

## STRATEGIC PLANNING COMMITTEE

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### MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 20 JUNE 2018 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

#### Present:

Cllr Fleur de Rhé-Philippe (Chairman), Cllr Derek Brown OBE (Vice-Chairman), Cllr Andrew Davis, Cllr Stewart Dobson, Cllr Sarah Gibson, Cllr David Jenkins, Cllr Christopher Newbury, Cllr James Sheppard, Cllr Tony Trotman, Cllr Ian Blair-Pilling (Substitute) and Cllr Nick Murry (Substitute)

#### Also Present:

Cllr Alan Hill, Cllr Pip Ridout and Cllr Toby Sturgis.

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#### 26 Apologies

Apologies for absence were received from:

Cllr Ernie Clark, who was substituted by Cllr Nick Murry  
Cllr Fred Westmoreland, who was substituted by Cllr Ian Blair-Pilling

#### 27 Minutes of the Previous Meeting

##### **Resolved:**

**To confirm and sign the minutes of the previous meeting held on 25 April 2018.**

#### 28 Declarations of Interest

There were no declarations of interest made at the meeting.

#### 29 Chairman's Announcements

There were no Chairman's announcements.

#### 30 Public Participation

There were no questions or statements submitted.

#### 31 15/01800/OUT: Land at the proposed West Warminster Urban Extension North of Victoria Road & to the West of Bath Road Comprising approx. 84 hectares of land, Warminster - Demolition of a series of agricultural sheds and one residential dwelling and the delivery of up to 1,000 dwellings (Class C3); a local centre of 0.56ha (to accommodate commercial development falling under Use Classes A1-A5, C2, C3 and D1); an employment area of 5.6 hectares (to accommodate various businesses

**falling under Use Classes B1, B2 and B8); a primary and part-secondary school (Use Class D1); formal and informal recreational open space including children's play areas, allotments and changing facilities; car parking; hard and soft landscaping including a noise bund along part of the western boundary; storm water attenuation ponds; foul and surface water drainage infrastructure; and provision of road access infrastructure to include roundabout accesses on Bath Road and Victoria Road.**

The Committee received a presentation from the Case Officer which set out the issues in respect of the application. He also summarised two representations he had received following publication of the agenda papers. The Cranborne Chase & West Wiltshire Downs AONB Officer had very recently sent a further communication stating that the AONB's main concerns were mitigated by the proposed conditions. The second representation received contained no additional points of view.

***The purpose of the report was to assess the merits of the application against the relevant national and local development plan policies and other material considerations; and to recommend that permission should be approved subject to the prior completion of archaeological trial trenching and completion of a s106 legal agreement and planning conditions.***

***Members then had the opportunity to ask technical questions during which Cllr Christopher Newbury questioned why item no 10 of the summarised Section 106 Heads of Terms summary stipulated that the developer contribution of £491,440 should be subject to phased payments to be agreed to contribute towards the improvement and expansion at the Avenue GP surgery rather than to fund a new health care surgery within the Warminster Community Area. The Case Officer explained that to be legally compliant, the planning obligation must have a dedicated project and furthermore, the NHS had stipulated that this was how the developer contributions should be spent as it was not their intention to provide an additional surgery in the Warminster area.***

***Members also asked the officer to clarify the proposed housing quantum and how it compared to the endorsed site allocation Masterplan and adopted Core Strategy; the proposed affordable housing provision and the bus strategy obligation.***

***Members then heard the views of Cllr Tony Nicklin, Mayor of Warminster, who explained that although supportive of the application, the Town Council made the following points and recommendations:-***

1. The roundabout on the A36 from Victoria Road would need to have some improvements to accommodate the Longleat hotel. Although it was argued that these would be insufficient to take the increased traffic from the WWUE development. The existing traffic flow already made it difficult to access the roundabout from Victoria Road and there were significant safety concerns. It was suggested that traffic lights for the roundabout should be considered.
2. The AONB comments regarding the need for recessive coloured roofs and screening for this site were endorsed.
3. The commercial site was surrounded by housing and did not have an adequate separate access.

The Committee then heard the views of Cllr Pip Ridout, the local Member, who endorsed the views expressed by the Town Mayor. She expressed her appreciation at constructive negotiations that had been taking place with the applicant and hoped that these would continue in order to resolve outstanding issues.

After discussion, which included an amendment to the summarised NHS planning obligation listed within point no.10 below, on the proposal of the Chairman, which was seconded by Cllr Andrew Davis,

**Resolved:**

**To grant outline planning permission subject to the planning conditions and informatives listed below following the completion of a legal agreement to enshrine the developer obligations under s106 of the Town and Country Planning Act 1990 as summarised below:-**

- 1. The developer shall be obligated to provide 30% (i.e. up to 300 affordable housing units) on-site taking the following split: 60% (180) affordable rented homes and 40% (120) shared ownership homes.**
- 2. The developer shall be obligated to provide 1.8 hectares of fully serviced land (with unburdened access to Victoria Road and utility connections) to be transferred to the Council within 12 months of the commencement of residential development at nil cost to the Council for the future provision of a primary school to provide the essential school infrastructure.**
- 3. The developer shall be obligated to safeguard an additional 1.8 hectares of fully serviced land (with unburdened access to Victoria Road and utility connections) to be transferred to the Council within 12 months of the commencement of residential development at nil cost to the Council for the future provision of an additional/secondary school facility in full recognition that Kingdown Academy, as the sole secondary school serving the town is at capacity with limited potential to expand on its current site and through acknowledging it cannot accommodate the projected additional pupils this 1000 house development would generate.**
- 4. If the primary school site is to be delivered by the developers (i.e. to submit the application, construct and deliver) following the agreement of the LEA, the s106 should include bespoke and detailed clauses covering its delivery. To ensure that the housing is suitably served by a new primary school, the s106 would need to restrict housing occupation to a maximum of 180 dwellings. The school would need to be available to accommodate pupils before the 181<sup>st</sup> dwelling is occupied.**
- 5. If the additional/secondary school facility is to be delivered by the developers (i.e. to submit the application, construct and deliver) following the agreement of the LEA and Kingdown Academy, the s106 should include bespoke and detailed clauses covering its delivery. To ensure that the housing is suitably served by secondary school facilities, the s106 would need to restrict housing occupation to a maximum of 100**

dwellings. The secondary school premises would need to be available to pupils before the 101<sup>st</sup> dwelling is occupied.

6. The developer shall be obligated to pay the sum of £3,947,625 (for 225 primary school places levied at £17,545 per place;

7. The developer shall be obligated to a pay the sum of £4,616,568 (for 198 secondary places) levied at £23,316 per place;

8. The development qualifies for three phased developer payments for secondary education purposes. The phased education contributions shall be: 30% on the commencement of the residential development, 35% payment following the occupation of the 200<sup>th</sup> dwelling and the remaining 35% following the occupation of the 400<sup>th</sup> dwelling. For primary purposes, the development qualifies for four phased payments equating to the following: 5% on the commencement of the residential development, 35% following the occupation of the 100<sup>th</sup> dwelling, 30% following the occupation of the 200<sup>th</sup> dwelling and the remaining 30% following the occupation of the 500<sup>th</sup> dwelling.

9. The developer shall be obligated to pay the full costs of providing all the associated waste and recycling infrastructure across the site (based on the contributions set out within the Council's 2017 adopted Waste Collection Guidance SPD);

10. The developer shall be obligated to pay the sum of £491,440 to be subject to phased payments to be agreed to contribute towards the improvements and expansion at the Avenue GP surgery and the town's medical services; or, alternatively and following agreement with the NHS, to fund any new health care surgery within the Warminster Community Area to provide additional capacity and services to serve this development (which shall be subject to a clawback provision);

11. The developer shall be obligated to enter into an agreement with the Council to establish a Management Company for all the associated maintenance liabilities relative to all the public open space, play areas, sporting facilities, allotments, flood attenuation and SUDs, landscaping and the noise attenuation and landscaped bund;

12. The developer shall be obligated to enter into an agreement with the Council to establish appropriate management of the ecology park;

13. The develop shall be obligated to deliver the two roundabouts off Bath Road (with a zebra crossing) and Victoria Road and complete all the necessary alterations to the existing highway arrangements required to deliver two main safe accesses off the public highway.

14. The developer shall be obligated to deliver the spine road through the site designed to accommodate a bus route and a 3.2m wide shared footway/cycleway for the entire route connecting Bath Road with Victoria Road and its completion must be prior to the occupation of the 600<sup>th</sup> dwelling, or prior to the occupation of the 301<sup>st</sup> dwelling (delivered and accessed from either roundabout junction), or before the period of 6 years from the date of the first occupation of the residential development, whichever is the earlier;

15. The developer shall be obligated to deliver a new footpath along the western side of Bath Road to connect the site and Crusader Park and existing footpaths;

16. The developer shall be obligated to deliver a 3.2m wide footpath along the northern edge of Victoria Road from the new roundabout to connect with the existing footpath;
17. The developer shall be obligated to undertake all the necessary on-site upgrade works to PRow WARM8, WARM12, WARM9, WARM10, WARM13 & WARM70 links including an obligation to pay for all the diversions orders and pedestrian/cycle track orders to be enshrined under a separate s278 agreement;
18. The developer shall be obligated to pay £850 to deliver the necessary upgrades to the existing stiles to create kissing gates along footpath WARM13 to be paid prior to the occupation of the 50<sup>th</sup> dwelling;
19. The developer shall be obligated to pay the pro-rata sum of £14,300 for upgrades to WARWEST15 and £12,500 for upgrades to WARWES 16 to be paid prior to the occupation of the 301<sup>st</sup> dwelling;
20. The developer shall be obligated to deliver a new controlled Toucan crossing on Victoria Road and to connect with footpaths WARM 5 & 6 (Note: pooled s106 developer contributions that have already been secured from Redrow's consented development based on a 20% pro-rata calculation, would be used to part fund the works once a contract is entered into);
21. The developer shall be obligated to deliver a new roundabout at Copheap Lane/Westbury Road/Portway (Note: pooled s106 developer contributions that have already been secured from Redrow's consented development based on a 20% pro-rata calculation, would be used to part fund the works once a contract is entered into);
22. The developer shall be obligated to deliver and convert WARM8 footpath to a 3m wide pedestrian and cycle route (from Victoria Road to the site boundary) to be enshrined in a s278 agreement;
23. The developer shall be obligated to deliver and convert WARM70 footpath to a 3m wide pedestrian and cycle route to be enshrined in a s278 agreement;
24. The developer shall be obligated to pay a maximum sum of £225,500 to be paid on a pro rata basis and relative to the length of the route within the control and ownership of the developers to upgrade an approximate 290m stretch of WARM9 footpath to form a 3m wide pedestrian and cycle route with a bridge crossing over the brook (from Coldharbour Lane to the southern site boundary that abuts with the Grovelands Way proposed care home site). The full sum would be substantively reduced on a) the extent to which the northern part of the path can be delivered within the site boundary, and (b) the southern part at circa 145m in extent being delivered by the developers for 17/05360/OUT on the Grovelands site;
25. The developer shall be obligated to commit to delivering a bus strategy for the site and to provide for a half hourly weekday services to and from the site and Warminster Town Centre. The strategy shall also include details of support funding, if required to be made by the developers based on an agreed bus strategy or bus service agreement to support the service throughout and beyond the development build out phasing. The bus strategy shall also include enhanced service provision to Kingdown Secondary;

