

AGENDA SUPPLEMENT (1)

Meeting: Council
Place: Council Chamber, County Hall, Trowbridge
Date: Tuesday 18 May 2010
Time: 11.00 am

The Agenda for the above meeting was published on 5 May 2010 and indicated that the reports detailed below would be to follow. These are now available and are attached to this Agenda Supplement.

Please direct any enquiries on this Agenda to Yamina Rhouati, of Democratic and Members' Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718024 or email yamina.rhouati@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

4. **Minutes of Previous Meeting** (Pages 1 - 4)

At its meeting on 23 February, Council resolved that the Leader write to HM Treasury (copied to Ministers) to press for an explanation of why this authority continued to be poorly funded in comparison to other authorities. The Leader has written such a letter and for Council's information, the letter sent and the response received from DCLG are attached.

6. **Election Results** (Pages 5 - 6)

To receive and note the Returning Officer's return in respect of the Parliamentary elections held on 6 May 2010

8. **Petitions** (Pages 7 - 10)

Night TaxiBuzz Service – Pewsey Vale area - 187 signatories
Petition and petition statement attached.

9. **Public Participation** (Pages 11 - 12)

Question received from Mr R Kavanagh of Hilperton. Question and response will be circulated prior to the meeting via the group rooms.

13. **Councillors' Questions** (Pages 13 - 30)

Questions have been received from:

Councillors: Fogg, Carbin, Clark, Colmer and Jeff Osborn.

The questions have now been added with the meeting papers on the Council's website. Questions and responses will be circulated prior to the meeting via the group rooms.

16. **Minutes of Cabinet and Committees** (Pages 31 - 60)

Minutes of the following meetings which were marked to follow in the Summons

Northern Area Planning Committee - 28 April 2010

Eastern Area Planning Committee - 29 April 2010

DATE OF PUBLICATION: 14 May 2010

Agenda Item 4

Jane Scott
Leader of the Council

8th April, 2010

The Rt. Hon. John Denham, M.P.,
Secretary of State for Communities
& Local Government
Communities & Local Government,
Eland House,
Bressenden Place,
LONDON, SW1E 5DU.

Cabinet Office
County Hall
Trowbridge
Wiltshire
BA14 8JN

Your ref:
Our ref: jas/lg

Dear

Local Government Funding

My Council has been concerned for some time now about the level of formula grant funding for the new unitary of Wiltshire and I undertook to seek your guidance, and challenge you on the basis of that grant funding level. It would seem that we received a smaller formula grant increase than any new unitary authority, only 1.7%, and much less than our nearer neighbours, as can be seen by the figures here:

Shropshire	3.8% increase
Cornwall	4.5% increase
Northumberland	2.9% increase

In addition neighbouring authorities received even bigger increases.

Dorset	7.1% increase
Somerset	5.5% increase
Bath & North East Somerset	4.0% increase

I am greatly concerned that the small increase received by Wiltshire Council has put pressure on maintaining services whilst keeping council tax increases within inflation.

If Wiltshire Council had received similar increases in funding as other new authorities then we would have been in line to receive an estimated £3m more – equivalent to over 1% rise in council tax for the Wiltshire taxpayer.

We are justifying our increases and efficiencies to the taxpayer and it would be helpful if you could justify the small increase Wiltshire has received in comparison to other councils facing similar budget pressures.

Yours sincerely

Jane Scott
Leader of the Council

Telephone: 01225 713111
Fax: 01225 713089
Email: janescott@wiltshire.gov.uk

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Councillor Ms Jane Scott
Leader of the Council
Wiltshire Council
Cabinet Office
County Hall
Trowbridge
Wiltshire
BA14 8JN

Barbara Follett
Parliamentary Under Secretary of State

**Department for Communities and Local
Government**
Eland House
Bressenden Place
London SW1E 5DU

Tel: 0303 444 3430
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www.communities.gov.uk

Our Ref: JD/BF/009068/10
Your Ref: jas/lg

29 APR 2010

Dear Councillor Scott,

Thank you for your letter of April 8th 2010 addressed to the Rt Hon John Denham, about the level of formula grant funding to Wiltshire Council. Your letter has been passed over to me for reply.

You say that Wiltshire Council received a smaller formula grant increase than any new unitary authority and much less than your nearer neighbours - it might be helpful if I briefly explain how formula grant is distributed.

Formula grant, which comprises Revenue Support Grant, redistributed business rates and principal formula Police Grant, where appropriate, is largely distributed using the socio-economic and demographic characteristics of the authority, together with the number of band-D equivalent properties within the authority's area. We apply the same formula to all authorities that provide the same services and we also use the best data that are available on a consistent basis across all authorities. We then ensure that every authority receives at least a minimum percentage increase year-on-year (the 'floor') on a like-for-like basis i.e. after adjusting for changes in funding and function. In order to pay for the cost of the floor we scale back the increase above the floor for all other authorities.

This means that generally an authority with a high need to spend on services, for example due to deprivation, and a low ability to raise funds locally i.e. council tax will receive more formula grant than an authority with a low need to spend and high ability to raise funds locally.

However, as you will appreciate, special arrangements have had to be made for authorities created through restructuring during a 3-year settlement period in order to ensure that formula grant for authorities not directly affected by restructuring remains unchanged.



We consulted during the summer of 2007 on options for the 2008-09 to 2010-11 Local Government Finance Settlements. Chapter 2 of that document explained how we intended to calculate the amount of formula grant for authorities undergoing restructuring during this 3-year settlement period. We explained that in those cases where a new unitary authority is created on existing county council boundaries we would simply sum the provisional formula grant for the predecessor authorities to work out how much the new unitary authority would receive. From 2011-12 onwards, the amount of formula grant will be calculated on the new authority boundaries.

We also explained that this methodology could result in the new unitary authority receiving a grant increase below the education/PSS floor. This was most likely to occur where all of the predecessor authorities were at or just above the floor, and where the district floor was lower than the education/PSS floor. In 2009-10, the district floor was set at 0.5% whilst the education/PSS floor was set at 1.75%.

The table below shows the calculation of the provisional 2009-10 and 2010-11 formula grant amounts for Wiltshire.

