

## Northern Area Planning Committee

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### MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 15 SEPTEMBER 2021 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

#### **Present:**

Cllr Tony Trotman (Chair), Cllr Howard Greenman (Vice-Chair), Cllr Chuck Berry, Cllr Steve Bucknell, Cllr Gavin Grant, Cllr Dr Brian Mathew, Cllr Ashley O'Neill, Cllr Nic Puntis, Cllr Martin Smith and Cllr Bob Jones MBE (Substitute)

#### **Also Present:**

Cllr Liz Alstrom, Cllr Ian Thorn

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#### 70 **Apologies**

Apologies for absence were received from Councillor David Bowler, who arranged for Councillor Bob Jones MBE to attend as a substitute.

#### 71 **Minutes of the Previous Meeting**

The minutes of the meeting held on 18 August 2021 were presented for consideration, and it was

#### **Resolved:**

**To approve and sign as a true and correct record of the minutes of the meeting held on 18 August 2021.**

#### 72 **Declarations of Interest**

Councillor Elizabeth Threlfall declared that though allegations had been made towards herself regarding Item 7a, she had only been representing local residents and would approach the vote in a fair and openminded manner.

Councillor Tony Trotman declared an interest in Item 7d due to being part of Calne Town Council and would not take part in the vote.

#### 73 **Chairman's Announcements**

The Chairman made those in attendance aware of the Covid regulations that were in place for the meeting.

74 **Public Participation**

No questions had been received from councillors or members of the public.

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

75 **Planning Appeals and Updates**

The Chairman moved that the Committee note the contents of the appeals report included within the agenda. It was,

**Resolved:**

**To note the Planning Appeals Update Report for 15 September 2021.**

76 **Planning Applications**

The Committee considered and determined the following planning applications:

77 **PL/2021/03412 - Unit 10, 11 & 12, Callow Park, Callow Hill, Brinkworth, SN15 5FD**

**Public Participation**

Andrew Fleet spoke in objection of the application.

Tony Apps spoke in objection of the application.

Tim Mayneord spoke in support of the application.

Cllr Owen Gibbs spoke on behalf of Brinkworth Parish Council.

Development Management Team Leader, Lee Burman, presented a report which outlined the Change of use of B1(a), B1(b) areas to sui generis use of car auction room storage facility with members area and reception. (B8 use class to remain) including extensions and alterations to the units.

Details were provided of the site including the principle of development, impact on the character, appearance and visual amenity of the locality/open countryside, impact on residential amenity, impact on highways/parking requirement, impact on heritage assets (archaeology).

Members of the Committee had the opportunity to ask technical questions regarding the application. Details were sought on the current operational hours of the units as well as the proposed extension of hours, as well as clarity regarding when the current conditions had previously been applied to unit 10.

Clarity was also sought regarding the permitted number of visitors each day, as well as whether vehicles would be permitted to be test driven and whether noise would be limited by conditions.

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

The Local Unitary Member, Councillor Elizabeth Threlfall, then spoke regarding the application. Key points included doubts regarding the business model with the virtual nature of the business meaning that buyers wouldn't view or start the car before purchasing. Councillor Threlfall cited that the design and access statement suggested two journeys in and out of the site for vehicles, however this would potentially ignore trips out of site for car maintenance.

Additionally, Councillor Threlfall questioned whether the three permitted members a day would include members of the P1 club and additionally it was unclear how visitor numbers would be monitored. Councillor Threlfall also stated concerns regarding the potential extension of opening hours from 8am-8pm, citing that in the summer this would be time for families to be outdoors, as well as the road being part of the Sus-Trans cycle way.

At the start of the debate a motion to move and accept the officer recommendation was moved by Councillor Chuck Berry and seconded by Councillor Grant. An amendment was accepted to Condition 3 regarding the permitted hours of operation for units 10,11 and 12. Additionally, it was agreed to amend Condition 5 to provide clarity regarding the three permitted daily visitors. Furthermore, a friendly amendment proposed by Councillor Bucknell to add a condition to prevent gathering events from being arranged was accepted.