**26. The developer shall be obligated to make provision of bus stops, shelters and real time passenger information along the strategic spine road;**

**27. The developer shall be obligated to pay for all necessary temporary traffic regulation orders, including weight restrictions, prohibition of driving, and parking;**

**28. The developer shall be obligated to deliver full travel plans for the residential and employment uses on the site, together with details of inducements to encourage site occupants to travel by sustainable means. A travel plan for the school development shall also be required;**

**29. The developer shall be obligated to enter an agreement with the Council to establish the phased timescales for the advance/early landscape strategic planting and creation of the bund along the site's northern boundary adjacent to the A36(T) SRN;**

**30. The developer shall be obligated to deliver the necessary Microprocessor Optimised Vehicle Actuation (MOVA) software upgrades at the Weymouth Street, Market Place and High Street traffic controlled junction under a s278 agreement and to cover the resultant costs of the installation and maintenance for a 12 month period. Alternatively, a maximum developer contribution amounting to £120,000 would be required;**

**31. The developer shall be obligated to enter an agreement with the Council to jointly work on a marketing strategy for the employment site and to actively promote the serviced site as part of the early phase of development;**

**32. The developer shall be obligated to enter an agreement with the Council in regard to providing all the necessary on site SUDs and land drainage attenuation infrastructure;**

**33. The developer shall be obligated to enter an agreement with the Council to establish the delivery timescales and provision of the public open space, the sporting pitches and changing rooms across the site (to be linked to phased housing delivery triggers and completion of the link road); and,**

**(a) A s278 is necessary to establish sufficient securities to deliver the public highway/rights of way infrastructure improvement works. The developers would also be required to enter into a separate agreement with Wessex Water pursuant to obtaining the necessary new water and sewage infrastructure connections. In addition, the development proposes the demolition of an existing dwellinghouse which is served with an existing electricity supply and the site has electricity infrastructure which may require removal and/or diversion. The necessary supply closure to the existing property and any diversion of the existing infrastructure triggers the need for the developer to enter into a separate agreement with the district network operator. Any deviation or diversion of existing infrastructure would require the developer to pay additional contributions and enter into a separate contractual arrangement with the distribution network operator. These matters are suitably captured by planning informatives.**

(b) Separate to the s106 obligations listed above, future reserved matters submissions would be CiL liable. It is not possible to confirm the exact CiL amount at this stage, however based on the Council's current charging schedule and an estimated projected average house size, the level of CiL payment is likely to extend to some £1.9million. In the context of this application, CiL payments could contribute towards leisure service infrastructure improvements, improvements to be made at Warminster's Fire Station or its relocation costs, the Wessex Stone Curlew Project, delivering off-site air quality infrastructure improvements, supporting early years education provision; off-site PRow upgrades (not included within the s106); and, the expansion of the Warminster cemetery, although the allocation of CiL receipts from this development is not a matter for consideration by the committee.

(c) In recognition of the made status of the Warminster Neighbourhood Plan, based on the above estimated CiL receipt level, Warminster Town Council would directly secure circa £475k (i.e. 25% of the total CiL contribution).

In addition to the above, prior to the issuing of the s106, to require the applicants/developers to undertake further on-site archaeology trial trenching to proof test the completed geophysical surveying. The extent and scope of the trial trenching must be agreed in writing with the Council's archaeology team and the on-site trench evaluation should run in parallel with the preparation of the aforementioned s106 legal agreement. In the event that the trial trenching evaluation reveals significant archaeology, an updated committee report would be prepared, supported by an additional archaeology appraisal and it would be brought back to the strategic planning committee for fresh consideration before any decision is issued.

**Conditions:**

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

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

*2 No development shall commence on site other than the works hereby approved pursuant to the two new roundabout site accesses, until details of the following matters for the remainder of the site (in respect of which approval is expressly reserved) have been submitted to and approved in writing by the Local Planning Authority:*

- (a) The scale of the development;*
- (b) The layout of the development;*
- (c) The external appearance of the development;*

*(d) The landscaping of the site.*

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

*REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Drawing no.31115-Lea149.dwg identifies the residential and hotel parts of the site.*

*3 Application(s) for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of ten years from the date of this permission.*

*REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990*

*4. The reserved matters applications shall make provision for the following:*

*a) At least 5.6 ha of land and buildings for employment purposes (Class B1, B2 and/or B8 uses) which shall have recessive dark coloured roofs and wall finishes and a minimum 10m landscaped buffer shall be provided with appropriate impenetrable fencing to separate the site and new residential development;*

*b) 1.8 ha of fully serviced land and the erection of a primary school (to be future proofed to facilitate a 2FE facility); and an additional safeguarded 1.8ha area of land as an option to deliver additional/secondary school facilities; and, that the 'school's' shall be limited to no more than two-storeys and shall have recessive dark coloured roofs and wall finishes;*

*c) A 0.56 ha site for a local centre to provide a mix of premises comprising small convenience shops, other A1 uses, food & drink establishments, hot food takeaway uses (A3, A4 and A5); as well as C2, C3 and D1 uses including community uses such as a community hall which shall be limited to no more than two-storeys and shall have recessive, dark coloured roofs and wall finishes;*

*d) Sites for public open space and play areas to be laid out and equipped in accordance with the specifications set out in the West Wiltshire Leisure and Recreation DPD (or any subsequent replacement); to include 5.05 ha of formal sports pitches with changing rooms and car parking, at least 2124sq.m of equipped play provision in the form of 1 NEAP (neighbourhood equipped area of play) and 2 LEAPs (local equipped areas of play) and 1 trim trail;*

*e) 39.5 ha of land to be dedicated as public open space, children's play areas, attenuation ponds (to be provided in accordance with the FRA and drainage strategy requirements); and an ecology area comprising 2.96 ha;*

*f) 0.38 ha of land for allotments;*

*g) A strategic road link to connect Bath Road and Victoria Road to be constructed on a phased basis; and,*

*h) Up to 1,000 dwellings with recessive dark coloured roofs.*

*The 'layout of the development' reserved matter (which is required to be submitted and approved under condition no. 2) shall accommodate all of the above substantially in accordance with the WWUE Illustrative Masterplan (Rev 12) dated 27/03/2018 and the related Parameters Plans (including the Land Use Plan (Rev 6) dated 07/03/2018 Access and Movement Plan (Rev 6) dated 26/03/2018; Density Plan (Rev 10) dated 07/03/2018; and Maximum Building Heights (Rev 7) dated 07/03/2018.*



The 'landscaping of the site' reserved matter (which is required to be submitted and approved under condition no. 2) must include all tree and hedge planting specification details alongside a detailed plan setting out all the sizes and species, which shall include larger specimen planting stock to be submitted and agreed in writing by the local planning authority.

*REASON:* To ensure the creation of a sustainable and balanced urban extension to Warminster, in accordance with the requirements of the Wiltshire Core Strategy and the design objectives of the Design and Access Statement as well as being respectful to the proximity of the AONB and special landscape areas.

5. No development shall commence on site until a 'phasing plan' and an 'order of delivery schedule' for the entire application site have been submitted to and approved in writing by the local planning authority. The phasing plan shall divide the site into clearly identifiable land parcels or sub-phases for each of the subsequent reserved matters applications; and, in the case of the approved 'means of access'; the plan shall encompass sections of the means of access and associated PROW upgrades pursuant to each phase of development. The 'order of delivery schedule' shall also specify the order in which each land parcel shall commence.

In addition, detailed plans and an order of delivery schedule for 'non-phase specific' landscape and ecology mitigation measures shall be submitted to and approved in writing by the local planning authority. These shall specify where and when the 'non-phase specific' mitigation measures shall be provided and/or constructed. The 'non-phase specific ecology' measures relate to the following:

1. The delivery of the strategic planting along the A36;
2. The delivery of the linear park;
3. The delivery of the ecology park: 're-wilding' area in the south-western part of the site;
4. The delivery of the green corridors - as shown on the Ecological Opportunities map (on page 61 of the Design and Access Statement – dated March 2018).

The phasing plan and order of delivery schedule shall also confirm the following:

5. The delivery of the strategic link road connecting Victoria Road and Bath Road; and,
6. The delivery of all the internal roads, footpaths and cycle tracks upgrades

*REASON:* To ensure the proper planning and delivery of the development and to ensure the safeguarding of matters of acknowledged importance, including amenity, ecology and infrastructure provision in general as well as to ensure that the site is built out in a manner which is consistent with the restrictions on dwelling numbers served by a cul-de-sacs, and to secure bus services routes and appropriate PROW connections area available for each phase of development.

*NOTE:* The upgrade of WARM70 should be prioritised from the Victoria Road end as part of the first phase of the residential development being delivered off Victoria Road to enhance the site permeability and to encourage walking and cycling as part of the initial phasing. Similarly, the completion of the Coldharbour Lane cycle track upgrade should be completed alongside with the delivery of the internal site road network connection with Coldharbour Lane (WARM8).

