

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 3 OCTOBER 2018 AT COUNCIL CHAMBER - WILTSHIRE COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM SN15 1ER.

Present:

Cllr Peter Hutton (Vice-Chairman, in the Chair), Cllr Chuck Berry, Cllr Howard Greenman, Cllr Gavin Grant, Cllr Chris Hurst, Cllr Toby Sturgis, Cllr Brian Mathew, Cllr Ashley O'Neill, Cllr Ben Anderson (Substitute) and Cllr Jacqui Lay (Substitute)

44 Apologies

Apologies were received from Cllr Tony Trotman.

Cllr Christine Crisp was substituted by Cllr Ben Anderson and Cllr Mollie Groom has been substituted by Cllr Jacqui Lay.

45 Minutes of the Previous Meeting

The minutes of the meeting held on 8th August 2018 were presented.

Resolved:

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

46 Declarations of Interest

There were no declarations of interest.

47 Chairman's Announcements

There were no Chairman's announcements.

48 Public Participation

The Committee noted the rules on public participation.

49 **Planning Appeals and Updates**

The Committee noted the contents of the appeals update.

50 **Planning Applications**

To consider and determine the following planning applications:

51 **18/03673/FUL - The Solar, Market Place, Colerne, SN14 8DF**

Public Participation

Simon Chambers, agent, spoke in support to the application.

Councillor Tom Hall, of Colerne Parish Council spoke in objection to the application.

The Planning Officer, Simon Smith, introduced a report which recommended granting planning permission, subject to conditions, for the conversion of a stable block into a 1 bed dwelling, amended access and associated works.

Key issues highlighted included: the principle of development; its impact on heritage assets; the design/character and appearance of the area (AONB); highways and parking and residential amenity.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: whether the application was for a separate dwelling or for an annex to be connected to the existing property; parking arrangements; the number of bedrooms in the bungalow and the location of its windows.

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

Councillor Brian Matthew, Division Member, spoke regarding the application with the main points focusing on the area's cultural and historical significance and parking arrangements.

At the start of the debate a proposal was moved by Councillor Peter Hutton, seconded by Councillor Toby Sturgis to grant planning permission as detailed in the report.

During the debate the main points raised were: that, currently, national and local policy did not support the possibility of 'overdevelopment' on this site; over parking arrangements and whether more storage space would be needed (sheds etc.) for the separate dwelling.

Resolved

That planning permission is approved subject to the following conditions:

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

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

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

Plans as received by the LPA 16/04/2018:

Existing Plans and Section (1740 S/03, Dated: Jan 2018);

Existing Elevations (1740 S/04, Dated: Jan 2018); and

Existing Site Plan (1740 S/02, Dated: Jan 2018).

Plan as received by the LPA 09/07/2018:

Location Plan (1740 S/01 Rev: A, Dated: Jan 2018).

Plans as received by the LPA 04/09/2018:

Proposed Elevations (1740 P/07 Rev: C, Dated: 04.09.18);

Proposed Plans and Section (1740 P/06 Rev: D, Dated: 04.09.18);

and

Proposed Site Plan (1740 P/05 Rev: D, Dated: 04.09.18).

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

3. No part of the development hereby permitted shall be occupied until 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.

One off-street parking space as shown on the site plan must be retained for use in association with the new dwelling in perpetuity.

REASON: In the interests of highway safety and to ensure the revised access is no wider than as indicated on the approved plans, to safeguard the character and appearance of the area/setting of heritage assets.

4. No walls shall be constructed on site, until a sample wall panel, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

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

- 5. 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 new dwelling shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.**

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

- 6. Prior to first occupation of the building as self-contained accommodation, details of the boundary treatment to be installed along the boundaries of the garden and private areas of the new accommodation shall have been submitted to and agreed in writing by the Local Planning Authority. The boundary treatments shall be implemented in complete accordance with those details so agreed and shall remain in that condition thereafter.**

REASON: In the interests of securing a boundary treatment that provides suitable privacy and amenity levels for existing and future residents as well as to ensure the boundary treatment is respectful of the sites sensitive location in the Conservation Area.

- 7. All new trees shown on the approved site plan shall be planted in the first planting and seeding season following the first occupation of the converted building or the completion of the development, whichever is the sooner.**

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

- 8. The rooflights hereby approved shall be of the 'conservation' type with a single vertical glazing bar and mounted flush with the roof slope.**

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

- 9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to the former stable building subject to the conversion hereby permitted.**

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 external alterations.

- 10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.**

REASON: To safeguard the character and appearance of the area.

11. INFORMATIVE TO APPLICANT:

The revised access may impact upon a street sign within the public highway. It is recommended that northernhighways@wiltshire.gov.uk is contacted prior to any works are due to commence. Any relocation required would be at the applicants own expense.

