

## NORTHERN AREA PLANNING COMMITTEE

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### MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 12 DECEMBER 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 Alan Hill (Vice Chairman), Cllr Peter Hutton, Cllr Simon Killane, Cllr Mark Packard, Cllr Toby Sturgis and Cllr Anthony Trotman (Chairman)

#### **Also Present:**

Cllr Sheila Parker

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#### 119 **Apologies**

Apologies were received from Councillor Doyle.

Cllr Doyle was substituted by Cllr Berry.

#### 120 **Minutes of the previous Meeting**

The minutes of the meeting held on 31 October 2012 were presented.

#### **Resolved:**

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

#### 121 **Declarations of Interest**

There were no declarations of interest.

#### 122 **Chairman's Announcements**

There were no Chairman's announcements.

#### 123 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

124 **Planning Appeals**

The Committee noted the contents of the appeals update.

125 **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** and **7b** as listed in the agenda pack.

126 **12/00105/S73A - Cotswold Airport, Kemble, GL7 6BA**

**Public Participation**

John Nettleton spoke in objection to the application.

Simon Chambers spoke in support of the application

Councillor Roger Pettit raised the concerns of Kemble and Ewan Council.

The Planning Officer introduced the report which recommended that Planning Permission be DELEGATED to the Area Team Leader for the formal submission of a signed copy of the Unilateral Undertaking.

The Officer detailed the key areas for concern as being noise and traffic disturbance and attention was drawn to the change in the number of show days which was a welcome compromise.

The Committee then had the opportunity to ask technical questions of officers and it was confirmed whilst possible to have 2 show events on the same day in different areas of the airfield they would count as two from the proposed total number of 16 show days

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

The Councillor Toby Sturgis, on behalf of Councillor Carole Soden, Local Member, then spoke in support of the application with permission to be delegated to the Planning Officer in consultation with the local member.

A debate ensued during which concerns were raised on the volume of traffic on show days and affected councils across the border were advised to approach Gloucestershire Police for proper enforcement on roads near Culkerton and Ashley.

Confirmation was received that the liaison group would continue to meet and discuss ongoing issues and there would be police involvement where events attracted high attendance.

At the end of the debate it was

**Resolved:**

**To DELEGATE planning permission to the Area Development Manager in consultation with the Local Member for the formal submission of a signed copy of the Unilateral Undertaking**

**Subject to the following conditions:**

**Within 3 months of the date of this permission a Method Statement for the management and control of traffic on “Show Days” shall be submitted to and approved in writing by the local planning authority. “Show Days” traffic management shall be carried out in accordance with the approved method statement unless otherwise agreed in writing with the local planning authority.**

**REASON: In the interests of highway safety.**

127 **12/02096/OUT - Land at Braydon Lane, Chelworth Industrial Estate, Cricklade**

Public Participation

Mr Emeris Williams spoke in objection to the application.

Mr Graham Warren spoke in support of the application.

Councillor John Harmer, Cricklade Town Council spoke in objection to the application.

The Planning Officer introduced the report which recommended that the application be DELEGATED to planning officers to APPROVE subject to no objections being raised by English Heritage.

He explained that as the emerging policy that sought to direct these more to towns was at draft stage the principle steer for this application was policy BD5. He confirmed that confirmation had been received verbally from English Heritage stating they did not want to raise any concerns or objections to this proposal however written confirmation was awaited.

The key concerns raised were the outline nature of the application and the impact of the volume of traffic generated, however these were mitigated by the conditions imposed on the maximum scale of the parameters and class of use.

He drew attention to the late observations where further detailed comments from Cricklade Town Council had been considered by the Highways Engineer however they were found to raise no concerns over increased traffic volume.

The Committee then had the opportunity to have technical questions and it was confirmed that there was no separate condition for the storage of waste on this application, but it could be handled within a reserved matters application.

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

The Local Member, Councillor Peter Colmer raised his concerns over the application encroaching into rural countryside, the proximity of a suitable alternative site in Calcott and the definition of 'limited' within paragraph 3 of policy BD3.

In the debate that followed attention was drawn to the need for a Highways Officer to attend the Committee to provide advice on applications and the weight given to an emerging neighbourhood plan in the event of an appeal. It was noted that the application site area was a small percentage of the whole industrial estate area. An amendment which proposed the addition of a Section 106 agreement securing a contribution towards the upgrading of the road was seconded and accepted.

