

## NORTHERN AREA PLANNING COMMITTEE

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### MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 11 SEPTEMBER 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

#### **Present:**

Cllr Christine Crisp, Cllr Bill Douglas, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Howard Marshall, Cllr Sheila Parker, Cllr Toby Sturgis, Cllr Anthony Trotman (Chairman), Cllr Nick Watts (Substitute) and Cllr Philip Whalley

#### **Also Present:**

Cllr Jane Scott OBE

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#### 107 **Apologies**

Apologies were received from Cllr Mark Packard

Cllr Packard was substituted by Cllr Watts.

#### 108 **Minutes of the previous Meeting**

The minutes of the meeting held on 21 August 2013 were presented.

#### **Resolved:**

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

#### 109 **Declarations of Interest**

Cllrs Douglas, Hutton and Watts declared an interest in agenda item no. 7b being members of Chippenham Town Council. They declared they would participate in the debate and vote for the item with open minds.

Cllr Whalley declared an interest in agenda item no. 7b being a member of Corsham Town Council. He declared he would participate in the debate and vote for the item with an open mind.

110 **Chairman's Announcements**

There were no Chairman's announcements.

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

114 **13/01495/FUL - Land East & West of Hill Hayes Lane, Hullavington, Chippenham, Wiltshire**

Public Participation

Don Queen and Dave Martin spoke in objection to the application.

Michael Armstrong spoke in support of the application.

Cllr Maggie Bawden, Hullavington Parish Council spoke in objection to the application.

The officer introduced the report which recommended that permission be granted subject to conditions. He confirmed that there were no issues with archaeology and that the access track would be permanent for the lifetime of the installation. The Committee's attention was drawn to the proposed landscaping to mitigate the visual impact and the design of the panels, being on spikes, giving it relatively easy reversibility. He noted the work done on the construction traffic route and the conditions around materials and construction.

The Committee then had the opportunity to ask technical questions of officers and it was confirmed that although estimates varied it was expected to generate power for approximately 2000 households. Clarification was sought on the cumulative visual impact and it was confirmed that at present there were no further similar applications coming and that each application would be considered on its individual merit. As the site connected straight to the grid there was no issue with upgrading of equipment. Issues around construction route traffic would be reported to enforcement officer and proposed measures included surveys of route and repair of damage which included the decommissioning phase

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

The local member, Cllr Jane Scott explained that whilst supportive of renewable energy, there was concern over both the visual impact of the site to the west and the proposed construction traffic route. She noted the closure of Pig Lane until new year for Network Rail work, and questioned whether Norton Parish Council had been consulted over the proposed route. She also highlighted the proximity of the airfield and queried whether discussions had taken place with the army who flew from there. She drew attention to the stubble in the current field and asked for a condition to seed the field with meadow grass prior to installation. The Committee's attention was also drawn to the ongoing negotiations around a local payment and how their negotiation powers would be affected should the Committee decide to grant the application.

In the debate that followed the need to understand the visual impact by way of a site visit was necessary in order to make a decision. It was confirmed that both the Ministry of Defence and the Civil Aviation Authority had been consulted on the proposal. Concern was raised over the impact on the local payment negotiations and it was suggested that Wiltshire Council should consider a future policy change which would allow the Council to give guidance to parish councils in this area. The establishment of seeded grass in the field was considered critical to allow the land to remain agricultural. Concern was raised over the type of fencing panel used being alien to the site and it was suggested that stock fencing would be more appropriate. The Committee felt it important to consider the Parish Council's views when making a decision.

In order to assess visual impact it was proposed that the application be deferred to enable a site visit to take place.

