

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 10 OCTOBER 2012 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Desna Allen, Cllr Chuck Berry (Substitute), Cllr Peter Colmer, Cllr Christine Crisp, Cllr Peter Davis, Cllr Peter Doyle, Cllr Peter Hutton, Cllr Simon Killane, Cllr Mark Packard, Cllr Toby Sturgis and Cllr Anthony Trotman (Chairman)

Also Present:

Cllr Alan MacRae, Cllr Howard Marshall and Cllr Dick Tonge

94 **Apologies**

Apologies were received from Cllr Hill.

Cllr Hill was substituted by Cllr Berry.

95 **Minutes of the previous Meeting**

The minutes of the meeting held on 19 September 2012 were presented.

Resolved:

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

96 **Declarations of Interest**

Cllr Trotman declared an interest in agenda item no. 7b as a member of Calne Town Council. He declared he would not vote on this item.

Cllr Sturgis declared an interest in agenda item no. 7a as he had employed the applicant in October 2011. He declared he would participate in the debate and vote for the item with an open mind.

Cllr Davis declared an interest in agenda item nos. 7c and 7e as a member of Corsham Town Council. He declared he would participate in the debate and vote for each item with an open mind.

97 **Chairman's Announcements**

There were no Chairman's announcements.

98 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

99 **Planning Appeals**

The Committee noted the contents of the appeals update.

100 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications **7a**, **7b**, **7d** and **7e** as listed in the agenda pack.

101 **11/03051/S73A - Whites Farm, Grittenham, Chippenham, Wilts., SN15 4JW**

Public Participation

Mr George Threlfal and Ms Kate Minter spoke in objection to the application.

Mr Tony Doyle spoke in support of the application.

Councillor Owen Gibbs, Chairman of Brinkworth Parish Council spoke in objection to the application.

The Planning Officer introduced the report which recommended that planning application be granted subject to conditions.

It was explained that this was a retrospective application as the track had already been created. Noise complaints had already been received regarding the activity and the Committee noted that noise levels varied with wind speed and direction. The works were considered to have limited impact and the conditions were sufficient to address the concern over noise. The Committee were reminded that activities such as these can be carried out up to 14 days per year without planning permission.

The Committee then had the opportunity to ask technical questions and it was explained that the permission was for the works, and if refused the works could

be removed however the site could still be used for the activity for up to 14 days per year.

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

The Local Member, Councillor Toby Sturgis spoke in support of the application.

A debate followed during which the need to state a maximum decibel level for the engines was discussed, whether there could be a guarantee on no weekend racing or an informative added which discouraged racing on Sundays, whether a programme could be made available to all, especially residents, and suggested the removal of permitted development rights.

At the end of the debate it was:-

Resolved:

To DELEGATE to the Area Development Manager to grant the application, subject to additional conditions which shall be agreed with the Local Member and shall include noise limits at source, removal of permitted development rights and contents of management plan to be submitted before any use is made of the track.

The proposal is considered to be an acceptable form of development in this particular location. Whilst comprising an alteration to the landform of an agricultural field, the visual effect of development is not considered to be unacceptable in the context of the adjoining M4 corridor. Furthermore, subject to the imposition of appropriate planning conditions, the characteristics of the proposed use of the land would not have an unacceptable impact upon the amenities of neighbouring residents nor upon highway safety. As such the proposed development is considered to comply with the provisions of Policies C3, NE15 of the adopted North Wiltshire Local Plan 2011 and guidance contained in the National Planning Policy Framework.

Subject to the following conditions:

- 1 The land subject to this permission shall be used for the racing and/or practice of motocross motorcycles up to a maximum of 14 days in any one calendar year. Between the months of April and September such racing and/or practice of motocross motorcycles shall not exceed 1 day per calendar month. Between the months of October and March such racing and/or practice of motocross motorcycles shall not exceed 2 days per calendar month.**

REASON: In the interests of securing a use that does not unreasonably present a noise nuisance to surrounding residential occupiers.