**Resolved:**

**To DELEGATE to the Area Development Manager to APPROVE subject to no objections being made from English Heritage; a legal agreement securing a contribution to the upgrading of 'The Fortey' related in scale and kind to the proposed development and the following conditions:**

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

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

- 2. The site shall be used for B1 Light Industrial Units only and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).**

**REASON:** The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

**POLICY-C3 NE15**

- 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. Any application for Reserved Matters has to comply with the details shown on those plans.**

**Plans 600-02E 03 04A 05A 06 all dated 23/07/12 Ecological report, Transfer of land report, Planning Statement Design and access statement Flood Risk assessment 23/07/12.**

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

- 4. Prior to commencement of development an Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Ecological Management Plan shall set out in detail how the area identified as the 'Mitigation Area' on Plan 600-03 is to be managed for the benefit of biodiversity, particularly neutral grassland, tubular water-dropwort and great crested newt. The Mitigation Area shall be managed in accordance with the approved Ecological Management Plan unless otherwise agreed in writing by the Local Planning Authority.**
- 5. All site enabling works and construction works shall be carried out in full accordance with the approved 'Method Statement for the Protection of Great Crested Newt at Cricklade' (Revised 07/11/12), unless otherwise agreed in writing by the Local Planning Authority.**
- 6. No development shall commence on site until details of the external materials to be used on the development 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 NE15**

- 7. An application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of two**

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

- a) The scale of the development;
- b) The layout of the development;
- c) The external appearance of the development;
- d) The landscaping of the site;
- e) The means of access to the site.

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

**REASON:** The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

8. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first 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 NE15**

9. 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) car park layouts;
- g) other vehicle and pedestrian access and circulation areas;
- h) hard surfacing materials;
- i) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- j) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- k) retained historic landscape features and proposed restoration, where relevant.

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

#### **POLICY- C3 NE15**

**10.**The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) produced by PFA Consulting (Job no. W414, Dated 25/10/11) and the following mitigation measures detailed within the FRA.

- i) Surface water discharge rates shall not exceed 8.5l/s during the 1 in 100 year storm event with an allowance for climate change in accordance with Table 2 of the FRA.
- ii) The surface water attenuation devices shall be sized for the 1 in 100 year storm event with an allowance for climate change.
- iii) The surface water drainage system shall include Permeable Paving, as detailed in paragraph 3.22 of the FRA

**REASON:** To prevent flooding by ensuring the satisfactory storage of/disposal of surface water for the site.

**11.**Development shall not begin until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development has been submitted to and approved in writing by the local planning authority. The scheme shall include details of how the scheme shall be maintained and managed after completion. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

**REASON-** To prevent the increased risk of flooding to improve and protect water quality, improve habitat and amenity and ensure future maintenance of the drainage scheme.

**12. The development hereby approved shall not be occupied until the vehicular access arrangements, road layout and parking areas has been provided in accordance with details submitted (Drawing 600-02 Rev E). Full details shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development.**

**REASON: To ensure that adequate provision is made for parking and access in the interests of highway safety.**

**13. No development shall commence within the area indicated on plan no.600-03 adjacent to a Scheduled moated site (SM12037) located at SU0836 9199 until:**

- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and**
- b) The approved programme of archaeological work has been carried out in accordance with the approved details.**

**REASON: To enable the recording of any matters of archaeological interest.**

#### **POLICY-HE5**

##### **Informative:**

- 1. Great crested newt is known to be present locally and could potentially occur onsite. The applicant should note that this permission does not derogate any potential offences under the Habitats Regulations (2010) involving European Protected Species. The applicant should satisfy themselves that the proposed works would not breach Regulation 41 of the Habitats Regulations, otherwise they should obtain a licence from Natural England prior to commencing works.**
- 2. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.**
- 3. Foul drainage should in the first instance be directed to the mains foul sewer. The applicant should discuss with the sewage undertaker the feasibility on connecting to the mains system. If a**



non main foul drainage system is produced that discharges to the water environment (e.g. septic tank package treatment plan) the applicant should be aware that this is likely to require and Environment Permit or Exception from the Environment Agency. Further information on foul drainage for new development can be accessed through the following link;

<http://www.environment-agency.gov.uk/business/topics/permitting/default.aspx>

128 **12/02928/LB and 11/03983/FUL - Highways Land off London Road, Box SN13 8EP**

Public Participation

Mr Michael Lyons, Mr Tim Walton and Mr Richard Campbell spoke in objection to the application.

Mr William Osborne spoke in support of the application.

Councillor Pauline Lyons, Box Parish Council spoke in objection to the application.

The Planning Officer introduced the report which recommended that planning permission and Listed Building Consent be GRANTED subject to conditions and noted that a large number of objections had been received which detailed concerns over the impact on the green belt and visual impact within the Area of Outstanding Natural Beauty

He explained that the mast was aimed at improving coverage in the tunnel for rail passengers and the Government was very supportive of these services.

The Committee then had the opportunity to have technical questions and it was confirmed that as this was only providing coverage for rail passengers it would not replace other masts in the area; however an informative could be added to ask that they work to see if this was viable.

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

In the ensuing debate the Committee noted the concerns raised in the public addresses which included a technical query as to why a previous mast had not worked, the lack of benefit for the local people and the lack of a visit from highways since a care home had been built near the lay-by as well as it being used as a National Express coach stop.

**Resolved:**

**To DEFER both applications 11/3983FUL and 12/2928FUL to allow officers to seek comments on:**

- **The best/most appropriate location for the mast**
- **Any other unexplored options for increasing the signal in the tunnel (e.g. using shafts that lead to the tunnel)**
- **Mast sharing and the need for more masts for other operators**
- **Additional highways officers comments regarding parking in the lay-by**
- **Appropriate decision making Committee (Area or Strategic)**
- **Financial implications for the Council of the use of Highway Verge.**

129 **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.05 - 8.10 pm)

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