

AGENDA

Meeting: Western Area Planning Committee
Place: Council Chamber - County Hall, Trowbridge BA14 8JN
Date: Wednesday 16 March 2016
Time: 3.00 pm

Please direct any enquiries on this Agenda to Shirley Agyeman, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718089 or email Shirley.Agyeman@wiltshire.gov.uk

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Membership:

Cllr Christopher Newbury (Chairman)	Cllr Magnus Macdonald
Cllr John Knight (Vice Chairman)	Cllr Pip Ridout
Cllr Trevor Carbin	Cllr Jonathon Seed
Cllr Ernie Clark	Cllr Roy While
Cllr Andrew Davis	Cllr Graham Payne
Cllr Dennis Drewett	

Substitutes:

Cllr Nick Blakemore	Cllr Gordon King
Cllr Rosemary Brown	Cllr Stephen Oldrieve
Cllr Terry Chivers	Cllr Jeff Osborn
Cllr Fleur de Rhé-Philippe	Cllr Jerry Wickham
Cllr Russell Hawker	Cllr Philip Whitehead
Cllr Keith Humphries	

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AGENDA

Part I

Items to be considered when the meeting is open to the public

1 **Apologies for Absence**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 5 - 12*)

To approve and sign as a correct record the minutes of the meeting held on 03 February 2016.

3 **Chairman's Announcements**

To receive any announcements through the Chair.

4 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

5 **Public Participation and Councillors' Questions**

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register in person no later than 2.50pm on the day of the meeting.

The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application and up to 3 speakers on any other item on this agenda. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered. The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda (acting on behalf of the Corporate

Director) no later than 5pm on Wednesday 9 March 2016. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6 Planning Applications

To consider and determine the following planning applications:

6a **15/08809/FUL : Roundponds Farm Shurnhold Melksham Wiltshire**
(Pages 13 - 26)

6b **15/12584/FUL - Land adjacent to 9 Clay Close, Dilton Marsh**
(Pages 27 - 40)

7 Planning Appeals Update Report (Pages 41 - 46)

To receive details of appeal decisions and appeals pending.

8 Urgent Items

Any other items of business which, in the opinion of the Chairman, should be taken as a matter of urgency.

Part II

Item during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

None

WESTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 3 FEBRUARY 2016 IN THE COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Christopher Newbury (Chairman), Cllr John Knight (Vice Chairman), Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Dennis Drewett, Cllr Magnus Macdonald, Cllr Jerry Wickham (Substitute), Cllr Roy While and Cllr Philip Whitehead (Substitute)

1 Apologies for Absence

Apologies for absence were received from Cllr Horace Prickett, substituted at the meeting by Cllr Philip Whitehead; Cllr Jonathon Seed, substituted at the meeting by Cllr Jerry Wickham; and from Cllr Pip Ridout.

2 Minutes of the Previous Meeting

The minutes of the meeting held on 16 December 2015 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 16 December 2015.

3 Chairman's Announcements

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

4 Declarations of Interest

Cllr Ernie Clark declared, in relation to item 6b - 15/11119/FUL , that he chaired the parish council planning meeting where the matter was discussed, but that he abstained from the vote and confirmed that he would consider it with an open mind.

Cllr Philip Whitehead declared, in relation to item 6b - 15/11119/FUL , that although he was the Cabinet Member for Highways, and that there was an car parking issue to be determined in the Hilperton area, he did not think this would prevent him from considering the application with an open mind.

5 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.

6 Planning Applications

The Committee considered the following applications:

7 15/09224/FUL - 212 The Common, Holt

The Senior Planning Officer, Jonathon James, outlined the report that recommended that the application be approved with conditions. It was noted that the Committee had previously received a presentation at the previous committee meeting, and that the members of the Committee had had the opportunity to visit the site following a deferral.

Peter Auburn, Alexander Venables and Elsa Joyce spoke in objection to the application. Dermot Tully, the applicant, and Peter Grist, the agent, spoke in support of the application.

Cllr Trevor Carbin spoke as the local member.

Issues discussed in the course of the presentation and debate included: the location of the site and its relationship with neighbouring properties; the orientation of the properties and gardens; the footprint of the existing property in relation to the proposals; the impact of the application on the amount of natural light received by neighbouring properties; the concerns of the neighbours, particularly with regard to privacy; the size and scale of the proposals in relation to the existing and neighbouring buildings; the topography of the site; the size, location and glazing of the windows in the proposal; the materials proposed to be used; how the proposal accords with other extended properties nearby; and the potential impact of the proposals on the amenity of neighbours.

Cllr Trevor Carbin moved that the application be refused as, by reason of the bulk, size and height of the extension, the proposal was contrary to core policy 57.

There being no seconder to this proposal, the proposal was not successful.

In response to a question from Cllr Clark, it was clarified that the proposed windows to be formed in the rear elevation would have Juliette balconies that would not extend out from the exterior wall.

In response to a question from Cllr Davis, the planning officer advised that condition 4 should remain and that a condition removing more extensive

permitted development rights to restrict further extensions and additions to the property could be included.

