

STRATEGIC PLANNING COMMITTEE

MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 12 MARCH 2014 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Glenis Ansell, Cllr Terry Chivers, Cllr Andrew Davis (Chairman), Cllr Jose Green (Vice Chairman), Cllr Charles Howard, Cllr Bill Moss, Cllr Christopher Newbury, Cllr Anthony Trotman, Cllr Nick Watts, Cllr Fred Westmoreland and Cllr Graham Wright

Also Present:

Cllr David Jenkins, Cllr Gordon King, Cllr Jonathon Seed and Cllr Jerry Wickham

22 **Apologies for Absence**

There were no apologies for absence.

23 **Minutes of the Previous Meeting**

Resolved:

To confirm and sign as a correct record the minutes of the previous meeting held on 12 February 2014.

24 **Declarations of Interest**

There were no declarations of interest.

25 **Chairman's Announcements**

There were no Chairman's announcements.

26 **Public Participation and Councillors' Questions**

There were no questions received from members of the public or members of the Council.

27 **W/13/06140/FUL - Land at Snarlton Farm, Snarlton Lane, Melksham, Wiltshire, SN12 7QP - Development of 80.5 ha Solar Photovoltaic Farm with Attendance Equipment and Infrastructure**

The following people spoke against the proposal:

Mr Jack Churchill, a local resident
Ms Sue McCulloch, a local resident
Mr John Kirkman, representing the CPRE

The following people spoke in support of the proposal:

Mr Roger Keen, a local resident
Ms Shirley McCarthy, a local resident
Mr St J Hughes, the applicant

The Committee received a presentation by the Area Development Manager which set out the main issues in respect of the application and updated the Committee with details of the National Planning Practice Guidance relevant to this proposal that had been issued by the Government since publication of the officer's report. He introduced the report which recommended that planning permission be granted subject to conditions.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

Members then heard the views of Cllr Terry Chivers, as local Member who explained that he called this application for Members to determine in view of:

- The scale of the development
- The visual impact upon the surrounding area
- The relationship with adjoining properties
- The design, bulk, height and general appearance
- Environmental and/or highway impacts
- Public interest

He went on to inform the Committee that despite wide consultation within his constituency, he had only encountered one objection to the proposal.

Cllr Jonathon Seed, an adjoining local Member reported that a number of his constituents in Seend objected to the proposal principally on account of visual impact from their properties.

Resolved:

To defer consideration of the application pending the holding of a site visit on Wednesday 23 April 2014 and that consequently the start time of

the scheduled meeting of the Committee due to be held on that date be delayed until after the completion of the site visit.

28 **W/13/03568/OUT - Land at The Mead, Westbury, Wiltshire - Up to 220 Dwellings (C3), Creation of a New Access from The Mead, Creation of a New Emergency/Cycle and Pedestrian Access from Trowbridge Road, Open Space, Drainage Works and Ancillary Works**

The following person spoke against the proposal:

Mr Francis Morland, a resident of Chapmanslade

The following person spoke in support of the proposal:

Mr John Hall, the agent

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. She introduced the report which recommended that planning permission be granted, subject to the prior completion of a Section 106 legal agreement and also subject to conditions.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

Members then heard the views of Cllr David Jenkins, the local Member objecting to the proposal on the grounds of its scale considering that Westbury was overdeveloped. He also drew attention to the need for a second exit from the site and was concerned that the land might well be susceptible to flooding.

Cllr Gordon King, an adjoining local Member, also expressed his opposition to the proposal principally on the grounds of insufficient infrastructure and lack of adequate highway facilities.

During the following discussion, Members were informed that no objections had been received from Wessex Water or the Wiltshire Council Drainage Officer regarding flooding or drainage. Furthermore, no objections had been received from Wiltshire Council's Highways Officer to highway proposals.

After further discussion,

Resolved:

To delegate to the Area Development Manager to grant planning permission, subject to the prior completion of a Section 106 legal agreement in relation to the following matters:-

- The delivery of affordable housing
- The delivery of a contribution towards local education provision
- The delivery of a contribution towards on site play and open space provision
- The delivery of a contribution towards the introduction, improvement and enhancement of bus services, footways and cycle improvements, to be decided after consultation with Westbury Town Council and Westbury Area Board.

And subject to the following conditions:-

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

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

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

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

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

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

- 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 more than 220 dwellings shall be erected on the site.

REASON: To accord with the terms of the submitted application.

- 5 The development hereby permitted shall be carried out in accordance with the following approved plans:**

Figure 1.1 (Ref 33507-Shr83.dwg), Drawing labelled as Detailed Main Access received on 16th August 2013.

Reason: For the avoidance of doubt and in the interests of proper planning

- 6 No dwellings shall be constructed on site until details and samples of the materials to be used for the external walls and roofs 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: In the interests of visual amenity and the character and appearance of the area.

- 7 No dwelling shall be constructed on site until there has been submitted to and approved in writing by the Local Planning Authority, a plan indicating positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed, before the buildings are occupied, in accordance with a timetable agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

REASON: In the interests of visual amenity and the character and appearance of the area.