12. INFORMATIVE TO APPLICANT:

There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species Regulations 2010 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact the Bat Advice Service on 0845 1300 228, email enquiries@bats.org.uk or visit the Bat Conservation Trust website.

13. INFORMATIVE TO APPLICANT:

The applicant is advised that storage and mixing of materials must take place on hardstanding away from trees.

14. INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the

size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

15. INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

16. INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

17. INFORMATIVE TO APPLICANT:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

18. INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website

www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastucturelevy.

52 **18/04914/FUL - Land Adjacent to Ravensroost Farm, Minety, Malmesbury, SN16 9RJ**

Public Participation

Jamie Denman, local resident, spoke in objection to the application.

Jan Brooks, local resident, spoke in objection to the application.

Lee Searles, the agent, spoke in support of the application.

Simon Wheeler, the applicant, spoke in support of the application.

Councillor Charles Brook, Chairman of Minety Parish Council spoke in objection to the application.

The Planning Officer, Richard Sewell , introduced a report which recommended granting planning permission, subject to conditions, for the development works required for the construction of a battery energy storage facility.

Key issues highlighted included: principle of development; impact on residential amenities of adjoining neighbours; impact on character and appearance of the area; impact on ecology; impact on highways and impact on drainage.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: the location of other battery energy storage facilities in Minety; location of the nearest gas main; on-site security arrangements and details about the construction method statement.

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

Councillor Chuck Berry, Division Member, spoke regarding the application with the main point focusing on the oversupply of battery energy storage facilities in the Minety area.

At the start of the debate a proposal was moved by Councillor Peter Hutton, seconded by Councillor Brian Mathew to grant planning permission as detailed in the report and subject to additional conditions detailed below.

During the debate the main points raised were: concerns over current and future road conditions of the B4040; the possibility of a lead escort vehicle; the precedent this might set for future development on greenfield sites; consideration of policy guidelines and notification of construction vehicle movements to the Parish Council, residents fronting the B4040 and the local school.

Resolved

That planning permission is approved 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. Within six months of the commencement on site, a scheme for the decommissioning and restoration of the development shall have been submitted to and approved by the Local Planning Authority, the details of which shall include how the land will be restored back to fully agricultural use upon the development no longer being in operation or upon the expiry date of 25 years from the date of the development starting to feed electricity to the Grid, whichever is sooner. The Decommissioning and Restoration scheme of this development shall be carried out in accordance with the scheme so agreed.

REASON: To ensure upon the development no longer being in use, the complete removal of all development allowed under this permission and the restoration of the land to its former condition.

3. The Local Planning Authority shall be notified in writing within one month of the event that the development hereby approved has started to feed or take electricity to/from the Grid. The installation hereby approved shall be permanently removed from the site and the surface reinstated within 25 years and six months of the date of notification and the local planning authority shall be notified in writing of that removal within one month of the event.

REASON: In the interests of amenity and the finite operation of this type of development.

4. 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) location and current canopy spread of all existing trees and hedgerows on the land;
- b) full details of any to be retained, together with measures for their protection in the course of development;
- c) a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- d) means of enclosure;
- e) car park layouts;
- f) other vehicle and pedestrian access and circulation areas;
- g) all hard and soft surfacing materials;

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the

Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 5. 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.

- 6. The development hereby permitted will be carried out in strict accordance with the recommendations given in Section 6 of the Ecological Appraisal by Clarkson Woods Ecology dated April 2018 and detailed on the site plan on page 36 of the same report.**

REASON: To mitigate against the loss of existing biodiversity and nature habitats.

- 7. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before commencement of the development. The content of the LEMP shall include, but not necessarily be limited to, the following information:**

- a) Description and evaluation of features to be managed;**
- b) Landscape and ecological trends and constraints on site that might influence management;**
- c) Aims and objectives of management;**
- d) Appropriate management options for achieving aims and objectives;**
- e) Prescriptions for management actions;**
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over an 25 year period;**
- g) Details of the body or organisation responsible for implementation of the plan;**

- h) Ongoing monitoring and remedial measures;**
- i) Details of how the aims and objectives of the LEMP will be communicated to future occupiers of the development.**

The LEMP will also include the wider land holding within the applicant's ownership, covering the plantation to the immediate north of the red line application boundary, the access track and any features identified within the recommendations at in Section 6 of the Ecological Appraisal by Clarkson Woods Ecology dated April 2018 that may fall outside the site but which are in the wider ownership. Initial management prescriptions should be based on a 5 year establishment period, then for the remainder of the 25year permission, with review every 5 years and proposals for restoration of the site at the end of the 25 year permission.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented.