Local Authority	Adjusted	Provisional	Change	
	2008/09 Formula Grant (£ million)	2009/10 Formula Grant (£ million)	(£ million)	(%)
Wiltshire (Old)	69.175	70.385	1.211	1.75%
Kennet	5.253	5.279	0.026	0.50%
North Wiltshire	8.141	8.182	0.041	0.50%
Salisbury	7.879	7.952	0.073	0.93%
West Wiltshire	8.662	8.980	0.317	3.66%
Wiltshire (New)	99.110	100.778	1.668	1.68%

Local Authority	Adjusted	Provisional	Change	
	2009/10 Formula Grant (£ million)	2010/11 Formula Grant (£ million)	(£ million)	(%)
Wiltshire (Old)	70.322	71.584	1.262	1.79%
Kennet	5.279	5.311	0.032	0.60%
North Wiltshire	8.182	8.223	0.041	0.50%
Salisbury	7.952	8.053	0.101	1.28%
West Wiltshire	8.980	9.272	0.292	3.25%
Wiltshire (New)	100.715	102.442	1.728	1.72%

Yours sincerely,

BARBARA FOLLETT

PP 

Agenda Item 6

Declaration of result of poll
Thursday 6 May 2010

Election of Members of Parliament

Devizes constituency

Name of candidate	Description (if any)	Number of votes*
ALI, Junab	The Labour Party candidate	4,711
BRYANT, Patricia Anne	UK Independence Party	2,076
COOME, Nic	Libertarian Party	141
FLETCHER, Mark	Green Party	813
HORNBY, Fiona Clare	Liberal Democrats	12,514
HOULDEN, Martin James	Independent	566
PERRY, Claire Louise	The Conservative Party candidate	25,519 ELECTED
The number of ballot papers rejected		60
Turnout		68.87%

Salisbury constituency

Name of candidate	Description (if any)	Number of votes*
GANN, Thomas George	The Labour Party candidate	3,690
GLEN, John Philip	The Conservative Party candidate	23,859 ELECTED
HOLME, John	Independent	119
HOWARD, Frances Mary	UK Independence Party	1,392
PENDRAGON, Arthur Uther	Independent	257
RADFORD, Nicholas Michael Hector	Liberal Democrat	17,893
STARTIN, Nicholas James	Green Party	506
WITHERIDGE, Sean	British National Party	765
The number of ballot papers rejected		43
Turnout		71.97%

South West Wiltshire constituency

Name of candidate	Description (if any)	Number of votes*
BLACK, Crispin Nicholas	Independent	446
CARBIN, Trevor William	Liberal Democrat	14,954
CUTHBERT-MURRAY, Michael Andrew	UK Independence Party	2,684
MURRISON, Andrew William	The Conservative Party candidate	25,321 ELECTED
RENNISON, Rebecca Louise	The Labour Party candidate	5,613
The number of ballot papers rejected		91
Turnout		68.5%

North Wiltshire constituency

Name of candidate	Description (if any)	Number of votes*
ALNATT, Philip George	Independence	208
BENNETT, Charles Anselm	UK Independence Party	1,908
CHAMBERLAIN, Phillip Christopher	Green Party	599
EVEY, Michael Stephen	Liberal Democrat	17,631
GRAY, James Whiteside	The Conservative Party candidate	25,114 ELECTED
HUGHES, Jason Philip	The Labour Party candidate	3,239
The number of ballot papers rejected		75
Turnout		73.55%

Chippenham constituency

Name of candidate	Description (if any)	Number of votes*
EMMANUEL-JONES, Wilfred	The Conservative Party candidate	21,500
FLETCHER, Samantha	The Green Party	446
HAMES, Duncan John	Liberal Democrats	23,970 ELECTED
LOVELL, Gregory Stewart	The Labour Party candidate	3,620
MAGUIRE, Jonathan Paul	English Democrats – “Putting England First!”	307
REID, Julia	UK Independence Party	1,783
SEXTON, Richard Graham	The Christian Party	118
SIMPKINS, Michael	British National Party	641
The number of ballot papers rejected		58
Turnout		72.74%

Please reply to:

STATEMENT TO FULL COUNCIL

18 May 2010

Night TaxiBuzz Petition: "Efficiency savings, not bus cuts"

Members of Kennet Passengers have gathered signatures at very short notice to petition Wiltshire Council to object to the decision to cut the Night TaxiBuzz which links Devizes to Pewsey station and 20 villages in between in the evening.

There is a great deal of frustration and upset which spilled out onto the pavements of Bus Island in Devizes on 26th April. People were bemused that they had not been consulted and that implications were only now being considered after the decision was made. They had been led to believe that their 2.5% tax increase was a matter of inflation and maintaining services.

The withdrawal is not a review, nor is it about efficiency savings, nor is it a reduction of services. It is a 100% axing of an essential service for people of all ages from 12 to 70 for whom there are few realistic alternatives.

The Night TaxiBuzz is not a declining service - the usual target for bus cuts. It is growing week on week despite its near invisibility and absence of proper marketing. Usage has steadily increased with 4,000 trips last year, and early indications suggest 4,500 with more potential to grow.

The Night TaxiBuzz is fulfilling a long standing need and the consequences are serious. Social isolation for all age groups can be more devastating in rural areas and needs special consideration by Wiltshire Councillors:

- Bus pass holders would not be able to use their passes on replacement taxis.
- Fare paying passengers would not be able to afford the taxi fares.
- Particularly hard hit are those returning from college, school leavers and low paid workers returning from work after 5.30, those working later shifts at the supermarket, those going to youth club, those who would otherwise suffer rural isolation, and those with physical or learning difficulties to attend the Gateway social club in Woodborough - journeys not readily transferred affordably.

Wiltshire has referred to this service as an experiment. Even if this were an experiment we would have to hail it as a social success. It has reached its policy targets.

Association of Kennet Passengers and Devizes TravelAID Project
c/o Community Transport Officer, Wyndhams
St Joseph's Place, Devizes, Wiltshire, SN10 1DD
24 hour Tel/Fax: 01380 860183 E: info@kennetpassengers.com
www.kennetpassengers.com and www.wiltshireandbeyond.co.uk

The fact is that Night TaxiBuzz replaced the well established Wigglybus Night Service with some extra rounds inserted to link with trains arriving at Pewsey between 18.41 and 21.38. These taxibus journeys reduce parking congestion in and around Pewsey Station, but like many other users of the evening services, these are return journeys for those making the outward journey in the morning. Consequently there will be an inevitable impact on the day time services and the risk now is a vicious cycle of decline.

The Council have told us that in order to meet a £187,000 cut in the public transport unit budget the service has to go and that it is too expensive. Various calculations have been bandied about starting at over £10 per passenger, but more recently Wiltshire has quoted £4.50, frequently recycling Kennet Passengers' own calculations to suit the argument.

The crucial points to make about unit costs are that:

1. The potential market still hasn't been reached
2. Wiltshire's criteria of £3.50 per passenger is achievable soon
3. Devizes Taxis have offered to halve their contract costs
4. Taxibuzz uses a low tech switchboard instead of a hi tech call centre
5. Fares could be increased
6. One of the rounds could be cut

The most bizarre aspect of Wiltshire's decision was that before the announcement was made to parish councils, Wiltshire commissioned the Association of Kennet Passengers to make proposals on how cuts and improvements could be made in local services. We showed that real savings could be made without major cuts to front-line services by reducing costly overheads and pushing hard at contract costs. But before the ink was dry on the final report Taxibuzz was arbitrarily closed.