Cllr Andrew Davis, subsequently seconded by Cllr Tony Knight, proposed that permission should be granted subject to the inclusion of an additional condition removing permitted development rights for any further extensions or additions.

Having been put to the vote, the meeting;

Resolved

That the application be approved 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 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

- 3 No paint or stain finish shall be applied to the external timber cladding unless otherwise agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details and maintained as such in perpetuity.**

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

- 4 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), no window, dormer window or roof light, other than those shown on the approved plans, shall be inserted in the side elevations and roof slope(s) of the development hereby permitted.**

REASON: In the interests of residential amenity and privacy.

- 5** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A and D shall take place on the dwellinghouse the subject of this application.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

- 6** The window(s) in the side elevation(s) serving en-suite bathrooms shall be glazed with obscure glass only to an obscurity level of no less than level 4 and fixed with a ventilation stay restricting the opening of the window prior to the first occupation of the development hereby permitted and shall be permanently maintained as such in perpetuity.

REASON: In the interests of residential amenity and privacy.

- 7** The development hereby permitted shall be carried out in accordance with the application form and the following approved plans/drawings: Existing site plan, elevations and floor plans and Proposed site plan, elevations and floor plans all received on 16 September 2015

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

Planning Informatives:

- 1.** There is a risk that bats may be present at the development site. The Council considers it would be unreasonable to require the applicant to submit a bat survey because this could be considered disproportionate to the scale of development. Furthermore, given the particular proposals for the site, the Council considers that if bats were found, mitigation would probably not require further planning permission and a Natural England Licence would be forthcoming. Nevertheless, anyone undertaking this development should be aware that bats and their roosting places are protected at all times by the Conservation of Habitats and Species Regulations 2010. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. Consideration should be given to obtaining a survey from a professional ecologist before commencing

work (e.g. a building assessment to search for evidence of roosting bats internally and externally, which can be carried out any time of year, and inform the need for further bat emergence / re-entry activity surveys). If bats or evidence of bats is found at any stage of development, the applicant is advised to follow the advice of a professional ecologist or to contact the UK Bat Helpline on 0345 1300 228 (homeowners and churches) or visit http://www.bats.org.uk/pages/natural_england_roost_visits.html for more information

- 2. 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.**

8 15/11119/FUL - 221 Church Street, Hilperton

The Development Control Team Leader, Kenny Green, outlined the report that recommended that the application be refused. The Senior Highways Engineer, Roger Witt, was invited to outline his views that had informed the recommendation.

In response to a question from Cllr MacDonald, officers confirmed that the paved hardstanding had a drain installed at the site frontage which was considered sufficient to trap surface water run-off from entering the public highway.

Heidi Hart, the applicant, spoke in support of the application.

Cllr Ernie Clark spoke as the local member.

Issues highlighted in the course of the presentation and discussion included: the retrospective nature of the application; the restricted visibility of the access especially with respect to oncoming traffic from a northern direction; and the potential highway and pedestrian conflicts; consideration was also given to the provision of parking within the vicinity; the location of the development in relation to the host dwelling and its immediate surroundings; due regard was also given to number of a number of referenced similar accesses with sub-standard visibility locally; consideration was also given to the impact of vehicles parked on the road; and the number of recorded accidents (with injuries recorded) in the area.

Due regard was also given to the recent opening up of the Hilperton Relief Road and consequential re-classification of Church Street.

Due consideration was also given to Church Street experiencing a reduced volume of traffic. Officers and Members also discussed the potential merits of having a mirror installed to aid visibility. On this point, officers recommended

that members did not seek to condition any approval requesting the installation of a mirror as it would be placed on third party lane; and therefore beyond the scope of a planning condition.

In response to a statement made by the senior highways officer, Members were keen to obtain some legal advice on whether the Council could be placed at risk of legal action should the application be approved and following an accident where the sub-standard access was found to be the cause. The Committee was adjourned to seek advice from legal officers.

Following a short adjournment, the Senior Democratic Services Officer, Will Oulton, informed the Committee that Legal Services were unable to provide a definitive opinion, and that it would be for the Committee to decide if they felt they had sufficient information to reach a decision.

Cllr Jerry Wickham, subsequently seconded by Cllr Roy While, proposed that further consideration of the application be deferred to allow for definitive legal advice to be sought.

Having been put the vote, the motion was not carried.

Cllr Ernie Clark moved, subsequently seconded by Cllr Magnus MacDonald that the application be permitted subject to the following condition.

1. *The development hereby permitted shall be maintained in accordance with the following approved plans: location plan, site plan 1, site plan 2a and site plan 2b received 12 November 2015.*

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

Cllr Clark, in presenting his proposal, stated that whilst he appreciated the officer recommendation which was founded by the legislation and guidance, it was for the Committee to consider, on balance, how this should apply in local circumstances and taking into account local knowledge. Cllr Clark furthermore argued that the flow of traffic had significantly decreased since the opening up of the relief road, and that he was not aware of any serious accidents taking place in the area. Therefore, in his opinion, the risks as expressed by officers were not as high and that there was not sufficient justification to refuse the application.

It was also noted respecting the partial retrospective nature of the application, that an informative should be included to any grant of permission to inform the applicant of the need to apply for separate dropped curb consent from the local highway authority.