- 8 No development shall commence on site until a hard and soft landscaping scheme and implementation programme has been submitted to and approved in writing by the Local Planning Authority, details of which shall include:**

- indications of all existing trees and hedgerows on the land;**
- details of any to be retained, together with measures for their protection in the course of development;**
- all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;**
- finished levels and contours of the land;**
- means of enclosure;**
- car parking layouts;**
- other vehicle and pedestrian access and circulation areas;**
- hard surfacing materials;**

**-biodiversity enhancement proposals
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);**

All hard and soft landscape works shall be carried out in accordance with the approved details and shall be completed prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the Local Planning Authority. 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.

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

- 9 No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction -Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and;**

The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work - Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be

retained on the site or adjoining land.

[In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later].

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

- 10** No development shall commence on site until the Local Planning Authority has been provided with written confirmation that, in the opinion of the developer, the site is likely to be free from contamination which may pose a risk to people, controlled waters or the environment. Details of how this conclusion was reached shall be included.

If, during development, any evidence of historic contamination or likely contamination is found, the developer shall cease work immediately and contact the Local Planning Authority to identify what additional site investigation may be necessary.

In the event of unexpected contamination being identified, all development on the site shall cease until such time as an investigation has been carried out and a written report submitted to and approved by the Local Planning Authority, any remedial works recommended in that report have been undertaken and written confirmation has been provided to the Local Planning Authority that such works have been carried out. Construction shall not recommence until the written agreement of the Local Planning Authority has been given following its receipt of verification that the approved remediation measures have been carried out.

REASON: To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

- 11** No works shall commence on site until an ecological mitigation plan has been submitted to and approved in writing by the Local Planning Authority. The plan will contain details of measures necessary to avoid impacts to protected species and valuable habitats during the construction phase. The works shall then be implemented in accordance with the approved details.

REASON: In the interest of ecology

- 12 No works shall commence on site until a lighting scheme has been submitted to the Local Planning Authority. The lighting scheme shall then be carried out in accordance with the approved details.**

REASON: In the interest of ecology

- 13 Construction of dwellings hereby permitted shall not commence on site until details of the storage of refuse, including details of location, size, means of enclosure and materials have been submitted to and approved in writing by the Local Planning Authority. A dwelling shall not be first occupied until the approved refuse storage for that dwelling has been completed and made available for use in accordance with the approved details and it shall be retained in accordance with the approved details thereafter.**

REASON: In the interests of public health and safety

- 14 Construction of dwellings hereby permitted shall not commence until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the approved items serving that dwelling have been carried out in accordance with the approved details.**

REASON: To ensure that the roads are laid out and constructed in a satisfactory manner.

- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), the garages hereby permitted shall not be converted to habitable accommodation.**

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

- 16 Prior to first occupation of any dwelling on site, the two bus stops on The Mead near to the site shall have been relocated, with high access kerbs installed at the new locations, in accordance with details to be first submitted to and approved in writing by the Local Planning Authority**

REASON: In the interests of safe and convenient access to public transport.

- 17** Prior to first occupation of any dwelling on site, a pedestrian refuge with illuminated bollards and associated lowered kerbs and tactile paving shall have been constructed on The Mead in accordance with details to be first submitted to and approved by the Local Planning Authority.

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

- 18** Prior to first occupation of any dwelling on the site, the site access shall have been laid out and constructed including the installation of pipes to take the water flow in the frontage ditch, in accordance with details to be first submitted to and approved by the Local Planning Authority. The details to be submitted shall include a vehicle track of a large refuse vehicle, (10.5 metres long) entering and leaving the site to establish that the proposed pedestrian refuge in the mouth of the junction is correctly located.

REASON: In the interests of highway safety

- 19** Prior to the occupation of the 20th dwelling on site, a 2 metre wide footway over the site frontage along The Mead between the end of the existing footway at The A350 / The Mead roundabout and a point 30 metres south-east of Bitham Brook shall have been constructed in accordance with details to be first submitted to and approved by The Local Planning Authority. The submitted details are likely to include a retaining wall to support the footway with safety rails on top of the wall (given the proximity of the substantial frontage ditch), and will include details of the relocation of the existing lighting columns to the back of the new footway.

REASON: In the interests of highway safety.

- 20** No development shall commence on site until a Full Travel Plan based on the submitted Framework Travel Plan has been submitted to and approved by the Local Planning Authority. The Full Travel Plan shall include details of implementation and monitoring including the appointment of a travel plan co-ordinator for 6 years, and shall be implemented in accordance with the agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request together with any changes to the plan arising from those results.

REASON: In the interests of road safety and reducing vehicular traffic to and from the development.

21 Prior to commencement of the development the two farm gate access points from the site to the A350 shall have been properly and permanently closed with the existing lowered kerbs being replaced by full height kerbs and the footway locally resurfaced to suit the revised levels.

REASON: In the interests of highway safety.

