawings –

- 1008-008A – Proposed Footpaths and Cycle Route
- 1008-009C – Proposed Wiltshire Drive / Drynham Lane Access Arrangement
- 1008-013A – Proposed Bradley Road Mini-Roundabout and Signal Improvements
- 1008-017 – Proposed Wiltshire Drive Pedestrian and Cycle Access
- 1008-018C – Proposed Drynham Lane Access
- 1008-021A – Proposed Drynham Lane Turning Head Arrangement
- 1008-023A – Proposed A363 Site Access via Business Park Land

The means of access shall be provided in accordance with the Phasing Plan to be submitted and approved under condition 4.

**REASON:** To ensure proper and timely delivery of the means of access in accordance with the agreed scheme and in the interests of highway safety.

**7** No development shall commence in any phase until details concerning how waste collection will function within the phase are submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

**REASON:** To meet the requirements of CP3 and WCS6.

**8** Notwithstanding the Parameters Levels Plan, no development shall commence in any phase until plans showing finished floor levels (FFL) and threshold levels for the phase have been submitted to and approved in writing with the Local Planning Authority. These plans should set minimum FFLs at the 1 in 100 year plus climate change level with a 300mm freeboard OR the 1 in 1000 year flood level with downstream culvert blockage. The development shall be carried out in accordance with the approved details.

**REASON:** To limit the risk from flooding and minimise the risk to its occupant.

**9** No development shall commence until a scheme for discharge of surface water from the site, including sustainable drainage systems, exceedance flow routes and all third party approvals, has been submitted to and approved in writing by the Local Planning Authority/Lead Local Flood Authority. This scheme shall include a programme of phasing, implementation and maintenance for the lifetime of the development. The development shall be carried out in accordance with the approved details.

**REASON:** To comply with Core Policy 67: Flood Risk within the Wiltshire Core Strategy (adopted January 2015) and to ensure that the development can be adequately drained without increasing flood risk to others.

**10** No development shall commence on site until a drainage related construction management plan and detailed drainage arrangements during the construction phase, has been submitted to and approved in writing by the Local Planning Authority undertaker. The plan must make provision for the installation of flood mitigation works and attenuation storage prior to the installation of any upstream drainage infrastructure or hardstanding areas. The development shall be carried out in accordance with the approved details.

**REASON:** To comply with Core Policy 67: Flood Risk within the Wiltshire Core Strategy (adopted January 2015) and to ensure that the development can be adequately drained without increasing flood risk to others.

**11** No occupation of the development shall occur until a flood risk emergency plan has been submitted to and approved in writing by the Local Planning Authority.

**REASON:** To safeguard the occupants of the development and any public use of the amenity spaces therein. To limit the risk of flooding by ensuring the provision of satisfactory means of flood management and incident response on the site in accordance with section 14 of the National Planning Policy Framework.

**12** The development shall only be carried out in accordance with the approved Flood Risk Assessment.

**REASON:** To comply with Core Policy 67: Flood Risk within the Wiltshire Core Strategy (adopted January 2015) and to ensure that the development can be adequately drained without increasing flood risk to others.

**13** No more than 110 dwellings hereby approved shall be served from the southern (A363) access point to the development, prior to the opening of the through route through the development.

No more than 50 dwellings hereby approved shall be served from the northern (Wiltshire Drive) access point to the development, prior to the opening of the through route through the development.

The through route through the development linking the A363 to Wiltshire Drive shall be fully open to traffic prior to occupation of the 161st dwelling hereby approved.

**REASON:** In the interests of good accessibility.

14 Construction access to the development shall be solely from the A363 at the southern frontage of the site. No construction traffic shall access the development via Wiltshire Drive or Drynham Road (or from any other point of access) at any time.

**REASON:** In the interests of highway safety and road user convenience.

15 Prior to commencement of the development a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of construction vehicle routing, construction staff vehicle parking areas within the site, local road cleaning, and measures to prevent excessive mud and dust being deposited on the public highway. The site construction shall be carried out in accordance with the approved plan.