Cllr Whitehead highlighted that concerns about potential accidents was one of the main subjects of correspondence with the public and that he remained concerned over safety for pedestrians and other users of the pavement.

The Chair noted that most Councillors had taken up the opportunity to visit the site prior to the committee meeting

Having been put to the vote, the meeting;

Resolved

That the application be permitted subject to the following condition.

- 1. The development hereby permitted shall be maintained in accordance with the following approved plans: location plan, site plan 1, site plan 2a and site plan 2b received 12 November 2015.**

Planning Informative:

- 1. The applicant is hereby advised of the need to apply separately for a drop kerb consent from the local highway authority.**

9 Future reports on Appeal Decisions

The Development Control Team Leader, Kenny Green, outlined a proposed new approach to inform and update members regarding appeals which would consist of all four area planning committees receiving monthly updates tabulating all scheduled upcoming appeal inquiries and hearings; all live appeals currently in the system and all determined appeals. The Committee was informed that the data would be generated by the area technical support manager prior to each committee and would be sent to the democratic services team to include within each committee agenda; and for it to be an item for discussion with the chair at the pre-committee briefing.

The Chair stated that he considered the outlined new approach would be an improvement, and that he and other Councillors could request (prior to the committee meeting taking place) further details for specific appeals to be included by the lead planning officer presiding at each committee within their verbal update.

Having been put to the vote, the meeting;

Resolved

To note the update.

10 Urgent Items

There were no Urgent Items.

(Duration of meeting: 3.00 - 4.24 pm)

The Officer who has produced these minutes is Shirley Agyeman, of Democratic Services, direct line 01225 718089, e-mail <mailto:Shirley.Agyeman@wiltshire.gov.uk>

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

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 1

Date of Meeting	16 th March 2016
Application Number	15/08809/FUL
Site Address	Roundponds Farm Shurnhold Melksham Wiltshire SN12 8DF
Proposal	Proposed standby generator compound to include steel acoustic lined containers, external fuel tanks, transformers and acoustic fencing, in order to provide backup power to the National Grid
Applicant	Roundponds Energy Ltd
Town/Parish Council	MELKSHAM WITHOUT
Electoral Division	MELKSHAM WITHOUT NORTH – Cllr Terry Chivers
Grid Ref	389747 162761
Type of application	Full Planning
Case Officer	Matthew Perks

Reason for the application being considered by Committee

Councillor Chivers has requested that the application be considered by the Planning Committee for the following reasons:

- Relationship to adjoining properties; and
- Public Interest

1. Purpose of Report

To consider the application and recommend approval.

2. Report Summary

The key issues are:

- the use of the land in the context of the site history;
- potential visual impact upon the surrounding area;
- highway and access considerations; and
- potential impact on amenity.

(For the avoidance of doubt, the application site is located within Melksham Without Parish boundaries. Broughton Gifford Parish was consulted where the site abuts that Parish boundary).

Melksham Without Parish Council – Does not object but requests attention to hedge planting and acoustic boundaries, as detailed in section 7 below.

Broughton Gifford Parish Council - Objects to the proposals for the reasons cited within section 7 below.

Neighbourhood Responses: Eight letters of objection were received

3. Site Description

The application site of 28m x 52m (1456m²) is located immediately to the south west of a complex of agricultural buildings on Roundponds Farm some 1.3km north west of central Melksham. It is located on the “compound” area that serviced the construction of the solar park approved under application reference 13/06707/FUL. The solar park is situated in the fields to the west of the site.

4. Planning History

15/08592/FUL To create a hardcore area to the rear of the buildings in order to store agricultural machinery

Decision pending at time of writing.

5. The Proposal

The proposal is for a standby generator compound to include steel acoustic lined containers, external fuel tanks, transformers and acoustic and pallisade fencing in order to provide backup power to the National Grid. The proposal is for the siting of five generator units and two fuel storage tanks. The acoustic fencing of 4.5m in height surrounding the site would be finished in timber. The proposals include landscaping to protect and enhance hedging adjacent to the site (revised plans in this regard were submitted at the request of the Landscape and Ecology Officers).

6. Local Planning Policy

NPPF

Chapter 1. Building a strong, competitive economy;

Chapter 3 : Supporting the Rural Economy

Wiltshire Core Strategy

Core Policy 48: Supporting Rural Life

Core Policy 50: Biodiversity and Geodiversity

Core Policy 51: Landscape

7. Summary of consultation responses

Melksham Without Parish Council

Does not object. However, where possible members would like to see existing hedgerows maintained and a planting scheme put in place to screen the acoustic attenuation fencing and further enhance the acoustic barrier.

Broughton Gifford Parish Council

Objects on the grounds that the proposal is industrialisation of open countryside introducing polluting and visually intrusive development into an agricultural setting. The development would have no relevance to farming or farm diversification practices. The site is farmland, not an industrial site designated for heavy industry. Potential impact on residential dwellings and nearby Care Home (Blenheim House) in terms of noise nuisance and fumes. Prevailing west wind could also cause drift of fumes to Broughton Gifford. Acoustic report indicates potential for moderate impact on neighbouring dwellings. Lack of clarity on operating periods and units could be run for prolonged periods for profit. Gross overdevelopment of a modest sized hard-standing area on which permission is also currently being sought for storage of agricultural equipment. Overspill of use likely. Loss of farmland and use could be located at Beanacre Substation or on an industrial estate.

