

Strategic Planning Committee

MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 27 JANUARY 2021 AT ONLINE MEETING.

Present:

Cllr Fleur de Rhé-Philippe MBE (Chairman), Cllr Christopher Newbury (Vice-Chairman), Cllr Andrew Bryant, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Stewart Dobson, Cllr Sarah Gibson, Cllr Ross Henning, Cllr Carole King, Cllr Tony Trotman and Cllr Fred Westmoreland

Also Present:

Cllr Nick Holder

1 **Apologies**

There were no apologies for absence.

2 **Minutes of the Previous Meeting**

The minutes of the meeting held on 2 December 2020 were presented for consideration, and it was,

Resolved:

To approve and sign the minutes of the meeting held on 2 December 2020 as a true and correct record.

3 **Declarations of Interest**

There were no declarations of interest.

4 **Chairman's Announcements**

There were no specific Chairman's announcements.

5 **Public Participation**

The procedure for public speaking was noted.

6 **20/01938/OUT: Land at Semington Road, Melksham, Wiltshire**

The following applications were considered:

20/01938/OUT: Land at Semington Road, Melksham, Wiltshire

Public Participation

Ryan Jones spoke in objection of the application.

Sue Owen spoke in objection of the application.

Teresa Strange spoke in objection of the application.

Jon Penrose, agent, spoke in support of the application.

Cllr Richard Wood, Chairman of Melksham Without Parish Council spoke in objection to the application.

Mike Wilmott, Head of Development Management, introduced a report which recommended that outline planning permission for up to 144 dwellings with informal and formal open space, associated landscaping and vehicular and pedestrian accesses off Semington Road be approved.

Key issues included the principle of development, the impact on the character and appearance of the area, the impact on the amenity of neighbouring residents, highway issues, ecology issues, drainage issues, other issues and planning obligations. The current lack of a 5-year land supply for the council area was also a factor.

Members of the committee then had the opportunity to ask technical questions of the officer. Details were sought on the connectivity between the housing site and a previously approved application of 150 dwellings to the north, as well as to local schools. The commencement conditions of the site was queried as well as the proximity of the site to the nearby sewage works.

Questions were also raised on the NHS provision that would be obtained and whether anything could be done to decide what the health provision would be used for.

Members of the public then had the opportunity to present their views to the committee as detailed above.

The unitary division member, Councillor Nick Holder, then spoke in objection to the application.

A debate followed, and a motion to approve the officer's recommendation was moved by Councillor Fleur de Rhé-Phillipe, seconded by Councillor Christopher Newbury.

Issues raised included the acceptability of the site for development, connections with other sites, that the lack of a 5 year housing land supply made the application a strategic matter, and details of the section 106 legal agreement. The reliance upon private vehicles due to the location and the consequent

impacts on future local plan and carbon neutral objectives were raised by some members.

In discussion, it was agreed that the possibility of connectivity of the adjacent sites should be investigated at further stages, in addition to the prior completion of a Section 106 legal agreement to comply with Section 10 of the report.

At the conclusion of the debate, it was,

Resolved:

To Defer and Delegate to the Head of Development Management to grant outline planning permission subject to the conditions set out below and subject to the prior completion of a Section 106 legal agreement to secure the contributions set out in the Heads of Terms in section 10 of the officer report.

1. The development hereby permitted shall be begun before the expiration of one year from the date of approval of the last of the reserved matters to be approved.

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 and to ensure the prompt delivery of the site in order to meet the need for housing land supply that has justified the granting of planning permission on this occasion.

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

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

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

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3. An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of one year 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 development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan scale 1:1250 dwg no. LoC001 rev 01
Sketch Layout scale 1:2000 dwg no. 001 rev L
Parameters Plan scale 1:2000 dwg no. 002 rev B
Proposed Site Access Plan scale 1:1000 dwg no. 1979-F01 rev G

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

Highways

5. No development shall commence on site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The development shall not be first occupied until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture have all been constructed and laid out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the roads are laid out and constructed in a satisfactory manner.

6. 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 highway.

REASON: To ensure that the development is served by an adequate means of access.

7. No part of the development hereby permitted shall be occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

8. No development shall commence until a Travel Plan based on the submitted Framework Travel Plan has been submitted to and approved in

writing by the Local Planning Authority. No part of the development shall be occupied prior to the implementation of the Travel Plan, (or implementation of those parts capable of being implemented prior to occupation). Those parts identified for implementation after occupation shall be implemented in accordance with the timetable contained therein, and shall continue to be implemented as long as any part of the development is occupied.

REASON: In the interests of reducing the amount of private car movements to and from the development.

9. Prior to first occupation the access shall have been provided, including 2 metre wide footways to either side of the access, all as detailed on plan number 1979-F01 rev G, including visibility splays of 2.4 x 43 metres in each direction to the nearside at a height not exceeding 600mm above carriageway level.

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

10. Prior to first occupation the existing narrow bus layby on Old Semington Road just north of the access position shall have been removed over its entire length and replaced by footway incorporating raised bus stop kerbs, a new bus stop flag sign, and new bus stop markings, all in accordance with details to be first submitted to and approved by the Local Planning Authority.