During the debate the issues included, such as the opening hours of the units and whether these could be altered to appease both the applicant and public. It was also questioned as who would constitute the three visitors to the site a day. Concern was also raised regarding potential gatherings that might be organised on site 28 days per annum under permitted development rights, which would potentially cause noise.

At the conclusion of the debate, it was,

**Resolved:**

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

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

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

**2. The development hereby permitted shall be carried out in accordance with the following approved plans: drg no.505.1.101 (proposed units floor plans) & drg no.505.4.100 (proposed unit's elevations) [Received by the LPA on the 26th of March 2021] & location plan [Received by the LPA on the 22nd of July 2021].**

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

**3. The sui generis use for car auctions at Unit 11 & 12, Callow Park, Callow Hill, Brinkworth, SN15 5FD shall only operate during the hours of 08:00 to 18:00 hours Monday to Friday; 08:00 and 13:00 hours on Saturdays and not at all on Sundays, bank and public holidays unless otherwise agreed in writing by the Local Planning Authority.**

**The B8 use in unit 10 of the same address and including delivery and dispatch of goods to and from the site shall be limited the hours of 07:00 and 20:00 Mondays to Saturdays and 10:00 and 17:00 on Sundays and Bank and Public Holidays unless otherwise agreed in writing by the Local Planning Authority.**

**REASON: In the interests of character and appearance of the site and residential Amenity.**

**4. There shall be no test driving of vehicles to or from the site or within the site; and the use of the members room detailed on the first floor in drg no.505.1.101 (proposed units floor plans) shall be limited to staff and three visiting members of the car auctions use hereby permitted per day.**

**REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.**

**5. The development/business hereby permitted shall be carried out in accordance with the Design & Access Statement submitted for units 10, 11 & 12 at Callow Park: [Received by the LPA on the 22nd of July 2021] in that a maximum of 3 non employees / staff to the site per day is approved; Car Auctions held will be virtual/online and not in person on site; and the use permitted is solely for the purposes of virtual car auctions, storage of vehicles for sale in auctions and related offices and ancillary uses.**

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

**6. Noise emissions attributable to internal and external operations shall be limited to a level not exceeding the background sound level when measured at a height of 1.5 m above ground level using a fully calibrated class 1 sound level meter at the boundary of the nearest residential dwelling. The background sound level shall be expressed as an LA90 1 hour and the ambient sound levels shall be expressed as an LAeq 1 hour.**

**REASON: Core policy 57, Ensuring high design and place shaping such that appropriate levels of amenity are achievable.**

**7. The development shall operate in accordance with the Travel Strategy approved under application 18/04263/FUL [Received by the LPA on the 1st**

of August 2018] and the Travel Strategy Addendum [Received by the LPA on the 22nd of July 2021] submitted under this application.

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

**8.** The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those listed on the application form received by the Local Planning Authority on the 26th of March 2021.

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

**9.** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no motorcar or motorcycle racing including trials of speed and practicing for these activities.

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

**10. INFORMATIVE TO APPLICANT:**

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

**11. INFORMATIVE TO APPLICANT:**

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

**12. INFORMATIVE TO APPLICANT:**

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

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

### **13. INFORMATIVE TO APPLICANT:**

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

#### **78 19/12002/FUL - Land Off Common Road, Corston**

##### Public Participation

Angeli Dunkerley was unable to attend the meeting, therefore Democratic Services Officer Ben Fielding read out a statement that had been provided prior to the meeting in objection of the application.

Peter Gray spoke in objection of the application.

Ann Skinner spoke in objection of the application.

Sam Croft spoke in support of the application.

Cllr Roger Budgen spoke on behalf of St Paul Malmesbury Without Parish Council.

Development Management Team Leader, Lee Burman, presented a report which outlined the erection of four dwellings.