Ecologist

The Ecologist notes that the revised landscaping scheme is acceptable, including the species composition of the proposed hedgerows. It is also noted that the compound has been reduced to the north to provide an adequate buffer to the existing hedgerow and trees along the northern field boundary. Conditions in relation to protecting the hedgerow and trees and the retention of the newly planted hedgerows in the long term are recommended.

Landscape Officer

On re-consultation on the revised plans the officer noted that the compound area has been reduced in size, with proposed acoustic and palisade fencing located beyond the canopy spread of the existing mature hedgerow, such that the hedge with mature trees can be retained. The planting proposals show a native species hedge proposed to the western and southern sides of the compound area, to be maintained at a height of 3m, which will over time enclose the compound area. The officer supports the proposal subject to conditions in relation to protective fencing during construction works and the protection of the hedgerow.

Environmental Health Officer

The officer noted that the noise assessment accompanying the application is clear that no significant issues would arise from the proposed use. It was also noted that there was the possible provision of security lighting. The proposed oil storage units appear to be self-bunding but given the proposed volume of storage on and the proximity to local watercourses, the officer urged consultation with the Environment Agency.

Environment Agency

Noted that the site is outside the floodplain, and the Agency also only deals with main rivers. No further comments. The Agency invites the applicants' attention to Government oil storage regulations. Suggest consultation with Council Drainage Officer.

Drainage Officer.

Notes EA advice that applicant should consult oil storage regulations. The site is in Zone 1 and not within an area at risk of surface water flooding. The proposals must conform to the legislation and guidance on bunding size in relation to tank capacity because the site is above an ordinary watercourse and a failure of storage/bunding would have the potential for pollution.

Highway Officer

No objections or conditions

8. Publicity

Seven letters of objection were received. Objections raised are:

- Harm to the landscape;
- Noise nuisance to surrounding area;
- Impact on Heritage assets;
- Industrialisation of Broughton Gifford;
- Solar farm already constructed therefore LPA is "legally obliged" to refuse any further applications due to cumulative impact;
- Plans are inadequate to enable assessment of fuel storage, pollution prevention, number of units, length of operation. Lack of clarity;
- Question on how green the generators are;
- Pollution potential from leakages;
- Noise and fumes will be perceivable from Melksham Lane in Broughton Gifford;
- Possible lack of capacity of solar farm should have been considered before it was built;
- Size of compound suggest more units could be added in the future;
- Acoustic fencing will be inadequate to protect from noise nuisance;
- Was environment agency consulted?
- Application shows that "green energy" in Wiltshire is nothing more than a money making business but where are ecological benefits of "third world" diesel generators;
- Impact on new development nearby;
- Details of lighting not shown;
- Application form says no trade effluent, but letter to residents said there would be removal of extracted oil and possible coolant in servicing of plant;
- 5 x 30,000 litre storage shown and without additional external bunding a major spillage could cause catastrophic pollution.

Michelle Donnelan (MP) also wrote in support of the Broughton Gifford objection. The Parish has been subjected to excessive solar array development. The containers and development on the site would have significant impact on the Village. Noise and harm to air quality are issues. The site is designated farmland and heavy industrial use would be contrary to the WCS

9. Planning Considerations

The proposal is for the creation of an enclosed compound to house 5 containers holding stand-by generators, two fuel stores, switchgear and related infrastructure to contribute reserve power to the national grid at times of shortage. The compound of 28m x 52m in extent and enclosed by acoustic fencing of a maximum height of 4.5m and palisade security fencing, would be set to the west of existing cattle sheds (47m x 66m footprint and a height of approximately 8m). To the west of the site beyond an existing hedge is the Roundponds solar farm, whilst immediately to the north an established existing hedgerow forms the farmyard boundary.

The site is accessed via an existing farm track from the A365 some 600m to the north.

The supporting documentation states by way of background justification that *“National Grid’s urgent requirement is to increase the availability of reserve power sources. It is expected that this need will be met by private developers. However, the potential supply is constrained by the availability of grid connection opportunities which continue to be difficult to secure. The current application proposes to make use of the existing grid connection at Roundponds Farm which serves the existing solar farm. The two operations dovetail well because output from the solar farm is lower at times when calls for emergency power from the National Grid are most likely. There is a substantial planning benefit in maximising the use of the existing grid connection in this way. Less associated infrastructure is required overall, minimising the visual impact and land take. Providing new grid connection for reserve power schemes can require associated development which is disproportionate to the relatively small scale of the plant itself, including new overhead lines. The need for reserve supply is at the national level, but it is the policy of National Grid to secure its requirements from a widely distributed supply delivered through private development.”*

Chapter 3 of the National Planning Policy Framework is supportive of economic growth in rural areas and indicates that planning policies and decisions should promote the development and diversification of agricultural and other land-based rural businesses.

