

## **EASTERN AREA PLANNING COMMITTEE**

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### **MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 12 MAY 2016 AT DEVIZES SPORTS CLUB, LONDON ROAD, DEVIZES, SN10 2DL.**

#### **Present:**

Cllr Charles Howard (Chairman), Cllr Mark Connolly (Vice Chairman), Cllr Peter Evans, Cllr Nick Fogg MBE, Cllr Jerry Kunkler, Cllr Paul Oatway and Cllr James Sheppard (Substitute)

#### **Also Present:**

Cllr Laura Mayes, Cllr Richard Gamble, Cllr Stewart Dobson

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#### **27. Apologies for Absence**

Apologies were received from Cllrs Stewart Dobson and Richard Gamble. Each were in attendance, but had formally withdrawn in their capacity as Committee Members.

Cllr Gamble was substituted by Cllr James Sheppard.

#### **28. Minutes of the Previous Meeting**

The minutes of the meeting held on 21 April were presented for consideration and it was,

#### **Resolved:**

**To APPROVE and sign as a true and correct record.**

#### **29. Declarations of Interest**

There were no declarations made.

#### **30. Chairman's Announcements**

At the start of the meeting the Chairman apologised to the Committee and public for confusion over the location of the meeting. Officers had been posted at the location the public had been directed to, so as to inform them of the new location a short distance away, and the meeting had started late in order to ensure all those who had wished to attend were able to do so.

31. **Public Participation and Councillors' Questions**

The rules on public participation were noted.

32. **Appeals Update**

An update on appeals was provided as detailed in Agenda Supplement 1.

**Resolved:**

**To note the update.**

33. **16/01263/FUL: St Mary's School, George Lane, Marlborough, SN8 4BX**

Public Participation

Mr Gordon Hutt spoke in objection to the application.

Mrs Anne Schwodler, Headteacher for St Mary's School, spoke in support of the application.

Mr Tom Lamshead, agent, spoke in support of the application.

Mr Ian Mellor spoke in support of the application.

Cllr Marion Hannaford-Dobson, Chairman of Marlborough Town Council Planning Committee, spoke in objection to the application.

The Planning Officer presented the application and detailed the recommendation to approve the demolition of the existing primary school building and associated structures, and the erection of a new building, car parking and external landscaping. Key issues were stated to include the impact of increased traffic on residential amenity and parking. Details were also provided on proposed amended conditions in relation to archaeology, the timing of BREEAM (Building Research Establishment Environmental Assessment Methodology) certification, the timing of parking provision, footway widening, and an interim Travel Plan for the final phases of the development.

Members of the Committee then had the opportunity to ask technical questions of the officers. In response to queries it was confirmed that the National Planning Policy Framework, which required only 'severe' traffic concerns be a barrier to development, did not specifically define what impact would be severe, but that in the judgement of officers the application, suitably managed, would not rise to that level. Details were also sought on ecological assessments of the site, and alternate parking options in the area for parents.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The Cabinet Member for Children's Services, Cllr Laura Mayes, and the Cabinet Portfolio Holder for Schools, Cllr Richard Gamble, were invited to address the Committee. They spoke in support of the application, highlighting the need for the new school and efforts to mitigate existing concerns through conditions, and encouraged the monitoring of the situation and a review of any arrangements, as necessary.

The local Unitary Division Member, Cllr Nick Fogg MBE, addressed the Committee, agreeing with the concerns as raised by the Town Council in relation to traffic problems in the area and what had initially been an out of date, inadequate traffic plan. He noted the site was ideal for a school and there was support for the development, but that like the Town Council he urged every effort should be made to address the concerns of local residents, and to explore further options regarding parking and access.

The neighbouring Division Member, Cllr Stewart Dobson, stated there was widespread support for development on the site, but that serious concerns had been raised in relation to the impact on local residents. He also highlighted several aspects of the travel plans that he felt could still be addressed further, along with suggestions of improvements.

The Committee then debated the application. In response to queries officers stated that the inclusion of a lay-by at the site, as suggested, would most likely encourage further traffic, which would conflict with the aims of the travel plan. Members discussed how many pupils lived close to the site and how to encourage reductions in car journeys, noting that with two schools merging into one, there could be fewer journeys from parents with children formerly at the two separate schools.

