

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 31 OCTOBER 2012 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Desna Allen, Cllr Chuck Berry (Substitute), Cllr Peter Colmer, Cllr Peter Davis, Cllr Bill Douglas (Substitute), Cllr Mollie Groom (Substitute), Cllr Peter Hutton, Cllr Simon Killane, Cllr Toby Sturgis and Cllr Anthony Trotman (Chairman)

Also Present:

Cllr Allison Bucknell, Cllr Jacqui Lay, Cllr John Thomson and Cllr Dick Tonge

107 **Apologies**

Apologies were received from Councillors Crisp, Hill and Packard.

Cllr Crisp was substituted by Cllr Berry.

Cllr Hill was substituted by Cllr Groom.

Cllr Packard was substituted by Cllr Douglas.

108 **Minutes of the previous Meeting**

The minutes of the meeting held on 10 October 2012 were presented.

Resolved:

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

109 **Declarations of Interest**

Cllr Doyle declared an interest in agenda item no. 7b being a member of the Cotswold Conservation Board. He declared he would participate in the debate and vote for each item with an open mind.

110 **Chairman's Announcements**

Tracey Smith was thanked for her hard work and the Committee wished her every success in her new role.

111 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

112 **Planning Appeals**

The Committee noted the contents of the appeals update.

113 **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** and **7c** as listed in the agenda pack.

114 **11/02978/FUL - Mardrea, The Hyde, Purton SN5 4DX**

Public Participation

Claire Fish spoke in objection to the application.

Tony Doyle spoke in support of the application.

The Planning Officer introduced the report which recommended that the application be DELEGATED to the Area Development Manager for APPROVAL subject to:

- conditions; and
- subject to the applicant entering into a legal agreement under S.106 of the Town and Country Planning Act 1990 in respect of the provision of a financial contribution towards public open space; refuse/recycling bin provision on site and an indemnity agreement whereby vehicular access is permitted to all properties on the site.

It was explained that concerns over flooding had been addressed and the provision for surface water drainage catered for a 100 year event plus 30%. The access had also been improved to provide a turning point. Officers will try to negotiate a contribution for Purton Cemetery.

There were no technical questions asked.

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

The Local Member, Councillor Jacqui Lay spoke in objection to the application.

A debate followed during which concern was raised over surface water drainage, the lack of decent access to the site and potential damage to the road surface by construction vehicles. The need to ensure any surface water scheme was maintained thereafter was highlighted.

At the end of the debate it was:-

RESOLVED:

To DELEGATE to the Area Development Manager for APPROVAL subject to:

- the applicant entering into a legal agreement under S.106 of the Town and Country Planning Act 1990 in respect of the provision of a financial contribution towards public open space, refuse/recycling bin provision on site and an indemnity agreement.

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For the following reason:

The scale and layout of the proposal is considered to be acceptable in the context of the surrounding area and the proposal is not considered to result in an unacceptable impact upon the residential amenity of surrounding properties. Sufficient car parking and manoeuvring space is provided within the site and the proposed development would not be detrimental to highway, rights of way or pedestrian safety. The proposed development would not be harmful to existing trees and would not be subject to an unacceptable risk of flooding or materially increase the risk of flooding elsewhere. In this way the proposed development is considered to comply with the provisions of policies C3, NE14, H3 and CF3 of the adopted North Wiltshire Local Plan 2011 and the guidance contained within the National Planning Policy Framework.

And Subject to the following conditions:

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

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

2. No development shall commence on site until 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: In the interests of visual amenity and the character and appearance of the area.

POLICY - C3 of the North Wiltshire Local Plan 2011.

- 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:**
 - (a) indications of all existing trees and hedgerows on the land;**
 - (b) details of any to be retained, together with measures for their protection in the course of development;**
 - (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;**
 - (d) finished levels and contours;**
 - (e) means of enclosure;**
 - (f) hard surfacing materials;**
 - (g) bin stores and collection points**

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

POLICY - C3 of the North Wiltshire Local Plan 2011.

- 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.

POLICY - C3 of the North Wiltshire Local Plan 2011.

- 5. No retained trees shall be cut down, uprooted, or destroyed, nor shall any retained trees be topped or lopped other than in accordance with the approved plans and particulars without prior written approval of the Local Planning Authority. Any topping or lopping approval shall be carried out in accordance with BS 3998 2010 British Standard for Tree Work or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practice.**

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

The protective fencing shown on Tree Protection Plan Dwg No. 111114-MHL-TPP-LI&AM shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations without prior written approval by the Local Planning Authority.

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

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

REASON: To prevent trees being retained on or adjacent to the site from being damaged during the construction works and in the interest of visual amenity in accordance with policy NE14 of the North Wiltshire Local Plan 2011.

- 6. No demolition, site clearance or development shall commence on site until a Detailed Arboricultural Method Statement prepared by an arboricultural consultant providing comprehensive details of construction in relation to trees shall be submitted to and approved in writing by the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following :-**

- A specification for scaffolding and ground protection within tree protection zones in accordance with BS5837:2005;
- Details of general arboricultural matters such as the area for the storage of materials, concrete mixing and use of fires;
- Plans and particulars showing the siting of the service and piping infrastructure;
- A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification;
- Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and
- Details of all other activities which have implications for trees on or adjacent to the site.