**6. None of the existing on-site electricity infrastructure shall be diverted or removed until details have been submitted to the local planning authority for its written approval. The developer shall confirm whichever**

**is applicable, a) how the development would be constructed and delivered retaining the existing 11kv and low voltage overhead power lines electricity infrastructure, without any diversion; or (b) setting out the necessary diversions and/or removal of electricity infrastructure and confirm the development programme arrangements; or c) a combination of a) and b).**

*REASON: To ensure that the appropriate electricity infrastructure is available to service the site and to ensure that all necessary contractual agreements are entered into with the DNO with regard to any modification, diversion or removal of electricity infrastructure.*

*7. The construction of the roundabouts off Bath Road and Victoria Road hereby approved by plan drawing no's P507/38 Rev A & P507/39 shall not commence until the technical construction details of each roundabout have been submitted to and approved by the local planning authority. Thereafter, the roundabouts shall be constructed in accordance with the approved details before serving the phases of development for which they are intended to provide the vehicular access.*

*REASON: To ensure the proper planning and delivery of the development accessed off two new roundabout junctions on Victoria Road and Bath Road.*

*8. No development shall commence on site pursuant to the residential, commercial, education, employment phases of development until a foul water drainage strategy has been submitted and approved in writing by the local planning authority to secure the following:*

- A detailed drainage phased scheme and phased construction programme to include the detailed points of connections to the sewer, the discharge rates and off-site foul sewer storage at the sewage pumping station and any necessary treatment improvements required to serve each phase of development; including any temporary arrangements; and, following the approval of the strategy.*

*Thereafter, the drainage scheme shall be completed in accordance with the approved details and following the timetable to be agreed in writing with the local planning authority.*

*REASON: To ensure that the appropriate foul sewerage infrastructure is available to service the site and to ensure that the development does not increase the risk of sewer flooding to downstream properties and to secure off-site sewer improvements to deliver ecological/environmental betterment.*

*9. No development (pursuant to each phase) shall be brought into use until the foul drainage infrastructure connections and improvements have been completed in accordance with an agreed drainage strategy.*

*REASON: To ensure that the appropriate foul sewerage infrastructure is available to service the site.*

*NOTE: The applicant is encouraged to liaise directly with Wessex Water pursuant to any necessary off-site scheme of works to upgrade the emergency storage facilities at the Portway sewage pumping station, any sewer requisitions; and, any additional off-site reinforcement of the water supply network that may be required, for any proposed building exceeding two storeys requiring on site boosted storage facilities.*

10. No development (pursuant to each phase) shall commence on site until a scheme for the discharge of surface water from the site to include the provisions and measures to prevent pollution of receiving groundwater and/or surface waters, a timetable for its implementation; and a construction and SUDS management and maintenance plan for the lifetime of the development incorporating sustainable drainage details, have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the phased development shall not be first brought into use until the surface water drainage provisions (including any temporary arrangements) have been completed and connections are available in accordance with an approved drainage scheme.

*REASON:* This matter is required to be agreed with the Local Planning Authority before development commences to ensure that the phased development is undertaken in an acceptable manner and to ensure that the development does not increase the risk of flooding.

*NOTE:* The formation of a SUDS Management Company is a s106 obligation.

11. That all subsequent reserved matters applications (pursuant to each phase) shall include detailed plans that confirm finished floor levels being set no lower than 600mm above the predicted 1 in 100 year annual probability fluvial flood level. The plans shall also show the contextual modelled fluvial flood levels as well as finished on plot site levels.

*REASON:* This matter is required to be agreed in writing by the Local Planning Authority before development commences to ensure that the development reduces the risk of flooding.

12. No construction or spoil materials shall be stored or heaped (even temporarily) in the areas identified as being flood zones 2 and 3 as shown on the published Flood Map (Drawing No. P831/04 Rev. A) and the map showing the maximum hydraulic modelled 1 in 1000 year fluvial flood extent (Drawing No. P831/05 Rev. A).

*REASON:* To ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity.

13. No development (pursuant to each phase) shall commence on site until a land contamination verification report and remediation strategy have been submitted to and approved in writing by the local planning authority.

*REASON:* To protect controlled waters from any form of pollution.

*NOTE:* The verification report should follow the PRA (preliminary risk assessment) submitted in support of the application and chapter 13 of the Environmental Statement. The verification plan should include monitoring and maintenance of pollutant linkages and arrangements for contingency action. Any changes to these components would require the written approval of the local planning authority.

**14. No development (pursuant to each phase) shall commence on site until an Ecological Mitigation Plan has been submitted to and approved by the Local Planning Authority. The EcMP shall contain details of the number, location, and design of bat and bird boxes/mitigation to be provided within buildings. Thereafter, pursuant to each phase, the works shall be completed in accordance with the approved details.**

**REASON:** To ensure that the bat and bird ecological mitigation requirements are clearly shown on plan(s) and are implemented at the appropriate time as part of each phase of development.

**15.** No development (pursuant to each phase) shall commence on site until the details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, fire-fighting apparatus and fire hydrants, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The development pursuant to each phase shall not be brought into use until the above cited matters have all been constructed and laid out in accordance with the approved details.

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

**NOTE:** The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing public highway.

**16.** With regard to the reserved matter relating to the landscaping of the site, the details to be submitted for each phase shall be made in accordance with a detailed Green Corridors Parameters Plan to be submitted to and approved in writing by the Local Planning Authority. The Plan shall identify:

- Areas including hedgerow and tree planting corridors, with development being designed to ensure that there is no significant increase in light exposure when compared against existing levels;
- Areas of informal open space, wildlife habitat and sports pitches;
- The locations and types of measures which would be used to reduce severance for wildlife where Green Corridors are breached by roads and/or paths;
- The width of buffers which would remain undeveloped and outside the curtilage of dwellings to ensure hedgerows and other habitats which are integrated into the urban fabric would be retained in perpetuity; and
- Locations for reptile, hedgehog and other animal refugia and all other measures, including gaps in close board fencing, necessary to ensure that the urban areas are permeable to wildlife.

The development shall be designed and constructed in accordance with the approved Parameters Plan.

**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 green corridors function effectively to conserve and promote biodiversity conservation.

**17. No development shall commence within any phase, including the construction of either roundabout access 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:-**

- The location and current canopy spread of all existing trees and hedgerows on the land;
- Full details of any to be retained, together with measures for their protection in the course of development;
- A detailed planting specification showing all plant species, number, supply and planting sizes and planting densities;
- Finished levels and contours;
- Means of enclosure;
- Car park layouts;
- All hard and soft surfacing materials;
- Minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc.);
- Proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines indicating lines, manholes, supports etc.); and
- Any historic landscape features and proposed restoration, where relevant.

All planting shall be in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428.

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

*18. All soft landscaping comprised in the approved details of landscaping for each approved phase of development 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 phase 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 ten 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 for each approved phase of development shall also be carried out in accordance with the details enshrined within the preceding condition and prior to the occupation of the respective phase 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.*

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

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

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

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

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

**[In this condition "retained tree and/or hedge" means an existing tree and hedgerow which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the date of commencement of the phase].**

**REASON: To safeguard trees to be retained in the interests of amenity.**

*20. No demolition, site clearance or development shall commence on site within any particular phase, and; no equipment, machinery or materials shall be brought on to site for the purpose of development within any particular phase until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall address the matters identified in section 5.3.13 of the Environmental Statement (January 2015) and shall identify all the*

*measures required to minimise the risks to ecology on site and pollution safeguarding to include the following:*

- Identification of protection areas where fencing (details to be provided) will be used to exclude works including, for example, the linear park and green corridors;*
- Method statements for specific operations / areas of the site likely to affect protected species;*
- List of operations which will be undertaken under the supervision of an Ecological Clerk of Works or a professional ecologist to those areas where vegetation / topsoil removal could affect protected species;*
- Confirmation of obtaining protected species licenses which are required before certain works commence;*
- For each phase of development pollution safeguarding mitigation details including the location of site and storage compounds, the use of plant and machinery, measures to control of dust and noise, the location and use of wheel washing and vehicle wash-down plant/machinery, and the location and use of oils/chemicals;*
- Submission of a site waste management plan and confirmed recycling plans for waste materials (if any); and*
- Ongoing monitoring, including compliance checks by a competent person / Ecological Clerk of Works(s) and site manager during construction and immediately post-completion.*

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

*A report prepared by the Ecological Clerk of Works or a professional ecologist certifying that the works identified in the CEMP have been completed to their satisfaction, and detailing the results of site supervision and any necessary remedial works undertaken or required, shall be submitted to the Local Planning Authority for approval within 1 month of the date of substantial completion of each phase of development. Any approved remedial works shall subsequently be carried out under the strict supervision of a professional ecologist following that approval.*

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

**21. No demolition, site clearance or development shall commence on site within any particular phase until a Construction Traffic Management Plan (CTMP) has been submitted to and approved by the local planning authority. The CTMP shall contain details of the routing arrangements for all traffic to the site, and a construction traffic signage scheme including details of how the existing traffic regulation order restricting use of local roads by heavy lorries would be temporarily amended. The CTMP shall also detail the necessary on site arrangements to ensure that site detritus is not carried by construction traffic onto the highway. Details of the arrangements for manoeuvring and storage/parking of all construction vehicles on the site shall be included in the CTMP. The site shall be operated in accordance with the approved CTMP at all times and all the routing signage shall be maintained for the entire construction phase. The plan should also set out how the developers shall reduce and manage the emission of noise, vibration and dust during the demolition and construction phases of development.**

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

**REASON:** In order to ensure the site construction traffic is properly managed in the interests of highway safety and to ensure that the amenities of local residents are substantively protected as well as adopting measures to minimise noise and disturbance levels.

*22. No development shall commence on site pursuant to any phase (except for the construction of the two roundabouts), until an acoustic design scheme to protect future residents and occupiers of the development hereby approved from A36 road traffic, Bath Road and Victoria Road and noise from premises on Roman Way has been submitted to and approved in writing by the Local Planning Authority. Details and measures included in the scheme should comprise site layout, internal building layout, acoustic insulation measures such as acoustic glazing, trickle ventilation, wall and roof construction, and noise mitigation and screening to be provided for external amenity areas. For each phase of development, the approved acoustic scheme shall be implemented prior to first occupation of any building and it shall be maintained at all times thereafter in accordance with the approved details.*

**REASON:** In order to ensure that the amenities of future residents are substantively protected as well as adopting measures to minimise noise and disturbance levels.