We are under no illusion that cuts will have to be made to public services but this cut is an easy quick fix target. Unless the Council demonstrates more business sense and professionalism banner waving on Bus Island is bound to accompany threats to valued services. People want to see that proper procedures and user engagement have been observed and that wasteful overheads have been removed. If Wiltshire is managing decline then we need to debate the best way forward. If Wiltshire, a new unitary authority which has staked its reputation on community engagement, cannot demonstrate a fairer and more rational approach the Council will not be able to carry the people with them through these challenging times.

For this reason our petition asks Wiltshire Council: please revisit your decision with an open mind and give the service a chance to prove itself.

Unusually, consideration of making savings and alternative options to service closure will be against the background of an expert case study report that Wiltshire commissioned to inform itself. This alone is reason enough to reconsider this case.

PLEASE SIGN OUR PETITION AND HELP US SAVE OUR BUS SERVICE

WHIAAAT!! NO MORE NIGHT TAXIBUZZ?

'Efficiency savings' do not = Bus cuts!

WE THE UNDERSIGNED do not accept that Wiltshire Council's arbitrary axing of the Devides Night TaxiBuzz on 28 May 2010. The cut is unnecessary, the service should be SAVED and:

- We agree that the Devides Night TaxiBuzz is essential for 20 Pewsey Vale villages
- We want to see this service continue to and from Pewsey station where it is reducing parking congestion and has the greatest potential to INCREASE BUS USAGE BY CAR DRIVERS
- We believe that £25,000 (i.e. 50% of the costs) has been WASTED during the first two years of the TaxiBuzz contract
- We want to see all overheads reviewed BEFORE axing our front line service
- We want Wiltshire Council to accept Devides Taxis' offer to save 50% of the contract price
- We believe that effective advertising of the service would increase usage and reduce costs
- We support the Kennet Passengers' report which shows how savings can be made WITHOUT removing the service (see www.kennetpassengers.com)
- We want Wiltshire Council to undertake a 6 MONTHS MORATORIUM to consider better options AND bring BETTER VALUE TO WILTSHIRE.

THIS MEANS:

- We want more business sense from local government transport experts
- We believe Wiltshire should show that the new bigger unitary authority is more efficient and is more in touch with the local people they serve by listening to the community.

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WILTSHIRE COUNCIL

**COUNCIL
18 MAY 2010**

PUBLIC PARTICIPATION

QUESTION FROM MR ROSS KAVANAGH OF HILPERTON

**TO COUNCILLOR JOHN BRADY, CABINET MEMBER FOR ECONOMIC
DEVELOPMENT, PLANNING AND HOUSING**

Question

In the West Wilts Core Strategy, Hilperton was treated as a village. During the consultation process more than 300 objections - over half of total responses - were received concerning further development around Hilperton.

Why in the consolidated Wilts 2026 paper is Hilperton no longer listed as a village but as part of Trowbridge? Will the Council provide concrete assurance that such a clear public mandate will be acted upon and Hilperton will continue to be treated as a village for planning purposes?"

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WILTSHIRE COUNCIL

ANNUAL COUNCIL

18 MAY 2010

COUNCILLORS' QUESTIONS

QUESTION FROM COUNCILLOR NICK FOGG
MARLBOROUGH WEST DIVISION

TO COUNCILLOR JANE SCOTT
LEADER OF THE COUNCIL

Question 1

Is she aware of the article that appeared in *Private Eye* on April 30th concerning bonuses awarded at Kennet District Council? Can she comment on the accuracy of the report and advise this Council if it is intended to take any further steps as a result of the report on the issue by KPMG?

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WILTSHIRE COUNCIL

ANNUAL COUNCIL

18 MAY 2010

COUNCILLORS' QUESTIONS

QUESTION FROM COUNCILLOR TREVOR CARBIN
HOLT AND STAVERTON DIVISION

TO COUNCILLOR JANE SCOTT
LEADER OF THE COUNCIL

Question 1

One of the three key goals set out in WC's First Year Plan was to "Ensure local, open, honest decision making." Cabinet on 23rd June 2009 resolved to devise a rotation scheme for meetings of the Cabinet "so that meetings are held regularly around the county."

Of the ten Cabinet meetings since that resolution was made one (July 2009) was held in Salisbury and the next nine were in County Hall.

What is the reason for this failure of Cabinet to observe its own resolution of June 2009?"

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WILTSHIRE COUNCIL

ANNUAL COUNCIL

18 MAY 2010

COUNCILLORS' QUESTIONS

**QUESTION FROM COUNCILLOR TREVOR CARBIN
HOLT AND STAVERTON DIVISION**

**TO COUNCILLOR JOHN THOMSON
DEPUTY LEADER AND CABINET MEMBER FOR ADULT CARE,
COMMUNITIES AND LIBRARIES**

Question 1

The publication "Valley News" has been banned from Wiltshire libraries.
Why?

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WILTSHIRE COUNCIL

**COUNCIL
18 MAY 2010**

COUNCILLORS' QUESTIONS

**QUESTION FROM COUNCILLOR ERNIE CLARK HILPERTON
DIVISION**

**TO COUNCILLOR JANE SCOTT
LEADER OF THE COUNCIL**

Question 1

The 30th April/13th May edition of Private Eye carried an article in its Rotten Boroughs page entitled 'Under the counter'. This brought the matter of non-pensionable honoraria awarded by Kennet District Council into the public domain. The article named a councillor involved in the process and gave details of the sum of money awarded to various officers (over £60,000).

In the interest of 'open decision making' will this matter in future be discussed by the Audit Committee in public, or will this council still seek to use the Data Protection Act 1998 to keep the matter 'under wraps'?

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WILTSHIRE COUNCIL

**COUNCIL
18 MAY 2010**

COUNCILLORS' QUESTIONS

**QUESTION FROM COUNCILLOR ERNIE CLARK HILPERTON
DIVISION**

**TO COUNCILLOR JOHN BRADY, CABINET MEMBER FOR ECONOMIC
DEVELOPMENT, PLANNING AND HOUSING**

Question 1

Under the proposed revision to the Housing Revenue Account debt plan, Wiltshire Council's 'council housing' debt will increase from £4million to £119million. Is the council in broad agreement to this £115million increase? If so, why?

Notwithstanding grants currently available exclusively to councils, would it not be prudent for this council to encourage its tenants to allow a transfer of the housing stock to either a RSL or an ALMO with existing WC staff TUPE'd to the new body?

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COUNCILLORS' QUESTIONS

**QUESTION FROM COUNCILLOR ERNIE CLARK HILPERTON
DIVISION**

**TO COUNCILLOR JOHN BRADY, CABINET MEMBER FOR ECONOMIC
DEVELOPMENT, PLANNING AND HOUSING**

Question 1

I have not been able to find any reference to the provision of affordable housing in the LDF consultation document. Currently in west Wiltshire there is a requirement for up to 50% provision in villages and up to 30% in towns for new developments that meet certain criteria. On 'exception' sites outside Village Policy Limits (VPL) the requirement is for 100% unless the housing is for agricultural or forestry workers.