**REASON:** In the interests of highway safety and road user convenience.

16 Prior to commencement of the development a road condition survey shall be carried out of the unclassified road parts of Drynham Lane, Drynham Road and Wiltshire Drive, and also of the A363 between the existing roundabouts east and west to the development access point. A post development survey shall be carried out at the conclusion of significant development construction, and both surveys shall be supplied to Wiltshire Council. Any significant damage to the public highway identified and attributable to the development construction shall be rectified by the developer.

**REASON:** In the interests of highway safety.

17 Prior to first occupation of any dwelling served from the A363 to the south of the site, the ghost island right turning lane outlined on drawing 1008-023A including 2 pedestrian refuges, any required street lighting and highway drainage alterations to accommodate the right turning lane, resurfacing of the A363 over the length of the right turning lane scheme, shall all be provided in accordance with details to be first approved under a Section 278 Agreement.

**REASON:** In the interests of providing safe and convenient access to the development.

**18** Prior to first occupation of any dwelling served from the A363 to the south of the site, a 2-metre-wide footway shall have been provided on the north side of the A363 and to the east of the development access, as outlined on the Masterplan drawing number A-P10-001-D, in accordance with details to be first approved under a Section 278 Agreement.

**REASON:** In the interests of safe and convenient pedestrian access to the development.

**19** Prior to first occupation of any dwelling served from the A363 to the south of the site, a 3-metre-wide cycleway shall have been provided on the north side of the A363 and to the west of the development access, as outlined on the Masterplan drawing number A-P10-001-D, and to a point approximately 200 metres west of the access centreline, in accordance with details to be first approved under a Section 278 Agreement.

**REASON:** In the interests of safe and convenient pedestrian access to the development.

**20** Prior to first occupation of the 30th dwelling served from Wiltshire Drive / Drynham Road the site access mini roundabout, 3 metre cycleway and traffic calming as indicated in outline on drawing 1008-009-C, and including revised street lighting in accordance with BS5489-1;2013 BS EN 123201-22003, over the area of that plan, and resurfacing of Drynham Road and Wiltshire Drive over the area of that plan, and necessary traffic orders and waiting restriction orders to give effect to the scheme, shall all have been constructed and made permanently available for use in accordance with details to be first approved under a Section 278 Agreement.

**REASON:** In the interests of providing safe and convenient access to the development.

**21** Prior to the first occupation of the 100th dwelling the following shall have been constructed in accordance with details to be first submitted to and approved by the Local Planning Authority:

- The strategic pedestrian / cycle route outlined on drawing 1008-008-A;
- The network of 2 metre paths shown on Masterplan drawing A-P10-001-D across the existing Wiltshire Council owned designated open space;
- The 2 metre paths linking to the community leisure facility;
- The 2-metre path shown on Masterplan drawing AP10-001-D along the north-western side of the development.

**REASON:** In the interests of good pedestrian accessibility.

**22** Prior to the first occupation of the 100th dwelling Drynham Lane shall have been planed-off 30mm, regulated and resurfaced between the

junction of Drynham Lane and Drynham Road and a point 16 metres east of the centreline of the rail overbridge (on the eastern side of the development), in accordance with details to be first approved under a Section 278 Agreement.

**REASON:** In the interests of pedestrian accessibility to and from the Ashton Park development area.

**23** The spine road through the development from its junction with Wiltshire Drive to the A363 shall generally have a carriageway width of 6.5 metres, a shared use cycleway / pedestrian route alongside of 3 metres width and shall be of an alignment commensurate with 20mph Zone standards, but without excessive use of vertical traffic calming.

**REASON:** To enable convenient bus routing through the development while at the same time discouraging excessive through traffic use.

**24** Prior to any closure of Drynham Lane to motor vehicles south west of the Drynham hamlet a vehicle turning head and associated measures as indicated in outline on plan number 1008-021-A shall have been provided to adoptable standards and put forward for adoption via a Section 38 Agreement Highways Act 1980.

