

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 17 FEBRUARY 2016 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice-Chairman), Cllr Christine Crisp, Cllr Chris Hurst, Cllr Mark Packard, Cllr Sheila Parker, Cllr Toby Sturgis, Cllr Chuck Berry, Cllr Howard Greenman, Cllr Howard Marshall, Cllr Philip Whalley (Substitute)

Also Present:

Cllr Alan Hill, Mark Staincliffe (Planning Officer), Mathew Pearson (Planning Officer), Will Oulton (Senior Democratic Services Officer), Natalie Heritage (Democratic Services Officer)

9 **Apologies**

Apologies were received from Cllr Mollie Groom, who was substituted at the meeting by Cllr Philip Whalley.

Apologies were also received from Cllr Terry Chivers and Cllr Glenis Ansell

10 **Minutes of the previous Meeting**

The minutes of the meeting held on 27 January 2016 were presented.

Resolved:

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

11 **Declarations of Interest**

Cllr Whalley declared an interest in agenda item no.18, because he sat on the Corsham Town Council. He declared that he would participate in the debate and vote for each item with an open mind.

Cllr Mashall declared an interest in agenda items 16 and 17 because he sat on the Calne Town Council. He declared that he would participate in the debate and vote for each item with an open mind.

12 **Chairman's Announcements**

The Chairman drew the meeting's attention to the following matters: The evacuation procedures; the procedure for public participation; and the policy on recording and broadcasting of meetings.

13 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation and that there were no questions submitted.

14 **Planning Appeals**

The Committee noted the contents of the appeals update and the Chairman noted that such reports would be provided at each meeting of the Committee.

15 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and published online under agenda supplement 1, in respect of applications **Marden Farm, Calne** and **Land at Bradford Road, Corsham** as listed in the agenda pack.

16 **15/10682/FUL Marden Farm, Calne**

Anne Henshaw and Sue Baker spoke against the application.

Andy Cockett spoke in support of the application.

Kate Moorly (Calne Without Parish Council) spoke against the application.

The planning officer, Mark Staincliffe, introduced the report which recommended to delegate authority to the Area Development Manager to grant planning permission, subject to the signing of a Section 106 agreement within 6 months of the date of the resolution of this Committee and the conditions and informatives, as amended by the late observations, outlined in the report. In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe, to then delegate authority to the Area Development Manager to REFUSE planning permission for the reasons set out in the report. The application was for the development of 56 residential dwellings, open space, landscaping, sustainable urban drainage, vehicular access and associated infrastructure and engineering works; plans and maps relating to the proposal and the previously permitted application were shown. It was highlighted that an application had been granted for the entirety of the site at appeal.

The officer explained that an 85 bedroom dementia care home had been previously consented, however, the applicant had been unable to secure an

operator and the application now sought permission to construct 56 residential units in lieu of the care home. It was outlined that the parking requirements met the Council's plans and consultations had been favourable subject to the planning application. The officer further stated that the dementia care home had the benefit of full planning permission and could be implemented immediately, subject to discharging any pre-commencement conditions. The principle of built development in this location had therefore been established; furthermore, there were no requirements for the dementia care home to be built within the newly proposed residential area in policy terms or by way of legal agreement.

The officer drew attention to the late observations for the item and highlighted that outside of the red outline on the map, access had already been constructed and granted planning permission and hence, the fact that condition 6 be deleted was noted in the late observation.

The Committee was then invited to ask technical questions, for which there were none.

Members of the public were then invited to speak, as detailed above.

The division member for Calne South, Cllr Hill, was permitted to speak and several raised concerns, such as:

Wiltshire required a dementia care home and thus, this should be delivered; a dementia care home, as opposed to the proposed residential site, would provide additional employment opportunities to the immediate Calne area; the site had only been marketed for 1 year for someone to agree to build the care home and this was not sufficient; the site had been established as intended for business and the Council should safeguard this; the core strategy stated that housing growth must be carefully balanced with job creation; attention and due respect ought to have been given to the later stages of the neighbourhood plan.