The area was granted permission as part of planning application 13/06707/FUL as a temporary “Site Compound” construction area for the Solar Farm, now located on the land to the west. The site would therefore fall within a small portion of the red-line application area for the Solar Farm. The site, at the time of the officer visit, was cleared and levelled with temporary structures removed, albeit that some equipment and vehicles were present. An established and lawful use as an area ancillary to the Solar Farm is therefore considered to apply, albeit that the construction activity was temporary. The proposal would change the use to provide for the stand-by generators.

Visual impact/ Setting

The development would sit within the setting of the farm complex including the large shed buildings and would be relatively low profile with the acoustic boundary a maximum of 4.5m in height. No structure within the enclosed area would exceed that height.

An amended landscaping plan was submitted following queries from the Landscape and Ecology officers on initial consultation.

The revised plans reduce the originally proposed extent of the compound to provide a buffer from the existing trees and hedgerow and enhanced boundary planting are proposed for screening purposes. The species mix is detailed to accord with the Wiltshire Landscape Character Assessment (2015) to contribute to the biodiversity value of the site. The layout details show the proposed switch-room at the north-eastern corner of the compound, The grid connection point is at the nearby corner of the complex of farm buildings. The connection would be via buried cables and no overhead infrastructure would be required. Revisions to the scheme layout included reducing the number of fuel storage tanks to two.

As noted in Section 7 above, the Landscape Officer supports the proposal, subject to conditions in respect of the protection of existing planting during construction and the maintenance of the hedge height. The Ecologist supports the proposal subject to similar conditions.

In terms of other setting considerations, an objection raised was the potential impact on heritage assets. The site is not within a Conservation area, and the enclosure does not sit within the setting of any listed buildings (the nearest listed building - Grade II - is some 600m distant, with the farmyard complex and A365 in the intervening space, and the Melksham Conservation area lies over 800m to the east, beyond the intervening A350). Broughton Gifford Conservation Area lies approximately 1.5 km to the west at nearest, beyond Melksham Lane and Norrington Lane. Any views from the south would have the existing farm buildings as a backdrop to the lower profile compound fence and the nearest dwellings in that direction are over 500m distant. With regard to objections in relation to industrialisation, the site is within the farmyard complex that contains large buildings, storage areas and a slurry pit. No industrial activity (in terms of manufacturing or other work) would take place on site and there would be no encroachment onto agricultural fields. An objector also raised the question of the size of the compound and the possibility of more units. The plans as finally submitted reduce the compound size and confirm that five units only are proposed. Any additional development within the compound would require a new permission.

Subject to appropriate conditions there would be no harm to the landscape given this particular setting, with the enclosing fencing appearing as part of the farmyard complex. Enhancements to the hedges in the vicinity are considered to constitute a planning gain in terms of landscaping and biodiversity.

Highways

Outside of the installation period and maintenance there would be no significant increase in vehicular use of the access to the site. The site furthermore is not visible to the highway. The Highway Officer raises no objections and does not wish to have any conditions imposed.

Neighbouring Amenity.

Objectors have raised concerns about amenity impacts including fumes and noise. The application was accompanied by specifications and a noise assessment. The Environmental Health Officer is satisfied that the assessment accompanying the application is clear that no significant issues should

arise from the proposed use. Objectors were concerned with impacts on Blenheim House (Care home) which lies some 500m away from the site. The home is furthermore situated to the south of the A365 and the associated traffic, With regard to operating hours, the system would only come into operation at times when the national grid is running short of energy (by definition therefore not possible to predict precisely) but the supporting documentation indicates that, historically in similar circumstances, running times occur infrequently, roughly confined to days between Monday and Thursday in the winter months of November through to February during the hours of 16:00 - 18.30 and 07:00 - 08:30 (when energy demand is at its greatest during a weekday). Typically therefore it can be anticipated that running times are infrequent and last for very short periods of time. An additional constraint in this regard is the cost of running the system which acts as an inhibitor to extended use periods. The key function of the generators is to provide back-up when the national grid is short of energy and black-out risk emerges, or in cases of emergency.

Lighting was also a matter raised by objectors and referred to by the Environmental Health Officer. The site plan indicates one bulk-head security lamp to the switch-room, within the confined of the acoustic fencing area. It is considered that a condition requiring details so as to avoid the potential for light pollution would be appropriate.

Other matters

The fuel storage tanks are proposed to be “self-bunding” but the issue of pollution control has nevertheless been raised. (The final drawing reflects two tanks). The Environment Agency invites the applicant’s attention to Government oil storage regulations, which is the legislation separate from planning that controls such matters (The Control of Pollution (Oil Storage) (England) Regulations 2001). Government Planning Practice Guidance states that “*Conditions requiring compliance with other regulatory requirements (e.g. Building Regulations, Environmental Protection Act) ... will not meet the test of necessity and may not be relevant to planning*” Thus, whilst the installation would have to accord with the relevant regulations, it is considered that a condition that requires only details of the position of bunding within the compound, as a planning matter, would be appropriate.

An application running in parallel with this under reference 15/08592/FUL for an agricultural machinery storage area has not been decided at the time of writing. There is no Planning reason why two applications cannot run simultaneously but the two proposals could not be implemented together the site areas partially coincide. This application must be considered on its own merits.