### **Resolved**

**To DEFER the application for Committee members to undertake a site visit to consider the visual aspect and impact and the scale and design of the proposed fencing.**

115 **13/01018/FUL - Land Adjacent Focus DIY/A350 West Cepen Way, Methuen Park, Chippenham, Wilts**

#### Public Participation

Dr Bret S Palmer spoke in objection to the application,  
Jonathan Adams spoke in support of the application

The officer introduced the report and drew the Committee's attention to the late observations which detailed the recommendation that permission be delegated to the Area Development Manager to grant subject to the signing of a Section 106 Agreement and subject to conditions. He noted that objections from consultees had been removed after revised plans had been submitted. He explained that the site was located in a prominent and important position being

one of the key gateways into the town. The section 106 agreement would fund the relocation of slow worms and grass snakes, and noted the timing issues around this. The Committee's attention was drawn to the significant design alterations made which reduced the visual impact. The employment and economic benefits arising from the development were highlighted and reference was made to the Council's recently adopted business plan and its priorities in this regard

The Committee then had the opportunity to ask technical questions of officers and it was explained that there was no such thing as precedent in the planning system, and as a consequence the height of the office building would be a material consideration in relation to other proposals in the locality if approved but that all applications must be considered on their own merits taking into account all such material considerations. Corsham and Chippenham Town Councils had not been specifically consulted over the colour scheme revisions including alternate coloured materials as they had not specifically objected on that matter. It was confirmed that the number of parking spaces had been looked at by Highways and considered appropriate for all uses on the site. There had been no concern raised over the impact of reflection from the Sun on drivers approaching from the south and the panels used were non-reflective.

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

As the application affected two divisions, two local members addressed the Committee. Cllr Philip Whalley, local member for Corsham Town welcomed the employment opportunities the proposal would generate and acknowledged the changes made in design to temper the appearance. He explained that the height of the building was unacceptable and should not exceed the height of the adjacent buildings. He also raised concern over the impact of queuing traffic as this was already a common problem. He asked the Committee to refuse the application on the grounds that the design, height and visual mass was unsuitable.

Cllr Peter Hutton, local member for Chippenham Cepen Park and the Derriads addressed the committee and explained he represented the residents affected. He raised concern over whether the design could be classed as 'landmark' and whether it would be a building residents could be proud of, given its location on an important and highly visibly gateway from Chippenham to the South West.

In the debate that followed a motion was moved and seconded to refuse the application on the grounds of scale and impact, quoting policies C4-3, C3-1 and 3, NE14 and NE8 paragraph 6.8.

The Committee's attention was drawn to the need to be precise as to the reasons for refusal and the relevant policy basis given the risk of an appeal with the potential award of costs. Whether the building was a 'landmark' building was considered subjective and the danger of refusal based on a subjective matter

was highlighted. The Committee were reminded of need to give weight to the business plan and other strategies, and in particular the second key action being to stimulate economic growth which all members had supported. Another material consideration was the core strategy being based on jobs and employment before housing. The building was described as distinctive, meaning it could be a landmark and its height was lower than the height previously indicated by a planning inspector as acceptable. Attention was drawn to the fact that buildings would be more visible during the winter months.

The legal officer present advised that planning inspectors on appeal would be unlikely to uphold a refusal of planning permission on the basis of the subjective opinion of the committee.

After consideration the motion to refuse was withdrawn.

A motion to grant in accordance with the officers report with a condition to restrict plant and machinery on the roof of the office building was proposed and seconded.

Cllr Hutton voted against the motion.

**Resolved:**

**To delegate to the Area Development Manager to GRANT planning permission subject to the signing of the Section 106 Agreement.**

**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**

- 3. Development of the B1 Office and A3/A5 Retail Units hereby permitted shall not commence on site until details of the design,**

**external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure 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 brought into use.**

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

### **POLICY-C3**

- 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**

- 5. No development shall commence on site until the trees on the site which are protected by a Tree Preservation Order have been enclosed by protective fencing, in accordance with British Standard 5837 (2012): Trees in Relation to Construction. Before the fence is erected its type and position shall be approved with the Local Planning Authority and after it has been erected, it shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected areas(s).**

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

### **POLICY-C3**

- 6. No demolition, site clearance or development shall commence on site until an Arboricultural Method Statement (AMS) prepared by an**

arboricultural consultant providing comprehensive details of construction works 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 protective fencing to trees during both demolition and construction phases which complies with BS5837:2012 and a plan indicating the alignment of the protective fencing;
- A specification for scaffolding and ground protection within tree protection zones in accordance with BS5837:2012
- A schedule of tree works conforming to BS3998.
- Details of general arboricultural matters such as the area for 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 road, bridge and exit road;
- 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 that 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 current best practice and section 197 of the Town & Country Planning Act 1990.