Local member, Cllr Crisp, noted that she shared Cllr Hill's concerns and raised further concerns such as: there would be 120 employment opportunities once the care home was built in comparison to 39 construction employment opportunities per year, yet for the construction side, this would only be whilst the proposed site was being erected; the site was situated on a greenfield site; demonstrable harm could occur, due to the increased traffic flow upon those who lived in close proximity to the site.

Following the statements, the planning officer advised that the planning inspector had established the principle of built development for the site and that the applicant had voluntarily sought to locate a new provider for the dementia care home. Indeed, he stressed that it had not been a requirement for the applicant to locate a new provider for the previously proposed care home. The officer then outlined that the 1 year marketing exercise was deemed as

acceptable, as government guidance, such as paragraph 22 of the NPPF, discourages the retention of undeliverable sites & appeal decisions have confirmed that a 6 month marketing exercise is acceptable. He also advised that there were no protection policies for sites, such as the one in question and that the Calne neighbourhood plan was not sufficiently advanced to have been given significant weighting in the decision making process. It was stated that to regard the Calne neighbourhood plan as significantly advanced could lead to an error in law. The officer highlighted that there had been no conclusions of adverse impacts on the surrounding area.

The Chairman raised the issue of separation distances between the proposed site and the current residential dwellings in the area. The officer advised that houses in the Knowle were more likely to be affected than houses in the Fairway, however, it was advised that additional landscaping could not be provided as this could compromise the proposed access road to the Bowood Estate and was not necessary; as the separation distance was adequate to ensure that there would be no significant adverse impact on adjoining properties.

In the debate that followed several issues were raised, such as the following: the harm to the local area would be greater if the proposed residential dwellings were to be built, as opposed to the dementia care home; housing growth ought to be delivered at an appropriate rate as per Core Policy 8; that certain Core Policies were not applicable to this site and thus, it would be prudent for members to only quote and refer to applicable policies in relation to this application; as the council do not currently have a 5 year housing land supply of deliverable housing site, paragraph 49 of the NPPF is engaged and there is no reason to withhold permission and deliver further housing at this site.

Cllr Crisp, seconded by Cllr Marshall, proposed that the application be refused. The motion was put to the vote and failed.

The Committee shared the local community's desire for a new care home, yet noted that Core Policy 46 was not applicable, nor was policy Core Policy 35, as the consented use did not fall into use class B1, B2 or B8.

Cllr Hutton, seconded by Cllr Sturgis, moved the officer's recommendation. The motion was put to the vote and passed.

Resolved:

That authority is delegated to the Area Development Manager to GRANT planning permission, subject to conditions listed below and completion of a S106 legal agreement within six months of the date of the resolution of this Committee.

In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the

Area Development Manager to REFUSE planning permission for the following reason:-

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Waste; Public Open Spaces; Air Quality Management and is therefore contrary to Policies CP3 & CP43 of the Wiltshire Core Strategy adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

CONDITIONS AND INFORMATIVES:

- 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:**

**D29 16 P4 Rev A - Tree Protection Plan
Received 11 November 2015
MARD-15-04-01 rev A - Site Location Plan
MARD-15-04-02 rev B - Planning Layout
MARD-15-04-03 rev C - Proposed Materials Layout
MARD-15-04-04 rev B - Enclosures Layout
MARD-15-04-05 rev B - Storey Heights Layout
MARD-15-04-06 rev B - Adoption Layout
394-CH-010 rev D - Drainage Strategy
RED20064-11B Sheet 1 - Landscape Proposals rev B
RED20064-11B Sheet 2 - Landscape Proposals rev B
RED20064-11B Sheet 3 - Landscape Proposals rev B
RED20064-11B Sheet 4 - Landscape Proposals rev B
RED20064-11B Sheet 5 - Landscape Proposals rev B
Received 25 January 2016
House Types Booklet rev C
Received 26 January 2016**

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

- 3. No development shall commence on site until the exact 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

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 buildings 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.

5. 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 first 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.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the roads are laid out and constructed in a satisfactory manner.