The LEMP shall be implemented in full in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure adequate protection, mitigation and compensation for protected species, priority.

- 8. No development shall commence on site (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:**
 - a) Risk assessment of potentially damaging construction activities**
 - b) Identification of 'biodiversity protection zones'**
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)**
 - d) The location and timing of sensitive works to avoid harm to biodiversity features**

- e) The times during construction when specialists ecologists need to be present on site to oversee works
- f) Responsible persons and lines of communication
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s)
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

A report prepared by a competent person(s), certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, shall be submitted to the Local Planning Authority within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner.

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

9. Prior to construction details of the means of a suitable access to the site shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

10. No development shall commence on site until a scheme for the positive discharge of surface water from the site (including surface water from the access / gravel areas), incorporating sustainable drainage details together with permeability test results to BRE365 and showing an improvement in discharge rate from the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be 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.

11. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage 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.

- 12. No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site.**

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

- 13. In addition to the Construction Traffic Management Plan CRM.349.004.TR.R.005 dated August 2018, no development shall commence on site until the following details have been submitted and approved in writing by the Local Planning Authority:**

- a) Details and locations of all proposed signage indicating transport routes of construction traffic**
- b) Details of lead escort vehicles associated with all HGV construction traffic travelling along the C76 unclassified road leading to and from the proposal site.**
- c) Details of notification letters sent to Minety Parish Council and all residents of the properties situated between the B4040 and Blue Boar Crossroads indicating the dates and timeframes of likely HGV movements.**

REASON: In the interests of highway safety.

- 14. Prior to the commencement of development a pre-construction photographic survey of the C76 north from the main entrance to the junction with The Common shall be carried out. Upon completion of the construction phases, a post construction survey shall be carried out at the same locations. Details and results of both before and after survey shall have been submitted to the Council as the Highway Authority within 3 months of the first use of the development. Those submitted details and results shall be accompanied by a plan and timing schedule for the repair of any damage identified and attributable to the construction of the development, to be carried out at the expense of the applicant, which shall have been agreed in writing with the Local Planning Authority beforehand.**

REASON: So as to secure a scheme for the repair of the public highway following completion of substantive construction works.

15. Prior to commencement of development an assessment of the acoustic impact arising from the operation of all internally and externally located plant shall be undertaken in accordance with BS 4142: 2014 by a suitably qualified person. The assessment shall be submitted to the Local Planning Authority together with a scheme of attenuation measures to ensure the rating level of noise emitted from the proposed plant shall be less than background. The scheme shall be submitted to and approved in writing by the Local Planning Authority. A post installation noise assessment shall be carried out to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. The details as approved shall be implemented prior to occupation of the development and thereafter be permanently retained.

REASON: To protect local; amenity from adverse effects of noise.

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

Option Plan 1396-OP-01 Rev 05

Planning Layout Proposed Site Layout 1396-PL-02 Rev 05

Planning Layout Proposed Site Location Plan 1396-PL-03 Rev 04

Battery Container Plans and Elevations ENS-STD-PL-25

HVAC (SLAB) Plans and Elevations ENS-STD-PL-27

Inverter/TX Container Plans and Elevations ENS-STD-PL-28

Containerised Switchgear Plans and Elevations ENS-STD-PL-30

6m High Security Column Standard Details ENS-STD-PL-31

Security Fencing Typical Details ENS-STD-PL-32

132kv Single Circuit Tee Off (Underground) Details ENS-STD-PL-33

Planning Layout Existing & Proposed Elevations 1396-PL-04 Rev 02

Control and Metering Room Plans and Elevations ENS-STD-PL-45
(received 19.09.18)

Landscape Strategy Plan CRM.349.004.L.D.001

Planning Layout Existing Layout 1396-PL-01 Rev 03

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

17. **INFORMATIVE TO APPLICANT:**

The Applicant is advised of the need to consult the Area Highways Manager at 01249468561 matt.perrott@wiltshire.gov.uk before access works commence. This is in order to agree a pre-construction survey to ensure any damage done to the public highway during the construction phase is made right within a reasonable time period post-construction.

18. INFORMATIVE TO APPLICANT:

The applicant is advised of the need to consult the School Travel Adviser at 01225 713483 ruth.durrant@wiltshire.gov.uk regarding the frequency and proposed routes of HGV construction traffic.

19. INFORMATIVE TO APPLICANT:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

20. INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

21. INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

22. INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

53 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 4.35 pm)

The Officer who has produced these minutes is Stuart Figini of Democratic Services,
direct line 01225 718221, e-mail stuart.figini@wiltshire.gov.uk

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