The Committee noted there were no objections in principle to the application, and that traffic considerations were the overriding concern; and discussed if appropriate measures had been put in place, how to encourage timely review of the arrangements once the school was occupied.

At the conclusion of debate, it was,

**Resolved:**

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

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

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

- 2 The development hereby permitted shall be carried out in accordance with the following submitted plans and documents as hereby approved:**

<b>Site Location</b>	<b>32499_AP(00)01</b>
<b>Site plan (existing)</b>	<b>044-005 A</b>
<b>Site plan (proposed)</b>	<b>044-001 A</b>
<b>Landscape plan (proposed)</b>	<b>044-001 P3</b>
<b>Site access &amp; security</b>	<b>044-002 P2</b>
<b>Landscape levels</b>	<b>044-003 B</b>

Tree and vegetation retention and removal	044-007 A
Landscape sections	044-015 D
Planting plan west	044-201 P2
Planting plan east	044-202 P2
Tree pit details	044-401 A
Games court fence details	044-410 B
Typical cycle shelter	044-411 A
Floor plan (proposed)	32499_AP(00)04
Roof plan (proposed)	32499_AP(00)05
Construction phasing	32499_AP(00)07
Proposed street elevations	32499_AP(01)31
Proposed public elevations	32499_AP(01)32
Proposed playground elevations	32499_AP(01)33
Proposed detail elevations	32499_AP(01)34
Detailed section through roof turrets	32499_AP(02)41
Vehicle tracking - fire engine	X152040 300 P1
Reptile Mitigation Strategy - revision A	KIER20330_RMS
School Travel Plan	version 2.1
Drainage strategy	X152040
Drainage layout - sheets 1 & 2	92001 P4 & 92002 P4
SUDS details	92037 P2
Elemental landscape specification	revision C
Environmental Strategy Report v.1	7418/003A11/cms
Construction Management Plan	05/02/2016
Planning Design Access and Heritage Statement	32499
BREEAM tracker report	28413_005
Ecological Walkover and Mitigation proposals	32499
Archaeological Written Scheme of Investigation	770362

**REASON:** For the avoidance of doubt (given some revisions made during the course of consideration) and in accordance with sound development management practice.

- 3** Prior to the commencement of any works of construction of the new school building above ground level there shall have been submitted to and approved in writing by the local planning authority full details (including product literature provided by the manufacturer and photographic samples) of the external brickwork, wall and roofing materials to be used in the construction.

**REASON:** Insufficient detail on external materials have been provided in the application, and details are required to be approved in the interests of visual amenity and the character and appearance of the area.

- 4** The development hereby permitted shall be carried out in full accordance with the approved Construction Management Plan.

**REASON:** To ensure appropriate provision for the management of the construction in the interests of neighbour amenities and the safety and

convenience of use of the local highway network.

- 5 i) Prior to the commencement of the development a pre-commencement photographic survey of Isbury Road and Orchard Close (from the school site to its junction with Salisbury Road) and Ducks Meadow (in the vicinity of the school access) shall be carried out.

ii) Within 1 month of cessation of use for construction purposes of the respective access routes, post -construction survey of the roads shall be carried out in the same locations.

iii) Within 3 months of the completion of the development, details and results of both the before and after surveys together with a plan and timing schedule for the repair of any damage identified and attributable to the construction of the development (including details for implementation and funding of the repairs - first to have been agreed with the highway authority), shall have been submitted to and approved in writing by the local planning authority.

**REASON:** To ensure that any damage to the highway resulting from the development is identified and to ensure provision for a mechanism for necessary repairs to be put in-hand.

- 6 i) No development shall commence within the 'excavation area' identified in the approved archaeological Written Scheme of Investigation until archaeological investigation and recording in that area has been completed in full accordance with the approved Written Scheme of Investigation.

ii) Within two months of completion of the archaeological fieldwork a period will be agreed in writing with the Local Planning authority for the results of the archaeological investigation to be reported, published and archived in accordance with the approved Written Scheme of Investigation.