**REASON:** To ensure that vehicles using the new cul-de-sac are able to turn in a convenient manner.

**25** Prior to occupation of the 50th dwelling served from the northern (Wiltshire Drive) point of access hereby approved Drynham Lane shall be permanently closed to vehicles south west of Drynham hamlet.

**REASON:** In the interests of safe and convenient access to the development.

**26** Within 3 months of first occupation of the development hereby approved a full travel plan shall be submitted based on the framework travel plan included in the planning application. The full travel plan when approved shall be implemented including the appointment of a travel plan co-ordinator for three years from the date of first appointment.

**REASON:** In the interests of promoting sustainable patterns of travel to and from the development.

**27** Prior to the first occupation of the 50<sup>th</sup> dwelling hereby approved, the following details will be submitted and agreed by the LPA:

- a) A detailed assessment of ground conditions of the land proposed for the new/retained/replacement playing field land as shown on drawing number 1178.P001 (including drainage and topography) to identify constraints which could affect playing field quality; and

- b) Based on the results of this assessment to be carried out pursuant to (a) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate drainage where necessary) shall be submitted to and approved in writing by the Local Planning Authority after consultation with

The works shall be carried out in accordance with the approved scheme within a timescale to be first approved in writing by the Local Planning Authority.

**REASON:** To ensure that site surveys are undertaken for new or replacement playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field and to accord with LP Policy.

**28** The playing fields shall be used for Outdoor Sport and for no other purpose (including without limitation any other purpose in Class F2 of the Town and Country Planning Use Classes Order), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

**REASON:** To protect the playing field from loss and/or damage, to maintain the quality of and secure the safe use of sports pitch/es and to accord with LP Policy.

**29** Prior to the bringing into use of the Playing fields, a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. Measures set out in the approved scheme shall be complied with in full.

**REASON:** To ensure that new playing field is capable of being managed and maintained to deliver a playing field which is fit for purpose, sustainable and to ensure sufficient benefit of the development to sport (National Planning Policy Framework (NPPF) para 97) and to accord with LP Policy.

**30** In term of ecology, the reserved matters application(s) will be in accordance with:

- Site layout masterplan (Sean Pembroke Associates A-P10-001 Rev D August 2020).
- Ecology Survey and Assessment Report (Engain eg15715-REV04 29/07/2021)
- Parameters Plan, Landscape and Ecology (Greenhalgh drawing 038-021\_R 23/08/2021)
- Landscape Masterplan (Greenhalgh 038-001\_P 11/05/2021)
- Ecological Technical Note (Engain eg15715-EN-REV00 10/08/2021)

- **Revision 7 of Biodiversity Metric 2.0 submitted 23 August 2021**

**REASON:** In the interest of proper planning.

**31** A revised Biodiversity Metric Calculation using a metric agreed by the Local Planning Authority will be submitted with each reserved matters application. The revised metric will be in broad accordance with Revision 7 but recalculated to reflect the more detailed reserved matters application(s). The calculation will be supported by a revised plan for habitat creation and enhancements demonstrating the extent and area of each habitat. Accurate development boundaries will be overlaid on the plan to allow accurate scaling and location of mitigation measures. The calculation will demonstrate that for habitats, hedgerows and watercourses the development will achieve at least 100% mitigation (i.e. no net loss) for habitats lost to development. This condition will be discharged when a report has been submitted to and approved by the Local Planning Authority which demonstrates that the development has been completed in accordance with the approved metric calculation. Any shortfall in mitigation within the application site up to a maximum of 5% will be made up through contributions to the Council's Trowbridge Bat Mitigation Scheme.

**REASON:** to meet the requirements of the Trowbridge Bat Mitigation Strategy.

**32** No development shall commence in any phase of the development hereby approved until a scheme of hard and soft landscaping for the phase 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 during development
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities, together with details of how grassland habitats will be established
- finished levels and contours
- means of enclosure
- car park layouts
- other vehicle and pedestrian access and circulation areas
- all hard and soft surfacing materials
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc)
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc

- retained historic landscape features and proposed restoration, where relevant All trees tree(s) shall be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428

**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 a satisfactory landscaped setting for the development and the protection of existing important landscape features.