### **POLICY-C3**

7. A pre-commencement site meeting shall be held and attended by the developer's arboricultural consultant, the designated site foreman and a representative from the Local Authority to discuss details of the proposed work and working procedures prior to any demolition, site clearance and any development. Subsequently and until the completion of all site works, site visits should be carried out on a weekly basis by the developer's arboricultural consultant. A report detailing the results of site supervision and any necessary remedial works undertaken or required shall be submitted to and approved in writing by the Local Planning Authority. Any approved

remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant following that approval.

**REASON:** In order that the Local Planning Authority may be satisfied that the trees to be retained on-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 current best practice.

**POLICY-C3**

8. (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**

9. No development shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

**REASON:** To ensure the proper management of the landscaped areas in the interests of visual amenity.

**POLICY-C3**

10. The A350 access shall be used for the purpose of "Entry Only" and the A4 access shall be used for "Exit Only". No development shall commence on site until details of signs restricting the use of the access as above, have been submitted to and approved in writing by the Local Planning Authority. Those signs shall be erected prior to the development hereby permitted being first brought into use and maintained at all times thereafter.

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

**POLICY C3**

11. No part of the development hereby approved shall be first brought into use until the parking areas shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. Those areas shall be maintained and remain available for this use at all times thereafter.

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

**POLICY C3**

12. The development hereby permitted shall not be first brought into use until the cycle parking facilities shown on the approved plans have been provided in full and made available for use. The cycle parking facilities shall be retained for use in accordance with the approved details 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**

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

- (a) The means of access to the site during each stage of construction;**
- (b) the parking of vehicles of site operatives and visitors;**
- (c) loading and unloading of plant and materials;**
- (d) storage of plant and materials used in constructing the development;**
- (e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
- (f) wheel washing facilities;**
- (g) measures to control the emission of dust and dirt during construction;**
- (h) a scheme for recycling/disposing of waste resulting from demolition and construction works; and**
- (i) measures for the protection of the natural environment.**
- (j) 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 not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.**

**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.**

### **POLICY-C3**

**14.All building services plant and machinery shall be so sited and designed in order to achieve a rating Level of -5dB below the lowest measured background noise level, determined at the nearest noise sensitive receptor. Measurements and assessment shall be carried out in accordance with BS4142:1997**

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

### **POLICY C3**

**15. Any proposals for external lighting at the site shall be subject to a lighting scheme to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The lighting scheme shall comply with Environmental zone E2: Low district brightness areas, rural, small village, or relatively dark urban locations. The scheme should comply with guidance issued by the Institution of Lighting Engineers.**

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

**POLICY C3**

**16. Suitable ventilation and filtration equipment shall be installed to suppress and disperse any fumes and/or smell created from the cooking operations on the premises. Details of the equipment shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. All equipment shall be installed in accordance with the approved details and in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.**

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

**POLICY C3**

**17. Prior to the premises being brought into use, a scheme providing for the adequate storage of refuse shall be submitted to and approved by the Local Planning Authority. The scheme shall then be carried out in accordance with the approved details, prior to the commencement of use, and shall be maintained at all times.**

**REASON: In order to minimise nuisance and safeguard the amenities of the area in which the development is located.**

**POLICY C3**

**18. There shall be no raising of existing ground levels on the site.**

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

**POLICY-C3**

**19. The development hereby permitted shall achieve a BREEAM (Building Research Establishment Environment Assessment Method) rating of 'very good'. The development shall not be first brought into use/occupied until the post-construction stage assessment and subsequent BREEAM Certificate certifying that**

**`very good' status has been achieved has been issued and a copy of the same submitted to the Local Planning Authority.**

**REASON: In the interests of the conservation of energy resources.**

**POLICY-C3**

**20. The mitigation measures – Translocation of Grass Snakes and Slow Worms - detailed in the approved Ecological Assessment Michael Wood Associates Dated 05/4/2013 shall be carried out in full prior to the first bringing into use and/or in accordance with the approved timetable detailed in the Ecological Assessment.**