22 No access including pedestrian access points shall be made from the site to the A350 at any time, other than that shown on the approved plans.

REASON: In the interests of highway safety.

23 The development hereby permitted shall not be commenced until such time as a scheme to ensure no raising of ground levels within Flood Zones 3 and 2 as determined within the FRA prepared by AMEC Revision 5 dated 15 August 2013 has been submitted and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To prevent increased flood risk by ensuring the satisfactory fluvial floodplain storage

24 No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

REASON: To prevent pollution of the water environment

25 The development hereby permitted shall not be commenced until such time as a scheme to ensure finished floor levels are set as described within the FRA prepared by AMEC Revision 5 dated 15 August 2013 has been submitted and approved in writing by, the local planning authority.

REASON: To reduce the risk of flooding to the proposed development and future occupants

26 No development shall commence until a surface water management scheme for the site as outlined within the FRA prepared by AMEC

Revision 5 dated 15 August 2013, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall be situated outside of Flood Zones 3 and 2. The submitted details shall clarify the intended future ownership and maintenance provision for all drainage works serving the site. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

REASON: To prevent the increased risk of flooding, and ensure future maintenance of the surface water drainage system.

27 No development shall commence on 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 has been carried out in accordance with the approved details.

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

28 No development shall commence on site until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. It shall include the following:

- the parking of vehicles of site operatives and visitors;**
- loading and unloading of plant and materials;**
- storage of plant and materials used in constructing the development; the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
- wheel washing facilities;**
- measures to control the emission of dust and dirt during construction;**
- measures for the protection of the natural environment; and hours of construction, including deliveries.**

The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out other than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the

natural environment through the risks of pollution and dangers to highway safety during the construction phase.

- 29** Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:30 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.

REASON: To protect neighbouring amenity.

- 30** The reserved matters application shall include site layout, orientation of the dwellings and facade treatments and ventilation schemes designed to minimise the effect of both road and rail noise on the occupants by:

" Siting external recreation areas on the protected facade of the dwellings

" Siting windows to habitable rooms on the protected facade of the dwellings; or where that is not possible

" Upgrading the windows, doors and building envelope and providing mechanical ventilation so as to obviate the need to open windows on the noise affected facade.

The details submitted shall be sufficient to meet the "good" standard, as described in BS8233:1999 in all habitable rooms either with windows open, or with windows closed if the second option for treatment is required; and shall achieve a maximum level of 55 dBA Leq in all recreational areas.

REASON: To protect the amenity of future occupants.

- 31** **INFORMATIVE TO APPLICANT:**
This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the ?? 2014

- 32** **INFORMATIVE TO APPLICANT**
The Developer should be encouraged to submit an application for prior consent under the Control of Pollution Act, 1974 to the Local Authority to address mitigation of noise from the construction phase.

- 33** **INFORMATIVE TO APPLICANT:**
It is important for the applicant to note that the indicative layout has not been considered acceptable in terms of ecology due to the location of proposed footpaths which the Local Planning Authority will expect to be provided to create links to the neighbouring residential development and to the canal. A further ecological mitigation strategy relevant to species found within the site will also need to be submitted with any reserved matters application for approval.

34 INFORMATIVE TO APPLICANT:

The attention of the applicant is drawn to the following informatives requested by the Environment Agency:

1) There must be no interruption to the surface water drainage system 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 and that riparian owners upstream and downstream of the site are not adversely affected.

2) Any surface water soakaways may require the approval of the Local Authority's Building Control Department and should be constructed in accordance with the BRE Digest No 365 or CIRIA Report 156 "Infiltration Drainage, Manual of Good Practice". Only clean, uncontaminated surface water should be discharged to soakaway.

3) There are ordinary watercourses within or in close proximity to the site. If it is intended to obstruct the flow in the watercourse (permanently or temporarily, including culverting) prior Land Drainage Consent will be required from Wiltshire Council as the Lead Local Flood Authority. Please contact the Drainage Team to discuss their requirements.

4) Wetlands are important wildlife habitats that support a wide variety of plants and animals, including rare and endangered species. Development should aim to prevent deterioration and enhance the status of aquatic ecosystems and associated wetlands. Furthermore a key output of the England Biodiversity Strategy for 2008 is a 50 year vision for wetlands. The Wetland Vision looks forward 50 years to a future where freshwater wetlands full of wildlife are found across the urban and rural landscapes, and where they are valued by society for the services they provide.

5) In England, it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000. The level of detail that a SWMP should contain depends on the estimated build cost, excluding VAT. The duty of care for waste must also be complied with. Because all waste movements need to be recorded in one document, having a SWMP will help to ensure compliance with the duty of care.

6) It is important for the applicant to note that the members of the Strategic Planning Committee would like to see a further access to the site which should be agreed with the highways officers at Wiltshire Council.

29 **Date of Next Meeting**

Resolved:

To note that the next meeting was due to be held on Wednesday 23 April 2014 in the Council Chamber at County Hall, Trowbridge.

(Duration of meeting: 10.30 am - 1.00 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic & Members' Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

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