**33** All soft landscaping comprised of the approved details of landscaping shall be carried out in accordance with a phasing plan submitted to and approved by the Local Planning Authority. The Plan will cover formal landscape works and informal public open space and will demonstrate there will be no more than 12 months between an area being stripped and the completion of an area of equivalent value of biodiversity habitat. 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 timely offsetting of habitat for protected species.

**34** No development shall commence on site (including demolition, ground works, vegetation clearance) until a Construction Ecological Management Plan (CECoMP) has been submitted to and approved in writing by the local planning authority. The CECoMP shall include, but not necessarily be limited to, the following:

- Measures such as fencing and professional oversight, to ensure all land to be retained for habitat enhancement is excluded from any temporary or construction related use throughout the entire period of construction. Works permitted for these areas will be limited to SuDs creation, landscaping and essential utilities.
- Location of temporary work compounds throughout the construction phase
- Consideration of the impacts of diverting / installing utilities especially in the vicinity of the access road
- Compliance checking and recording by a third party, which will be in place throughout the construction period to ensure conditions relating to biodiversity are complied with in a timely way

- Surveys, mitigation and translocation, which will be undertaken to ensure risks to badgers, water voles, bats, herptiles, hedgehogs, birds and other relevant species are minimized throughout the construction period.
- Results of climbing bat surveys for trees 8, 15, 17 and 18 on Figure 6 of the Ecology Survey and Assessment Report (Engain eg15715-REV04 29/07/2021) and the mitigation which will be undertaken as a consequence of the findings.
- Methods which will be used for creating and enhancing habitats to reach target conditions identified in the revised biodiversity metric. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details. Details of the Ecologist supervising the ecological works will be forwarded to the Local Planning Authority before vegetation clearance works commence. This condition will be discharged when a completion report prepared by a professional Ecologist is submitted to the Local Planning Authority by the end of the next available planting season after the date of substantial completion of the development or phase thereof as appropriate. The Completion Report will certify whether the required mitigation and/or compensation measures identified in the CEMP have been completed to the Ecologists satisfaction and whether remediation is required before the condition can be discharged.

**REASON:** To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

**35** 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" published by the Bat Conservation Trust and Institution of Lighting Engineers.

Where light spill has the potential to impact core bat habitat, the lighting impact assessment of the reserved matters applications(s) must meet the requirements of section 8.3 of the Trowbridge Bat Mitigation Strategy in terms of the methodology for predicting post-development lighting conditions; maintenance of illuminance zones A, B and C, and; lighting design solutions.

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 maintain dark conditions at core bat habitat.

**36** A Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority before commencement of the development. The LEMP shall include:

- Information and map(s) to explain core bat habitats and how they will be managed to maintain their biodiversity
- Ecological and landscape objectives for parcels of public open space formal landscaped areas 1-5 year and long-term maintenance requirements for public open space and formal landscaped areas
- Replanting requirements after the 12 month planting contract
- Ongoing requirements for monitoring and reviewing effectiveness of the plan
- Details of SuDs management unless this is contained in a separate SuDs maintenance manual in which case this document should be referenced in the LEMP.

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

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission.

**37** Prior to the commencement of development, the design and location of nesting and roosting places for building dependent species of birds and bats that will be incorporated into the fabric of buildings shall be submitted to, and approved in writing by the Local Planning Authority and thereafter implemented and retained.

**REASON:** To provide mitigation /enhancement for biodiversity.

**38** No development shall commence within the area indicated (proposed development site) until a written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and the approved programme of archaeological work will be carried out in accordance with the approved details.

**REASON:** To enable the recording of any matters of archaeological interest.

**39** The development shall be designed and constructed in accordance with the noise mitigation measures specified in the Environmental Noise Assessment by Entran Ltd dated 15/10/2020.