**REASON: To mitigate against the loss of existing biodiversity and nature habitats.**

**POLICY: National Planning Policy Framework paragraph 118.**

**21. No development shall commence on site until an ecological management plan, to include measures to enhance on site ecological features and site biodiversity, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved details, before the development is first brought into use; or in accordance with the approved timetable detailed in the approved scheme.**

**REASON: To mitigate against the loss of existing biodiversity and nature habitats.**

**POLICY: National Planning Policy Framework paragraph 118.**

**22. The development hereby permitted shall not be commenced until such time as a scheme to mitigate flood risk has been submitted to, and approved in writing by, the local planning authority.**

**Such a scheme to detail:**

- 1. Flood plain compensation calculations on a level for level basis.**
- 2. Details of the bridge soffit level to be set no lower than around 59.1 metres AOD, to include indicative cross and long sections with levels.**

**The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.**

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

**23.**The development permitted by this planning permission shall only be carried out in accordance with the approved Site Plan Drawing SUB 2.0 Rev L dated 20.08.2013 by COUGAR and the following mitigation measures detailed within the FRA:

- 1.** Provision of 3.6m field access gates to provide access for watercourse maintenance machinery
- 2.** A minimum 5.0m buffer zone from the watercourse to facilitate safe access

**24.**The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

**REASON:** To allow safe access of watercourse maintenance machinery and prevent the increased risk of flooding.

**25.**No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

**26.**The scheme shall also include:

- 1.** Details of how the scheme shall be maintained and managed after completion.
- 2.** Details of the culvert connected to the drainage ditch to the south of the A4 Bath Road.

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

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

- 1006/6995/1B Topographical Survey 1:500@ (A1)**
- 1006/6995/1B Topographical Survey 1:200@ (A1)**
- SUB 1.0 Location Plan 1:1250 @ (A1)**
- SUB 2.0 Site Plan 1:500 @ (A1) L**
- SUB 3.0 B1/A3/A5 Ground Floor Plan 1:100 @ (A1) E**

SUB 4.0 B1 First Floor Plan 1:100 @ (A1) E  
SUB 5.0 B1 Second Floor Plan 1:100 @ (A1) E  
SUB 6.0 B1 Third Floor Plan 1:100 @ (A1) E  
SUB 7.0 B1 Mezzanine Floor 1:100 @ (A1) E  
SUB 8.0 B1/A3/A5 Roof Plan 1:100 @ (A1) E  
SUB 9.0 A3-Drive-thru Plan 1:100 @ (A1) E  
SUB 10.0 A3-Drive-thru Roof Plan 1:100 @ (A1) E  
SUB 11.0 Existing Elevation 1:100 @ (A0) F  
SUB 12.0 B1/A3/A5 West Elevation 1:100 @ (A1) F  
SUB 13.0 B1/A3/A5 East Elevation 1:100 @ (A1) F  
SUB 14.0 B1/A3/A5 North/South Elevation 1:100 @ (A1) F  
SUB 15.0 A3 Drive-through Elevations + Sections 1:100 @ (A1) B  
SUB 16.0 B1/A3/A5 Cross Section 1:100 @ (A0) E  
SUB 17.0 B1/A3/A5 Long Section 1:100 @ (A0) E  
SUB 18.0 Site Section 1 1:100 @ (A0) E  
SUB 19.0 Site Section 2 1:100 @ (A0) E  
SUB 20.0 Site Section 3 1:100 @ (A0) E  
SUB 21.0 Visual Impact -1  
SUB 22.0 Visual Impact -2  
SUB 23.0 CGI – Site view from entrance - 3  
SUB 24.0 CGI – Site view from exit - 4  
SUB 25.0 3D studies A  
Design & Access Statement + Addendum

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

**POLICY-C3**

28.A condition to restrict plant and machinery on the roof of the B1 office building, the wording of which to be delegated to officers.

**INFORMATIVES:**

1. Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
2. 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.