**23. No development shall commence pursuant to any proposed licensed premises until a scheme of acoustic insulation and noise control has been submitted to and approved in writing by the Local Planning Authority. The scheme should specify the acoustic insulation and other measures to be put in place to prevent and control the emission of noise from any licensed premises including noise from regulated entertainment and external plant. Thereafter, the approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working condition at all times thereafter.**

*REASON:* In order to ensure that the amenities of future residents are substantively protected as well as adopting measures to minimise noise and disturbance levels.

**NOTE:** In discharging this condition the applicant and the appointed consultant are encouraged to liaise directly with the Council's public protection team.

**24. No development shall commence pursuant to any proposed food/takeaway premises until a scheme of works for the control and dispersal of atmospheric emissions, and in particular odours and fumes has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working condition at all times thereafter.**



**REASON: In order to ensure that the amenities of future residents are substantively protected as well as adopting measures to minimise noise and disturbance levels.**

*NOTE: In discharging this condition the applicant/developer should ensure that the ventilation system discharges vertically at a height of at least 1m above the height of any nearby sensitive buildings or uses and not less than 1m above the eaves. The applicant/developer should also consult and follow the advice contained within the publication: Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (DEFRA 2005).*

**25. No development shall commence pursuant to any phase until a scheme and the format of a public carriageway condition survey has been agreed in writing by the local planning authority. Once the format is agreed, the condition survey shall duly report on the stretch of public highway along Victoria Road and Bath Road between the two new access roundabouts and the pursuant two A36 roundabouts and the results of the survey shall be submitted to the local planning authority within one month of the survey and report being completed.**

*REASON: To ensure the authority has an accurate record of the public carriage way condition prior to the aforementioned stretches being used by construction traffic.*

*26. For each relevant phase of development, details pursuant to the construction of the link road between Bath Road and Victoria Road shall make provision for adequate turning space on a temporary basis to ensure that large vehicles, and specifically buses, can enter and turn within the scheme in a forward gear.*

*REASON: In order that adequate internal facilities can be provided for buses and other large vehicles to enter, turn and leave the development which shall delivered on a phased approach.*

*27. For each phase of development, no site clearance, construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.*

*REASON: In order to ensure that the amenities of local residents are substantively protected.*

**28. No deliveries shall be made to or collections made from commercial premises outside the hours of 07:30 and 20:00 Monday to Saturday 09:00 and 18:00 Sundays and Public Holidays.**

**REASON: In order to ensure that the amenities of local residents are substantively protected.**

*29. No external lighting shall be installed as part of each phase until detailed plans showing the type of light appliance, the height and position of the fitting, the illumination levels and light spillage levels in accordance with the appropriate Environmental Zone standards as set out by the Institute of Lighting Engineers in their publication GN01:2011, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2011), have been submitted to and approved in writing by the Local Planning Authority. Where*

*development potentially affects green corridors and wildlife habitat, lux plots shall be submitted to demonstrate compliance with the Green Corridors Parameters Plan. Thereafter, all approved lighting shall be installed and be maintained in accordance with the approved details.*

*REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site as well as being fully mindful of the proximity to the AONB and special landscape areas.*

**30. Pursuant to each phase of development, the developer shall ensure that the upgraded P<sub>RoW</sub> connections and infrastructure are available and useable all year round with all surfacing to be completed to adoptable or alternative standards and to be agreed in writing by the local planning authority. For each phased reserved matters submission, the developer shall submit the following:**

**i) A detailed plan specification for all necessary P<sub>RoW</sub> upgrades and diversions, including any temporary diversions required for each phase of development to be submitted and approved in writing by the Local Planning Authority prior to commencement of works on site for each phase. The P<sub>RoW</sub> works legal orders, surfacing to adoptable standards, and signing schedules as necessary;**

**ii) A detailed timetable setting out the timeframe and delivery of the necessary P<sub>RoW</sub> works; and**

**iii) The cycle/pedestrian routes shall be 3m wide with segregated pedestrian/cycle surfacing.**

**REASON: To ensure that each phase of development is sufficiently serviced by P<sub>RoW</sub> upgrades.**

*31. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by the Local Planning Authority before the first occupation of any each phase of development. The content of the LEMP shall include the following information:*

- A drawing setting out the location and extent of landscape and ecological features across the entire site;*
- Description of features to be managed;*
- Aims and objectives of management*
- Management prescriptions to achieve aims and objectives;*
- Work schedule (including an annual work plan capable of being rolled forward over a 5 year period*
- Details of the body or organisation responsible for the implementation of the plan;*
- Monitoring and remedial measures including how these will be triggered and implemented;*
- Timeframe for reviewing the plan*
- Details of how the LEMP will be communicated to the occupiers of the development.*

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

*REASON: To ensure the long-term management of protected and priority habitats and other landscape and ecological features, and to maintain and enhance these habitats and features in perpetuity.*

**32. No dwelling, pursuant to each phase, shall be brought into use until it has have been provided with car parking and cycle storage spaces in accordance with the Council's adopted parking standards as required by the Wiltshire LTP 2011-2026 Car Parking and Cycle Strategies respectively. Any garage to be counted as being a parking space shall have internal dimensions of at least 3m by 6m per parking space. In addition, no commercial, employment or education uses shall be brought into use until the adopted parking standard requirements are accommodated for on site.**

**REASON: To ensure adequate parking space is provided on site clear of the highway, and to encourage transport by sustainable means.**

**33. No additional vehicular access onto Bath Road or Victoria Road is hereby permitted other than the two roundabouts (unless otherwise agreed as a temporary access). Prior to any dwelling, commercial or employment premises being brought into use, a plan showing all existing field gates that are not required shall be removed or closed up and as part of the phased landscaping provisions, details pursuant to each reserved matters application shall confirm new boundary treatments in accordance with a programme to be agreed in writing by the local planning authority**

**REASON: In order to ensure than vehicular access is not gained to the site from inappropriate locations.**

**34. The development (pursuant to each phase) shall be completed in accordance with chapter 10 of the Environment Statement, the Outline Dormouse Mitigation Strategy and the 'ecology mitigation and enhancements: outline proposals' (both dated September 2017 and produced by Aspect Ecology); and the Landscape Strategy and Implementation Plan, dated November 2017 produced SLR.**

**REASON: To ensure that each phase of development delivers adequate protection, mitigation and compensation for protected species, priority species and priority habitats.**

**35. The residential development hereby approved in outline form shall be designed to ensure that the new housing does not exceed 110 litres per person per day water consumption level (which includes external water usage). Within 3 months of each phase being brought into use, a post construction stage certificate certifying that this standard has been achieved shall be submitted to the local planning authority for its written approval.**

**REASON: To ensure that the development delivers betterment in terms of the level of discharge of phosphates from the sewage treatment plant into the River Avon SAC.**

*36. All building service plant and equipment (including air conditioning units and any air handling plant etc.) shall be sited and designed in order to achieve a Rating Level (BS4142:2014 or any subsequent version) of -5dB below the lowest measured background noise level (LA90T) determined at the nearest noise sensitive receptor, when the plant is intended to operate.*

*REASON: In order to ensure that the amenities of future residents are substantively protected as well as adopting measures to minimise noise and disturbance levels.*

**37. Prior to the occupation of the 100<sup>th</sup> dwelling on the site, a public art strategy shall be submitted to the local planning authority for its written approval. The strategy shall set out how public art shall be provided as part of the development alongside a delivery programme. Thereafter, the development shall be carried out in accordance with the approved strategy and the delivery programme.**

**REASON: In order to achieve a high quality environment and to support the objectives of WCS Core Policies 3, 31 and 57.**

**38. Prior to the commencement of the local centre, a strategic level scheme for the provision of 2 ultra low energy vehicle infrastructure points (ULEVI) (i.e. electric vehicle charging points) and a programme for its delivery shall be submitted to the local planning authority for its written approval. The local centre shall not be brought into use until the approved infrastructure is completed and available.**

**REASON: In the interests of reducing vehicular traffic pollution and supporting more sustainable modes of transit.**

**39. The development hereby approved shall be carried out in accordance with the following approved plans: Site Location Plan Dwg No 504 Rev G; Bath Road Site Access Roundabout Plan – Dwg No P507/38 Rev A; Victoria Road Site Access Roundabout Plan – Dwg No P507/39; WWUE Illustrative Masterplan Rev 12; WWUE Parameters Land Use Plan Rev 6; WWUE Parameters Density Plan Rev 10; WWUE Parameters Access and Movement Plan Rev 6; WWUE Parameters Maximum Building Heights Plan Rev 7; Design and Access Statement dated March 2018; Landscape Strategy and Implementation Plan (LSIP) dated November 2017.**

**REASON: To define the terms of this outline permission.**

**PLANNING INFORMATIVES:**

**1. The applicant is required to contact Wessex Water and agree any diversion of the existing water main that runs through the site. An easement of 6m either side of the existing water main must be maintained**

following any agreed diversion with Wessex Water. Water Supply network modelling would be required to determine if any off site reinforcement is required to accommodate extra demand on supply generated by the development. Buildings above two storeys would however require on-site boosted storage and this must be factored in as part of future reserved matters applications.

2. The applicant is required to contact the distribution network operator (DNO) to agree any necessary diversions, deviations or removal of any electricity infrastructure. The developer is not lawfully permitted to make any modifications to electricity infrastructure implemented and controlled by Section 37 of the 1989 Electricity Act.

3. The applicant is advised that any works or alterations made to the existing watercourses or connections to them require separate land drainage consent from the appropriate drainage authority. In this case, the environment agency and lead local flood authority would be the appropriate bodies.

4. The Wiltshire Fire & Rescue Service recommends the provision of the following as part of satisfying Building Regulations and reducing the risk of death, injury and property damage:

- Sprinklers work from a standard main, although a 32mm connection is required. They are inexpensive to install, particularly in a new building. They do not activate by accident causing unwanted damage. They only operate through individually activated heads, not the whole system. They can be designed to fit flush to the ceiling behind a flat cover. They cause less water damage in a fire than normal fire-fighting operations. They significantly reduce fire and smoke damage

- Commercial sprinklers should be installed as there are many benefits including: low installation and maintenance costs. Sprinkler systems are designed to last in excess of 50 years and fire damage can be reduced by 90% compared to a similar, unprotected building. The chance of accidental discharge due to a manufacturing fault is 1 in 16,000,000 heads. The likelihood of accidental damage causing a discharge is 1 in every 500,000 heads. Installation of a sprinkler system may allow the relaxation of other passive fire safety measures. Insurance costs may be significantly reduced. Sprinklers can control a fire with significantly less water than full fire service intervention. Sprinklers greatly reduced business disruption due to a fire and improved recovery from it.