6. No part of the development shall be first occupied, until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the garages hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

8. No construction works shall take place anywhere on the site outside the hours of 0730 and 1800 on Mondays-Fridays and 0800 and 1300 on Saturdays. Works shall not take place at any time on Sundays and Bank or Public Holidays. No burning of waste or other materials shall take place anywhere on the site at any time.

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

9. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details and information regarding existing ordinary watercourses within the site (as well as pollution protection to the proposed attenuation pond), 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.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

10. No development shall commence on site until a scheme for the discharge of foul water from the site, including full details of pumping station/finishes/fencing/prevention measure to prevent pollution of proposed adjacent attenuation pond and other SUDS

features, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

11. No development shall commence on site (other than that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition), until steps (i) to (iii) below have been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until step (iv) has been complied with in full in relation to that contamination. Step (i) Site Characterisation: An investigation and risk assessment must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The report of the findings must include: - A survey of the extent, nature and scale of contamination on site; - The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages; - If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants; - An assessment of the potential risks to - human health, - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, - adjoining land, - groundwater and surface waters, - ecological systems, - archaeological sites and ancient monuments. This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance. Step (ii) Submission of Remediation Scheme: If any unacceptable risks are identified as a result of the investigation and assessment referred to in step (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This

should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. Step (iii) Implementation of Approved Remediation Scheme: The approved remediation scheme under step (ii) must be carried out in accordance with its requirements. The Local Planning Authority must be given at least two weeks written notification of commencement of the remediation scheme works. Step (iv) Reporting of Unexpected Contamination: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment should be undertaken in accordance with the requirements of step (i) above and where remediation is necessary, a remediation scheme should be prepared in accordance with the requirements of step (ii) and submitted to and approved in writing by the Local Planning Authority. Step (v) Verification of remedial works: Following completion of measures identified in the approved remediation scheme a verification report (referred to in PPS23 as a validation report) must be produced. The report should demonstrate the effectiveness of the remedial works. A statement should also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the approved scheme have been carried out (The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage (ii) above). The verification report and signed statement should be submitted to and approved in writing of the Local Planning Authority. Step (vi) Long Term Monitoring and Maintenance: If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in the scheme approved pursuant to step (ii) above, until all the remediation objectives in that scheme have been achieved. All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

12. No development shall commence until a Landscape, Ecological and Arboricultural Management Plan (LEAMP) has been submitted to and approved in writing by the Local Planning Authority. The submitted LEAMP shall have particular regard to the measures secured under Condition 21 of the permission N/12/04038/FUL and the addendum to the Ecological Impact Assessment (dated 20th October, 2015) so as to support and enhance the ecological mitigation measures previously agreed. All capital works shall be carried out to the approved timescales and all areas identified in the LEAMP shall be managed in accordance with the approved prescriptions in perpetuity. All monitoring reports shall be submitted in writing to the local planning authority.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure adequate protection, mitigation and compensation for protected species, priority species and habitats.

13. 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; h) measures for the protection of the natural environment; and i) hours of construction, including deliveries 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: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, 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.

14. INFORMATIVE TO APPLICANT: 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.

15. INFORMATIVE TO APPLICANT:

This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the [INSERT].

16. INFORMATIVE TO APPLICANT:

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.

17. INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

18. INFORMATIVE TO APPLICANT:

The applicant should note that any works on, over or near (within 8m of top of bank) an ordinary water course will require a separate formal Land Drainage Consent application and approval, as will any new proposed connection.

19. INFORMATIVE TO APPLICANT:

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.

20. INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastucturelevy

17 **15/11230/OUT Land East of Oxford Road, Calne**

Anne Henshaw spoke against the application.