10. Conclusion

The proposal would make use of an existing area previously utilised (and still ancillary space) to the existing adjacent solar farm to provide emergency back-up to the national grid. Landscaping proposals, together with the location in a relatively concealed position, mean that there would be no unacceptable landscape impacts, and habitat enhancements would result from additional planting. Functional use would be made of the site in support of the national grid, without the need for any new overhead linkages to the grid itself. Permission is therefore recommended.

RECOMMENDATION

Permission, 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 existing hedgerow (and hedgerow trees) along the northern boundary of the site as shown on the Landscape Proposals plan YOR_2567_03 Rev-F shall be protected during construction in accordance with BS 5837:2012 and shall not be removed without the prior written approval of the Local Planning Authority.

REASON: In the interests of biodiversity and landscape.

- 3 The hedgerows to be planted on the southern and western boundaries of the site, as shown on the Landscape Proposals plan YOR_2567_03 Rev-F, shall be planted in accordance with a schedule to be submitted and approved by the Local Planning Authority and shall be protected and maintained in accordance with the specification provided on the said plan for a period of no less than 30 years.

REASON: In the interests of biodiversity and landscape. To ensure the newly planted hedgerows are protected and maintained for a period of at least 30 years, after which they would be protected by the Hedgerow Regulations 1997.

- 4 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development.

- 5 The development shall not be first brought into use until plans showing any bunding required within the compound to accord with legislation in respect of pollution control have been submitted to and approved in writing by the Local Planning authority, and

such facilities have been constructed and completed in accordance with plans.

REASON: To prevent pollution of the water environment,

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

Location Plan received on 24 September 2015

449-03-A received on 18 January 2016

449-04 received on 24 September 2015

449-05 received on 24 September 2015

449-06 received on 24 September 2015

449-07 received on 24 September 2015

449-08 received on 24 September 2015

YOR,2567_03 received on 18 January 2016

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

- 7 INFORMATIVES::

The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) 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 visit the following websites for more information:

<http://www.wiltshire.gov.uk/planninganddevelopment/biodiversityanddevelopment.htm>

<https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

The Environment Agency invites the applicants' attention to the following link for

further advice/informatio on oil storage regulations:

<https://www.gov.uk/oil-storage-regulations-and-safety/overview>

15/08809/FUL
Roundponds Farm
Shurnhold
Melksham
Wilts
SN12 8DF



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No. 2

Date of Meeting	16th March 2016
Application Number	15/12584/FUL
Site Address	Land Adjacent to 9 Clay Close Dilton Marsh Wiltshire BA13 4DU
Proposal	Proposed new dwelling and vehicle access.
Applicant	Mr Michael Duhig
Town/Parish Council	DILTON MARSH
Electoral Division	ETHANDUNE- Councillor Jerry Wickham
Grid Ref	385568 149982
Type of application	Full Planning
Case Officer	Steven Vellance

Reason for the application being considered by Committee:

Councillor Jerry Wickham has requested that this application be considered by the Planning Committee for the following reasons:

- Environmental or Highway Impact;
- Highways issues associated with access to and from the B3099 High Street Dilton Marsh.

1. Purpose of Report

To consider the above application and to recommend that planning permission be granted.

2. Report Summary

The main issues to consider are:

- Site history;
- Highway safety;
- Land ownership of an area of land forming a part of the red lined site.

Dilton Marsh Parish Council – Objects to this planning application on highway safety

grounds and supports the recent appeal decision which dismissed the previous application (reference W/12/01086/FUL) as detailed within section 07 below.

Neighbourhood Responses – One email of response received.

3. Site Description

The application site is part of the established residential garden land to the north of 9 Clay Close, Dilton Marsh, near Westbury. The majority of the site belongs to the applicant with a small area of land adjacent to the B3099 belonging to the neighbour at number 7 Clay Close, which would serve to form the proposed access opening and turning circle.

Access to the site would be from the B3099 High Street and the Highways Officer has not raised any objections subject to a number of planning conditions being imposed.

4. Planning History

W/12/01086/FUL Proposed erection of a two storey 3 bedroom dwelling house Refused 03 August 2012. Decision appealed reference: APP/Y3940/A/12/2184559 Appeal Dismissed on 28 February 2013

5. The Proposal

The proposal is for the construction of a new dwelling with associated access off the B3099, High Street, Dilton Marsh. The land which would be used for this scheme would constitute in part, some of the garden land belonging to 9 Clay Close and some garden land within the ownership of the neighbouring property at number 7 Clay Close, this being to form a part of the proposed new access area.

The proposed dwelling would be a modest sized two storey building, with three bedrooms at first floor level and being of a contemporary design; the exterior walls would have wooden cedar cladding combined with a render finish and the roof would consist of a grey insulated membrane material.

6. Planning Policy

Wiltshire Core Strategy (2015)

CP1: Settlement Strategy

CP2: Delivery Strategy

CP32: Westbury Community Area

CP57: Ensuring high quality design and place shaping.

CP61: Transport and new development

National Planning Policy Framework (NPPF)

7. Consultations

Dilton Marsh Parish Council:

Objects to the proposal on grounds of:-

-Highway safety issues.