Details were provided of the site including the principle of development/development plan compliance, ecological impact, drainage impact, highways impact, impact on the character, appearance and visual amenity of the locality, impact on residential amenity.

Members of the Committee had the opportunity to ask technical questions regarding the application. Details were sought on the case law within the officer's report and how the housing shortfall figures that were referenced would compare to Wiltshire, additionally that the housing land supply shortfall would not impact the recommendation for approval. It was also stated by Lee Burman that an Inspector at appeal would likely approve this application.

It was clarified that the ecology and Natural England reports had not raised objections to the application. It was stated that this site had not been approved to be a site within the Malmesbury Neighbourhood Area Plan, nor the Wiltshire allocation plan. Clarification was sought between the difference of the terms "infill" and "greenfield" site. It was also questioned where the Right of Way was located on the presentation provided.

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

The Local Unitary Member, Councillor Martin Smith, then spoke regarding the application. Key points included that this is only one of two local nature reserves in North Wiltshire, which would mean potentially halving biodiversity numbers. Additionally, Councillor Smith cited the Wiltshire Wildlife Trust where the need to where possible direct developments away from sensitive locations was drawn upon. It was also referenced that Natural England raised concerns about water

levels in the pond being disrupted, which was not mentioned along with the mitigation of flooding to house No.6.

Councillor Smith also questioned whether the nature of this development was sustainable, citing that Corston is isolated with infrequent public transport and little local employment or services. Given the evidence provided, Councillor Smith did not believe that the benefits outweighed the harm of the case.

At the start of the debate a motion to reject the officer recommendation was moved by Councillor Grant and seconded by Councillor Smith, with the reasoning that the proposal conflicted with CP2 of the Wiltshire Core Strategy that seeks to limit development in small villages to infill within the existing built area. Councillor Bucknell offered a friendly amendment regarding the reasons for refusal, which was accepted, on the grounds that the application conflicted with CP51 and CP50 that seek to conserve and enhance the landscape and protect features of nature conservation interest respectively.

During the debate issues included that the application site had not been included in the Malmesbury Area Plan, nor the next stage of the plan's development, potentially due to the site application conflicting with CP2 which seeks to limit development in small villages and infill within an existing built area. Additionally, the potential for the application to elongate the village and potentially harm a sensitive landscape was discussed due to the nearby local nature reserve.

At the conclusion of the debate, it was,

**Resolved:**

**That planning permission be refused for the following reason:**

**The proposed residential development is located on a site outside of the existing built area of the village and is in an unsustainable location that would elongate the small village of Corston into the open countryside. This would result in harm to the character and appearance of the area and the ecological value of the adjacent Local Nature Reserve / Country Wildlife site. As such, the proposal conflicts with settlement policy CP2 of the Wiltshire Core Strategy that seeks to limit development in small villages to infill within the existing built area; and conflicts with policies CP51 and CP50 that seek to conserve and enhance the landscape and protect features of nature conservation interest respectively.**

**78a 21/01153/FUL - Land at Dyers Close, Chippenham**

**Public Participation**

Mark Humphrey spoke in objection of the application

Peter Crozier spoke in support of the application.

Councillor Matthew Short spoke on behalf of Chippenham Town Council.

Development Management Team Leader, Simon Smith presented a report which outlined the demolition of existing garages; erection of detached bungalow with associated garage/parking and landscaped curtilage area and public turning space.

Details were provided of the site including the principle of development, design and layout, impact on amenity, impact on highways, impact on heritage assets, impact on ecology, impact on drainage.

Members of the Committee had the opportunity to ask technical questions regarding the application. Details were sought as to whether the property had windows that overlooked the property at the rear. It was additionally clarified that the area which acted as a turning head at the top of the road was owned, but had been agreed to be for resident's use. The use of the garages for residents in the locality was also questioned as well as when this would have been filed for original consent.