The planning officer, Mathew Pearson, introduced the report which recommended that authority be delegated to the Area Development Manager to grant planning permission, subject to the completion of a Section 106 legal agreement within 6 months of the resolution of this Committee and the conditions and informatives listed in the report. In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe, to then delegate authority to the Area Development Manager to REFUSE planning permission for the reasons set out in the report. The application was for the construction of 42 homes and associated landscaping; photographs and a map of the site were shown. It was highlighted that the site was on agricultural land; which was outside of the settlement boundary, however, due to the 5 year land supply, Core Policy 2 was not considered up to date and thus, the application would be judged against the NPPF; specifically paragraphs 14-49, which advised that permission should be given unless adverse impacts would significantly and demonstrably outweigh the benefits. The officer noted that national policy regarded housing as a significant benefit and therefore, recommended that the Committee approve the application with regard to the position the Council found itself in, in terms of national policy. The officer outlined that to the North of the proposed application site, an application would be going to a planning appeal for 41 units, as opposed to the proposed 42 units on the proposed application site.

The Committee was then invited to ask technical questions and it was confirmed that there had been an approved planning application for the construction of the supermarket store 'Tesco's' and that this application was still live, it was noted that the proposed 'Tesco's', along with a couple of already established residential dwellings, would be on the opposite side of the road to the proposed development. It was highlighted that the lead time in appeals was 10 months. Concern was raised by members that the proposed land had been allocated for joint industrial and residential use and, therefore, if the erection of the 42 dwellings was to be permitted, there would be a minimal amount of the land left for industrial use. The officer explained that the site to the North of the proposed site was the site allocated for employment and not the site being subjected to permission at the meeting.

Members of the public were then invited to speak, as detailed above.

Cllr Ansell had sent her apologies for her absence at the meeting and thus, as Cllr Hill's ward was adjacent to Cllr Ansell's ward, the Chairman permitted Cllr Hill to speak on Cllr Ansell's behalf.

Cllr Hutton sought clarification on conditions that referred to public protection and archaeology. The officer confirmed that contamination and archaeology conditions were included in the list of conditions.

Cllr Sturgis, seconded by Cllr Hutton, moved the officer's recommendation as outlined in the report. The motion was put to the vote and passed.

Resolved:

That authority is delegated to the Area Development Manager to GRANT planning permission, subject to conditions listed below and completion of a S106 legal agreement within six months of the date of the resolution of this Committee.

In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Area Development Manager to REFUSE planning permission for the following reason:-

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Waste; Public Open Spaces; Air Quality Management and is therefore contrary to Policies CP3 CP43 & CP55 of the Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

CONDITIONS AND INFORMATIVES:

1 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; and**
- (d) The landscaping of 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 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

2 An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

3 The reserved matters to be submitted pursuant to Condition 1 above shall relate to a scheme comprising up to 42no. dwellings and no more, together with associated landscaping including on-site public open space and play provision.

REASON: In order to secure an appropriate quantum of development for the application site.

4 The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan: 01112/02 - Topographical Survey; 1097-F01 - Proposed Site Access Junction Received 13 November 2015

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

5 The development hereby permitted shall not be first occupied until the access to the site has been laid out and properly consolidated as detailed on plan number Drawing 1097-F01 'Proposed Site Access Junction' Rev -, dated July 2015.

REASON: In the interests of safe and convenient access to the development.

6 No dwelling shall be occupied until the access to the development has been provided with visibility splays with nothing to exceed the height of 600mm above carriageway level from a point 2.4 metres back along the centre line of the access to points on the nearside carriageway edge 160 metres to the north, and 160 metres to the south. The visibility so provided shall thereafter be maintained in accordance with drawing 1097-F01 'Proposed junction analysis'. Any vegetation/ hedgeline shall set back at least 1m from the visibility splay and maintained as such thereafter, in perpetuity.

REASON: In the interests of safe and convenient access to the development.

7 No part of the development shall be brought into occupied until a 2m - 2.5m wide footway/shared use path has been provided over the entire site frontage in accordance with details to be first submitted to and approved by the Local Planning Authority. The details to be submitted

shall include for the relocation of the existing lighting columns to the rear of the new footway and proposals for hedgeline / vegetation to the rear of the new footway.

REASON: In the interests of safe and convenient pedestrian access to the development.