- 2 The racing and/or practice of motorcycles specified in condition 1 shall only take place between the hours of 14:00hrs and 20:00hrs, with absolutely no running of such motorcycles (be it either the running of engines whilst the bike is stationary or otherwise) outside of those times.**

REASON: In the interests of securing a use that does not unreasonably present a noise nuisance to surrounding residential occupiers.

- 3. The use hereby permitted shall cease and the land restored to its original conditions within 28 days of the date of the failure to meet any one of the requirements set out in (i)-(v) below:**

- (i) Within one month of the date of this planning permission a Event Management Plan (EMP) shall have been submitted for the written approval of the Local Planning Authority. The Event Management Plan shall be a comprehensive document detailing how the site and each event upon it will be managed, and in particular, shall include measures to keep noise levels generated by the use of the site to an absolute minimum. The Event Management Plan, as a minimum, shall include details of how bikes are to be individually checked for compliance with relevant governing body noise emission (Auto Cycle Union) limits prior to use; specification of maximum numbers of motorcycles being run at the site at any one time; a detailed plan for the installation and intended use of PA system during events; a commitment to the provision of at least one period during each of the 14 days the site is used when no motorcycles are in use (such a period shall be of at least 1 hour in length); details of measures for ensuring public health and safety; measures to avoid site contamination; detailed commitment to remove all temporary structures from the site and the restoration of the land to its former condition as agricultural land upon the permanent cessation of motocross (or any other form of motorized vehicle racing and/or practice) and details on how the programme will be made available to residents.**

- (ii) Within one month of the date of this planning permission a plan detailing the measures to manage arrivals and departures from the site on each of the 14 days this permission allows for, shall have been submitted for the written approval of the Local Planning Authority. Such details shall include a commitment to implement and enforce phased arrivals and departures from the site. Future use of the site shall be entirely in accordance with the details**

contained within the submitted and agreed Noise Management Plan.

- (iii) Within four months of the date of this decision the Event Management Plan (referred to in (i)) and the arrival and departure details (referred to in (ii)) shall have been approved in writing by the Local Planning Authority or if the Local Planning Authority refuse to approve the scheme, or fail to give a decision within the prescribed period, an appeal shall have been made to the, and accepted as validly made, by the Secretary of State.
- (iv) If an appeal is made in pursuance of (iii) above, that appeal shall have been finally determined and the submitted Event Management Plan and arrivals/departures plan shall have been approved by the Secretary of State.
- (v) The approved scheme shall be carried out and operated in complete accordance with the approved details and timetable set out in this condition.

REASON: In the interests of securing a use that does not unreasonably present a noise nuisance to surrounding residential occupiers and to ensure the use of the site does not result in the surrounding highway network becoming being placed under strain in the event of participants and spectators arriving and departing from the site within a short timeframe.

4. The temporary “porta-loo” block on the site shall be completely removed from the site in the event of events ceasing to take place for a period of 6 weeks or longer. At which time it shall be removed permanently from the site and shall not be reinstalled on the site until the recommencement of events on the site thereafter.

REASON: To ensure the removal of a temporary structure when the site is not in use.

To be advised as additional information.

Informative:

1. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

Site location plan, date stamped 11th October 2011
LPC/2798/2 – Site layout plan, date stamped 9th September 2011
LPC/2798/3 – Sections 1, date stamped 9th September 2011

REASON: To ensure that the development is implemented as approved

102 **12/02124/FUL - Calne Rugby Club, Anchor Road, Calne, Wilts., SN15 8DX**

Public Participation

Mr Charles Boase, Mr Peter Stubbs and Mr Paul Davis spoke in objection to the application.

The Planning Officer introduced the report which recommended that planning application be granted subject to conditions.

It was explained that this application was on existing open space and that it was aimed at addressing existing anti-social behaviour issues. Concern over noise had been partially addressed by the use of noise reduction fencing. The Committee's attention was drawn to the late observations which detailed slight changes to the wording in the conditions after legal advice.

The Committee then had the opportunity to ask technical questions and it was explained whilst litter and bins were not specifically mentioned details of maintenance were required as part of the management plan.

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

The Local Member, Councillor Toby Howard Marshall spoke in support of the application.