- 3. 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.**
- 4. 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.**
- 5. The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.**
- 6. Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws the prior written consent (Flood Defence Consent) of the Environment Agency is required for any proposed works (permanent or temporary) or structures (including any surface water drainage outfall) in, under, over or within 8 metres of the top of the bank of the Pudding Brook, designated a 'main' river. The need for this consent is over and above the need for planning consent. The applicant is advised to contact Daniel Griffin on 01258 483421 to discuss the scope of our controls.**
- 7. There must be no interruption to the existing surface water and/or land drainage arrangements of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively.**
- 8. There must be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches.**
- 9. Drainage to soakaway from car parking areas for >50 spaces should be passed through an oil interceptor before discharging to ground. The Environmental Permitting Regulations make it an offence to cause or knowingly permit any discharge that will result in the input of pollutants to groundwater.**
- 10. Storage of domestic oil in above ground tanks >3500 litres must be undertaken on site in accordance with the Control of Pollution (oil**

storage) (England) Regulations 2001. Storage of domestic oil in above ground tanks <3500 litres must be undertaken in accordance with Approved Document J of the Building Regulations.

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

116 **13/01191/FUL - Peterborough Arms, Dauntsey Lock, Chippenham, Wiltshire, SN15 4HD**

Public Participation

Ms Kath Hatton and Mr Andrew Chapman spoke in objection to the application. Richard Cosker and Lloyd Stephens spoke in support of the application.

The officer introduced the report which recommended that planning permission be refused. He noted Policy R6 of the adopted North Wiltshire Local Plan 2011 (Existing Local Shops and Services) being the primary policy consideration. The property had been included on the Community Assets Register and regard should be paid to the prospective viability of an alternative community-led arrangement.

The Committee then had the opportunity to ask technical questions of officers and it was confirmed that reasonable time frame for an alternative community-led arrangement would be six months.

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

The local member, Cllr Toby Sturgis then spoke in objection to the application.

In the debate that followed the Committee noted the need to support rural inns and pubs and agreed that an alternative community-led arrangement should be explored.

**Resolved:**

**To REFUSE Planning Permission for the following reason:**

**On balance, the proposed development will result in the detrimental loss of a local service with a realistic prospect of viable community use and therefore conflicts with Policies R6 of the adopted North Wiltshire Local Plan 2011, CP49 of the emerging Wiltshire Core Strategy and Paragraph 28 of the National Planning Policy Framework.**

117 **Urgent Items**

There were no urgent items.



(Duration of meeting: 6.03 - 8.40 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](mailto:kirsty.butcher@wiltshire.gov.uk)

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

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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(b) - N/13/01018/FUL - Land Adjacent Focus DIY/A350 West Cepen Way, Methuen Park, Chippenham, Wiltshire.**

**Recommendation:**

The recommendation is amended to read:

To delegate authority to the Area Development Manager to grant Planning Permission subject to completion of the S106 Agreement.

**Additional Comments**

Since the report was prepared two further representations have been received:

1. **Chippenham Town Council** recommend refusal on the grounds that the overbearing size, position, scale, design and impact of the building on the primary route and entry point into Chippenham.

2. **Council's Landscape Officer** comments as follows on the revised plans:

I welcome the planned revisions to external materials and colour finishes for the proposed buildings as illustrated in the revised elevational drawings. The substitution of the bright red for more neutral earth tones will help to make this focal building stand out less from the adjoining countryside and from the grounds of Corsham Court, a designated Historic Park and Garden. I offer no additional landscape comments from those previously made. I have read your draft committee report for above application and advise that your various references to 'BS 5837:2005' within your report are incorrect and should reference 'BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations'. I appreciate that these have probably been copied straight over from the standard tree conditions, but they are out of date.

**Condition 5** of the report requires amendment to include reference to the correct British standard as follows:-

No development shall commence on site until the trees on the site which are protected by a Tree Preservation Order have been enclosed by protective fencing, in accordance with British Standard 5837 (2012): Trees in Relation to Construction. Before the fence is erected its type and position shall be approved with the Local Planning Authority and after it has been erected, it shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected areas(s).

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

POLICY: C3

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