8 No part of the development shall be occupied until a 2m - 2.5 metres wide footway/shared use path including new roadside kerbs has been provided on the highway verge on the western side of the C394 road, between the end of the existing footway near 249 Oxford Road and the end of the shared use cycleway just north of the access to New Cottages, in accordance with details to be first submitted to and approved by the Local Planning Authority. The details to be submitted shall include for the relocation of the existing lighting columns and proposals for hedgeline / vegetation to the rear of the new footway.

REASON: in the interests of safe and convenient pedestrian access to the development.

9 No dwelling shall be occupied until a pedestrian crossing / refuge has been provided over the C394 in accordance with details to be first submitted to and approved by the Local Planning Authority.

REASON: In the interests of safe and convenient pedestrian access to the development.

10 No development shall take place until a Residential Travel Plan has been submitted and approved in writing by the Local Planning Authority. The Residential Travel Plan shall be actioned in accordance with details approved by the Local Planning Authority prior to first occupation.

REASON: In the interests of road safety and reducing vehicular traffic to the development.

11 No development shall commence on site until details of refuse and recycling facilities (including location and range of facilities and their means of operation) have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be first occupied until the approved recycling facilities have been completed and made available for use in accordance with the approved details. The approved recycling storage shall thereafter be maintained in accordance with the approved details.

REASON: In the interests of public health and safety.

12 No development shall commence on site until a scheme for the discharge of stormwater water from the site, including any required off

site capacity improvements required to receive flows together with a connection point agreed with the sewerage undertaker and timetable, 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, including any required off site works/improvements within the agreed timetable.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

13 No development shall commence on site until a scheme for the discharge of foul water from the site, including any required off site capacity improvements required to receive flows together with a connection point agreed with the sewerage undertaker and timetable, has been submitted to and approved in writing by the Local Planning Authority.

The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme, including any required off site works/improvements within the agreed timetable.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

14 No development shall commence on site (other than that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition), until steps (i) to (iii) below have been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until step (iv) has been complied with in full in relation to that contamination.

Step (i) Site Characterisation:

An investigation and risk assessment must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings

submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

- A survey of the extent, nature and scale of contamination on site;
- The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages;
- If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants;
- An assessment of the potential risks to
 - o human health,
 - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - o adjoining land,
 - o groundwater and surface waters,
 - o ecological systems,
 - o archaeological sites and ancient monuments;

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

Step (ii) Submission of Remediation Scheme:

If any unacceptable risks are identified as a result of the investigation and assessment referred to in step (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

Step (iii) Implementation of Approved Remediation Scheme:

The approved remediation scheme under step (ii) must be carried out in accordance with its requirements. The Local Planning Authority must be given at least two weeks written notification of commencement of the remediation scheme works.

Step (iv) Reporting of Unexpected Contamination:

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment should be undertaken in accordance with the requirements of step (i) above and where remediation is necessary, a remediation scheme should be prepared in accordance with the requirements of step (ii) and submitted to and approved in writing by the Local Planning Authority.

Step (v) Verification of remedial works:

Following completion of measures identified in the approved remediation scheme a verification report (referred to in PPS23 as a validation report)

must be produced. The report should demonstrate the effectiveness of the remedial works.

A statement should also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the approved scheme have been carried out (The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage

(ii) above). The verification report and signed statement should be submitted to and approved in writing of the Local Planning Authority.

Step (vi) Long Term Monitoring and Maintenance:

If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in the scheme approved pursuant to step (ii) above, until all the remediation objectives in that scheme have been achieved. All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

15 The mitigation measures detailed in the approved Ecological Assessment (Resource & Environmental Consultants Ltd, April 2014 and October 2015), together with a timetable for implementation and measures to secure sensitive retention of mature and over mature trees within the development layout and a buffer of public open space / landscaping between the residential units and the wetland area to the south of the site, to be first agreed in writing by the Local Planning Authority, shall be carried out in full prior to the first occupation of the development hereby approved.

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

16 No development shall commence on site 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, the results and recommendations recorded and submitted to and approved in writing by the Local Planning Authority.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to enable the recording of any matters of archaeological interest.