- Sprinkler protection in schools is also highly recommended.

5. There are ordinary watercourses within or in close proximity to the site. If the developer seeks to temporarily obstruct any flow from the watercourse, including any proposed culverting; separate Land Drainage Consent would be required from the Lead Local Flood Authority. The Council's Drainage Team should be approached to discuss any requirements and the following guidance reviewed:

<http://www.wiltshire.gov.uk/communityandliving/civilemergencies/drainage/drainageordinarywatercourseconsent.htm>

6. *The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. In order to discharge the condition on*

water consumption, a water usage calculator showing how the development does not exceed a total (internal and external) usage level of 110 litres per person per day should be submitted to the LPA at the discharge of condition stage.

7. The applicant is advised to note that the Environment Agency and Lead Local Flood Authority (LLFA) are undertaking a full investigation and modelling exercise of the whole of the Warminster catchment area. The conditions imposed on any approval requiring additional land drainage submissions should be informed by the modelling with direct liaison between developer and the LLFA.

8. The applicant is furthermore encouraged to enter into a CoPA (Control of Pollution Act) s61 agreement with the Council to secure details on the construction phases, the construction compound locations, the hours of work, the delivery routes, the proposed plant and equipment to be used, identifying noise/vibration generators once specific construction programmes and plant type are known as well as identifying the measures to be adopted to minimise noise/vibration impacts (with community liaison, control measures and compliance monitoring schemes).

32 **17/10550/WCM: Hills HGV Relief Road, Sands Farm and Lower Compton Landfill, Calne, SN11 8RB, Applicant: Hills Waste Solutions Ltd**

### Public Participation

Ms Jennie Brooks, representing Calne SOS, spoke in opposition to the application.

Mr John Barnes, a local resident from Derry Hill, spoke in opposition to the application.

Ms Avril Porter, a local resident, spoke in opposition to the application.

Cllr Glenis Ansell, Calne Town Mayor, spoke in support of the application.

Cllr Jim Cook, Vice-Chairman, Calne Without Parish Council, spoke in opposition to the application.

The Committee received a presentation from the Case Officer which set out the issues in respect of the application. He explained that a suite of five planning applications at Lower Compton and Sands Farm was for consideration and these set out proposals to manage waste and minerals in a way which addressed concerns raised by the Planning Authority and the local community during the determination of the previous planning application ref: 14/09744/WCM. The applications under consideration needed to be considered by this Committee as they involved matters of strategic significance that had previously been considered by this Committee and that had raised matters of public interest that had been contested both at appeal and in the Courts.

The purpose of the report was to assess the merits of the proposal against the policies of the Development Plan and other material considerations and to consider a recommendation that planning permission be granted subject to conditions and the completion of a planning obligation under Section 106 of the Planning Acts to address highway matters.

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

Members then heard the views of Cllr Alan Hill, the local Member, who explained that following consultations with the applicant which had lasted seven years, he was very pleased to report that with the proposal to build a relief road, the subject of this application, much of the local opposition had disappeared although it was appreciated that Calne Without Parish Council and residents living in that area were not happy with the suggested proposal as they considered that the increased amount of traffic would be passing through the outskirts of Calne and surrounding area rather than through the centre of Calne. Cllr Hill was very pleased that the building of the relief road would lead to an improvement of the air quality in Calne which had been a concern for a considerable time.

During discussion it was suggested that the site was not suitable for a strategic facility to cover all parts of Wiltshire taking into account the infrastructure and inadequate road network. Some concern was also expressed at the effect the increased volume of traffic would have on residents living on the outskirts of Calne, especially Derry Hill and the parish of Calne Without.

On the proposal of Cllr Tony Trotman, which was seconded by Cllr Andrew Davis,

**Resolved:**

**To grant planning permission, subject to the completion of a planning obligation within six months of the date of the resolution of this Committee to provide a Traffic Management Plan and subject to the following conditions:-**

**Conditions**

- 1) **The development hereby permitted shall begin not later than 3 years from the date of this decision. Written notification of the date of commencement shall be sent to the Local Planning Authority within 7 days of such commencement.**

**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 and completed in all respects strictly in accordance with the following approved plans and as stipulated in the conditions set out below together with those further details required to be submitted for approval:**
  - **Drawing No: 18850-1250-002 Sands Farm HGV Relief Road Option 2 dated Sept 2017**

- **Drawing No: 18550-02 Sands Farm HGV Relief Road Sector 1 Site Plan dated Nov 2017**
- **Drawing No: 18550-03 Sands Farm HGV Relief Road Sector 2 Site Plan dated Nov 2017**
- **Drawing No: 18550-04 Sands Farm HGV Relief Road Sector 3 Site Plan dated Nov 2017**
- **Drawing No: 18550-06 Sands Farm HGV Relief Road Sector 4 Site Plan dated Nov 2017**
- **Drawing No: D2515 L.200 A - Combined Landscape and Ecological Mitigation & Enhancement Arrangement Plan – Sheet 1 of 3 - dated Sep '17**
- **Drawing No: D2515 L.201 A - Combined Landscape and Ecological Mitigation & Enhancement Arrangement Plan – Sheet 2 of 3 dated Sep '17**
- **Drawing No: D2515 L.202 A - Combined Landscape and Ecological Mitigation & Enhancement Arrangement Plan – Sheet 3 of 3 dated Sep '17**

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

- 3) **Operations authorised by this permission, including vehicles entering and leaving the site as shown on drawing number 18550-10000-001 (dated Aug. 2017) shall be restricted to the following durations:**

**06:00 to 20:00 hours Monday to Sunday.**

**REASON:** In the interests of limiting the effects on local amenity and to control the impacts of the development.

- 4) **Within 3 months of the HGV Relief Road being commenced as notified under Condition 1 an Access Road Maintenance Plan (generally in accordance with the Access Road Maintenance Plan 2.1 dated 14/11/2016 previously provided in respect of application reference 14/09744/WCM) shall be submitted to the Local Planning Authority for approval. The Plan shall relate to both the Lower Compton and Sands Farm sites and include details of wheel-cleaning facilities, road sweeping, dust management and surface maintenance measures to prevent the tracking out of dust and detritus onto the public highway. The relief road shall be maintained at all times in accordance with the approved details.**

**REASON:** In the interests of road safety for public users of the road.

- 5) **Improvement of the site access road and the provision of a footway into the site from the public highway shall be implemented within 12 months of the HGV Relief Road being commenced as notified under**



**Condition 1 in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Such scheme shall accord with Drawing No A094007-SK005 previously provided in respect of application reference 14/09744/WCM.**

**REASON: In order to secure improved site access to satisfactorily accommodate the additional traffic associated with the proposal, and to encourage sustainable travel to and from the site.**

- 6) No floodlighting, security lighting, beacons or safety/navigation lights or other external means of illumination of the site as shown on drawing number 18550-10000-001 (dated Aug. 2017) shall be provided, installed or operated at the site.**

**REASON: To preserve the rural and visual amenities of the locality.**

- 7) The development shall be carried out in strict accordance with all recommendations and procedures set out in Chapter 10: Biodiversity Impact Assessment prepared by Johns Associates Limited dated October 2017.**

**REASON: To secure the mitigation measures contained in the Environmental Statement in the interests of protecting the biodiversity of the environment.**

- 8) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first use of the HGV relief road 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.**

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

**In the event that the parties do not agree to complete the S106 agreement within this timeframe to delegate authority to the Head of Development Management to refuse Planning Permission for the following reason:-**

- The application proposal fails to provide and secure the proposed and necessary Traffic Management Plan and is therefore contrary to Core Policies 8, 60, 61 and 62 of the Wiltshire Core Strategy and**

Policies WDC2 and WDC11 of the Waste Development Control Policies DPD.

33 **17/10554/WCM: Retention and Change of use of Concrete Products Factory to Mixed Employment, Industrial, Waste and Ancillary Uses, Calne Quarry, Abberd Lane, Calne, SN11 8TJ: Applicant: Hills Waste Solutions Ltd**

The Committee received a presentation by the Case Officer which set out the issues in respect of the application with a recommendation that planning permission be granted, subject to conditions and the completion of a planning obligation under Section 106 of the Planning Acts to address highway matters.

Members then had the opportunity to ask technical questions.

After some discussion, on the proposal of Cllr Tony Trotman, which was seconded by Cllr Andrew Davis,

**Resolved:**

**To grant planning permission, subject to the completion of a Section 106 agreement within six months of the date of the resolution of this Committee to provide a Traffic Management Plan and subject to the following conditions:-**

- 1) **The development hereby permitted shall begin not later than 3 years from the date of this decision. Written notification of the date of commencement shall be sent to the Local Planning Authority within 7 days of such commencement.**

**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 and completed in all respects strictly in accordance with the following approved plans and as stipulated in the conditions set out below together with those further details required to be submitted for approval:**

- **Drawing No: 18546-1000-002 - Site Plan - dated Aug 2017**
- **Drawing No: CA-13-08 Sheet 1 - Existing Calne Factory Plan and Elevations – dated 10.10.13**
- **Brunel Surveys Ld drawing titled ‘South East Elevation’ dated April 2017**
- **Drawing No: D2515 L.200 A - Combined Landscape and Ecological Mitigation & Enhancement Arrangement Plan – Sheet 1 of 3 - dated Sep ‘17**

- Drawing No: D2515 L.201 A - Combined Landscape and Ecological Mitigation & Enhancement Arrangement Plan – Sheet 2 of 3 dated Sep '17
- Drawing No: D2515 L.202 A - Combined Landscape and Ecological Mitigation & Enhancement Arrangement Plan – Sheet 3 of 3 dated Sep '17

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

- 3) The use shall not commence until the construction of the HGV Relief Road permitted under application reference 17/10550/WCM has been completed. No other access shall be used by traffic entering or leaving the site.

**REASON:** To ensure that the access is brought into use before any other part of the development proposals are commenced in the interests of highway safety and safeguarding local amenity and to ensure that the development that takes place substantially accords with the development that was the subject of Environmental Impact Assessment.