REASON: In order than the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with policy NE14 of the North Wiltshire Local Plan 2011 and the current best practice and Section 197 of the Town and Country Planning Act 1990.

7. The development shall be carried out as specified in the approved Arboricultural Method Statement and shall be supervised by an arboricultural consultant.

REASON: To prevent trees on site from being damaged during construction works in accordance with policy NE14 of the North Wiltshire Local Plan 2011.

8. No development shall commence until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme. The scheme shall be maintained thereafter.

REASON: To ensure that the development can be adequately drained in accordance with policy C3 of the North Wiltshire Local Plan and the guidance contained with the National Planning Policy Framework.

- 9. No development shall commence on site until details of the works for the disposal of sewerage have 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.

- 10. No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans (LPC 2805.11.03 'Proposed Residential Development' dated 3rd August 2011). The areas shall be maintained for those purposes at all times thereafter.**

REASON: In the interests of highway safety in accordance with policy C3 of the North Wiltshire Local Plan 2011.

- 11. The development hereby permitted shall not be first brought into use until the first ten metres of the access, measured from the edge of the carriageway, 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 in accordance with policy C3 of the North Wiltshire Local Plan 2011.

- 12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.**

REASON: To safeguard the amenities and character of the area and in the interest of highway safety in accordance with policy C3 of the North Wiltshire Local Plan 2011.

- 13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to 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 external alterations.

14. Before the development hereby permitted is first occupied all bathroom and ensuite windows at first floor level shall be glazed with obscure glass only and fixed with a ventilation stay restricting the opening of the window and shall be permanently maintained as such at all times thereafter.

REASON: In the interests of residential amenity and privacy.

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.

LPC.2805.10A – Site plan, date stamped 27 September 2012

PLC.2805.10A – Site plan with red line date stamped 16 October 2012

LPC.2805.11.04A – Site plan visibility splay and refuse vehicle, date stamped 27 September 2012

LPC.2805.11.05A – Floor plans, plots 1, 2 & 3 – plot 4 handed, date stamped 3rd October 2011

LPC.2805.11.06 – Elevations plot 3, plot 4 handed, date stamped 1st September 2011

LPC.2805.11.07 – Elevations plots 1 & 2, date stamped 1st September 2011

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

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

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;

- a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- measures for the protection of the natural environment.
- hours of construction, including deliveries;
- measures for making good any damage to the road based on a survey undertaken to establish the condition of the road prior to the commencement of development;
- the size of construction vehicles to access the site.

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall be carried out in accordance with the approved construction method statement.

REASON: 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.

Informatives

1. Thames Water will aim to provide customers with a minimum pressure of 10 m head (approximately 1 bar) and a flow rate of 9 litres / minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.
2. Any changes to the surfaces (including grass) within the site will require planning permission unless they are a like for like replacement given the drainage requirements for this site.

115 **12/03017/S73A - 2 Gibbs Cottages, Castle Combe, Chippenham, Wiltshire SN14 7NQ**

Public Participation

Mr Richard Neale spoke in support of the application.

The Planning Officer introduced the report which recommended that planning permission be REFUSED. Attention was drawn to a typographical error in the report on page 40 of the agenda and it was confirmed that the second paragraph of the Conclusion should read:

‘Concerns raised at the refusal of the previous application, in respect of inadequacy of access to the site, have been not been withdrawn by the Highways Officer in acknowledgement of the improvement works that have been undertaken to the verge to the northeast of Gibb Cottages. However, the

location of the site for these purposes remains inherently unsustainable, and this is a relevant consideration.'

It was explained that this was a retrospective application, and a previous application had been refused in 2008. The property is sited outside the village boundary, and Wiltshire Council's policy was to direct holiday lets to villages. Access to the site was a concern due to poor visibility.

There were no technical questions asked.

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

The Local Member, Councillor Jane Scott, who was represented by Councillor John Thomson, spoke in support of the application.

A debate ensued during which concerns over road safety were discussed and whether the change of use would result in more vehicles compared to the existing permitted business use. It was noted that bed and breakfast could be offered from their house with no permission needed, and that there was an existing bed and breakfast facility using the access road.

At the end of the debate it was:

RESOLVED:

To APPROVE Planning Permission for the following reason:

The proposed change of use by reason of its scale and location in close proximity to the tourist attraction of Castle Combe and its associated facilities is considered to be a benefit to the local economy and would not be detrimental to any residential amenities or highway safety. The proposal thus accords with Policies C3, NE4 and NE15 of the adopted North Wiltshire Local Plan; Policy RLT9 of the adopted Wiltshire and Swindon Structure Plan; and Core Policy 39 of the emerging Wiltshire Core Strategy.

Subject to the following conditions:

- 1. Notwithstanding the Town and Country Planning (Use Classes) Order 1987 and the Use Classes (Amendment) Order 2005 (or any Order revoking and re-enacting those Orders, with or without modification), the accommodation hereby permitted shall be used for holiday accommodation only and for no other purpose.**

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access,

and planning policies pertaining to the area, would not permit permanent residential accommodation.

2. The owners/ operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans/log cabins/chalets on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

3. The accommodation hereby permitted shall not be occupied as a persons' sole or main place or residence.

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

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.