17 INFORMATIVE TO APPLICANT:

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.

18 INFORMATIVE TO APPLICANT:

The applicant is reminded of the need to obtain separate Land Drainage Consent in respect of any alterations to existing watercourses, or works within 8m of the top of any bank thereto.

19 INFORMATIVE TO APPLICANT:

This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the [INSERT].

20 INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

21 INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority.

Should you require further information with regards to CIL please refer to the Council's Website

www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrasturcturelevy

18 15/10519/OUT - Land at Bradford Road, Corsham

Paul Turner, David Taylor and Tony Clarke spoke against the application.

Dan Washington spoke in support of the application.

Peter Pearson (Corsham Town Council) spoke against the application.

The planning officer, Mark Staincliffe, introduced the report which recommended to delegate authority to the Area Development Manager to grant planning permission subject to the signing of a Section 106 agreement within 6 months of the date of the resolution of this Committee and the conditions and informatives, as amended by the late observations, outlined in the report. In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe, to then delegate authority to the Area Development Manager to REFUSE planning permission for the reasons set out in the report. The application was for the development of 170 dwellings, including a medical centre/community hall; photographs and a map were shown. It was highlighted that the proposed application was a resubmission of application 14/04179/OUT, that had been dismissed at a planning appeal. The officer explained that 2 days prior to the item being heard previously, serious concern had been raised by ecologists and Natural England that surveys on bats had not been undertaken and thus, the reason for refusal of the application had been based on ecological grounds. It was confirmed that this was then appealed and that the planning inspector had purely refused the application on ecological grounds and had not cited any additional reasons for refusal, for which he had been at liberty to do.

The officer then drew the meeting's attention to the late items included in the agenda supplement and stated that Natural England had not raised any objections to the granting of planning permission to the proposed site. It was confirmed that both ecologists and Natural England were satisfied that work could be carried out, without endangering any protected species.

The officer explained that Core Policy 2 was no longer engaged, as there was no ability to demonstrate a 5 year land housing supply. It was noted that central government outlined that planning should be granted, where there was not a 5 year housing supply, unless any adverse impacts significantly and demonstrably outweighed the benefits.

The Committee was then invited to ask technical questions and it was confirmed that the maintenance of the public open spaces in the proposed application would be controlled by a management company, of which the owners of the proposed properties would pay for. Also, that to develop on the area marked within the blue line on the map would require additional planning permission. Further, that conditions 17 and 18 listed in the report denoted that there would be 2 refuge points on either side of the road; that pedestrians would be able to cross the road from the proposed site and that the additional noted 4 cars on the road related to the number of additional queuing vehicles on the road; which is how the Local Authority determined additional road users. It was then confirmed that the proposed site layout was only an indicative map and that there was likely to be onsite flood mitigation features to ensure that the

development would not contribute to an increase in flooding, but this would be resolved by way of planning condition and further information. The officer remarked that there was a mistake in the report and that there had been no objection from any drainage comments.

The officer also confirmed that education contributions would be made if the proposed application was to be accepted and that the Corsham schools would be expanded to provide additional pupil places, as a result of the proposed development. Indeed, there was an excess of £1 million to ensure there would be sufficient capacity at the Corsham schools.

Members of the public were then invited to speak, as detailed above.

Cllr Trotman raised objections on behalf of the local member, Cllr Tonge.

Following the statements, concern was raised by members over the lack of a 5 year housing supply and thus, how it was a greater challenge for them to exercise their decision making powers. Concern was also raised about how Corsham had surpassed the Core Strategy target for 2026 and it was expressed that such a development could endanger the quality of life in Corsham and could be deemed as environmentally unsustainable for the area. The officer advised that an environmental statement would require months of work and that, as it had been stated that one was not needed when a screening opinion was carried out, it was unlikely that the applicants would submit one given. It would be likely that the applicants would appeal for non-determination of the application if committee deferred on this basis. An environmental statement was not submitted or requested when considering the previous application or appeal.