**REASON:** The site is of known archaeological potential and further investigation is required to ensure the protection and recording of any archaeological heritage present on the site.

- 7 i) No development shall take place until there has been submitted to and approved in writing by the local planning authority details to demonstrate that there is a contractual arrangement in place for translocation of slow worms from the site as set out in the approved Reptile Mitigation Strategy (received April 25th 2016).

ii) No development shall take place until slow worms from the site have been trapped in full accordance with paragraphs 6.8 to 6.13 of the approved Ecological Walkover and Mitigation Strategy (February 2015 - ACD Ref: KIER20330Ph1Update&Mitigation)(and appended drawings) and translocated in accordance with the approved Reptile Mitigation

**Strategy (received April 25th 2016).**

**REASON: the development would directly impact on a population of slow worms. In the interests of biodiversity, the trapping and translocation of the worms needs to be carried out before works commence, and the local planning authority needs to be satisfied that there is a contractual arrangement in place to secure the ongoing maintenance and monitoring of the receptor site.**

**8 i) The development shall not be carried out other than in accordance with the Bat Mitigation Strategy set out in paragraphs 6.15 to 6.22 of the approved Ecological Walkover and Mitigation Strategy (February 2015 - ACD Ref: KIER20330Ph1Update&Mitigation), together with the appended drawings numbered KIER20330 66 & KIER20330 67.**

**ii) Reptile fencing shall be erected and maintained during the course of the development in accordance with paragraph 6.13 of the Ecological Walkover and Mitigation Strategy (February 2015 - ACD Ref: KIER20330Ph1Update&Mitigation) and the drawing numbered KIER20330 70.**

**iii) Within 2 months of the substantial completion of the development, bird boxes shall be installed as detailed on drawing KIER20330 67 and paragraph 5.4 of the Ecological Walkover and Mitigation Strategy (February 2015 - ACD Ref: KIER20330Ph1Update&Mitigation).**

**iv) Within 2 months of the completion of the development, reptile hibernacula shall be installed as detailed on drawing KIER20330 67 and paragraph 6.14 of the Ecological Walkover and Mitigation Strategy (February 2015 - ACD Ref: KIER20330Ph1Update&Mitigation).**

**REASON: To ensure the protection of bats known to inhabit the site and so as to prevent reptiles entering the site following translocation of the slow worms, and to provide for ecological enhancement of the development in the interests of biodiversity.**

**9 i) All soft landscaping shown on approved drawings 044-201 P2 & 044-202 P2 shall be carried out no later than the first planting and seeding season following the first occupation of the building or the substantial completion of the development whichever is the sooner.**

**ii) All shrubs, trees and hedge planting so-planted shall be maintained free from weeds and shall be protected from damage by vermin and stock.**

**iii) Any of the planted trees or plants or any of the existing planting shown to be retained on approved drawing 044-007 A, which within a period of five years of the date of this permission, 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.**

**iv) All hard landscaping as detailed in the approved drawings and Elemental Landscape Specification shall be carried out in full accordance with the approved details prior to the occupation of the development.**

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

- 10 The development shall not be occupied until surface water drainage has been provided in full accordance with the approved Drainage Strategy and approved drawings numbered 92001 P4, 92002 P4 & 92037 P2.**

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

- 11 Within 6 months of the occupation of the building there shall have been submitted to and approved in writing by the local planning authority a Final Certificate certifying that the "Very Good" BREEAM standard (or any such equivalent national measure of sustainable building which replaces that scheme) has been achieved for the development.**

**REASON: To ensure that the objectives of sustainable development set out in policy CP41 of the Wiltshire Core Strategy are achieved.**

- 12 i) Within 4 months of the occupation of the new school building, the access, turning area and parking spaces shall have been completed in accordance with the details shown on the approved plans.**

**ii) The access, parking and turning areas shall thereafter be so-maintained and shall be used for no other purpose.**

**REASON: To ensure adequate off-street parking in the interests of highway safety.**

- 13 i) The school building hereby permitted shall not be occupied until there has been submitted to and approved in writing by the local planning authority details of the covered and uncovered cycle parking and scooter parking as shown on the approved plans.**