-The proposed access on to the B3099 is very dangerous and close to the railway bridge and a bend.

-The Parish Council supports the previous reasons given for the Appeal Dismissal at this same site, planning reference W/12/01086/FUL and Appeal Reference: APP/Y3940/A/12/2184559.

Highway Officer:

No objections raised for the application and comments that:

-Colleague dealt with preliminary enquiry for this site, whereby concerns in relation to vehicle access have now been overcome.

-Vehicle access now allows adequate visibility, adequate turning space to allow entry and exit from the site in forward gear and adequate parking provision.

-Application is recommended for approval subject to the attachment of three planning conditions relating to the implementation of the access, turning area, parking provisions and discharge of surface water. One informative relating to the provision of a dropped kerb should also be included.

Environmental Health Officer.

No objections raised.

Ecology Officer.

No objections raised and raises the following comments:

-Notes from the 2014 aerial photograph that some of the mature trees and existing hedgerow would need to be removed from the north eastern corner of the site.

-Potential for nesting birds and low risk of reptiles being present at this location. Officer requests that an informative relating to each of these aspects be attached.

-Officer notes that the hedgerow will be enhanced and the evergreen boundary pruned to allow natural light onto the site. A landscaping condition relating to these two aspects should be attached.

-It is noted that the site is in close proximity to the River Biss, it is unlikely that the site provides a suitable habitat for the Greater Horseshoe Bat, which does not roost in trees and would not utilise the hedgerow as a flight line. The applicant is advised to consider

incorporating enhancements for nesting birds and roosting bats within the proposed new dwelling.

Wessex Water.

No objections raised and comment that new water and waste connections would be required to serve this development. It appears that there is a public sewer running through the application site and the applicant is advised to contact this service provider.

Wiltshire Fire & Rescue.

Comment on the application and advise the use of a fire sprinkler system within the proposed new dwelling.

8. Publicity

The application was advertised by way of site notice and letters to neighbours.

One email of objection was received from the neighbour at number 7 Clay Close, Dilton Marsh, who commented that he did not wish to sell any of his garden land to the applicant.

9. Planning Considerations

The proposal is for the creation of a new dwelling and vehicular access on land adjacent to 9 Clay Close, Dilton Marsh, with the creation of a new vehicular access onto the B3099.

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Principle of development

The proposed dwelling would be located within the defined settlement limits of Dilton Marsh which is classified as a large village under Core Policy 1 to the Wiltshire Core Strategy. The principle of new dwellings in these circumstances accords with the Core Strategy.

Planning History.

Within the previous planning application reference W/12/01086/FUL a similar scheme was proposed which relied on its access being derived from the B3099, High Street. The scheme was refused for the following four reasons:

- 1 Vehicles resulting from the proposed development by entering, leaving and standing within th B3099 (a Class II road) and the High Street, at a point where visibility from and of such vehicles would be severely restricted, would impede, endanger and inconvenience other road users to th detriment of highway safety.
- 2 The proposal does not incorporate adequate turning facilities to enable a vehicle to enter an leave the highway in forward gear, which is essential to highway safety.
- 3 The horizontal alignment of the access as proposed, is likely to result in excessive manoeuvrin on the highway, with a consequent risk of additional hazard to all users of the road".
- 4 The proposed development, by reason of its location and balcony area would be visually intrusiv and detrimental to existing residential amenity, contrary to policy C38 of the West Wiltshire Distric Plan 1st Alteration 2004.

Highways.

The first three reasons for refusal are Highway safety related with the fourth relating to neighbour amenity and the possibility of being overlooked by the scheme. The applicant appealed this refused scheme which the Planning Inspector dismissed in the Council's favour on the 28 February 2013.

The Planning Inspector's observations within the appeal of planning refusal W/12/01086/FUL and its proposed access arrangements, was that it was not possible to achieve the required site line of 43 metres in both directions of the B3099, at the point of access set 2 metres back from the edge of the carriageway, as stipulated within the guidance -The Manual for Streets.

The Inspector noted with regard to the access provisions of W/12/01086/FUL that it was not possible to safely enter the site from the highway by making a 90 degree turn when on the B3099 from either a Western or Eastern approach.

The Inspector also noted that because the B3099 was a High Street, there was a requirement of allowing vehicles to either enter or leave the highway in forward gear of the vehicle, the access provisions within W/12/01086/FUL did not allow for this to happen.

The applicant has resubmitted the current scheme after having sought advice from the Highways section of the Council, in an attempt to overcome the three highway reasons for refusal.

The submitted scheme is a result of these negotiations whereby the current application shows an enlarged access area onto the B3099 incorporating a large access opening and a 11.8 metre turning circle within the application site. Plan reference 1410-01 Rev C shows that from the newly created access there is 48 metres of visibility to the East, towards the railway bridge and 43 metre of visibility to the West towards the Junction at Clay Close. In such Highway terms the Highways Officer is satisfied with this proposal, considering it to have overcome the previous reasons for refusal and not raising any objections, subject to planning conditions being imposed.