2367/01 – Plans and elevations as built

2367/02 – First floor as built

Design and Access Statement

Received 3 September 2012

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

116 **12/00850/OUT - Royal Arthur Park, Westwells, Corsham, Wiltshire SN13 9SF**

Public Participation

Mr Fuller spoke in objection to the application

Paul Coleman and Councillor Anstey spoke in support of the application.

The Planning Officer introduced the report which recommended that the application be DELEGATED to officers for planning permission to be GRANTED subject to conditions.

It was explained that this was a hybrid application containing both detailed and outline plans. The established C2 use was confirmed as continuing and the designs were considered appropriate. Attention was drawn to the late observations in which details were given of an assessment on traffic increase and which addressed resident's concerns.

The Committee was then given the opportunity to ask technical questions of the officers and it was queried whether it was right to include bin provision within the Section 106 agreement and whether it should be delegated in conjunction with the Waste Service.

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

The Local Member, Councillor Tonge expressed his concerns about the traffic implications and the cumulative effect on Neston. He requested that if the Committee were going to approve the application consideration was given to ways of diverting traffic towards the A4 and away from Neston and that the proposed minibus be made available for community use.

In the ensuing debate the need for this sort of facility in the community was highlighted and it was confirmed that a regular bus service passed at the end of the road.

RESOLVED:

Subject to no new and substantive issues being raised by the Council's Ecologist and Natural England, including the addition and/or alteration of relevant planning conditions

And

Subject to all parties entering into a legal agreement under s106 of The Act in respect of (and following the covenants set out in existing legal agreement associated with permission 10/04093/FUL): age restrictions, provision of communal facilities, highway improvements, travel plan, minimum care requirements and contributions to bin/recycling provision in light of the proposed Waste Strategy , then:

To DELEGATE to officers for Planning Permission to be GRANTED for the following reason:

The site has a lawful use as a residential training centre (Class C2) and in common with previous permissions on this site, the proposal overcomes the reasons for dismissal of the subsequent appeal, under reference 05/02094/OUT. The legal Agreement associated with this planning permission secures, in perpetuity, the nature of the use permitted,

sustainable travel and highway improvements. The revised design respects the character of the site and continues to provide significant landscape improvements. As was the case with previous permissions, traffic generation compares favourably with the lawful use and would be lower than potential alternatives. The biodiversity of the site, including protected species, will be preserved and enhanced. In light of the above, the proposal is considered to comply with policies C1, C2, C3, NE5, NE9, NE11, NE14, NE15, NE17, NE29, T1, T2, T3 and T4 of the North Wiltshire Local Plan 2011 as well as guidance contained within the National Planning Policy Framework.

Subject to the following conditions:

- 1. The full development hereby permitted (as shown green on phasing plan dwg no. 2234/051) 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. Prior to the commencement of the development hereby permitted (as shown shaded red on the phasing plan dwg no. 2234/051), details of the following matters (in respect of which approval is expressly reserved) shall be submitted to, and approved in writing by, the local planning authority:**

- (a) The siting of the development (including existing and proposed levels);**
- (b) The design of the development;**
- (c) The external appearance of the development;**
- (d) The landscaping of the site;**

Where the development permitted is to be carried out in a phased manner, the development of each phase shall not start until details of the matters listed above have been submitted to and approved in writing by the local planning authority insofar as they relate to that phase.

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

REASON: The application was made for outline planning permission.

- 3. (a) The application for approval in respect of all matters reserved in Condition No.1 above shall be made to the local planning authority within a period of three years, commencing on the date of this permission.**

- (b) The development hereby permitted shall be begun before the expiration of two years of the date of approval of the last of the reserved matters to be approved.

REASON: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

4. The approved landscaping scheme shall be implemented in accordance with a phased scheme of implementation to be submitted to and approved by the local planning authority before development commences. The landscaping shall be maintained thereafter for a period of not less than five years from the implementation of each phase. This maintenance shall include the replacement of any tree or shrub which is removed, destroyed or dies by a tree or shrub of the same size and species as that which it replaces, unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of amenity.

5. Prior to the commencement of the development hereby permitted and before any equipment, machinery or materials are brought onto the site for the purposes of the development, details of fencing to be erected for the protection of retained trees/hedges/shrubs shall be submitted to and approved in writing by the local planning authority. Fencing for the protection of retained trees/hedges/shrubs shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development and 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 written consent of the local planning authority.

REASON: In the interests of protecting the existing trees/ hedges/ shrubs on the site.

6. No development shall take place until a detailed scheme for the positioning of all service trenches, pipe runs and/or drains has been submitted to and approved in writing by the Local Planning Authority. Such detailed scheme shall be configured such that no trenches, pipe runs and/or drains are sited within the root protection zone of retained trees set out in the approved landscape strategy and plans.

REASON: To maintain a vigorous and healthy root system to ensure the retention of trees in a safe and healthy condition.

- 7. No development shall take place until details of the construction of all walls, fences and other means of enclosure have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in accordance with a timescale to be approved by the local planning authority**

REASON: In the interests of amenity.

- 8. No development shall take place until a scheme for remediation of ground contamination shall be submitted to and approved by the local planning authority. The remediation shall be carried out in complete accordance with the details agreed under this condition and with timescales, which shall be contained within the scheme. A remediation validation report shall be submitted to and approved by the local planning authority within three months of completion of the approved remediation works.**

REASON: To avoid risk of contamination.