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

The Local Unitary Member, Councillor Liz Alstrom, then spoke regarding the application. Key points included that a gap between the hedging along the property which was an entrance way to property No.13 had been omitted from the applicant's proposed plans, which were formulated without prior consultation and included intention to create a new parking space directly in front of the No.13 entrance. The loss of off-street parking would mean having to find space in a neighbouring street, therefore exacerbating the local parking issue; whilst also being impractical to the owner of No.13 who is registered as disabled.

Additionally, Councillor Alstrom noted that the area proposed in the plans would not allow vehicles to turn, consequently causing road users to have to reverse, which would not be safe.

At the start of the debate a motion to move and accept the officer recommendation was moved by Councillor Trotman and seconded by Councillor Puntis. An amendment was agreed that an Informative would be added that the Council would have an expectation that the applicant would deliver alternative off-street parking arrangements for No.13 Dyers Close to replace that lost through development taking place.

During the debate issues included: whether it would be possible to arrange for a designated parking area for the residents of No.13 if the application was to be approved along with the potential for conditions. Additionally, potential enforcement was discussed as well as what might be the consequences of a potential breach of condition. It was also stressed that the civil matter within the application would remain outside of the planning process.

At the conclusion of the debate, it was,

**Resolved:**



**That planning permission be GRANTED in accordance with the recommendation set out in the report, with the following additional informative:**

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

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

**2. No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

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

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

- 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, supply and planting sizes and planting densities;**
- finished levels and contours;**
- means of enclosure;**
- car park layouts;**
- other vehicle and pedestrian access and circulation areas;**
- all hard and soft surfacing materials;**

**REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.**

**4. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the**

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

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

**5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.**

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

**6. No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:**

- Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.**
- Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment has been 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.**

- **Step (iii)** If the report submitted pursuant to step (i) or (ii) 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:** 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 land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

**7. 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 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 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.

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

Proposed Plans, Elevations and Block Plan 20539-10A Received 25th June 2021.

Existing Topographical Survey  
Existing Floor Plan  
Existing Elevations and Sections  
Location Plan  
Received 3rd February 2021.

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

9. No occupation of the development shall commence until the access, parking and turning areas shown on drawing number No.200539-10 A, Site Plan & Block Plan, have been laid out and constructed with a bound and compacted surface (not loose stone or gravel). The turning space shall be kept clear of obstruction, and available for use as a turning space, at all times.

**REASON:** To ensure that vehicles can enter and leave the site in a forward gear, and users of Dyers Close have a means of manoeuvring at the end of the road, in the interests of highways safety.

**INFORMATIVES TO APPLICANT: -**

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

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

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

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

In granting this planning permission, the Northern Area Planning Committee of Wiltshire Council has an expectation that the applicant will deliver alternative off-street parking arrangements for No.13 Dyers Close to replace that lost through development taking place. It is anticipated that the arrangements for that alternative parking will be informed by prior meaningful discussion with the owners of No.13 Dyers Close and delivered as part of the development and without cost to them

*Councillor Puntis left the meeting after this item, the time being 6:05 pm.*

79 **21/02390/FUL - Potters Field, Recreation Ground, Anchor Road, Calne**

Public Participation

Angel Lopes spoke in objection of the application

Paul Gill spoke in objection of the application

Development Management Team Leader, Simon Smith presented a report which outlined the relocation of existing rugby pitch on the Recreation Ground to former football pitch on Potters Field. Erection of 1.5m high permanent perimeter fencing & 4.5/6.0m high ball-stop netting. Installation of shipping container for storage use.

Details were provided of the site including the principle of development, design and layout, impact on neighbouring properties' amenity, highways impacts.

Members of the Committee had the opportunity to ask technical questions regarding the application. Details were sought on which area of the application restrictions to temporary floodlighting would apply and whether this could be extended to cover the whole application as well as being delegated to officers. Additionally, the potential raising of the land was questioned due to the pitch dressing that would take place as well as the potential need for cross-sections to be provided.

Furthermore, it was clarified that it was the net and pole permissions that were being applied for as well as that the rugby team would be moved across to Potters Field in order for the Recreation Ground to be developed as a formal garden.