The ensuing debate highlighted concerns over noise, the site of the target game on the outside wall and the need for a six month review. It was noted that it was for Calne Town Council to manage and care was needed not to micro-manage through conditions. It was suggested that the applicant seek to involve the local schools.

At the end of the debate it was:-

Resolved:

To GRANT Planning Permission for the following reason:

The proposed development, by virtue of its siting, scale, design and materials, will not harm the character or appearance of the site or result in loss of residential amenity to neighbours. The proposal represents a

valuable piece of community infrastructure and therefore accords with Policies C3 and CF2 of the adopted North Wiltshire Local Plan 2011.

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 fences shown on the approved plans shall be erected prior to the first use of the facility hereby permitted and retained in perpetuity thereafter and shall incorporate the neoprene dampening feature as detailed in the Design and Access Statement accompanying the application.

REASON: In the interests of the amenity of the area and the prevention of noise nuisance.

3. No development shall commence on site (including any works of demolition), until a Management Plan, which shall include the following:
 - a) details of any CCTV system to be installed;
 - b) details of proposed hours of operation, including the means by which the facility is to be secured, if applicable;
 - c) details of any schedule of routine inspections/maintenance;
 - d) details of any anticipated Police involvement with the facility; and
 - e) details of any anticipated ongoing dialogue with neighbours of the facility
 - f) details of a review of the facility after the first six months of operation (to assess, amongst other things, opening times, arrangements for security and the locking of gates, site maintenance, litter, weekend staffing arrangements, use of the external target (street snooker) boards and any requirement to remove the boards due to noise disturbance)

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to thereafter. The development shall not be carried out otherwise than in accordance with the approved Management Plan without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to the neighbouring amenities and the amenities of the area in general.

4. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

**Site Plan
Tarmac/Groundwork Specification
Proposed Elevations, Plans and Details
Design and Access Statement**

Received 16 July 2012

**Sports Fencing Specification
Street Snooker Structural Specification
Fencing Noise Dampener Specification**

Received 25 September 2012

REASON: To ensure that the development is implemented as approved.

To be advised as additional information:

Informative:

1. No permission has been sought or given in respect of any external lighting. Thus in the event it is needed, planning permission is required.

Wiltshire Council would encourage the applicants to involve both local residents and local schools in the development of the management plan (which is required in condition 3 of the decision notice) to ensure that as many of their concerns and requests as possible are adequately addressed.

103 **12/01504/FUL - 1 Brockleaze, Neston, Corsham, Wilts., SN13 9JT**

Public Participation

Mr John Raynor and Mrs Margaret Raynor spoke in objection to the application.

The Planning Officer introduced the report which recommended that planning application be granted subject to conditions.

It was explained there was no impact to neighbouring properties and concerns over the garage had been partially addressed by moving the position of the garage to align with the garage of the neighbouring property.

There were no technical questions asked.

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

The Local Member, Councillor Dick Tonge spoke in objection to the application.

A debate followed during in which concern was raised over the loss of amenity space. Clarity was sought over the ridge height difference and the total m² of the extension, and confirmation was given that a separate application would be needed for a dropped kerb. The Committee noted there were no highways objections.

At the end of the debate it was:-

Resolved:

To GRANT Planning Permission for the following reason:

The proposed development will not have a detrimental impact on the character of the host building or area in general. The proposal will not have an unacceptable adverse impact on the amenities currently enjoyed by the occupants of the neighbouring residential properties. The proposal can accommodate the required amount of parking and will not result in a detrimental impact upon highway or pedestrian safety. The proposal therefore accords with policies C3 and H8 of the North Wiltshire Local Plan 2011.

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 implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.**

Plan reference 1908/S01 received on 31st May 2012, additional plans 1908/ garage received on the 11th July 2012 and revised plans 1908/L01A received on the 17th August 2012.

REASON: To ensure that the development is implemented as approved.