Cllr Whalley, seconded by Cllr Greenman, moved to defer the application until the cumulative impact on Corsham through a full environmental impact assessment had been conducted. The motion was put to the vote and failed.

Cllr Trotman, seconded by Cllr Hutton, moved the officer's recommendation to grant planning permission, subject to the late representations and that heads of terms of agreement were to be replaced by conditions. The motion was put to the vote and passed.

Resolved:

That authority is delegated to the Area Development Manager to GRANT planning permission, subject to conditions listed below and completion of a S106 legal agreement within six months of the date of the resolution of this Committee.

In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the

Area Development Manager to REFUSE planning permission for the following reason:-

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Waste; Public Open Spaces; Air Quality Management and is therefore contrary to Policies CP3 CP43 & CP55 of the Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

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 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. 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 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3 An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

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 buildings 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.

5 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

REASON: To protect controlled waters from pollution.

6 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 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: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, 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.

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

3657/203

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FIGURE 4.1

FIGURE 4.2

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

8 No more than 170 dwellings shall be developed on the application site edged red on the submitted Site Plan.

REASON: For the avoidance and in the interest of proper planning

9 The development hereby approved shall not commence until a foul water drainage strategy is submitted and approved in writing by the local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker.

A drainage scheme shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development phasing. The drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.

REASON: There is limited capacity within the downstream sewerage system to accommodate the predicted foul flow from the proposed development. Network modelling of the foul sewerage system is required to ascertain the nature and extent of capacity improvements. The condition will ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream properties.

10 Details submitted as part of any reserved matters application for the site shall be in accordance with the mitigation measures set out in the submitted document 'Land at Bradford Road, Corsham: Summary of Results and Proposed Mitigation' (Engain, 2015) and the Council's appropriate assessment for this application (dated 27/12/15).

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

11 Prior to the commencement of development, an Ecological Management and Monitoring Plan shall be submitted to and approved in writing by the Local Planning Authority. The Ecological Management and Monitoring Plan shall be in general accordance with the measures set out in the submitted 'Land at Bradford Road, Corsham: Summary of Results and Proposed Mitigation' document, and provide full details for the establishment and long-term management of semi-natural features within the site, including:

- " Translocation of sections of the existing hedgerow along Bradford Road "
- " Establishment of all new areas of planting / landscaping
- " Establishment of wildflower grassland
- " Establishment of wetland habitats within the SUDs

" Long-term management of all hedgerows, woodland, grassland and wetland habitat features

" A schedule for monitoring of the condition of newly established habitat features, and post-development bat activity at the site.

The site shall be maintained in accordance with the long-term management measures set out in the Ecological Management and Monitoring Plan unless otherwise agreed in writing by the Local Planning Authority. Results of ecological monitoring shall be submitted to the Local Planning Authority in accordance with the monitoring schedule.

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

12 Any reserved matters application shall be accompanied by a lighting scheme for that part of the site, including a lux plot clearly demonstrating that dark corridors (<1 lux) will be retained in accordance with the submitted 'Land at Bradford Road, Corsham: Summary of Results and Proposed Mitigation' document, and the Council's appropriate assessment of this application (dated 27/12/15).

REASON: To ensure that the proposed lighting doesn't have a detrimental impact on protected species..

13 No part of the development hereby approved shall be commenced until details of refuse and recycling facilities (including location and range of facilities and their means of operation) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter retained.

REASON: In the interest of the visual amenity of the area and in the interests of public safety.

14 No development shall commence on site until a scheme for the discharge of stormwater water from the site, including any required on site or off site capacity improvements required to receive flows together with a connection point agreed with the sewerage undertaker and timetable, 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, including any required off site works/improvements within the agreed timetable.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in

an acceptable manner, to ensure that the development can be adequately drained.

15 No development shall commence until a foul and 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. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. 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 surface water drainage system.

16 Prior to the first occupation of any dwelling the pedestrian visibility splays and the footway alterations on drawing Transport Assessment Figure 4.4 SK03 shall be provided and thereafter permanently retained.

REASON: In the interest of highway and pedestrian safety.