**REASON:** To ensure the amenities of occupiers of the development are safeguarded.

**40** Prior to commencement of the development hereby approved, a scheme to ensure Drynham Road and Drynham Lane remain open to, and unobstructed for, vehicular and pedestrian traffic during the construction phase prior to, and up to, final closure of these roads, shall be submitted to and approved in writing by the local planning authority. The scheme shall thereafter be implemented as approved.

**REASON:** To ensure access is maintained on these roads for the benefit, safety and convenience of the residents of Drynham.

**41** No development shall commence on site until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the construction phase of the development. It shall include details of the following:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- Arrangements for liaison with the Council's Public Protection Team;
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08:00 Hours and 18:00 Hours on Mondays to Fridays and 08:00 and 13:00 Hours on Saturdays and; at no time on Sundays and Bank Holidays;
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above;
- Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimize noise disturbance from construction works;
- Procedures for emergency deviation of the agreed working hours;
- Control measures for dust and other air-borne pollutants;
- Measures for controlling the use of site lighting whether required for safe working or for security purposes;
- Construction traffic routing details.

The construction/demolition phase of the development will be carried out fully in accordance with the construction management plan at all times.

**REASON:** To safeguard amenity.

**INFORMATIVES:**

The applicant should note that if the intention is to offer the roads for adoption, the LLFA does not provide for the approval of drainage suitable for adoption by the Highway Authority. Further approval should be ascertained from the Highway Authority. To find out more about the processes required to secure road adoption, contact the Highway Authority at [HighwaysDevelopment@wiltshire.gov.uk](mailto:HighwaysDevelopment@wiltshire.gov.uk)

The applicant should note that new Sewerage Sector Guidance (published 1st April 2020) enables Water Companies to adopt SuDS features as part of the surface water drainage network. Policies and Guidance on this can be found at

<https://www.wessexwater.co.uk/services/building-and-developing/sector-guidance-onsewerage-and-water-adoption-agreements>

If the intention is to offer the drainage scheme up for adoption the applicant will need to consult with Wessex Water, prior to the submission of any drainage scheme details to the local planning authority, to ensure compliance under the new adoption codes and to formally commence the adoption process. Applicants should contact Wessex Water through [planning.liaison@wessexwater.co.uk](mailto:planning.liaison@wessexwater.co.uk) for further information/ discussion. The Lead Local Flood Authority will support any applications brought forward through the Wessex Water adoption process.

There must be no interruption to the existing surface water and/or land drainage arrangements of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively.

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. Wiltshire Council's land drainage bylaws can be downloaded [here](#). The land drainage consent application form and guidance notes can be found on our website [here](#).

The proposed access footbridges over the Drynham Brook within the site are predicted to flood, therefore in line with the National Planning Policy

**Framework, an emergency plan needs to be agreed with Wiltshire Council.**

**The applicants should be informed that there should be good parking provision (no reductions in either dwelling or visitor parking standards will be accepted) for dwellings in the area of the Drynham Lane hamlet – to prevent indiscriminate parking on this section of Drynham Lane.**

**The applicants should be informed that subject to Cabinet member approval trees within adoptable highway areas will attract a commuted sum of £726 per tree.**

**All reserved matters and full applications for the site will be considered under the Habitats Regulations. Further surveys may be required to support the Council's appropriate assessments.**

**The layout of sports pitches is such that future applications for floodlighting would have a high risk of impacting core bat habitat through direct illumination of the habitat and / or because lighting would be highly and visible to bats using core bat habitat safeguarded by this permission. Measures for mitigating impacts are likely to be limited in this constrained location.**

**The applicant is encouraged to ensure that the building elements of the 'multi-use community facility' incorporate flexible space – changing facilities, community/social hall, kitchen, etc. – with 'first offer' for handover of the facility being made to Trowbridge Town Council.**

64 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.40 am - 12.00 pm)

The Officer who has produced these minutes is Tara Shannon of Democratic Services, direct line 01225 718352, e-mail [tara.shannon@wiltshire.gov.uk](mailto:tara.shannon@wiltshire.gov.uk)

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