**ii) The school building shall not be occupied until the cycle and scooter parking has been provided in accordance with the so-approved details.**

**iii) The cycle and scooter parking shall thereafter be maintained in accordance with the approved details and shall be used for no other purpose.**

**REASON: To encourage sustainable methods of travel to and from the school.**

- 14 The internal footpath linking the school grounds with Van Diemen's Close as shown on the approved plans shall be made available for parents and children accessing and exiting the school during the morning and evening on days when the school is open, at times deemed appropriate by the school.**

**REASON: To encourage pedestrian journeys to and from the school.**

- 15 Prior to the occupation of the development hereby permitted, there shall be submitted to and approved in writing by the local planning authority an Access Management Plan that sets out measures to prevent out-of-hours use of the outdoor sports and games facilities on the site; such measures to include details of arrangements for the locking of gates and maintenance of boundary fencing around the site, and for the locking of the gate into the hard-surfaced games court and for maintenance of the games court fence.**

**REASON: In the interests of neighbour amenity.**

- 16 i) There shall be no occupation of the development until plans detailing the widening of the footway along the school frontage with Ducks Meadow have been submitted to and approved in writing by the local planning authority, such plans first to have been discussed and agreed with the highway authority.**

**ii) There shall be no occupation of the development until the footway has been widened in accordance with the so-approved details.**

**iii) The additional footway width as so-approved will thereafter be maintained in a condition equal to the adjoining footway and shall remain clear and available for public use at all times.**

**REASON: To reduce pedestrian congestion around the school in the interests of pedestrian safety and convenience, and to encourage non-car related trips to the school.**

- 17 No external lighting shall be installed within 5 metres of the bat boxes as shown on drawings KIER20330 66 & 67 and no lighting shall otherwise be installed on the building until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.**



**REASON:** In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site, and in the interests of the local bat population.

- 18 i) The School Travel Plan forming part of the approved plans shall be implemented in accordance with the agreed details as set out in the Plan.

ii) 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 the amenities of the neighbourhood, to minimise vehicular traffic to the school.

- 19 There shall be no development under Phase 6 as set out in drawing 32499\_AP(00)07 until:

i) there has been submitted to and approved in writing by the local planning authority an assessment of ground contamination in the vicinity of the 'tank' annotated on drawing PSCAPS22/STPETERS/003 (included in the submitted contamination report), together with measures for remediation in the event of contaminants being found; and

ii) a verification report demonstrating that such remediation as may be necessary and approved under part (i) above has been carried out.

**REASON:** The site is located on the chalk principle aquifer. Activities such as oil storage may have resulted in contamination that could be disturbed during construction, resulting in contamination of the aquifer. The submitted contamination report and ground investigations do not assess the risk in the vicinity of the former tank. Assessment and any required remediation is thus required to avoid contamination of controlled waters.

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- i) There shall be no occupation of the new school building until there has been submitted to and approved in writing by the local planning authority an Interim Travel Plan to cover the period between first occupation of the school building and final completion of the development, such plan to include, but not necessarily be limited to:
- a) access arrangements for pedestrians and cyclists
  - b) details of the temporary access footpath
  - c) arrangements for parking vehicles and cycles
  - d) measures to be taken to encourage parents to use non-motorised forms of transport in collecting and dropping off their children
  - e) management and monitoring of school traffic and parking at the start and end of the school day.

ii) The measures and arrangements so-approved shall be implemented in full until the permanent access, parking and turning arrangements are completed and made available for use.

**REASON:** To ensure active and appropriate management of school traffic until the permanent access, parking and turning arrangements are available for use, in the interests of highway safety and the amenity of the area.

**INFORMATIVE TO APPLICANT:**

Six months after the opening of the school, the applicant shall engage with the local highway authority to review the traffic management situation on the roads nearest the site and consider what action, if any, might be required to address issues that have arisen since the school opened.

34. **Urgent items**

There were no urgent items.

(Duration of meeting: 6.10 - 7.30 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic & Members' Services, direct line 01225 718504, e-mail [kieran.elliott@wiltshire.gov.uk](mailto:kieran.elliott@wiltshire.gov.uk)

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