17 Prior to the first occupation of any dwelling the pedestrian refuge, visibility splays and bus layby on drawing Transport Assessment Figure 4.5 SK05 shall be provided and thereafter permanently retained

REASON: In the interest of highway and pedestrian safety.

18 Prior to the first occupation of any dwelling the pedestrian refuge and visibility splays on drawing Transport Assessment Figure 4.6 SK06 shall be provided and thereafter permanently retained.

REASON: In the interest of highway and pedestrian safety.

19 Prior to the first occupation of any dwelling the visibility splays at the Park Lane access of 2.4 x 120 metres in each direction at a height not exceeding 600mm above carriageway level shall be provided and thereafter permanently retained.

REASON: In the interest of highway and pedestrian safety.

20 Prior to the first occupation of any dwelling the visibility splays at the Bradford Road access of 2.4 x 160 metres in each direction at a height

not exceeding 600mm above carriageway level shall be provided and thereafter permanently retained.

REASON: In the interest of highway and pedestrian safety.

21 Prior to the first occupation of any dwelling the pedestrian refuge and visibility splays on drawing Transport Assessment Figure 4.7 SK07 shall be provided and thereafter permanently retained.

REASON: In the interest of highway and pedestrian safety.

22. Prior to the occupation of the 50th dwelling on site full details of the improvement scheme at A4 / B3109 shall have been submitted to and approved in writing by the local planning authority and implemented as approved and permanently maintained in operation thereafter unless the roundabout secured at appeal under application 13/05188/OUT is implemented first. Should the roundabout secured under application 13/05188/OUT be implemented after the works approved and implemented by this condition there will be no requirement for the works approved by this condition to be permanently maintained.

23. No building hereby approved shall be occupied before a travel plan has been submitted to and approved in writing by the local planning authority. The travel plan shall be implemented as approved and permanently maintained in operation thereafter

24. No building hereby approved shall be occupied before a travel plan has been submitted to and approved in writing by the local planning authority. The travel plan shall be implemented as approved and permanently maintained in operation thereafter.

25. No building hereby approved shall be occupied before a scheme for the right turning lane at the access from Bradford Road including resurfacing and visibility splays has been implemented in accordance with details which shall first have been submitted to and approved in writing by the local planning authority.

26. No building hereby approved shall be occupied before a scheme for the right turning lane at the access from Park Lane including resurfacing and visibility splays has been implemented in accordance with details which shall first have been submitted to and approved in writing by the local planning authority.

27. No building hereby approved shall be occupied before a scheme for street lighting improvements over the Park Lane frontage of the site and a scheme for street lighting improvements of Bradford Road over the site frontage and as far as Toghill Crescent has been implemented

in accordance with details which shall first have been submitted to and approved in writing by the local planning authority.

28. No building hereby approved shall be occupied before a scheme for the Widening and resurfacing of the footway between the Bradford Road site access and the Toghill Crescent area (as shown on TA drawing Figure 4.1) has been implemented in accordance with details which shall first have been submitted to and approved in writing by the local planning authority. The scheme shall make provision for the relocation of any lighting columns and electricity or telephone poles within the footway.

29. No building hereby approved shall be occupied before a scheme for the proposed minor highway improvement at the A4 / B3353 mini roundabout and minor highway improvement at the A4 Bath Road / Park Lane mini roundabout has been implemented in accordance with details which shall first have been submitted to and approved in writing by the local planning authority.

INFORMATIVE TO APPLICANT:

Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses the site. You are advised to contact the PROW officer on [INSERT]

INFORMATIVE TO APPLICANT:

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.

INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

INFORMATIVE TO APPLICANT:

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.

INFORMATIVE TO APPLICANT:

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.

INFORMATIVE TO APPLICANT:

This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the [INSERT].

19 **Urgent Items**

There were no urgent items.

(Duration of meeting: 15:00-18:02)

The Officer who has produced these minutes is Natalie Heritage, of Democratic Services, direct line 01225 718062, e-mail natalie.heritage@wiltshire.gov.uk

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