- 9. Absolutely no external lighting (including any lighting installed for security purposes or used during construction) shall be installed anywhere on the site until full details (which shall include positioning, levels of luminance and hours of illumination), have been submitted to and approved in writing by the local planning authority. The lighting shall thereafter be installed and operated in accordance with the approved details, unless otherwise first agreed in writing by the local planning authority in the form of a separate planning permission in that regard.**

REASON: In the interests of amenity and nature conservation.

- 10. Prior to the erection of any building hereby granted planning permission, details of all materials to be used externally shall be submitted to, and approved in writing by, the local planning authority. The development shall be built in the materials approved.**

REASON: In the interests of visual amenity.

- 11. Prior to the first use or occupation of any building on the site, a demand responsive bus service for the use of residents and staff shall commence and be provided in perpetuity. Specific details of type of bus, days / hours of operation and area to be covered by the service, which shall be agreed in writing with the local planning authority prior to commencement of that service.**

REASON: In the interests of highway safety and accessibility.

12.No development shall take place on the site until detailed schemes for the access road, junctions and footways along the access road (to include the installation of street lighting on the access road), has been submitted to, and agreed in writing, by the local planning authority. For the avoidance of doubt, details shall include any necessary Traffic Regulation Orders. Development shall be carried out in complete accordance with those details approved prior to the first use or occupation of any of the buildings hereby granted planning permission.

REASON: In the interests of highway safety and accessibility.

13.No development shall take place until detailed schemes for the upgrading of rights of way Box 49, Box 50, Box 51 and Corsham 63 (within 1500m of the site) have be submitted to, and agreed in writing by the local planning authority. For the avoidance of doubt, this shall include any necessary Traffic Regulation Orders. Development shall be carried out in complete accordance with those details approved prior to the first use or occupation of any of the buildings hereby granted planning permission.

REASON: In the interests of highway safety and accessibility.

14.Prior to first occupation of any of the buildings, the access road, access road footway, access road street lighting, junctions and rights of way improvements to be constructed on the detailed phase of development shall be completed in their entirety.

REASON: In the interests of highway safety and accessibility.

15.No development shall take place until a construction method statement, including phasing of development in relation to nature conservation interests has been submitted to and approved by the Local Planning Authority. The development shall be carried out in complete accordance with the approved statement.

REASON: In the interests of nature conservation.

16.Prior to the commencement of development a Site Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the Plan.

REASON: In the interests of the amenity and waste reduction objectives of the adopted Wiltshire and Swindon Waste Core Strategy July 2009.

Informatives:

- 1. Attention is drawn to the Legal Agreement relating to this development or land which has been made pursuant to Section 106 of the Town and Country Planning Act 1990, Section 111 of the Local Government Act 1972, Section 33 of the Local Government (Miscellaneous Provisions) Act 1982 or other enabling powers and the Deed of Variation dated 21/06/2011.**
- 2. The Council should like to encourage the applicant to introduce any measures in conjunction with Highways Officers to reduce the potential for turning left from the site to seek to ensure main routes from the development are used.**
- 3. If an on-demand bus service is provided for the site, local community groups would welcome the opportunity to share the use of the bus if feasible.**

117 12/01914/S73A - Land at Harrow Grove, Lyneham, Wiltshire SN15 4AB

Public Participation

Mr Drummond Harris and Mr Bartle spoke in objection to the application

Councillor Sturgis left before discussion, debate and voting on the last item.

The Planning Officer introduced the report which recommended that planning permission be GRANTED FOR A TEMPORARY PERIOD OF SIX MONTHS subject to conditions.

It was explained that this was a retrospective application for a change of use from public open space to storage. The compound was described as visually intrusive, out of accord with the character of the neighbourhood and considered inappropriate to the locality. The service the applicant was providing was considered important and was reflected in the recommendation which gave time to work towards relocation.

The Committee then had the opportunity to ask technical questions and it was explained that waste was brought to the site from a broader locality, concerns over dust, gates and content could be addressed through conditions, that if conditions were breached then a breach of condition notice could be issued which required immediate compliance and that 6 months was considered a reasonable timeframe to relocate.

Members of the Public then had the opportunity to put their views before the Committee as detailed above.

The Local Member, Councillor Allison Bucknell then spoke in objection to the application.

A debate followed during which the inappropriateness of the location was discussed and the need to get it relocated as soon as possible was highlighted.

RESOLVED:

That Planning Permission be GRANTED FOR A TEMPORARY PERIOD OF ONE MONTH for the following reason:

The change of use and erection of the fencing and gates to create the storage compound would result in a loss of open space contrary to policies CF2 and CF3 of the North Wiltshire Local Plan. The operation and use of the compound would result in harm to existing residential amenities through noise and general disturbance contrary to policy C3 of the adopted North Wiltshire Local Plan 2011. In addition the erection of the fencing and gates would be visually prominent and out of character with the locality and is visually harmful to the locality contrary to policy C3 of the Adopted North Wiltshire Local Plan. The proposed development is contrary to adopted Local Plan policies and inappropriate in this location. A permanent consent for the proposed development in this location is inappropriate and harmful. The grant of a temporary consent for a limited period to allow the relocation of the employment activity to an appropriate location is considered acceptable and appropriate in the context of the support for economic and employment development contained within the National Planning Policy Framework, in particular paragraphs 18 – 22 of the NPPF.