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

11. Prior to occupation of the 50th dwelling the northbound bus layby on Old Semington Road, near to the development shall have been improved by the provision of a cantilever bus shelter including perch seat and bus stop sign flagpole, adjustments to the footway width to enable provision of the shelter, incorporation of raised bus stop kerbs, and new bus stop markings, all in accordance with details to be first submitted to and approved by the Local Planning Authority.

REASON: In the interests of providing safe and convenient access to public transport for occupiers of the development.

12. Prior to occupation of the 50th dwelling the existing zebra crossing on Old Semington Road near to the development shall have been improved by replacement road markings, and new LED belisha beacons all in accordance with details to be first submitted to and approved by the Local Planning Authority.

REASON: In the interests of improving pedestrian accessibility in the area of the development.

Drainage

13. No development shall commence on site until a scheme for the discharge of surface water from the site, including sustainable drainage systems and all third-party approvals, has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority.

REASON: To ensure that the development can be adequately drained without increasing flood risk to others.

Environment Agency/Ecology

14. No commencement of clearance or construction works development shall take place, including demolition, ground works, vegetation clearance until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:

- a) Measures which will be used to avoid or reduce impacts during construction**
- b) on reptiles and amphibians, birds, water vole, otter and hedgehogs etc.**
- c) The location and timing of sensitive works to avoid causing harm to**
- d) biodiversity features.**
- e) The times during construction when specialist ecologists including Ecological**
- f) Clerk of Works, will be present on site to oversee works**
- g) The Location of “Biodiversity Protection Zones” and protective fences,**
- h) exclusion barriers and warning signs,**
- i) Ongoing monitoring, including compliance checks by a competent person(s)**
- j) during construction and immediately post-completion of construction works.**

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

REASON: To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats in accordance with submitted ecological reports.

15. Prior to commencement of clearance or construction works, a detailed Landscape and Ecological Management Plan (LEMP), including long term objectives, management responsibilities and maintenance schedules for all areas of imbedded mitigation will be submitted to and approved by the Local Planning. The LEMP shall be carried out in accordance with the approved details. It will integrate all the recommendations for mitigation and management given in the Ecological Impact Assessment (E3P. 21/02/2020) and will include specific prescriptions that will protect and

enhance habitat for great crested newts, reptiles, water voles, otter, nesting birds and hedgehog. Enhancements should consist of new features and habitat to benefit these species/ groups. In terms of habitats particular focus should be given to habitat adjacent to Berryfield Brook, hedgerows, attenuation ponds and areas provided to benefit target species including the Habitat Protection Area (H) and Green Wildlife Corridor (G). The plan must include a table of those responsible for management, together with mechanisms for monitoring and for altering individual management prescriptions that are shown to be ineffective. It should also include a site plan annotated with management prescriptions for each habitat type or retained/created feature within the site.

REASON: To ensure adequate protection and mitigation for protected species and to secure net biodiversity gain in accordance with NPPF.

16. Prior to construction commencing, a lighting strategy for the site will be submitted for approval, including a lux plot that shows that a level of 0.5 lux can be achieved at the edge of any sensitive habitat area, specially hedgerows, trees and the riparian vegetation within 10 metre of the top of the river bank.

REASON: Many species active at night (bats, badgers, otters) are sensitive to light pollution. The introduction of artificial light might mean such species are disturbed and/or discouraged from using their breeding and resting places, established flyways or foraging areas. Such disturbance can constitute an offence under relevant wildlife legislation.

Public Protection

17. No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- h) measures for the protection of the natural environment;
- i) hours of construction, including deliveries.

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full

throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and 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 minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

18. If evidence of contamination is found on site, a detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

If the report submitted indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON: In order that the development is undertaken in an acceptable manner, to ensure that land contamination can be dealt with adequately.

19. Before the development hereby approved is occupied the recommendations of the Noise Impact Assessment dated February 2020 by E3P (section 5 and 6) shall be implemented in full.

REASON: To ensure a satisfactory standard of amenity.

20. No development shall commence above ground floor slab level until a scheme of Ultra Low Energy Vehicle infrastructure has been submitted to the LPA. The scheme must be approved by the LPA prior to implementation and thereafter be permanently retained.

REASON: Development proposals will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

Landscaping

21. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

Archaeology

22. No development shall commence on site until:

- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, including a long-term management plan for Area 4 (page 6 'An Archaeological Desk Based Assessment' dated February 2020 by SLR) that clearly sets out a strategy for protecting this part of the site during development has been submitted to and approved by the Local Planning Authority, and**
- b) The approved programme of archaeological work has been carried out in accordance with the approved details.**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to enable the recording of any matters of archaeological interest.

INFORMATIVE

The Council as local planning authority seek to promote connectivity between developments for pedestrians and cyclists to provide safer alternatives to the use of the car. With this in mind, the Council request that prior to the submission of a reserved matters submission, the possibility of providing a pedestrian/cycle link through to the adjacent housing site to the north should be explored, and if feasible, included as part of the layout submitted for approval of reserved matters.

Councillor Ernie Clark requested his vote in objection be recorded.

7 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 10:30 – 12:00)

The Officer who has produced these minutes is Ben Fielding of Democratic Services, direct line 01225 718259, e-mail Benjamin.fielding@wiltshire.gov.uk

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