Assuming that this authority will still be seeking a mechanism for affordable housing to be built via 'planning gain', what criteria will be used for villages where you propose to remove the VPL? How will you control small scale 'speculative' housing from intruding into the countryside? Will villages that have their VPL removed only see 30% affordable housing in future, thus denying villages much needed houses for rent?

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WILTSHIRE COUNCIL

**COUNCIL
18 MAY 2010**

COUNCILLORS' QUESTIONS

**QUESTION FROM COUNCILLOR ERNIE CLARK HILPERTON
DIVISION**

**TO COUNCILLOR JOHN BRADY, CABINET MEMBER FOR ECONOMIC
DEVELOPMENT, PLANNING AND HOUSING**

Question 1

Time and again we see the strap line 'Wiltshire Council. Where everybody matters'. Could the planning portfolio holder therefore advise why the Spatial Planning department seems intent on ignoring the opinion of some 500+ Hilperton residents in their response to a WWDC consultation document regarding future development around Hilperton? Does he want a petition served on the council, similar to that from Chippenham residents recently, to convince him that this council is working against residents and not for them in Hilperton?

Why has the stance regarding the Hilperton Village Policy Limit changed since the recent departure of an ex WWDC planning consultant?

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WILTSHIRE COUNCIL

COUNCIL
18 MAY 2010

COUNCILLORS' QUESTIONS

**QUESTION FROM COUNCILLOR PETER COLMER
CRICKLADE, LATTON & MARSTON MEYSEY DIVISION**

**TO COUNCILLOR JOHN THOMSON, DEPUTY LEADER AND CABINET
MEMBER FOR ADULT CARE, COMMUNITIES AND LIBRARIES**

Question 1

What is the total annual cost in administering the Area Board process (excluding the grant funding sum of circa £1m)?

**TO COUNCILLOR JOHN BRADY, CABINET MEMBER FOR ECONOMIC
DEVELOPMENT, PLANNING AND HOUSING**

Question 1

How is the Homes 4 Wiltshire data base audited to remove applicants that no longer require affordable housing and how often is this process carried out?

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WILTSHIRE COUNCIL

COUNCIL
18 MAY 2010

COUNCILLORS' QUESTIONS

**QUESTION FROM COUNCILLOR JEFF OSBORN TROWBRIDGE GROVE
DIVISION**

**TO COUNCILLOR LIONEL GRUNDY CABINET MEMBER FOR
CHILDREN'S SERVICES**

Question 1

How has the Local Education Authority been affected by the publicised action not to implement SATS?

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NORTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 28 APRIL 2010 AT COUNCIL CHAMBER, WILTSHIRE COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Tony Trotman (Chairman), Cllr Peter Colmer, Cllr Christine Crisp, Cllr Peter Davis, Cllr Peter Doyle, Cllr Alan Hill, Cllr Peter Hutton, Cllr Simon Killane, Cllr Howard Marshall and Cllr Toby Sturgis.

Also Present:

Cllr Dick Tonge

41. Apologies for Absence

An apology for absence was received from Cllr Bill Brown who was being substituted by Cllr Simon Killane.

42. Minutes

Resolved:

To confirm and sign the minutes of the meeting held on 7 April 2010.

43. Declarations of Interest

Cllr Howard Marshall reported that he was a member of Calne Town Council and had been present at the meeting at which the following planning applications had been considered:-

Application No N/09/01791/FUL – Long Barrow Road, Calne – Residential Development comprising 29 Units.

Application No N/10/00340/FUL – Land at the end of Tern Close, Calne – Proposed Detached House, Detached Garage, Access and Fencing.

He reported that he had not yet decided whether to support or oppose these applications and would come to a decision after hearing the debate.

44. **Chairman's Announcements**

There were no Chairman's Announcements.

45. **Public Participation**

Members of the public addressed the Committee as set out in Minutes Nos 47 and 49 below.

46. **Proposed Diversion of Part of Latton Bridleway 17**

On considering a report by the Service Director, Neighbourhood Services,

Resolved:

To submit to the Secretary of State for the Environment, Food and Rural Affairs for determination the Order made under Section 119 of the Highways Act 1980, providing for the diversion of a section of Bridleway 17 Latton, as shown on Appendix A to the report, with the recommendation that the Order be confirmed as made.

47. **Proposed Diversion of Public Bridleways - Wootton Bassett No 26, Broad Town No 22 & Lydiard Tregoze No 46**

The Committee received a presentation by the Public Rights of Way Manager which set out the main issues in respect of the proposal.

The Committee then received statements from the following members of the public expressing their views regarding this planning application:

The following people spoke against the proposal

Mr Mark Stanton, occupier of Vowley Farm.

The following people spoke in favour of the proposal

Mr Peter Hewitt-Dean, occupier of Vowley Farmhouse.

On considering a report by the Service Director, Neighbourhood Services and on hearing the views of local Members Cllr Peter Doyle and Cllr Mollie Groom, as reported,

Resolved:

To submit to the Secretary of State for the Environment, Food and Rural Affairs for determination the Orders made under Section 119 of the Highways Act 1980, providing for the diversion of sections of Bridleways

26 Wootton Bassett, 22 Broad Town and 46 Lydiard Tregoze, as shown on Appendix D to the report, with the recommendation that the Orders be confirmed subject to the conditions set out in paragraph 15 of the report.

48. **Planning Appeals**

The Committee received a report setting out a schedule of:-

- (i) forthcoming hearings and public inquiries scheduled to be heard 28 April and 31 December 2010.
- (ii) planning appeal decisions decided between 25 March and 14 April 2010.

Resolved:

To note the contents of the report.

49. **Planning Applications**

a **N/09/01791/FUL - Long Barrow Road, Calne - Residential Development comprising 29 Units - Electoral Division Calne**

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application.

The Committee then received statements from the following members of the public expressing their views regarding this planning application:

The following people spoke against the proposal

Ms Jenny Willis, a local resident

Mr David Short, a local resident

Cllr Caroline Ramsey, Chairman of Planning Committee, Calne Town Council

The following people spoke in favour of the proposal

Mr Vic O'Brien, Group Director of Development, Green Square Group

Ms Shirley Davies, Head of Neighbourhood Services, Quattro Design Architects

Dr Janet O'Brien, Head of New Housing, Wiltshire Council

The Committee was informed that:

- (a) 23 additional letters of objection had been received in response to amended plans, all making it clear that the amended plans did not fundamentally alter the scheme and therefore did not alter the objections previously raised.