Subject to the following conditions:

- 1. The delivery and despatch of waste materials to and from the site shall be limited to the hours of 7am and 7pm on Mondays to Fridays Saturdays, and at no time on Sundays and Bank or Public Holidays.**

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.

POLICY-C3

- 2. The building hereby permitted shall be removed and the use hereby permitted shall be discontinued and the land restored to its former condition on or before 1 (one) month from the date of this permission (Decision Letter) in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.**

REASON: In the interests of amenity, in order to secure the restoration of the land upon removal/extinguishment of a building/use for which permission can be justified only on the basis of a special temporary need.

POLICY – C3

3. 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 of the storage compound hereby approved for a temporary period of one month .

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

POLICY--C3

4. No materials, goods, plants, 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 above the maximum height of the erected fencing forming the storage compound hereby approved for a temporary period of one month.

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

POLICY-C3

5. 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: 1914/1; 1914/2; 1914/3 Dated: 24/8/12

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

INFORMATIVE

1. It is recommended that the applicant contacts the Council's Economy & Enterprise Team to discuss relocation options and potential site availability information.

118 **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.03 - 9.15 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) – Mardrea, The Hyde, Purton, SN5 4DX

5 additional representations have been received following re-consultation. One objection acknowledges the improvements the revised access makes in terms of exiting the driveway to their property as well as improvements to loss of privacy and reduction of headlight glare. There remains the general concern with highway safety and this is reflected in the other 3 representations in addition to ongoing concerns regarding drainage.

Area Development Manager:

In respect of drainage, there has been on-going discussion with a neighbour who specifically requested that such correspondence went on the website in addition to the case file. Whilst ongoing application correspondence is not generally put on the website, it was considered in respect of this application and the efforts of the applicant, agents and officers to resolve this concern, such a request was considered as an ongoing objection and communications placed on the website as requested.

Discussions are taking place with the applicant in respect of a financial contribution towards Purton Cemetery to be secured via a S106. Such a requirement is consistent with proposals at Wdham farm (dismissed at appeal).

Discussions have taken place between the applicant and the agent in respect of the proposed new access arrangement and confirmation has been received that the proposed arrangements will enable turning at this point for any users of the Hyde as well as the occupants of the site.

Since writing the report a revised red line plan has been provided and was included as part of the reconsultation process for the revised access arrangements. The consultation period expired on 25 October 2012.

Accordingly the recommendation is slightly revised as follows:

DELEGATE to the Area Development Manager for APPROVAL subject to:

- subject to the applicant entering into a legal agreement under S.106 of the Town and Country Planning Act 1990 in respect of the provision of a financial contribution towards public open space, refuse/recycling bin provision on site and an indemnity agreement.

A condition was omitted in respect of the Construction Method Statement and the following needs to be inserted at 16:

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Condition amended as follows:

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 adhered to throughout the construction period. The development shall be carried out in accordance with the approved construction method statement.

REASON: 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.

Item 7(b) – 2 Gibb Cottages, Castle Combe, Chippenham, Wiltshire, SN14 7NQ

Further to their initial representations, the Parish Council have offered the following comment:

“Castle Combe Parish Council continues to support this application.

Unfortunately due to a combination of business and family commitments, no parish councillor is available to attend the Planning Group meeting, hence this note.

The policies to which the planning officer makes reference are all capable of subjective interpretation and in our view this application does not contravene those policies, for example:

Highways:

Although paragraph 6 of the report states that the Highways Officer objects on grounds of the increased use of an inadequate access, the conclusion of the report indicates that such concerns have been withdrawn. Subsequent observations regarding access do not appear to be from Highways.

The likelihood is that B&B guests at this single property would probably leave in the morning and return in the evening, which is hardly excessive.

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If there is indeed concern as to egress visibility, then further consideration should be given separately to the Parish Council's repeated requests for the speed limit to reduce to 30 mph along this stretch.

Tourism:

The village is less than a mile away and is a major tourist attraction generating substantial income for local Wiltshire businesses. There is a significant lack of low cost B&B accommodation in the immediate vicinity as there are now only two B&B establishments which are closer and guests may not want, or be able, to use hotels.

Viability:

The assumption that the underlying viability of the existing business might suffer is difficult to sustain. The B&B could be said to generate an income stream which would actually support the business more than the currently authorised usage.

The applicant is unlikely to propose a change which would be detrimental to the overall financial stability.

Domestication:

There is an assumption that there would be an inevitable domestication of the adjacent land but there is no evidence to justify this.

Our conclusion:

There is no significant impact on either the local environment or the Area of Outstanding Natural Beauty. Our Unitary Councillor is also of this view."

The Planning Officer would respond to the points raised as follows:

Highways

The proposal continues to attract a highways objection, and the conclusion of the report is, unfortunately, inaccurate in this regard due to a typographical error. The relevant paragraph should read:

*"Concerns raised at the refusal of the previous application, in respect of inadequacy of access to the site, have **not** been withdrawn by the Highways Officer in acknowledgement of the improvement works that have been undertaken to the verge to the northeast of Gibb Cottages. However, the location of the site for these purposes remains inherently unsustainable, and this is a relevant consideration."*

Further, for the purposes of clarification, even had the access issue been resolved, there is no guarantee that this could be maintained as the land is outside the control of the applicant.

