

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 26 NOVEMBER 2014 IN THE COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Christopher Newbury (Chairman), Cllr John Knight (Vice-Chair), Cllr Ernie Clark, Cllr Andrew Davis, Cllr Dennis Drewett, Cllr Magnus Macdonald, Cllr Horace Prickett, Cllr Pip Ridout, Cllr Jonathon Seed, Cllr Roy While and Cllr Gordon King (Substitute)

Also Present:

Cllr Jon Hubbard

128 **Apologies for Absence**

Apologies for absence were received from Councillor Trevor Carbin who was replaced by Cllr Gordon King for that meeting only.

129 **Minutes of the Previous Meeting**

The minutes of the meeting held on the 5 November 2014 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 5 November 2014.

130 **Chairman's Announcements**

There were no Chairman's Announcements.

The Chairman gave details of the exits to be used in the event of an emergency.

131 **Declarations of Interest**

Councillor Magnus MacDonald stated that he had previously registered a pecuniary interest in item 6 a – 14/04399/FUL, and would not take part in the deliberations of that item.

132 **Public Participation and Councillors' Questions**

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

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

133 **Planning Applications**

The Committee considered the following applications:

134 **14/04399/FUL - Land off Lewington Close and Longford Road, Melksham, Wiltshire**

Public Participation:

Karen Munroe and David Timbrell spoke in objection to the application.
Paul Walsh spoke in support of the application.

The Planning Officer outlined the report which recommended the application for approval subject to conditions. Reference was made to the site visit undertaken by the Members of the Committee prior to the meeting. The site description and an overview of the proposed development were also given. The Planning Officer outlined the relevant planning policy, consultation and relevant planning considerations.

Councillor Jon Hubbard, as the local member, spoke in objection the application.

Members of the public were invited to speak on the application as listed above.

Issues discussed including the position of housing units in relation to existing properties, the elevation and size of the proposed housing units, the ecological impacts of the development, the location of the site in relation to service, the siting of the open space area, the access to the main site and the landscaping plans. Members suggested that, to mitigate the impact on neighbouring properties, the landscaping be started once construction work had begun rather than at the point of occupation or completion. At the end of the debate the meeting;

Resolved

- 1. That Planning Permission be granted at a future date in the event of the Development Control Manager being satisfied as to the prior completion a legal Agreement to secure:**

- a) **An index-linked financial contribution towards secondary education infrastructure expansion of 2 places; and**
 - b) **The transfer of ownership of the proposed public open space to the Melksham Town Council and to secure the provision of the play equipment on that site.**
- 2. That Permission be granted subject to the following conditions:**
- I. **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.

- II. **The materials to be utilised within this development shall accord with the schedule of materials as described within the planning application form, registered 16 April 2014 and the revised drawings received on 12 August 2014.**

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

- III. **Subject to the further requirements of Condition 4, all soft landscaping comprised in the approved details of landscaping on Plan 3731/01 Rev K 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.

- IV. **Notwithstanding Condition 3, the south eastern boundary treatment between Plots 5 and 12 including fencing and hedge and tree planting comprised in the approved details of landscaping on Plan**

3731/01 Rev K shall be carried out in the first planting and seeding season following commencement of development. 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.

REASON:

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

- V. No development shall commence on site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The development shall not be occupied until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture have all been constructed and laid out in accordance with the approved details, unless an alternative timetable is agreed in the approved details.**

REASON: To ensure that the roads are laid out and constructed in a satisfactory manner.

- VI. The development hereby permitted shall not be occupied until the first five metres of the access onto Longford Road, measured from the edge of the carriageway, has been widened to 5m (this access width shall include increasing the length of the lowered kerbs and footway crossover) and shall be consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.**

REASON: In the interests of highway safety.

- VII. No part of the development hereby permitted shall be occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.**

REASON: In the interests of highway safety.

VIII. The development hereby approved shall be carried out in strict accordance with the revised 'Bats - Method Statement template to support a licence application' for 17a Longford Road, Melksham (reference WML-A13.2 (03/14)) prepared by Middlemarch Environmental Ltd and received by the local planning authority on 25th September 2014, as modified by any relevant Natural England bat licence relating to this development. The installation of the new bat roost features shall be supervised by a professional ecologist.

REASON: To ensure adequate protection and mitigation for European protected species (Common pipistrelle, Brown long-eared and Serotine bats).

IX. The cavity wall bat roost and its access point and the bat tubes will be available for bat use before the first occupation of the dwellings associated with the development hereby approved and shall be retained as permanent features for the lifetime of the development, as modified by any Natural England Licence relating to this development.

REASON: To protect and maintain the bat roost mitigation.

X. No external lighting shall be installed to the south elevation of Plot 6 or the north elevation of Plot 5 unless it is required for health and safety purposes, whereupon lighting shall be controlled by a passive infra-red sensor; all other security /external lighting shall be controlled by passive infra-red sensor and all street lighting installed on site shall be low level and downward directional to minimise light spillage.

REASON: To prevent illumination of the alternative cavity wall bat roost provided as mitigation in the southern elevation of Plot 6 and to keep the lighting of the whole site to a minimum for continued foraging/commuting bat usage.