- (b) a communication had been received from Calne Town Council advising that its members had noted the amendments but considered that these had no bearing on the Town Council's original objections.
- (c) Wiltshire Council Highways had confirmed verbally that there were no fundamental objections to the revised plans, although the relationship of the footway with parking spaces serving units 4-9 did require some small alterations.

The Committee then considered the detail of the report and the views of Cllr Howard Marshall who considered that the proposal, which was mainly for two storey buildings, was out of keeping with the estate. He reported that the local residents were against the level of social housing being proposed and he considered that Calne had exceeded its declared need for social housing.

After discussion,

Resolved: To refuse planning permission for the following reasons:-

- (1) The proposed development fails to respect the character and distinctiveness of the surrounding area with regard to the design, size and scale of the development. As such, the proposal is contrary to the provisions of Policy C3 of the adopted North Wiltshire Local Plan 2011 and national planning guidance contained in PPS3: Housing.**
- (2) In the context of the character of the surrounding Curzon Park housing estate, the proposed development would fail to provide a mix of housing and would fail to create a sustainable, inclusive and mixed community as is required by national planning guidance contained in PPS3: Housing 2006 and would be contrary to the provisions of Policy H5 of the adopted North Wiltshire Local Plan 2011.**
- (3) The proposal fails to provide a scheme for the provision of an adequate level of public open space and therefore fails the requirements of Policy CF3 of adopted North Wiltshire Local Plan 2011.**
- (4) The proposed development does not make any provisions for securing affordable housing on the site or financial contributions towards education provision in the locality or the on-going provision and maintenance of open space on the site. The application is therefore contrary to Policies C2, H5 and CF3 of the North Wiltshire Local Plan 2011 and the North Wiltshire Local Development Framework Affordable Housing SPD (August 2007).**

b N/09/00912/S73A & N/10/01204/S73A - Land adjacent to Calcutt Farm, Calcutt, Cricklade - Change of Use to include the Stationing of Caravans for 14 Residential Gypsy Pitches with Utility/Day Room Buildings & Hard Standing - Electoral Division Cricklade & Latton

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application.

The Committee then received a statement from Mr Matthew Green, agent, in support of the application.

On considering the report and on hearing the views of Cllr Peter Colmer, as local Member,

Resolved:

(A) In respect of Application No 09/00912/S73A, having regard to the appeal on grounds of non-determination, the Committee would have been mindful to grant temporary planning permission for the reason and subject to the conditions as set out in respect of Application No 10/01204/S73A in (B) below.

(B) In respect of Application No 10/01204/S73A, to delegate to the Area Development Manager the issuing of planning permission, subject to the expiration of the consultation period and no new substantive issues being raised and to the following conditions:-

(1) The use hereby permitted shall be for a limited period being the period 2 years from the date of this decision. At the end of this period the use hereby permitted shall cease, all materials and equipment brought on to the premises in connection with the use shall be removed, and the land restored to its former condition, or such condition as may be authorised by any other extant planning permission.

Reason: The provision of potential sites are being considered in the emerging Gypsy and Traveller Site Allocations DPD. A permanent permission in advance of this process would be premature and a temporary permission in this instance would accord with advice contained in Circular 01/2006 "Planning for Gypsy and Traveller Caravan Sites".

(2) Within 3 months of this permission, a flood evacuation plan shall be submitted to and approved in writing by the Local Planning

Authority in conjunction with other relevant bodies.

Reason: In order to ensure a safe, dry access to and from the development in the event of flooding.

- (3) Within three months of this permission, the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- (4) Within three months of the date of this permission a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- (a) indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;
- (c) 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;
- (d) finished levels and contours;
- (e) painted finish to close boarded fence atop the bund.

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

POLICY C3 NE15 H9

- (5) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season prior to the completion of the development; 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.

POLICY-C3, NE15

- (6) Within three months of the date of this permission, details of a surface water drainage scheme for the site, based on sustainable drainage principles and include an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall also include:

- Details of how the scheme will contain the 1 in 100 year storm (with a 30% allowance for climate change) whole limiting discharge from the site to Greenfield run-off rates (including supporting calculations);
- A detailed plan of the drainage system; and
- Details of how the scheme shall be maintained and managed after completion

The scheme shall subsequently be implemented in accordance with the details approved before the development is completed.

REASON: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

Policy C3

- (7) No commercial or industrial activities shall take place on the land including the storage of materials unless otherwise approved in writing by the Local Planning Authority.

REASON: In the interests of residential and visual amenity.

REASON

The site outside a settlement could be acceptable under adopted policies. The site is not unacceptably harmful in its countryside location but is not wholly sustainable in terms of its access to services and amenities having regard to the emerging Gypsy and Traveller Site Allocations DPD. The proposal is, therefore, unacceptable at this juncture. In accordance with paragraphs 45 and 46 of Circular 01/2006 "Planning for Gypsy and Traveller Caravan Sites, on the basis of the emerging DPD it is entirely appropriate for a temporary permission to be granted to allow for the DPD process to take place and a permanent permission to be granted on an allocated site(s) when such a site(s) becomes available.

c **N/09/02107/FUL - 21 The Maltings, Malmesbury - Single Storey Rear Extension, Loft Conversion including Two Roof Lights & Roof Extension - Electoral Division Malmesbury**

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application.

The Committee then received statements from the following members of the public expressing their views regarding this planning application:

The following people spoke against the proposal

Ms Alex Hamilton Burnett, a local resident

Mr Scott Fleming, Chairman, Maltings Mill Management Company

The following people spoke in favour of the proposal

Mr Michael Kemp, applicant

On considering the detail of the report and the views of Cllr Simon Killane, as local Member,

Resolved: To grant planning permission subject to the following condition:-

- (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.

REASON

It is considered that the proposal is acceptable in terms of size scale and design and that there will be no significant adverse impact on the amenities of the adjacent properties. The application preserves the character and appearance of the Malmesbury Conservation Area and is therefore considered to be in accordance with Policies C3, HE1 and H8 of the North Wiltshire Local Plan 2011

d **N/10/00001/FUL - 52 North Street, Calne - Single Storey Extensions - Electoral Division Calne Chilchester & Abberd**

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application.

On considering the detail of the report and the views of Cllr Alan Hill, as a local Member,

Resolved: To grant planning permission subject to the following condition:-

(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.

REASON

It is considered that the proposal is acceptable in terms of size scale and design and that there will be no significant adverse impact on the host dwelling or the amenities currently enjoyed by the neighbouring residents. The proposal is considered to be in accordance with Policies C3 and H8 of the North Wiltshire Local Plan 2011.

e **N/00340/FUL - Land at the end of Tern Close, Calne - Proposed Detached House, Detached Garage, Access & Fencing - Electoral Division Calne Central**

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application.

The Committee also received a statement from Mr Paul Wheal, a local resident, objecting to the application.