3. The development hereby permitted shall not be first brought into use until the access has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of Highway Safety

4. No development shall commence on site until details of the finish to external timber, including any paint or stain to be used on the door and window joinery have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being first brought into use

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

- 5 Notwithstanding the details shown on the submitted plans and forms, no development shall commence on site until details of the external materials 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: In the interests of visual amenity and the character and appearance of the area.

Informatives :

1. Any alterations to the submitted and 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.
2. 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.

- 3. 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.**
- 4. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.**

104 **12/01966/FUL - Deceuninck, Stanier Road, Calne, Wilts., SN11 9PX**

Public Participation

Mrs Jennifer Dunthorne and Mr Beverley Michael Barnes spoke in objection to the application.

Mr Dale Evans spoke in support of the application.

The Planning Officer introduced the report which recommended that planning application be granted subject to conditions.

It was explained that this application for change of use was related to the existing building only. The Committee's attention was drawn to the changes detailed in the late observations and to condition 15 which detailed the need for an operational statement before any use under the new class. The Committee heard that the existing permission had elements yet to be implemented which included B2 use already and that there were other B2 use operators in close proximity.

The Committee then had the opportunity to ask technical questions and it was explained that neighbouring properties were built after the existing planning permission. A query on conditions clarified that the application sought to extend the range of use, not change it, which limited the conditions that could be placed and concerns raised over car parking were not found as highways had raised no objections. The Committee noted the existing B2 use available on the existing permission.

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

The Local Member, Councillor Chuck Berry spoke in support of the application.

The ensuing debate highlighted the need to continue consultation with residents and concern was raised over granting permission with no confirmed end user. The need to give every opportunity in the future for the site to be used was noted.

At the end of the debate it was:-

Resolved:

To GRANT Planning Permission for the following reason:

The proposed development is considered to be sustainable and appropriate to the location in principle and the attached conditions provide sufficient mitigation to ensure that there will be no harm to residential amenities. The proposal is in accord with policies C3 and BD3 of the adopted North Wiltshire Local Plan 2011 and Paragraph 14 and Section 1 of the National Planning Policy Framework.

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.

POLICY-C3

- 2. The level of noise emitted from the site shall not exceed a Rating level of 45 dB (1hr)(i.e. LAeq(1hr) and free from acoustic features) between 0700 and 2300 hrs Monday to Saturday and a Rating level of 35 dB(5 mins) (i.e. LAeq (5 mins) 35 dB and free from acoustic feature) at any other time as measured on all boundaries of the site at any position where the boundary is contiguous with any part of the curtilage of a residential property.**

REASON: In the interests of protecting the amenity of residents.

POLICY: C3

- 3. No development shall commence on site until a Green Travel Plan has been submitted to and approved in writing by the Local**

Planning Authority. 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 road safety and reducing vehicular traffic to the development.

POLICY-C3

- 4. No development shall commence on site until details of secure covered cycle parking and changing and shower facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first occupation of the development hereby permitted and shall be retained for use at all times thereafter.**

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

POLICY-C3

- 5. No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site without the prior approval in writing of the Local Planning Authority in the form of a separate planning permission in that regard.**

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

POLICY C3

- 6. No further external lighting shall be installed on site whatsoever unless otherwise agreed in writing with the Local Planning Authority in the form of a separate planning permission in that regard.**

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

POLICY: C3

7. No development shall commence on site until a scheme for the discharge of surface water from the site, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use/first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

POLICY: C3

8. No development shall commence on site until details of the works for the disposal of sewerage from the site has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: To ensure that the proposal is provided with a satisfactory means of drainage.

9. a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
- b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
- c) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

POLICY-C3

10.No development shall commence on site until details showing ventilation and extraction equipment within the site (including details of its position, appearance and details of measures to prevent noise emissions in accordance with the limits defined in condition 2) have been submitted to and approved in writing by the Local Planning Authority. The ventilation/extraction equipment shall be installed prior to the building/extension hereby approved is first occupied and shall thereafter be maintained in accordance with the approved details.

REASON: In the interests of the amenities of the area.