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

The Local Unitary Member, Councillor Ian Thorn, then spoke regarding the application. Key points included that the proposal was to create a private enclosed space within a public park to be used by a private club with a fee-based membership, therefore allowing no access to the wider community or residents. Councillor Thorn noted that funding for this proposal would come from a Section 106 agreement, which stipulated that funding would have to support and provide a resource for the community, however in this case the beneficiaries may only be the rugby club. Councillor Thorn questioned whether a condition could be placed in order to grant the wider community access.

Additionally, Councillor Thorn drew upon the Calne Neighbourhood plan, which aims to retain community facilities as well as to protect public space and parkland. These principles would be affected by both the privatisation of the area with the use of fencing as well as by placing a shipping container within the most attractive part of Calne town centre. Floodlighting was also identified as an issue for nearby residents.

At the start of the debate a motion to move and accept the officer recommendation was moved by Councillor Ashley O'Neill and seconded by Councillor Chuck Berry. An amendment was accepted to Condition 3, to state that no floodlighting would be placed on any of the land subject to the application. Additionally, a further amendment was agreed to state that no development would take place until full and complete details of any change to land level were submitted.

During the debate issues included: the health concerns caused by dog walkers not picking up after themselves and the need for a clean area for sports.

At the conclusion of the debate, it was,

**Resolved:**

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

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

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

**2. The ball stopping netting hereby approved shall be only raised during and for a maximum of 1 hour before and 1 hour after any matches or training sessions.**

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

**3. There shall be no floodlighting whatsoever (including temporary and mobile lighting units) placed on any part of the land subject to this application.**

**REASON: In the interests of the amenity of local residents.**

**4. Prior to the commencement of the development hereby permitted, details of the methodology for securing community and public access to the pitch hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The agreed methodology shall be implemented in perpetuity thereafter.**

**REASON:** To ensure that public land is not lost.

**5.** Prior to the commencement of the development hereby permitted, details of the posts and their exact spacing for the demountable netting shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

**6.** Prior to siting the container hereby approved on the land in the agreed position, details of its exact size and colour shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. The container shall be removed from the land within one month of the rugby club no longer using the facility for training or matches.

**REASON:** To define the permission

**7.** The pitch hereby approved shall only be used between the hours of 09:00 and 18:00 on any day.

**REASON:** To define the permission and protect residential amenity.

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

Revised site plan V3 showing fence position received 2<sup>nd</sup> September 2021  
Ball stopping netting fence plan CTCPF6 (position of net only) received 16<sup>th</sup> April 2021  
Location Plan CTCPF1  
Ball stopping fence photo CTCPF3  
Rugby pitch dimensions CTCPF5  
Weldmesh roll top fencing example photo CTCPF4 received 8<sup>th</sup> March 2021.

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

**9.** Prior to the commencement of the development hereby permitted, details of the methodology for placing the posts for the weldmesh fence in the Root Protection Areas of any trees shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**REASON:** To protect the nearby trees in the interests of visual amenity.

**10.** No development shall take place until full and complete details of any change to land level or regrading of the application site has been

submitted and agreed in writing with the Local Planning Authority. Where deemed necessary, such details shall include cross-sections which demonstrates the existing and proposed level of the land in relation to the surrounding residential properties. Details shall also include any intended importation of fill to the application site, its quantum and method and routing of its delivery. The development shall be carried out in complete accordance with the approved details.

**REASON:** In the interests of securing a form of development that does not unacceptable raise ground levels to the detriment of the amenities and living conditions of surrounding residential occupiers and so as to ensure any importation of fill from outside of the site does not result in disturbance to those same occupiers.

#### **INORMATIVES TO APPLICANT**

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

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

Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses the site. You are advised to contact the PROW officer.

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

#### 80 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00pm – 6.48pm)

The Officer who has produced these minutes is Ben Fielding of Democratic Services,  
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[communications@wiltshire.gov.uk](mailto:communications@wiltshire.gov.uk)