The Committee then considered the detail of the report and the views of Cllr Howard Marshall, as local Member, who objected to the proposal on account of its size, scale and design.

After further discussion,

Resolved:

To invite the applicant to enter into an Agreement in respect of Public Open Space contributions, following completion of which to authorise the Development Control Manager to grant planning permission, 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) No development shall commence 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.

POLICY C3

(3) No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- (a)** indications of all existing trees on the land;
- (b)** details of any to be retained, together with measures for their protection in the course of development;
- (c)** all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings and other works;
- (d)** hard surfacing materials;

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

POLICY C3

(4) 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.

POLICY-[C3]

(5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To safeguard the amenities and character of the area and in the interest of highway safety.

POLICY C3

(6) The development hereby permitted shall not be occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

POLICY C3

(7) No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use/first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

POLICY C1 & C3

(8) No dwelling shall be occupied until the parking spaces (driveway and garage) together with the access thereto, have been provided in accordance with the approved plans. The driveway and garage shall be kept for this purpose for parking and vehicle maneuvering thereafter.

REASON: In the interests of highway safety and the amenity of future occupants.

POLICY C3

(9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-E shall take place on the dwellinghouse hereby permitted or within their curtilage.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

POLICY C3

(10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the side elevations of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

POLICY C3

(11) No construction work, including the removal of debris resulting from the works (excluding any internal works) shall take place on Sundays or public holidays or outside the hours of 8.00am to 7.00pm weekdays and 8.00am to 1.00pm Saturdays.

Reason: To minimise the disturbance which noise from the construction works associated with the proposed development could otherwise have upon the amenities of nearby dwellings.

Policy C3, NE18

INFORMATIVES:

1 - This decision relates to documents/plans submitted with the

application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan Ref:-

Location Plan dated 01.02.2010;
SD/EW/05 dated 01.02.2010
DG/1.0/1B dated 01.02.2010;
TCC/100/1A dated 01.03.2010;
3.114/P/B/L dated 01.03.2010;
TCC/100/2 dated 01.03.2010.

REASON

The application site is located within the settlement framework boundary of Calne where the presumption allows for suitable residential infilling. Whilst the land is currently open, there is no right of public access. The proposal, by virtue of its siting, scale and design is considered to be in keeping with the character and appearance the streetscene in Tern Close and will have no demonstrable impact upon the amenities currently enjoyed by the nearby residents. The development will therefore accord with the aims and objectives of the development plan, having particular regard to Local Plan policies C3 and H3 of the adopted North Wiltshire Local Plan 2011 and there are no other material considerations which would make the development otherwise unacceptable.

f **N/00589/S73A - Lower Lodge, 35 Bowden Hill, Lacock - Single Storey Extension to Side/Rear of Property - Electoral Division Corsham Without & Box Hill**

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application.

The Committee also received a statement from Mr David Pearce, the agent, in support of the application.

The Committee then considered the detail of the report and the views of Cllr Dick Tonge, the local Member, in support of the application.

Members considered that the proposal was modest in size and well screened from neighbouring properties.

After further discussion,

RESOLVED:

To grant planning permission, subject to the following condition:-

- (1) Within one month of this decision details of all new external joinery have been submitted to, and approved in writing by, the local planning authority. These details shall include depth of reveal, materials and full drawings including both horizontal and vertical sections, to a scale of not less than 1:10. The development/works shall be completed in accordance with the approved details and at no time shall the approved joinery be altered without the prior written approval of the local planning authority.**

Reason: To enable the local planning authority to be satisfied with the completed appearance of the development.

REASON

The proposed development by reason of its scale, design and siting would be in keeping with the host dwelling and preserve the character and appearance of the Conservation Area in accordance with Policies C3, HE1 and H8 of the adopted North Wiltshire Local Plan 2011.

50. Urgent Items

There were no urgent items.

(Duration of meeting: 6.00pm – 8.50pm)

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

Press enquiries to Communications, direct line (01225) 713114/713115

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EASTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 29 APRIL 2010 AT COUNCIL CHAMBER, WILTSHIRE COUNCIL OFFICES, BROWFORT, DEVIZES.

Present:

Cllr Philip Brown (Chairman), Cllr Mark Connolly, Cllr Peggy Dow, Cllr Nick Fogg,
Cllr Richard Gamble, Cllr Lionel Grundy OBE (Reserve), Cllr Charles Howard,
Cllr Chris Humphries and Cllr Christopher Williams

40. Apologies for Absence

Apologies were received from Councillor Laura Mayes.

41. Minutes of the Previous Meeting

The minutes of the meeting held on 18th March 2010 were approved as a correct record and signed by the Chairman.

42. Declarations of Interest

E/09/01602/FUL – Councillor Philip Brown declared a personal and prejudicial interest in the application as he is an employee of Sainsbury and therefore would not participate in the consideration of the application, withdrawing from the meeting for the duration of the consideration and determination of the application.

Councillor Peggy Dow declared that she had publically supported the Tesco Supporters Group in 2009, however this was before she had known that another Supermarket was interested in establishing premises in the Marlborough area. In the interest of making decisions that are open and transparent, she would speak in her capacity as local member and then withdraw from the meeting for the duration of the consideration and determination of the application.

E/10/0183/S73 Councillor Chris Humphries declared a personal and prejudicial interest in the application as he is the applicant and would therefore withdraw from the meeting for the duration of the consideration and determination of the application.

E/09/0758/FUL – Councillor Richard Gamble declared a personal interest in this item as Mr Bennett is known to him through the group ‘Business over Breakfast’..

43. **Chairman's Announcements**

There were none.

44. **Public Participation**

The Committee noted the rules on public participation and the manner in which the meeting would proceed.

45. **Planning Appeals**

The Committee noted the report. The Chairman remarked on the favourable results, which compared with the national average for local planning authorities of the Appeal Performance April 1st 2009 -31st March 2010.

46. **Planning Application - E/09/01602/FUL - Full planning application for: Development of Class A1 supermarket with associated access arrangements, servicing, landscaping, parking and upgraded pedestrian crossing and bus stops At: Marlborough Business Park, MARLBOROUGH, SN8 4AW**

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application.

The Committee then received statements from the following members of the public expressing their views regarding this planning application.

Public Participation:

1. Mr Bruno Moore spoke in opposition of the application.
2. Mr David Dudley spoke in opposition of the application.
3. Ms Melanie Chiswell spoke in support of the application.
4. Mrs Lisa Farrell spoke in support of the application.
5. Mr Carter spoke in support of the application.
6. Mrs Hannaford-Dobson Marlborough Town Councillor spoke in support of the application.
7. Mrs Peggy Dow Marlborough Town Councillor and Unitary Member for Marlborough East, spoke in support of the application.

Following a lengthy debate of the salient points,

Resolved:

Planning permission is GRANTED for the following reasons:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance having regard to the policies of the development plan, central government planning statements and guidance and other material considerations.