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The speed limit on this section of road remains at 60mph, and it is only on this basis that the proposal can be assessed.

Tourism

Please refer to the relevant paragraph of the report regarding alternative accommodation in the vicinity.

Viability

The Officer maintains the view that a potential conflict of uses in the building could arise as a result of permission, giving rise either to nuisance to guests or undermining the business premises.

Irrespective of the potential income from the unit, it is not considered that the proposal can be justified as an exception to Policy BD2 of the adopted Local Plan.

Domestication

The evidence of this is already clearly visible, as the agricultural land to the front of the building has been laid to lawn, with border plants and other domestic paraphernalia, and is encircled by a domestic driveway.

Planning permission for a change of use of this land has not been granted previously, nor does it form part of this application.

Item 7(c) – 12/0850/OUT – Royal Arthur Park, Westwells, Corsham, Wiltshire, SN13 9SF

Area Development Manager comments:

A clarified location plan has been added to the Additional Information sheet at the request of Councillor Peter Davis.

The Car parking space referred to in the first paragraph under the sub-heading Impact on Highway safety should read:

“The development would provide for 83 spaces with 18 cycle spaces.”

For clarification as part of the 2008 permission (renewed in 2010), the Council approved provision for a GP surgery, health treatment and hydrotherapy complex; a pavilion housing dining, recreation (library/cafe) and supporting retail facilities and associated outdoor recreation facilities.

The majority of extra care apts were 3 storey. The central care building had levels 0,1, 2, 3 and 4.

Before and after traffic counts following the development of Basil Hill Barracks. The counts found:

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The average annual traffic growth on the A4 between Corsham and Chippenham since 2009 has been approximately 1% so the increase in traffic figures at the 6 count locations around Corsham between December 2008/January 2009 and June/July 2012 appear only slightly above what you might expect to result from 'background' traffic growth.

The counts in 2008/09 were undertaken in the first two weeks of December and the last two weeks in January. The counts in 2012 were undertaken in the last week of June and the first two weeks of July. The premise underlying all traffic surveys is that they provide a 'snapshot' of data that is representative of the traffic patterns prevailing at those locations and, whilst it is not possible to say that the conditions at the time of all of the surveys was exactly the same, I can state that survey times were chosen to avoid known events that would impact on the survey results i.e. they were outside of school holidays and there were no road works in the vicinity that would have affected traffic patterns.

A copy of the count plan is attached.

Revised recommendation and suggested planning conditions (note: additional planning conditions relating to ecology to be confirmed)

Subject to no new and substantive issues being raised by the Council's Ecologist and Natural England, including the addition and/or alteration of relevant planning conditions

And

Subject to all parties entering into a legal agreement under s106 of The Act in respect of (and following the covenants set out in existing legal agreement associated with permission 10/04093/FUL): age restrictions, provision of communal facilities, highway improvements, travel plan and minimum care requirements, then:

The application be delegated to Officers for Planning Permission to be GRANTED for the following reason:

The site has a lawful use as a residential training centre (Class C2) and in common with previous permissions on this site, the proposal overcomes the reasons for dismissal of the subsequent appeal, under reference 05/02094/OUT. The legal Agreement associated with this planning permission secures, in perpetuity, the nature of the use permitted, sustainable travel and highway improvements. The revised design respects the character of the site and continues to provide significant landscape improvements. As was the case with previous permissions, traffic generation compares favourably with the lawful use and would be lower than potential alternatives. The biodiversity of the site, including protected species, will be preserved and enhanced. In light of the above, the proposal is considered to comply with policies C1, C2, C3, NE5, NE9, NE11, NE14, NE15, NE17, NE29, T1, T2, T3 and T4 of the North Wiltshire Local Plan 2011 as well as guidance contained within the National Planning Policy Framework.

Subject to the following conditions:

1. Prior to the commencement of the development hereby permitted (as shown on the phasing plan dwg no. 2234/051), details of the following matters (in respect of which approval is expressly reserved) shall be submitted to, and approved in writing by, the local planning authority:

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- (a) The siting of the development (including existing and proposed levels);
- (b) The design of the development;
- (c) The external appearance of the development;
- (d) The landscaping of the site;

Where the development permitted is to be carried out in a phased manner, the development of each phase shall not start until details of the matters listed above have been submitted to and approved in writing by the local planning authority insofar as they relate to that phase.

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

Reason: The application was made for outline planning permission.

2 (a) The application for approval in respect of all matters reserved in Condition No.1 above shall be made to the local planning authority within a period of three years, commencing on the date of this permission.