- 4) The use shall not commence until details of a sign[s], advising drivers of vehicle routes to be taken upon exiting the site, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details with the sign[s] being erected and thereafter maintained at the site exit for the duration of the development hereby permitted.

**REASON:** In the interests of highway safety and safeguarding local amenity

- 5) The total tonnage of waste material delivered to the Sands Farm Material Recovery/recycling Facility shall not exceed 44,000 tonnes in any twelve month period.

**REASON:** To ensure that the development that takes place substantially accords with the development that was the subject of Environmental Impact Assessment.

- 6) A record of the quantities (in tonnes) of waste materials delivered to the site and all waste and waste-derived products despatched from the site shall be maintained by the operator at all times and made available to the Local Planning Authority upon request. All records shall be kept for at least 36 months.

**REASON:** In order that the Local Planning Authority can monitor the approved development.

7) Operations authorised by this permission shall be restricted to the following durations:

Use	Days	Operating Hours
Materials Recycling Facility (MRF)	<ul style="list-style-type: none"> <li>Monday to Friday</li> <li>Bank Holidays (excluding Christmas Day, Boxing Day and New Year's Day)</li> <li>The Saturday immediately following:               <ul style="list-style-type: none"> <li>Good Friday</li> <li>Easter Monday</li> <li>May and August bank holidays</li> <li>Any additional bank holidays issued in a given year</li> </ul> </li> <li>The two consecutive Saturdays immediately following New Year's Day</li> </ul>	07:00 to 20:00
	<ul style="list-style-type: none"> <li>Saturday (except those listed above)</li> </ul>	07:00 to 13:00
	<ul style="list-style-type: none"> <li>Sunday</li> <li>Christmas Day</li> <li>Boxing Day</li> <li>New Year's Day</li> </ul>	No operation
Receipt of waste from household recycling centres	<ul style="list-style-type: none"> <li>Saturday</li> </ul>	13:00 to 20:00
	<ul style="list-style-type: none"> <li>Sunday</li> </ul>	07:00 to 18:00
Other site uses	<ul style="list-style-type: none"> <li>Monday to Friday</li> </ul>	07:00 to 18:00
	<ul style="list-style-type: none"> <li>Saturday</li> </ul>	08:00 to 13:00
	<ul style="list-style-type: none"> <li>Sunday</li> </ul>	No operation
Internal link road	<ul style="list-style-type: none"> <li>Monday to Sunday</li> </ul>	06:00 to 20:00

**REASON:** In the interests of limiting the effects on local amenity and to control the impacts of the development.

8) Within 3 months of the Change of Use being commenced as notified under Condition 1 an Access Road Maintenance Plan (generally in accordance with the Access Road Maintenance Plan 2.1 dated 14/11/2016 previously provided in respect of application reference 14/09744/WCM) shall be submitted to the Local Planning Authority for approval. The Plan shall include details of wheel-cleaning facilities, road sweeping, dust management and surface maintenance measures to prevent the tracking out of dust and detritus onto the public highway. The access road shall be maintained at all times in accordance with the approved details.

**REASON:** In the interests of road safety for public users of the road network.

- 9) Within 3 months of the Change of Use being commenced as notified under Condition 1 a Travel Plan (generally in accordance with the Travel Plan prepared by Cole Easdon Consultants Issue 4 February 2015 previously provided in respect of application reference 14/09744/WCM) shall be submitted to the Local Planning Authority for approval. The 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 reducing vehicular traffic to the development and to encourage sustainable travel to and from the site.

- 10) The development shall be carried out in strict accordance with all recommendations and procedures set out in Section 5 of the Ecological Impact Assessment prepared by Johns Associates Limited dated October 2017.

**REASON:** To secure the mitigation measures contained in the Environmental Statement in the interests of protecting the biodiversity of the environment.

- 11) All existing trees, hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All trees, hedges or hedgerows on and immediately adjoining the site shall be protected from damage as a result of works on the site in accordance with relevant British Standards for the duration of the works on site. In the event that trees become damaged or otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.

**REASON:** To ensure the continuity of amenity afforded by existing trees, hedges and hedgerows.

- 12) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first use of the building; 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.**

**REASON: To ensure a satisfactory landscaped setting for the development.**

**In the event that the parties do not agree to complete the S106 agreement within this timeframe to delegate authority to the Head of Development Management to refuse Planning Permission for the following reason:-**

- **The application proposal fails to provide and secure the proposed and necessary Traffic Management Plan and is therefore contrary to Core Policies 8, 60, 61 and 62 of the Wiltshire Core Strategy and Policies WDC2 and WDC11 of the Waste Development Control Policies DPD.**

34 **17/10557/WCM: Change of Use of existing Materials Recycling and Waste Transfer Building to a Waste Transfer Building only, Lower Compton Waste Management Facility, Compton Bassett, SN11 8RB: Applicant: Hills Waste Solutions Ltd**

The Committee received a presentation by the Case Officer which set out the issues in respect of the application with a recommendation that planning permission be granted, subject to conditions and the completion of a planning obligation under Section 106 of the Planning Acts to address highway matters.

Members then had the opportunity to ask technical questions.

After some discussion, on the proposal of Cllr Tony Trotman, which was seconded by Cllr Andrew Davis,

**Resolved:**

**To grant planning permission, subject to the completion of a Section 106 agreement within six months of the date of the resolution of this Committee to provide a Traffic Management Plan and subject to the following conditions:-**

- 1) **The development hereby permitted shall begin not later than 3 years from the date of this decision. Written notification of the date of commencement shall be sent to the Local Planning Authority within 7 days of such commencement.**

**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 and completed in all respects strictly in accordance with the following approved plans and as stipulated in the conditions set out below together with those further details required to be submitted for approval:**
  - **Drawing No: 18769-10000-001 Location Plan dated Aug 2017**
  - **Drawing No: HILLS/1011-DWG-003 – Existing Site Layout – dated 11-08-2011**
  - **Drawing No: HILLS/1011-DWG-004 – Existing MRF Building Plans, Elevations and Section – dated 09-08-2011**
  - **Drawing No: HILLS/1011-DWG-010-REVE – Combined Landscape and Ecological Mitigation Plan – dated June 2011**
  - **Drawing No: HILLS/1011-DWG-012-REVF – Combined Landscape and Ecological Masterplan – dated June 2011**
  - **Drawing No: A094007-SK005 – Proposed Site Access Improvements and Footway Provision - dated 20.01.2017**

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

- 3) The use shall not commence until the construction of the HGV Relief Road permitted under application reference 17/10550/WCM has been completed. No other access shall be used by traffic entering or leaving the site.

**REASON:** To ensure that the access is brought into use before any other part of the development proposals are commenced in the interests of highway safety and safeguarding local amenity and to ensure that the development that takes place substantially accords with the development that was the subject of Environmental Impact Assessment.

- 4) The use shall not commence until details of a sign[s], advising drivers of vehicle routes to be taken upon exiting the site, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details with the sign[s] being erected and thereafter maintained at the site exit for the duration of the development hereby permitted.

**REASON:** In the interests of highway safety and safeguarding local amenity

- 5) The total tonnage of waste delivered to and processed at the Waste Transfer Station shall not exceed 75,000 tonnes in any twelve month period.

**REASON:** To ensure that the development that takes place substantially accords with the development that was the subject of Environmental Impact Assessment.

- 6) A record of the quantities (in tonnes) of waste materials delivered to the site and all waste / waste derived products despatched from the site shall be maintained by the applicant at all times and made available to the Local Planning Authority upon request. All records shall be kept for at least 36 months.

**REASON:** In order that the Local Planning Authority can monitor the approved development.

- 7) Operations authorised by this permission shall be restricted to the following durations:

07:00 to 20:00 hours	Monday to Friday
07:00 to 13:00 hours	Saturday



and shall not take place on Sundays or Bank Holidays, other than as indicated below:

07:00 to 20:00 hours and New Year's Day)	Bank Holidays (excluding Christmas Day
07:00 to 20:00 hours	Saturdays following Bank Holidays
07:00 to 20:00 hours	for the two consecutive Saturdays immediately following New Year's Day
13:00 to 20:00 hours	Saturday receipt of wastes from household waste recycling centres
07:00 to 18:00 hours	Sunday receipt of wastes from household waste recycling centres

No operations shall take place on Christmas Day, Boxing Day or New Year's Day.

**REASON:** In the interests of limiting the effects on local amenity and to control the impacts of the development.

- 8) Within 3 months of the Change of Use being commenced as notified under Condition 1 an Access Road Maintenance Plan (generally in accordance with the Access Road Maintenance Plan 2.1 dated 14/11/2016 previously provided in respect of application reference 14/09744/WCM) shall be submitted to the Local Planning Authority for approval. The Plan shall include details of wheel-cleaning facilities, road sweeping, dust management and surface maintenance measures to prevent the tracking out of dust and detritus onto the public highway. The access road shall be maintained at all times in accordance with the approved details.

**REASON:** In the interests of road safety for public users of the road network.

- 9) Within 3 months of the Change of Use being commenced as notified under Condition 1 a Travel Plan (generally in accordance with the Travel Plan prepared by Cole Easdon Consultants Issue 4 February 2015 previously provided in respect of application reference 14/09744/WCM) shall be submitted to the Local Planning Authority for approval. The 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 reducing vehicular traffic to the development and to encourage sustainable travel to and from the site.

- 10) The improvement of the site access road and the provision of a footway into the site from the public highway as shown on Drawing No A094007-SK005 shall be implemented within 12 months of the Change of Use being commenced as notified under Condition 1.

**REASON:** In the interests of road safety for public users of the road

- 11) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first use of the building; 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.

**REASON:** To ensure a satisfactory landscaped setting for the development.

In the event that the parties do not agree to complete the S106 agreement within this timeframe to delegate authority to the Head of Development Management to refuse Planning Permission for the following reason:-

- The application proposal fails to provide and secure the proposed and necessary Traffic Management Plan and is therefore contrary to Core Policies 8, 60, 61 and 62 of the Wiltshire Core Strategy and Policies WDC2 and WDC11 of the Waste Development Control Policies DPD.