The proposed development is an out of centre food store in Marlborough which will offer convenience goods and, to a lesser extent, comparison goods. The application for the development is accompanied by considerable evidence which demonstrates that there would be no adverse impact from this on:

- (i) town centre vitality and viability, including local consumer choice and the range and quality of the comparison and convenience offer;
- (ii) in-centre trade/turnover and on trade in the wider area; and
- (iii) other locally important impacts.

There are no existing, committed and planned public and private investment proposals in the centre or centres within the catchment area of the proposal. There are no allocated sites outside the town centre being developed.

The application site is neither in the town centre nor at the edge of the centre. It has, however, been robustly demonstrated that there are no sequentially preferable sites in these locations in any event. The proposal is of an appropriate scale in relation to the size of the centre and its role in the hierarchy of centres.

In general terms the proposal:

- (i) has been planned over the lifetime of the development to limit carbon dioxide emissions, and minimise vulnerability and provide resilience to climate change;
- (ii) is accessible by a choice of means of transport including walking, cycling, public transport and the car, and would not aggravate congestion after public transport and traffic management measures have been put in place;
- (iii) secures a high quality and inclusive design which takes the opportunities available for improving the character and quality of the area (including the Area of Outstanding Natural Beauty) and the way it functions;
- (iv) achieves development on a long term vacant site which has failed to generate interest for other business uses, and provides consumer choice to the benefit of social inclusion objectives;
- (v) does not have a detrimental impact on local employment provision.

It is material that there is only one other significant food store in the town, this restricting consumer choice. It is also material that the 'claw back' of leaked expenditure would benefit the town through linked trips, and reduce journey times in the interests of sustainability. Notwithstanding the out of centre location, the site remains reasonably close to the town centre and is accessible by a variety of means. The application includes proposals to promote more sustainable transport choices. It also sets out proposed alterations to road infrastructure so that existing congestion on the local road network is not aggravated.

Although the site is protected strategic employment land the proposal satisfies the PPS4 definition of economic development. The new store would employ around 140 people.

The design of the development is considered acceptable and appropriately sustainable within its context, with no adverse impacts on the area of outstanding natural beauty or visual amenity in general. The privacy of nearby residential properties would not be adversely affected.

Without prejudice to the outcome of either application, comparative analysis of the proposal with a later competing application for a second food store on adjoining land has shown that the Tesco proposal has, on balance, fewer adverse effects and/or disadvantages to the public.

The decision to grant planning permission has been made having regard to Policies DP1, DP2, DP3, DP6, T1 and C8 of the Wiltshire and Swindon Structure Plan 2016; Policies PD1, ED7, ED17, AT1, AT9 AT10 and NR7 of the Kennet Local Plan 2011; and Central Government planning statements and guidance set out in PPS1, PPS4, PPS7 and PPG13.

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years of 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 Notwithstanding the information set out in the application particulars, no development shall take place until details of the materials to be used for the external walls and roofs, and the surfacing of the car park, access roads and pedestrian routes, (including samples) 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: To secure harmonious architectural treatment.

- 3 This permission grants a net convenience sales floor area of 1,080 sq m and a net comparison goods sales area of 122 sq m. Notwithstanding the provisions of the Town and Country Planning

(General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order), there shall be no provision of retail floorspace in excess of the net areas defined without the prior express consent of the local planning authority neither shall there be any alteration or subdivision of the sales floor, nor provision of ancillary or subsidiary retail units within that sales floor.

REASON:

To accord with the terms of the application and in particular its justification for sales areas of these specific sizes, and having regard to policies set out in PPS4 and the Development Plan which resist developments which could have a detrimental impact on the vitality and viability of the town centre.

- 4 Immediately upon the commencement of trading of the store hereby permitted, provision shall be made at the entrance to the store for the advertising of town centre retail and service facilities in accordance with a scheme which has been submitted to and approved in writing by the local planning authority prior to commencement of the internal fitting out of the building.

REASON:

To support and encourage linked trips between the store and the town centre in accordance with the qualitative justification forming part of the application and in the interests of maintaining the vitality and viability of the town centre.

- 5 All soft landscaping comprised in the submitted landscaping scheme (that is, drawing no. "ASP4: Planting Plan Rev B" dated 03/12/09 and accompanying the Landscaping Supporting Statement by Aspect Landscape Planting) shall be carried out in the first planting and seeding season following the opening of the store or the completion of the development, whichever is the sooner; any trees or plants which, within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced 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.

- 6 Notwithstanding the information set out in the application particulars, the acoustic barrier to be provided around the outside of the service yard shall comprise both the indicated timber acoustic fence and the

service yard gates. Before development is commenced the detailed design of the acoustic barrier, including its acoustic properties, shall be submitted to the local planning authority for approval in writing. The acoustic barrier shall then be erected in accordance with the approved specification prior to the first opening of the store or the completion of the development, whichever is the sooner. The acoustic barrier shall be permanently retained thereafter.

REASON:

To safeguard the residential amenities of future occupiers of the adjacent site which benefits from a resolution to grant planning permission for a residential and live/work development.

- 7 The loading and unloading of service and delivery vehicles (including home delivery vehicles) together with their arrival and departure from the site shall not take place outside the hours of 7.00 am to 11.00 pm (Monday to Saturday) and 8.00 am to 10.00 pm Sundays. The service yard gates shall be kept closed at all times other than when vehicles are entering or leaving the service yard.

REASON: To safeguard the residential amenities of future occupiers of the adjacent site which benefits from a resolution to grant planning permission for a residential and live/work development.

- 8 The rating level of noise emitted from the site shall not exceed the existing background noise level, the LA90T, by more than 5dB. The noise level shall be determined at the nearest noise sensitive premises. The measurement and assessment of such noise shall be made in accordance with BS4142 1997.

REASON: To safeguard the residential amenities of future occupiers of the adjacent site which benefits from a resolution to grant planning permission for a residential and live/work development.

- 9 Details of any floodlighting/external lighting proposed to illuminate the development (including light spillage diagrams) shall be submitted to and approved in writing by the local planning authority before the store is first opened to the public or the development is completed, whichever is the earliest date. Development shall be carried out in accordance with the approved details.

REASON: To safeguard local amenities.

- 10 The development hereby permitted shall not be commenced until such time as site drainage plans (foul and surface water drainage) have been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

REASON: To demonstrate adequate means of disposal of surface water and foul water.

- 11 Before the development hereby permitted is first brought into use, a Green Travel Plan shall be submitted to and approved in writing by the local planning authority. The Green Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these 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 the development.

- 12 Before any part of the development hereby permitted is first opened to the public the access, turning areas and parking spaces shall be completed in accordance with the details shown on the approved plans, and shall thereafter be maintained for these purposes.

REASON: In the interests of highway safety.