POLICY-C3

11.The change of use hereby permitted shall be implemented in complete accordance with plans relating to “Building A” granted planning permission under reference 02/01280/FUL and shall retain parking provision and manoeuvring spaces in accord with 02//01280/FUL. The extant and as yet unbuilt extensions to the building subject to this application shall be constructed strictly in accordance with the relevant plans approved under reference 02/01280/FUL unless otherwise agreed in writing with the Local Planning Authority in the form of a separate planning permission in that regard or through the discharge of Condition 15 in respect of the layout of the external areas of the site.

Reason: To define the parameters of the planning permission for the avoidance of doubt.

12.Notwithstanding that shown on the submitted plans, there shall be no further doors, windows or any other form of opening whatsoever unless otherwise agreed in writing with the Local Planning Authority in the form of a separate planning permission in that regard.

Reason: For the avoidance of doubt and so as to ensure the amenity of neighboring residents is not adversely affected by the proposal.

13. Prior to the first use of the building or site for the permitted purpose, a 2.0m high close boarded acoustic fence shall be erected in a position adjacent the southern and south western site boundaries adjacent neighboring residential properties.

Reason: In the interests of securing a form of development that will not cause an unacceptable impact upon the amenities of the neighbouring residential occupiers.

14. Prior to the first use of the building for any purpose within Class B2 an Operational Statement shall be submitted to an approved in writing by the Local Planning Authority. The statement shall include but not be limited to:-

- A detailed description of the processes to be undertaken
- An internal and external layout of the building showing how the manufacturing areas will be laid and will operate, the location of storage and offices and the areas for lorry parking, manoeuvring, loading and unloading
- An assessment of the noise emitted from the building assessed on all boundaries of the site at any position where the boundary is contiguous with any part of the curtilage of a residential property and based on the full operational activities of the proposed occupant to assess compliance with condition 2 and noise rating levels contained therein.
- A description of any dust, fumes or odour likely to be produced by internal or external activities and how they will be monitored and mitigated.
- Hours of operation and servicing patterns
- Number of employees and shift patterns

The use shall thereafter operate in accordance with the approved statement.

REASON: in the interests of safeguarding the residential amenities of neighbouring properties.

POLICY: C3

15. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

Plans: 0158/73855; PL/01; PL/02 Dated 09/07/2012

REASON: To ensure that the development is implemented as approved.

Informative:

- 1. Wiltshire Council would encourage any commercial operator seeking to occupy the site to carry out consultation with local residents before occupation in an effort to establish working patterns that seek to minimise the impact upon the surrounding area and in particular the impact on those neighbouring residential properties nearest to the site boundary.**

105 **12/01537/FUL - Fieldhouse, 2 Pickwick, Corsham, Wilts., SN13 9JB**

Public Participation

Mr Williams spoke in support of the application.

The Planning Officer introduced the report which recommended that planning application be refused.

It was explained that the application property was sited in a conservation area and the original planning permission for the terrace had been granted partly due to the fact that the design had been of high quality and reflected that it was in the garden of a listed building, within the Pickwick Conservation area and noted the listed buildings located all around it.

The Committee then had the opportunity to ask technical questions and it was clarified that the application was for an air source heat pump and installation of solar panels.

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

The Local Member, Councillor Alan MacRae spoke in support of the application.

A debate followed during which the need to have balanced approach was highlighted. Concern was raised over caring for the conservation area and development within and the need to generate clean energy was discussed. Guidance on the standard of solar panels was suggested.

At the end of the debate it was:-

Resolved:

To GRANT planning permission for the following reason:

“The proposed retro-fitting of this relative large solar array on the road facing roofslope of this recently erected mid-terrace dwelling is not considered to result in material and substantial harm to the building, adjacent listed buildings or this part of the Pickwick Conservation Area. The proposal complies with Policies C1, C3, NE18 and HE1 of the North Wiltshire Local Plan 2011, Paragraphs 19, 56 and 95 of the National Planning Policy Framework 2012.”

Subject to the following condition:

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

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

106 **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.05 - 9.05 pm)

The Officer who has produced these minutes is Kirsty Butcher, of Democratic Services, direct line (01225) 713948, e-mail kirsty.butcher@wiltshire.gov.uk

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

This is information that has been received since the committee report was written. This could include additional comments or representation, new information relating to the site, changes to plans etc.