**A.17/10539/WCM and B.17/10543/WCM: A. Variation of conditions 3 & 4 of Planning Permission N/09/01497/WCM (Extension to a Sand Quarry and Infilling with Waste) to extend the end date of mineral extraction until 17 October 2029 and to extend the end date of restoration by landfill until 31 December 2042. B. Variation of condition 3 of planning permission 13/05229/WCM (Extension of mineral and landfill operations) to extend the operational end date of the landfill until 31 August 2028 and complete subsequent restoration by 31 August 2029, Lower Compton, Old Camp Farm Mineral Extraction and Landfill Compton Bassett and Low Lane Landfill, Lower Compton, SN11 8RB: Applicant: Hills Waste Solutions Ltd**

The Committee received a presentation by the Case Officer which set out the issues in respect of the application with a recommendation that planning permission be granted, subject to conditions and the completion of a planning obligation under Section 106 of the Planning Acts to address highway matters.

Members then had the opportunity to ask technical questions.

After some discussion, on the proposal of Cllr Tony Trotman, which was seconded by Cllr Andrew Davis,

**Resolved:**

**(A) Application 17/10539/WCM**

**To grant planning permission, subject to the completion of a Section 106 agreement within six months of the date of the resolution of this Committee to provide a Traffic Management Plan and 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) Written notification of the date of commencement shall be sent to the Mineral Planning Authority within seven days of such commencement.**

**Reason: To enable the Mineral Planning Authority to monitor the operations and to ensure compliance with this permission.**

- 3) The extraction of sand shall cease on or before 24<sup>th</sup> May 2029.**

**Reason: To ensure that the development is carried out in accordance with the approved details.**

- 4) The tipping/deposit of waste material and restoration operations shall cease on or before 24 May 2042.

Reason: To ensure that the development is carried out in accordance with the approved details.

- 5) The working, restoration and aftercare of the site shall be carried out only in accordance with Drawings Nos. 6304-5000-001 RRC Landfill Restoration Pre Settlement and 6304-5000-002 RRC Landfill Restoration Post Settlement.

Reason: To enable the Mineral Planning Authority to adequately control the development and minimise its impact on the amenities of the local area.

- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, replacing or re-enacting that Order) no fixed plant or machinery, buildings and structures shall be erected, extended, installed, re-arranged, replaced, repaired or altered at the site without planning permission from the Mineral Planning Authority.

Reason: To enable the Mineral Planning Authority to adequately control the development and minimise its impact on the amenities of the local area.

- 7) No topsoil, subsoil or overburden shall be exported from the site.

Reason: To ensure the satisfactory restoration of the site.

- 8) Except in emergencies to maintain safe quarry working (which shall be notified to the Mineral Planning Authority in writing within seven days) no mineral extraction operations, including vehicles entering or leaving the site, shall be carried out at the site except between the times:-

07.00 hours and 20.00 hours Monday to Friday;

And

07.00 hours to 13.00 hours Saturday;

No operations shall be carried out at any time on Sundays or Bank or Public Holidays.

Reason: In the interests of local amenity.

- 9) Except in emergencies to maintain safe landfill working (which shall be notified to the Waste Planning Authority in writing within seven days) there shall be no tipping of waste or associated activities, including vehicles entering or leaving the site, other than during the following hours:-

07.00 hours and 20.00 hours Monday to Friday; and

07.00 hours to 13.00 hours Saturday;

and shall not take place on Sundays or Bank or Public Holidays other than as indicated below:-

The site may in addition be open solely for the receipt of waste from household recycling centres and the Wiltshire Council municipal waste collection service between the following hours:-

07.00 hours to 20.00 hours Good Friday, Easter Monday, Early May Bank Holiday, Spring Bank Holiday and Summer Bank Holiday;

13.00 hours to 20.00 hours on Saturdays immediately following, Good Friday, Easter Monday, Early May Bank Holiday, Spring Bank Holiday, Summer Bank Holiday and Christmas Day/Boxing Day Holidays; and

13.00 hours to 20.00 hours on the two consecutive Saturdays that immediately follows New Year's Day.

Operations shall not take place on Sundays or on Christmas Day, Boxing Day, or New Year's Day.

Reason: In the interests of local amenity.

- 10) No minerals except sand shall be removed from the site.

Reason: To ensure that the development is carried out in accordance with the approved details.

- 11) No waste other than that defined as inert shall be tipped within the area shaded blue on Drawing No. COM/2500/G/21A dated February 2001 of planning permission N.01.2803 and this area shall be restored in accordance with Condition 20 below.

Reason: To ensure that the development is carried out in accordance with the approved details.

- 12) Topsoil and subsoil and soil making material shall only be stripped when they are in a dry and friable condition and no movement, spreading or levelling of soils shall occur:

(a) During the months October to March (inclusive)

(b) When the full depth of soil to be stripped has a moisture content which is equal to or greater than that at which the soil becomes plastic, tested in accordance with the 'Worm Test' as set out in BS 1377:1975 - 'British Standard Method Test for Soils for Civil Engineering Purposes' or

(c) There are pools of water on the soil surface.

Reason: To prevent damage to soils.

- 13) All topsoil, subsoil and soil making materials shall be stored separately and in separate mounds which shall:

(a) Not exceed 3 metres in height in the case of topsoil, or 5 metres in height in the case of subsoils.

(b) Be constructed with only the minimum amount of soil compaction to ensure stability and shaped so as to avoid collection of water in surface undulations.

- (c) Not be subsequently moved or added to until required for restoration.
- (d) Have a minimum 3 metre stand-off, undisturbed around each storage mound.
- (e) Comprise topsoils on like texture topsoils and subsoils on like texture subsoils.

**Reason:** To prevent the loss of soil for restoration and minimise damage to soil structure during storage.

- 14) All undisturbed areas of the site and all topsoil, subsoil and overburden storage mounds shall be kept free of agricultural weeds such as thistle, dock and ragwort. Cutting, grazing and spraying shall be undertaken as necessary to control plant growth and prevent the production of seed and the spread of weeds to adjoining agricultural land.

**Reason:** To prevent the spread of agricultural weeds.

- 15) Noise levels from operations on the site shall not exceed 55 dB(A) LAeq (1 hour) at any residential or noise sensitive property, the measurement to be taken at not less than 3.5 metres from the façade and at a height of 1.5 metres above ground level except during temporary operations when the limit shall be 70 dB(A) LAeq (1 hour) measured in the same manner.

**Reason:** To safeguard the amenity of local residents and adjacent properties and land users.

- 16) Steps shall be taken to minimise the generation and emission of noise, dust and fumes from any use or operation authorised or required by this planning permission. Such steps shall include:
- (a) The spraying of water to lay dust on the surface of the site, access and haul roads as appropriate.
  - (b) The spraying of water to lay dust on the surface of stockpiles within the site as appropriate.
  - (c) The proper use of wheel cleaning facilities by vehicles leaving the site.
  - (d) Fitting all plant, machinery and vehicles with effective silencers maintained in accordance with the manufacturers specifications.

**Reason:** To safeguard the amenity of local residents and adjacent properties and land users.

17. The scheme for controlling scavenging birds, approved pursuant to Condition 14 of planning permission N.01.2803 shall apply for the duration of all operations hereby permitted.

**Reason:** To prevent increased aviation hazard through potential for birdstrike.

18. Within six months of the date of this permission being implemented, a detailed scheme to accommodate surface water run-off from the restored site shall be submitted to the Mineral Planning Authority for approval. Development shall be carried out in accordance with the approved scheme.

Reason: To ensure the adequate drainage of the site.

19. The site access and hard surfaced areas used by vehicles shall be watered or treated with approved dust laying agent at times as may be necessary to prevent dust nuisance arising from the site.

Reason: To safeguard the amenity of the area and local residents.

20. Within a period not exceeding 12 months of a phase being tipped and sealed to its pre final level, it shall be covered with a layer of subsoil at least 300 mm in depth and topsoil 150 mm in depth.

Reason: To ensure the productive afteruse of the land.

21. Within 12 months of the date of this permission, a landscaping scheme shall be submitted to and approved by the Mineral Planning Authority. The scheme shall include the following:
- (a) The position, species and sizes of all existing trees, shrubs and hedgerows to be retained and the proposal for protection throughout the operations.
  - (b) The position, species, spacing and initial sizes of all new trees, hedges and shrubs.
  - (c) The programme of implementation of the scheme.
  - (d) The arrangements for subsequent maintenance.
  - (e) Any tree or shrub which dies within five years of being planted shall be replaced with new stock to the satisfaction of the Mineral Planning Authority and be maintained for a period of five years.

Reason: To improve the appearance of the site in the interests of visual amenity and to assist in absorbing the site back into the local landscape.

22. On completion of the importation of all landfill material, all machinery, plant, buildings, structures and any other site facility not essential for restoration/aftercare or for continuing landfill gas/leachate monitoring and control shall be removed or demolished and removed from the site. Any hardcore or material likely to interfere with the restoration of the land shall be removed prior to the final seeding and cultivation of the land.

Reason: To ensure the satisfactory restoration of the site.

23. All internal haul roads shall be removed when no longer required or during the course of site restoration, whichever is the sooner.

Reason: To ensure the satisfactory restoration of the site.

24. Prior to the commencement of the development hereby permitted, an aftercare scheme showing the steps to be taken to restore the physical characteristics of the land to a condition suitable for agriculture shall be submitted to and agreed in writing by the Mineral Planning Authority. The submitted scheme shall specify the steps to be taken and the periods during which they are to be taken and related to the restoration of the site in accordance with the conditions of this permission. The steps to be taken shall cover a period of five years from the completion and reinstatement of topsoils over the site.

Reason: In the interests of safeguarding and enhancing the visual amenities of the site.

- 25) Within 6 months of the date of this decision a Landscape and Ecological Management Plan (LEMP) shall be submitted to the Local Planning Authority for written approval. The content of the LEMP shall include, but not be limited to, the following:
- (a) Description and evaluation of features to be managed.
  - (b) 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 on an annual basis).
  - (g) Details of the persons, body or organisation responsible for implementation of the plan.
  - (h) Ongoing monitoring and remedial measures.
  - (i) Details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery.

The plan shall also set out how contingencies and remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The development shall be carried out in accordance with the approved LEMP.

Reason: To ensure appropriate on-going management of the land to ensure fully functioning landscape and biodiversity objectives of the originally approved scheme and in order to protect



and enhance biodiversity and landscape features within the subject site.