- 13 The development hereby permitted shall not be commenced until details of the secure cycle parking facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be fully implemented and made available for use prior to the first opening of the store to the public and shall thereafter be retained for this use at all times.

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

- 14 Prior to commencement of the development hereby approved detailed specifications for the 'Sustainable Travel Initiatives' and the 'Junction 3' 'Junction Improvements' set out in the Transport Assessment Addendum dated 02/10 (including drawing no. 17518-01-1-OS-03C) shall be submitted to the local planning for approval in writing. The Sustainable Travel Initiatives and the Junction 3 Junction Improvements shall then be completed in accordance with the approved detailed specifications either prior to the first opening of the store to the public or the completion of the development, whichever is the sooner.

REASON: To ensure satisfactory pedestrian links to the town centre and to address congestion issues on the road network in accordance with the application particulars and in the interests of highway safety.

- 15 Prior to commencement of the development hereby approved detailed specifications for the 'Junction 1 ' and 'Junction 2' 'Junction Improvements' set out in the Transport Assessment Addendum dated 02/10 (including drawing no. 17518-01-1-OS-06B & 17518-01-1-OS-07A) shall be submitted to the local planning for approval in writing. The Junction 1 and Junction 2 Junction Improvements shall then be completed in accordance with the approved detailed specifications either prior to the first opening of the store to the public or the completion of the development, whichever is the sooner.

REASON:

To ensure satisfactory pedestrian links to the town centre and to address congestion issues on the road network in accordance with the application particulars and in the interests of highway safety.

- 16 Prior to the commencement of the development hereby approved details of the taxi pick up and drop off point outside of the store (including road markings) and details of the taxi call point within the store shall be submitted to the local planning authority for approval in writing. The details shall show marked out spaces for two taxis to pick up and drop off outside the store. The taxi drop off and pick up point and the taxi call point shall be provided in accordance with the approved details prior to the first opening of the store to the public or the completion of the development, whichever is the sooner. The taxi pick up and drop off point and the taxi call point shall be permanently maintained thereafter.

REASON:

To accord with the terms of the application and to ensure sustainable transport choices in accordance with PPS4 and PPG13.

- 17 Prior to the commencement of the development hereby approved a detailed specification for the final surfacing of the 3 metre wide footway along the entire Blenheim Road frontage of the site shall be submitted to the local planning authority for approval in writing. Additionally, prior to commencement of the development hereby approved a detailed specification for a 2 metre wide footway along the entire Woodstock Court frontage of the site shall be submitted to the local planning authority for approval in writing. Both the final surfacing of the footway along the entire Blenheim Road frontage and the new footway along the entire Woodstock Court frontage shall be provided in accordance with the approved detailed specifications before either the new store first opens to the public or the development is completed, whichever is the sooner.

REASON: In the interests of highway safety.

- 18 This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Drawing nos. AP00 (13/11/09), AP01A (13/11/09) & 17518-01-1-OS-05 (12/09) received by the lpa 07/12/09;

Drawing nos. AP03P (13/11/09), AP04C (13/11/09), AP05B (13/11/09) & AP06J (31/07/09) received by the lpa on 24/02/10;

Drawing no. 'ASP4: Planting Plan Rev B' (03/12/09) forming part of the Landscape Supporting Statement;

Drawing nos. 17518-01-1-TR-01D (12/09), 17518-01-1-OS-03C (12/09), 17518-01-1-OS-06B (12/09), 17518-01-1-OS-07A (01/10) & 17518-01-1-OS-08A (01/10) forming part of the Transport Assessment Addendum received by the lpa 10/02/10.

47. **Planning Application - E/10/0183/S73 - Full planning application for : Variation of condition on planning permission K/51693/F to extend the time limit for implementation of the planning permission At: Butchers Shop, 6A The Square, ALDBOURNE SN8 2DU**

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application.

The Committee then received statements from the following members of the public expressing their views regarding this planning application.

Public Participation:

1. Mr Cowan spoke in opposition of the application
2. Mr Evill spoke in support of the application

Following a debate of the salient points,

Resolved:

Planning permission is GRANTED for the following reasons:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to policies PD1 and ED29 of the

Kennet Local Plan 2011 and to central government planning policy contained in PPS5 'Planning for the Historic Environment'.

48. **Planning Application - E/09/0758/FUL- Full Planning application for :
Erection of a 4 Bed detached house, with attached garage, including all
other associated works. (Amendment to K/57892/F). At Plot 1 Halstead
Farm Kings Road EASTERTON SN10 4PS**

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application.

The Committee then received statements from the following members of the public expressing their views regarding this planning application.

Public Participation:

1. Mr Barrett spoke in opposition of the application
2. Mr Bennett spoke in support of the application

Following a debate of the salient points,

Resolved:

Planning permission is GRANTED for the following reasons:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to national guidance contained within Planning Policy Statement 5: Planning for the Historic Environment and the following policies and proposals in the Kennet Local Plan 2011 namely: policy PD1.

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years of 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 All soft landscaping comprised in the submitted landscaping details hereby approved shall be carried out in the first planting and seeding season following the 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 landscaping setting for the development.

- 3 Prior to the first use of the access the driveway shall be surfaced in a well bound consolidated material (not loose stone or gravel) in accordance with details which have first been submitted to and approved in writing by the local planning authority, and shall be maintained as such thereafter.

REASON:
In the interests of highway safety.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting or amending that Order with or without modification), no additions to, or extensions or enlargements of, the building hereby approved shall be erected.

REASON:
To enable the local planning authority to retain control over the enlargement of the building in the interests of the proper planning and amenity area.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting or amending that Order with or without modification), no windows, doors or other openings, other than those shown on the approved plans shall be inserted above ground floor level in the south or east elevations of the building hereby permitted.

REASON:
In the interests of the privacy of the neighbouring properties

- 6 The en-suite window at first floor level shown on the approved plans on the east elevation shall be glazed with obscured glass and fitted with a ventilation stay restricting the opening of the window, in accordance with details which have been first approved in writing by the local planning authority. The window shall be maintained in accordance with the approved details thereafter.

REASON:

In the interests of the privacy of the neighbouring property.

- 7 Prior to the installation of the air source heat pump hereby approved full manufacturer's details and specifications (including noise details) of the air source heat pump together with appropriate noise mitigation measures, if required, shall first be submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details.

REASON:

In the interests of neighbour and visual amenity.

- 8 This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan Ref: HF1-01, 02 and 04 all received on the 16th June 2009, additional survey drawing dated 15th February 2009 and the Amended Site Plan - Landscaping and Location Plan received on the 26th March 2010.

49. **Urgent items**

There were none.

(Duration of meeting: 6.00 - 8.00 pm)

The Officer who has produced these minutes is Anna Thurman, of Democratic & Members' Services, direct line (01225) 718379, e-mail anna.thurman@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

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