Item 7(a) – 11/03051/S73A – Whites Farm, Grittenham, Chippenham, Wilts. SN15 4JW

Letters of objection:

Four (4) additional letters of objection received. Main issues raised:

- Report has been heavily weighted toward the granting of planning permission with insufficient effort to address noise issues and general impact on amenity of neighbours.
- Parish Council comments have been ignored.
- Incessant and irritating noise from site – lasting all day and without breaks.
- Events often take place at weekends – which are likely to generate a larger number of visitors.
- Noise from site is not continual pitch and volume like that generated by M4.
- Access is from very narrow road

Highway Officer:

Understands concerns about additional traffic movements. However, is also mindful that the use could be legitimately undertaken for 14 days a year under PD rights. If the use is conditioned to that number of days a highway objection would not be appropriate or defensible.

Council Ecologist:

“Having reviewed the available information I note that the field in question was previously arable and is situated adjacent to the M4 motorway. We do not hold any records of protected or notable species, priority habitats or statutory / non-statutory sites for the site itself or surrounding land, I am therefore satisfied that the implementation and continued operation of this facility would not have had any impacts upon local biodiversity. As such I do not have any objections to the application and do not require any conditions or informatives.”

Area Development Manager:

In light of the final comments of the Council’s Highway Officer and the lack of a reason to refuse planning permission on highway safety grounds, the recommendation to grant permission remains, subject to the imposition of the following conditions:

- 1 The land subject to this permission shall be used for the racing and/or practice of motocross motorcycles up to a maximum of 14 days in any one calendar year. Between the months of April and September such racing and/or practice of motocross motorcycles shall not exceed 1 day per calendar month. Between the months of October and March such racing and/or practice of motocross motorcycles shall not exceed 2 days per calendar month.

Reason: In the interests of securing a use that does not unreasonably present a noise nuisance to surrounding residential occupiers.

NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION
10th October 2012

- 2 The racing and/or practice of motorcycles specified in condition 1 shall only take place between the hours of 14:00hrs and 20:00hrs, with absolutely no running of such motorcycles (be it either the running of engines whilst the bike is stationary or otherwise) outside of those times.

Reason: In the interests of securing a use that does not unreasonably present a noise nuisance to surrounding residential occupiers.

3. The use hereby permitted shall cease and the land restored to its original conditions within 28 days of the date of the failure to meet any one of the requirements set out in (i)-(v) below:
- (i) Within one month of the date of this planning permission a Event Management Plan (EMP) shall have been submitted for the written approval of the Local Planning Authority. The Event Management Plan shall be a comprehensive document detailing how the site and each event upon it will be managed, and in particular, shall include measures to keep noise levels generated by the use of the site to an absolute minimum. The Event Management Plan, as a minimum, shall include details of how bikes are to be individually checked for compliance with relevant governing body noise emission (Auto Cycle Union) limits prior to use; specification of maximum numbers of motorcycles being run at the site at any one time; a detailed plan for the installation and intended use of PA system during events; a commitment to the provision of at least one period during each of the 14 days the site is used when no motorcycles are in use (such a period shall be of at least 1 hour in length); details of measures for ensuring public health and safety; measures to avoid site contamination; and a detailed commitment to remove all temporary structures from the site and the restoration of the land to its former condition as agricultural land upon the permanent cessation of motocross (or any other form of motorized vehicle racing and/or practice).
 - (ii) Within one month of the date of this planning permission a plan detailing the measures to manage arrivals and departures from the site on each of the 14 days this permission allows for, shall have been submitted for the written approval of the Local Planning Authority. Such details shall include a commitment to implement and enforce phased arrivals and departures from the site. Future use of the site shall be entirely in accordance with the details contained within the submitted and agreed Noise Management Plan.
 - (iii) Within four months of the date of this decision the Event Management Plan (referred to in (i)) and the arrival and departure details (referred to in (ii)) shall have been approved in writing by the Local Planning Authority or if the Local Planning Authority refuse to approve the scheme, or fail to give a decision within the prescribed period, an appeal shall have been made to the, and accepted as validly made, by the Secretary of State.
 - (iv) If an appeal is made in pursuance of (iii) above, that appeal shall have been finally determined and the submitted Event Management Plan and arrivals/departures plan shall have been approved by the Secretary of State.
 - (v) The approved scheme shall be carried out and operated in complete accordance with the approved details and timetable set out in this condition.

NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION
10th October 2012

Reason: In the interests of securing a use that does not unreasonably present a noise nuisance to surrounding residential occupiers and to ensure the use of the site does not result in the surrounding highway network becoming being placed under strain in the event of participants and spectators arriving and departing from the site within a short timeframe.

4. The temporary "porta-loo" block on the site shall be completely removed from the site in the event of events ceasing to take place for a period of 6 weeks or longer. At which time it shall be removed permanently from the site and shall not be reinstalled on the site until the recommencement of events on the site thereafter.

Reason: To ensure the removal of a temporary structure when the site is not in use.

Item 7(b) – 12/02124/FUL – Calne Rugby Club, Anchor Road, Calne, Wiltshire, SN11 8DX

Further to seeking legal advice on the matter, the following slight amendments to the proposed conditions (shown in bold) are recommended:

- 2 The fences shown on the approved plans shall be erected prior to the first use of the facility hereby permitted **and retained in perpetuity thereafter** and shall incorporate the neoprene dampening feature as detailed in the Design and Access Statement accompanying the application.

Reason: In the interests of the amenity of the area and the prevention of noise nuisance.

- 3 No development shall commence on site (including any works of demolition), until a Management Plan, which shall include the following:
 - a) details of any CCTV system to be installed;
 - b) details of proposed hours of operation, including the means by which the facility is to be secured, if applicable;
 - c) details of any schedule of routine inspections/maintenance;
 - d) details of any anticipated Police involvement with the facility; and
 - e) details of any anticipated ongoing dialogue with neighbours of the facility

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to thereafter. The development shall not be carried out otherwise than in accordance with the approved Management Plan without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to the neighbouring amenities and the amenities of the area in general.

INFORMATIVES

1. No permission has been sought or given in respect of any external lighting. Thus in the event that this is needed, planning permission is required.
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Item 7(d) – 12/01966/FUL – Deceuninck, Stanier Road, Calne, Wiltshire SN11 9PX

Proposed condition 15 should be amended to exclude the phrase “...unless otherwise subsequently approved in writing by the local Planning authority.”

Following recent High Court decisions this approach to the wording and implementation of conditions has been found to be unlawful because it made uncertain what had been granted by the permission.

Following representations from the agents for the application the proposed conditions require minor re-wording and amendment. Principally this is because the previous conditions attached to historic consents at the site and the recent consent to change the use to an indoor sports facility were used as a basis for drafting conditions and are not accurately worded to fully reflect the current proposals, in that they included references to the extended building which is not a part of the current proposals; Also to remove some elements of duplication between proposed conditions. The proposed amendments are as follows:

Conditions 7 and 8: delete reference to “the extended building”

Condition 10: amend the cross reference from condition 3 to condition 2

Condition 11: Insert a cross reference to condition 15 at the end of the condition:

“...unless otherwise agreed in writing with the Local Planning Authority in the form of a separate planning permission in that regard or through the discharge of Condition 15 in respect of the layout of the external areas of the site.”

Condition 12 – Delete. Agreement of hours of operation is required through the agreement of the Operational Statement required under condition 15. As such condition 12 is unnecessary and duplicates condition 15.

Condition 13: amend to delete references to the extended building. Condition 13 to be re-worded as follows:

13. There shall be no further doors, windows or any other form of opening whatsoever unless otherwise agreed in writing with the Local Planning Authority in the form of a separate planning permission in that regard.

Item 7e - 12/01537/FUL - Fieldhouse, 2 Pickwick, Corsham, Wiltshire, SN13 9JB

Town Council Comments:

NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION
10th October 2012

“Resolved: to support the application on the grounds of sustainability.”

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