In the event that the parties do not agree to complete the S106 agreement within this timeframe to delegate authority to the Head of Development Management to refuse Planning Permission for the following reason:-

- The application proposal fails to provide and secure the proposed and necessary Traffic Management Plan and is therefore contrary to Core Policies 8, 60, 61 and 62 of the Wiltshire Core Strategy and Policies WDC2 and WDC11 of the Waste Development Control Policies DPD.

**(B) Application 17/10543/WCM**

To grant planning permission, subject to the completion of a Section 106 agreement within six months of the date of the resolution of this Committee to provide a Traffic Management Plan and subject to the following conditions:-

1. Written notification of the date of each of the following operations shall be sent to the Mineral Planning Authority within 7 days of such operations taking place:
  - a) implementation of this planning permission;
  - b) commencement of soil stripping in each phase;
  - c) completion of restoration of each phase; and
  - d) completion of final restoration under this planning permission;

**REASON:** To enable the Mineral Planning Authority to monitor the operations and compliance with the planning permission.

2. Extraction of minerals shall cease by the 31st December 2018.

**REASON:** To comply with Schedule 5, Part I (1) (1) of the Town and Country Planning Act 1990 (as amended) and to ensure development is carried out in accordance with submitted application and approved details.

3. The deposition of waste at the site shall cease no later than 31st August 2028. Within 12 months of the completion of landfilling the site shall be restored in accordance with the approved development scheme submitted in application no. N/06/007009 dated 14 March 2006 and scheme approved under Condition 4 of this permission.

**REASON:** To enable the Mineral Planning Authority to adequately control the development and minimise its impact on the amenities of the local area.

4. The development hereby permitted shall be carried out in accordance with the following approved working programme and restoration plans:

- Drawing No. 6774-001C dated February 2011
- Drawing No. 6774-002C dated February 2011
- Drawing No. 6774-003C dated February 2011
- Drawing No. 6774-004 dated February 2011
- Drawing No. 6774-005C dated February 2011
- Drawing No. 6774-006C dated February 2011
- Drawing No. 6774-007C dated February 2011

**REASON:** For the avoidance of doubt and to ensure development is carried out in accordance with the approved application details.

5. No later than 12 months from the cessation of tipping, all plant and machinery, foundations, hardstandings and access roads no longer required in connection with the workings, restoration or future agricultural use of the site shall be removed from the site.

**REASON:** In the interests of the visual amenity of the area.

6. All commercial mineral vehicles leaving the Lower Compton site with mineral shall be sheeted. Commercial waste vehicles leaving the Lower Compton site shall be checked to ensure they have been completely emptied of waste.

**REASON:** For the avoidance of windblown dust and litter.

7. No commercial vehicle shall enter the public highway unless its wheels and chassis have been cleaned to prevent mud, dust or other detritus being deposited on the highway.

**REASON:** In the interests of highway safety and to prevent mud being deposited on the highway.

8. Notwithstanding the provisions of Parts 19 and 21 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, replacing or re-enacting that Order) no fixed plant or machinery, buildings, structures or private ways shall be erected, extended, installed, rearranged, replaced, repaired or altered at the site without prior planning permission.

**REASON:** There is an important need to secure control over additional plant and machinery to safeguard the adjacent Area of Outstanding Natural Beauty designation.

9. Except in emergencies to maintain safe working (which shall be notified to the Mineral Planning Authority in writing within seven days), no mineral extraction operations, including vehicles entering and leaving the site, shall be carried out at the site except between the hours of:  
07.00 hours – 18.00 hours Monday to Friday;  
07.00 hours – 13.00 hours Saturday;  
No operations shall be carried out at any time on Sunday, Bank and Public Holidays.  
Except in emergencies to maintain safe landfill working (which shall be notified to the Waste Planning Authority in writing within seven days) there shall be no tipping of waste or associated activities, including vehicles entering or leaving the site, other than during the following hours:  
07.00 hours and 18.00 hours Monday to Friday; and  
0.700 hours and 13.00 hours Saturday;  
and shall not take place on Sundays or Bank or Public Holidays other than as indicated below:  
The site may in addition be open solely for the receipt of waste from household recycling centres and the Wiltshire Council municipal waste collection service between the following hours:  
07.00 hours and 18.00 hours Good Friday, Easter Monday, Early May Bank Holiday, Spring Bank Holiday, Summer Bank Holiday, and any special bank holidays announced in a particular year by HM Government;  
13.00 hours to 18.00 hours on Saturdays immediately following the Christmas Day and Boxing Day holidays; and  
13.00 hours and 18.00 hours on two consecutive Saturdays that immediately follow New Year's Day.

**REASON:** To protect the amenities of local residents.

10. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with, and use, effective silencers. No reversing beepers or other means of warning of reversing vehicles shall be fixed to, or used on, any mobile site plant other than white noise alarms or beepers whose noise levels adjust automatically to surrounding noise levels.

**REASON:** To ensure the minimum disturbance from operations.

11. During the permitted working hours the freefield equivalent continuous noise level (LAeq 1 hour) for the period due to normal mineral extraction and processing and waste importing and processing operations, excluding temporary

operations (see condition below), shall not exceed 55 dB(A) as recorded at any inhabited property.

**REASON:** To ensure the minimum disturbance from operations and avoidance of nuisance to the local community.

12. During the permitted working hours the freefield equivalent continuous noise level (LAeq 1 hour) for the period due to temporary operations, including topsoil and subsoil stripping, cell construction and capping and other works in connection with landscaping, shall not exceed 70 dB LAeq 1 hour as recorded at any inhabited property. Temporary operations which exceed the normal day-to-day criterion shall be limited to a total of sixteen weeks in any twelve month period.

**REASON:** To ensure the minimum disturbance from operations and avoidance of nuisance to the local community.

13. The approved Dust Suppression and Minimising Measures scheme prepared by Land and Mineral Management Ltd dated 8 August 2007 shall be implemented in full and shall be complied with at all times.

**REASON:** To protect the amenities of the locality from the effects of any dust arising from the development.

14. No movement of soil shall be carried out except when the full depth of soil to be stripped or otherwise transported is in a suitably dry condition such that the topsoil can be separated from the subsoil without difficulty. All available topsoil and subsoil must be stripped, handled and stored separately and all stripping, handling, and restoration shall take place under dry conditions to minimise structural damage.

**REASON:** In the interests of the satisfactory restoration of the site.

15. All topsoil and subsoil stripped prior to mineral extraction shall be stored separately and retained on-site for use in site restoration. No indigenous topsoil or subsoil shall be used for daily cover during operations. No overburden shall be exported from the site until the soil screening bund to the east of the working areas has been completed.

**REASON:** To ensure that the site is satisfactorily restored.

16. The development hereby permitted shall be implemented in accordance with the approved Landscaping Planting and Management Plan set out in prepared by Peter Swann & Associates dated 8 August 2007 in all respects.

**REASON:** In the interest of the visual amenity of the local area and to safeguard the adjacent Area of Outstanding Natural Beauty

17. The development hereby permitted shall be implemented in accordance with the approved Aftercare Scheme prepared by Land and Mineral Management Ltd dated 8 August 2007 in all respects.

**REASON:** To ensure the productive afteruse of the land and to ensure the success of the newly created habitats.

18. The stand-off zone between the boundary of the development and existing hedges and woodland shall be clearly defined by a fence with driven posts and shall be maintained for the life of operations on site. The stand-off distances shall be as follows:

Hedges - 4.0 metres stand-off from the drip line of the hedge to the foot of the bund  
Hedges with trees - 5.0 metres stand-off from the drip line of the tree to the foot of the bund

No placement of goods, fuels or chemicals, soils or other materials shall take place inside the fenced area.

**REASON:** To ensure that the development does not encroach on existing planting causing root damage and to conserve the habitat at the woodland/hedge edge as a feeding/refuge corridor for wildlife.

19. The capped landfill site shall be covered with a minimum 0.8 metres even depth of subsoil and 0.2 metres even depth of topsoil in the correct sequence. The quality of soil shall be appropriate for the site and its proposed restoration. The finished surface shall be left free from rubble and stones

**REASON:** To ensure that the site is satisfactorily restored.

20. The clearance of woodland and felling of trees shall only take place between the end of August and the beginning of March, or following a search by a qualified person for active birds nest.

**REASON:** To avoid the nominal bird nesting season.

21. The development hereby permitted shall be implemented in accordance with the approved Surface Water Management Plan prepared by Atkins Ltd dated 13 July 2007 and

additional details provided in the letter from Atkins to Land and Mineral Management Ltd dated 9 November 2007 in all respects.

**REASON:** To prevent the increased risk of flooding, to prevent pollution of the water environment and to ensure that surface water drainage facility functions for the lifetime of the development.

22. Any chemical, oil or fuel storage on the site shall be sited on an impervious surface with bund walls. The bunded areas shall be capable of containing 110% of the container(s) total volume and shall enclose within their cartilage all fill and draw pipes, vents and gauges. There shall be no drain through the bund floor or walls.

**REASON:** To minimise the risk of pollution of watercourses.

- 23) Within 6 months of the date of this decision a Landscape and Ecological Management Plan (LEMP) shall be submitted to the Local Planning Authority for written approval. The content of the LEMP shall include, but not be limited to, the following:

- (a) Description and evaluation of features to be managed.
- (b) 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 on an annual basis).
- (g) Details of the persons, body or organisation responsible for implementation of the plan.
- (h) Ongoing monitoring and remedial measures.
- (i) Details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery.

The plan shall also set out how contingencies and remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The development shall be carried out in accordance with the approved LEMP.

**Reason: To ensure appropriate on-going management of the land to ensure fully functioning landscape and biodiversity objectives of the originally approved scheme and in order to protect and enhance biodiversity and landscape features within the subject site.**

**In the event that the parties do not agree to complete the S106 agreement within this timeframe to delegate authority to the Head of Development Management to refuse Planning Permission for the following reason:-**

- **The application proposal fails to provide and secure the proposed and necessary Traffic Management Plan and is therefore contrary to Core Policies 8, 60, 61 and 62 of the Wiltshire Core Strategy and Policies WDC2 and WDC11 of the Waste Development Control Policies DPD.**

36 **Date of Next Meeting**

**Resolved:**

**To note that the next scheduled meeting of this Committee was due to be held on Wednesday 18 July 2018, in the Council Chamber at County Hall, Trowbridge, starting at 10.30am.**

37 **Urgent Items**

There were no items of urgent business.

(Duration of meeting: 10.30 am - 1.25 pm)

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

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