(b) The development hereby permitted shall be begun before the expiration of two years of the date of approval of the last of the reserved matters to be approved including

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

3. 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 2234/049 (date stamped 26th March 2012)

Existing site plan and redline boundaries 2234/050 (date stamped 26th March 2012)

Phasing plan 2234/051 (date stamped 26th March 2012)

Landscape proposals plan 1257/L/02 rev.J (date stamped 20th September 2012)

Landscape proposals plan - detailed area lower ground floor levels 1257/L/04 rev.B (date stamped 20th September 2012)

Landscape proposals plan - detailed area upper ground floor levels 1257/L/03 rev.B (date stamped 20th September 2012)

Electrical services external lighting lux level drawing EJ195/6351 rev.P5 (date stamped 20th September 2012)

Design and Access Statement September 2012 (including all elevations and floor plans of buildings granted detailed planning permission, as per condition 01) (date stamped 20th September 2012)

Landscape Strategy & Design Statement September 2012 (date stamped 20th September 2012)

Planning Statement (date stamped 26th March 2012)

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

4. The approved landscaping scheme shall be implemented in accordance with a phased scheme of implementation to be submitted to and approved by the local planning authority before development commences. The landscaping shall be maintained thereafter for a period of not less than five years from the implementation of each phase. This maintenance shall include the replacement of any tree or shrub which is removed, destroyed or dies by a tree or shrub of the same size and species as that which it replaces, unless otherwise agreed in writing by the local planning authority.

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Reason: In the interests of amenity.

5. Prior to the commencement of the development hereby permitted and before any equipment, machinery or materials are brought onto the site for the purposes of the development, details of fencing to be erected for the protection of retained trees/hedges/shrubs shall be submitted to and approved in writing by the local planning authority. Fencing for the protection of retained trees/hedges/shrubs shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development and 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 written consent of the local planning authority.

Reason: In the interests of protecting the existing trees/hedges/shrubs on the site.

6. No development shall take place until a detailed scheme for the positioning of all service trenches, pipe runs and/or drains has been submitted to and approved in writing by the Local Planning Authority. Such detailed scheme shall be configured such that no trenches, pipe runs and/or drains are sited within the root protection zone of retained trees set out in the approved landscape strategy and plans.

Reason: To maintain a vigorous and healthy root system to ensure the retention of trees in a safe and healthy condition.

7. No development shall take place until details of the construction of all walls, fences and other means of enclosure have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in accordance with a timescale to be approved by the local planning authority.

Reason: In the interests of amenity.

8. No development shall take place until a scheme for remediation of ground contamination shall be submitted to and approved by the local planning authority. The remediation shall be carried out in complete accordance with the details agreed under this condition and with timescales, which shall be contained within the scheme. A remediation validation report shall be submitted to and approved by the local planning authority within three months of completion of the approved remediation works.

Reason: To avoid risk of contamination.

9. Absolutely no external lighting (including any lighting installed for security purposes or used during construction) shall be installed anywhere on the site until full details (which shall include positioning, levels of luminance and hours of illumination), have been submitted to and approved in writing by the local planning authority. The lighting shall thereafter be installed and operated in accordance with the approved details, unless otherwise first agreed in writing by the local planning authority in the form of a separate planning permission in that regard.

Reason: In the interests of amenity and nature conservation.

10. Prior to the erection of any building hereby granted planning permission, details of all materials to be used externally shall be submitted to, and approved in writing by, the local

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planning authority. The development shall be built in the materials approved.

Reason: In the interests of visual amenity.

12. Prior to the first use or occupation of any building on the site, a demand responsive bus service for the use of residents and staff shall commence and be provided in perpetuity. Specific details of type of bus, days / hours of operation and area to be covered by the service, which shall be agreed in writing with the local planning authority prior to commencement of that service.

Reason: In the interests of highway safety and accessibility.

13. No development shall take place on the site until detailed schemes for the access road, junctions and footways along the access road (to include the installation of street lighting on the access road), has been submitted to, and agreed in writing, by the local planning authority. For the avoidance of doubt, details shall include any necessary Traffic Regulation Orders. Development shall be carried out in complete accordance with those details approved prior to the first use or occupation of any of the buildings hereby granted planning permission.

Reason: In the interests of highway safety and accessibility.

14. No development shall take place until detailed schemes for the upgrading of rights of way Box 49, Box 50, Box 51 and Corsham 63 (within 1500m of the site) have been submitted to, and agreed in writing by the local planning authority. For the avoidance of doubt, this shall include any necessary Traffic Regulation Orders. Development shall be carried out in complete accordance with those details approved prior to the first use or occupation of any of the buildings hereby granted planning permission.

Reason: In the interests of highway safety and accessibility.

15. Prior to first occupation of any of the buildings, the access road, access road footway, access road street lighting, junctions and rights of way improvements to be constructed on the detailed phase of development shall be completed in their entirety.

Reason: In the interests of highway safety and accessibility.