XI. Prior to the commencement of works associated with the development hereby approved, a Landscape and Ecology Management Plan shall be prepared and submitted to the local planning authority for approval. The approved plan shall be complied with during and after the completion of the development hereby approved.

REASON: To ensure the appropriate management of retained trees, hedgerows and newly planted vegetation, and the maintenance of new bat roosts.

XII. The development hereby approved shall be carried out in accordance with the revised Reptile Mitigation Strategy prepared by Middlemarch Environmental Ltd and received by the local planning authority on 19th September 2014. The Strategy shall be implemented in full unless otherwise agreed in writing with the local planning authority.

REASON: To ensure adequate protection and mitigation for slow worms.

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

- 3731/01 Rev K received on 12 August 2014;
- 3731/02 Rev E received on 12 August 2014; and
- 3731/03 Rev E received on 12 August 2014.

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

INFORMATIVE: Any noise during the construction phase should be limited to 0730-1800hrs Monday to Friday and 0800-1300 on Saturdays and not at all on Sundays and Public Holidays.

Admin Note: Cllr MacDonald, having declared an interest in this item, did not participate in the meeting for the duration of the item.

135 **14/06019/FUL - Copse Farm, Holt, Trowbridge BA14 6FW**

Public Participation:

Paul Oakley spoke in support of the application.
Cllr Andrew Pearce spoke on behalf of Holt Parish Council.

The Planning Officer outlined the report which recommended the application for approval subject to conditions.

Members of the public were invited to speak on the application as listed above.

The Chair stated that the local Member, Councillor Carbin, had had to tender his apologies as he had been called to other Council business.

Issues discussed included: the position of the proposals, the height of the panels, the access to the site, the intended use of the power generated to support agricultural business, the quality grading of the agricultural land and the impact of existing landscaping. Following the debate the meeting;

Resolved to approve the application subject to the following conditions:

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

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

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

- Design and Access Statement – Received 23 June 2014**
- Location Plan – Received 23 June 2014**
- Proposed Photovoltaic's – Received 23 June 2014**
- Solar Panel Details – Received 23 June 2014**
- Email from agent - Received 15 September 2014**
- Site Plan Rev E Barn One – Received 25 September 2014**
- Site Plan Rev E Barn Two – Received 25 September 2014**
- Shading Report Barn One - Received 25 September 2014**
- Shading Report Barn Two - Received 25 September 2014**
- Shading Report Letter - Received 25 September 2014**
- Tree Line Photos - Received 25 September 2014**
- Agricultural Classification Report – Received 17 October 2014**
- Agricultural Land Classification Map – Received 17 October 2014**

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

- 3. The development hereby approved shall be discontinued and the land restored to its former condition on or before 26 November 2039 in accordance with a Decommissioning Plan to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of decommissioning; unless before that date planning permission has been sought and granted for the retention of these structures for an extended period of time.**

REASON: In the interests of amenity and the circumstances of the use.

4. In the event that the development ceases to be operational for the generation of energy before the end of the period defined in condition 3 above, then all associated development on, under or above the application site shall be removed from the site and the land returned to its former condition in accordance to a Decommissioning Plan to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of decommissioning, and within six months of the cessation of the generation of energy from the site.

REASON: In the interests of amenity and the circumstances of the use.

5. Following the installation of the solar array, no fence enclosures shall be erected on the installation site and there shall be no external lighting/illumination at or on the site unless otherwise approved by the Local Planning Authority following the submission of a separate planning permission.

REASON: To ensure the creation/retention of an environment free from intrusive levels of lighting and to protect the open countryside.

6. No development shall commence on site, until a Construction Method Statement, which shall include the following:
 - a) The number of and vehicle type used for delivery of the solar panels.
 - b) Details of any traffic routing or temporary diversions.
 - c) the delivery hours and parking of vehicles of site operatives and visitors;
 - d) loading and unloading of plant and materials;
 - e) storage of plant and materials used in constructing the development;
 - f) wheel washing facilities;
 - g) measures to control the emission of dust and dirt during construction;
 - h) measures for the protection of the natural environment and;
 - i) has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: To minimise detrimental effects to the Highway Network, 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.

7. a) No development shall commence on site, and; no equipment, machinery or materials shall be brought onto site for the purpose of development, until a tree and hedge Protection Plan showing the exact position of each tree and hedge and siting of secure protective fencing in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction - Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and;
7. b) The protective fencing shall be erected in accordance with the approved details. The protective fencing 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.
7. c) No retained tree or hedge shall be cut down, uprooted or destroyed, nor shall any retained tree or hedge be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work – Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.
7. d) If any retained tree or hedge is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.
7. e) No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows 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.

[In this condition "retained tree" 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 the later].

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

8. Construction work on the site shall only take place between the hours of 08:00 and 18:00 on weekdays and between 08:30 and 13:00 on Saturdays, with no work taking place on Sundays or Bank Holidays.

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

136 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 3.00 - 4.00 pm)

The Officer who has produced these minutes is Will Oulton, of Democratic Services, direct line 01225 713935, e-mail william.oulton@wiltshire.gov.uk

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