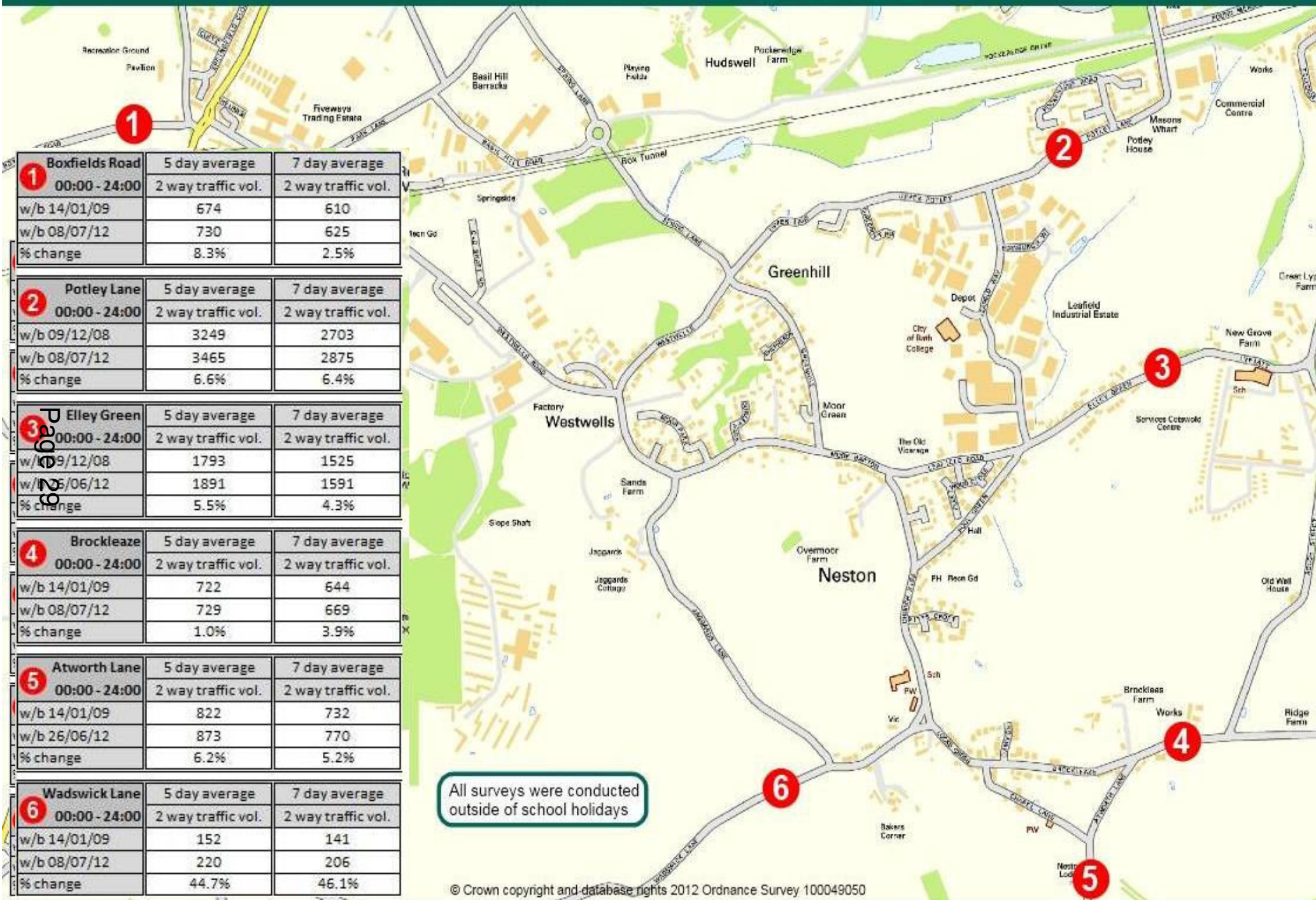
16. No development shall take place until a construction method statement, including phasing of development in relation to nature conservation interests has been submitted to and approved by the Local Planning Authority. The development shall be carried out in complete accordance with the approved statement.

Reason: In the interests of nature conservation.

Informatives:

1. Attention is drawn to the Legal Agreement relating to this development or land which has been made pursuant to Section 106 of the Town and Country Planning Act 1990, Section 111 of the Local Government Act 1972, Section 33 of the Local Government (Miscellaneous Provisions) Act 1982 or other enabling powers and the Deed of Variation dated 21/06/2011.

Corsham Traffic Monitoring - 2008 to 2012



1	Boxfields Road 00:00 - 24:00	5 day average 2 way traffic vol.	7 day average 2 way traffic vol.
	w/b 14/01/09	674	610
	w/b 08/07/12	730	625
	% change	8.3%	2.5%

2	Potley Lane 00:00 - 24:00	5 day average 2 way traffic vol.	7 day average 2 way traffic vol.
	w/b 09/12/08	3249	2703
	w/b 08/07/12	3465	2875
	% change	6.6%	6.4%

3	Elley Green 00:00 - 24:00	5 day average 2 way traffic vol.	7 day average 2 way traffic vol.
	w/b 09/12/08	1793	1525
	w/b 05/06/12	1891	1591
	% change	5.5%	4.3%

4	Brockleaze 00:00 - 24:00	5 day average 2 way traffic vol.	7 day average 2 way traffic vol.
	w/b 14/01/09	722	644
	w/b 08/07/12	729	669
	% change	1.0%	3.9%

5	Atworth Lane 00:00 - 24:00	5 day average 2 way traffic vol.	7 day average 2 way traffic vol.
	w/b 14/01/09	822	732
	w/b 26/06/12	873	770
	% change	6.2%	5.2%

6	Wadwick Lane 00:00 - 24:00	5 day average 2 way traffic vol.	7 day average 2 way traffic vol.
	w/b 14/01/09	152	141
	w/b 08/07/12	220	206
	% change	44.7%	46.1%

All surveys were conducted outside of school holidays

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SITE LOCATION PLAN