With regard to the fourth reason for refusal, relating to neighbouring amenity, the Planning Inspector observed that within the proposed scheme for the dwelling within the W/12/01086/FUL planning application, the proposed windows and balcony at first floor level, would look onto and impact on the amenity of numbers 9 and 11 Clay Close.

The current scheme addresses these points of concern by omitting such high level windows and balcony, so as to not afford any direct overlooking of these neighbouring dwellings. No neighbour objections within this respect have been received by the Council.

It is therefore considered that the previous four reasons for refusal within the previous scheme within W/12/01086/FUL have been overcome.

Other Matters - Land Ownership.

The current scheme relies on taking some garden land from the neighbouring dwelling at number 7 Clay Close to make provision for the revised access and the turning circle onto the B3099. The bulk of the land required to facilitate this is not within the applicant's ownership or control and the land owner at number 7 Clay Close has written in to the Council stating that he is not prepared to sell this area of land to the applicant.

Land ownership is not a planning matter and it is noted from the planning application form that the applicant has served notice on the owner of this land, with certificate B of the planning application form having been completed and confirming this to be the case.

Therefore, whilst it is realised that the land owner at number 7 Clay Close is not in support of this scheme and that the use of this land is key to making this scheme work, this in itself is not sufficient reason to refuse the application, because land ownership is not a planning consideration.

10. Conclusion

The scheme has sought to effectively overcome the previous reasons for refusal and it is required that appropriate conditions are put in place to ensure the safe highway use of the site. The ecology of the site is a further important consideration with the Council's Ecologist requesting that a planning condition and a number of informatives are attached to the final decision.

RECOMMENDATION:

Permission be granted subject to the following conditions:

RECOMMENDATION

- 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 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: In the interests of visual amenity and the character and appearance of the area

- 3 No works to the dwelling shall be commenced until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 4 No works to the dwelling shall be commenced until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans (1410 - 01 Revision C). The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 5 No development shall commence on site until a scheme for the discharge of surface water from the site access to prevent discharge onto the highway 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: To ensure that the development can be adequately drained.

- 6 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

-Finished land levels of the site, to include the proposed dwelling so as to minimise any impact of the scheme on the surrounding properties and area.

-Means of enclosure,

-All hard and soft surfacing materials, to include native species-rich hedgerow planting as an enhancement of the existing roadside hedgerow, along the northern boundary of the site

REASON: In order to ensure a satisfactory landscaped setting for the development.

- 7 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.
- 8 There shall be no raising of land levels.
- REASON: In the interests of visual amenity and impact of the scheme on the surrounding area.
- 9 The development hereby permitted shall be carried out in accordance with the following approved plans:
- Plan reference 1410-01 Rev C registered on 21.01.2016
- Plan reference 1410-02 Rev C registered on 21.01.2016
- Plan reference 1410-03 Rev C registered on 21.01.2016
- REASON: For the avoidance of doubt and in the interests of proper planning.
- 10 The dwelling hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. The dwelling shall not be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.
- REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.
- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted at first floor level on the rear south and west elevations of the development hereby permitted.
- REASON: In the interests of residential amenity and privacy.
- 12 INFORMATIVE: The application involves the creation of a dropped kerb. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact the Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352.
- 13 INFORMATIVE: The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage and destroy a nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act. Trees, scrub and other vegetation, such as dense ivy, are likely to contain nesting birds between 1st March and 31st August. Hedgerows and trees are present on the application site and should be assumed to contain nesting birds between the above

- dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.
- 14 INFORMATIVE: The applicant is informed that there is a low risk that reptiles could occur on the application site. All reptiles are legally protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and planning permission does not provide a defence against prosecution. In order to minimise the risk of reptiles occurring on the site, the developer is advised to clear the site and vegetation in a sympathetic manner during the autumn (September/October) or spring months (April-May) and to maintain the vegetation at a short height to make it unsuitable for reptiles until the construction works commence. If these species are found during the works, the applicant is advised to stop work and follow the advice of a professional ecologist to inform necessary mitigation and/or compensation measures.
- 15 INFORMATIVE: The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's
Website:www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.
- 16 INFORMATIVE: The applicant is encouraged to consider incorporating enhancements for biodiversity within their development. Paragraph 118 of the NPPF states "local planning authorities should aim to conserve and enhance biodiversity by applying the following principles: opportunities to incorporate biodiversity in and around developments should be encouraged". Creating new habitat, enhancing existing habitat or providing new features can all contribute towards biodiversity enhancement, and helping to rebuild habitat networks in the wider area improves ecological resilience and adaptation to climate change. Benefits can be maximised if undertaken to support biodiversity work being undertaken by other parties, such as local Wildlife Trusts or through agri-environment schemes, or if they are consistent with biodiversity strategies or priorities already in place in the local area, such as Nature Improvement Areas (NIA). At the smallest scale, enhancements could be bird nesting or bat roosting opportunities in new buildings, such as integral bat bricks (e.g. <http://www.ibstock.com/sustainability-ecozone.asp>), bat tubes (e.g. http://www.nhbs.com/2fr_schwegler_bat_tube_tefno_162812.html) or Habibat (<http://www.habibat.co.uk/>). These integral type boxes do not interfere with the human

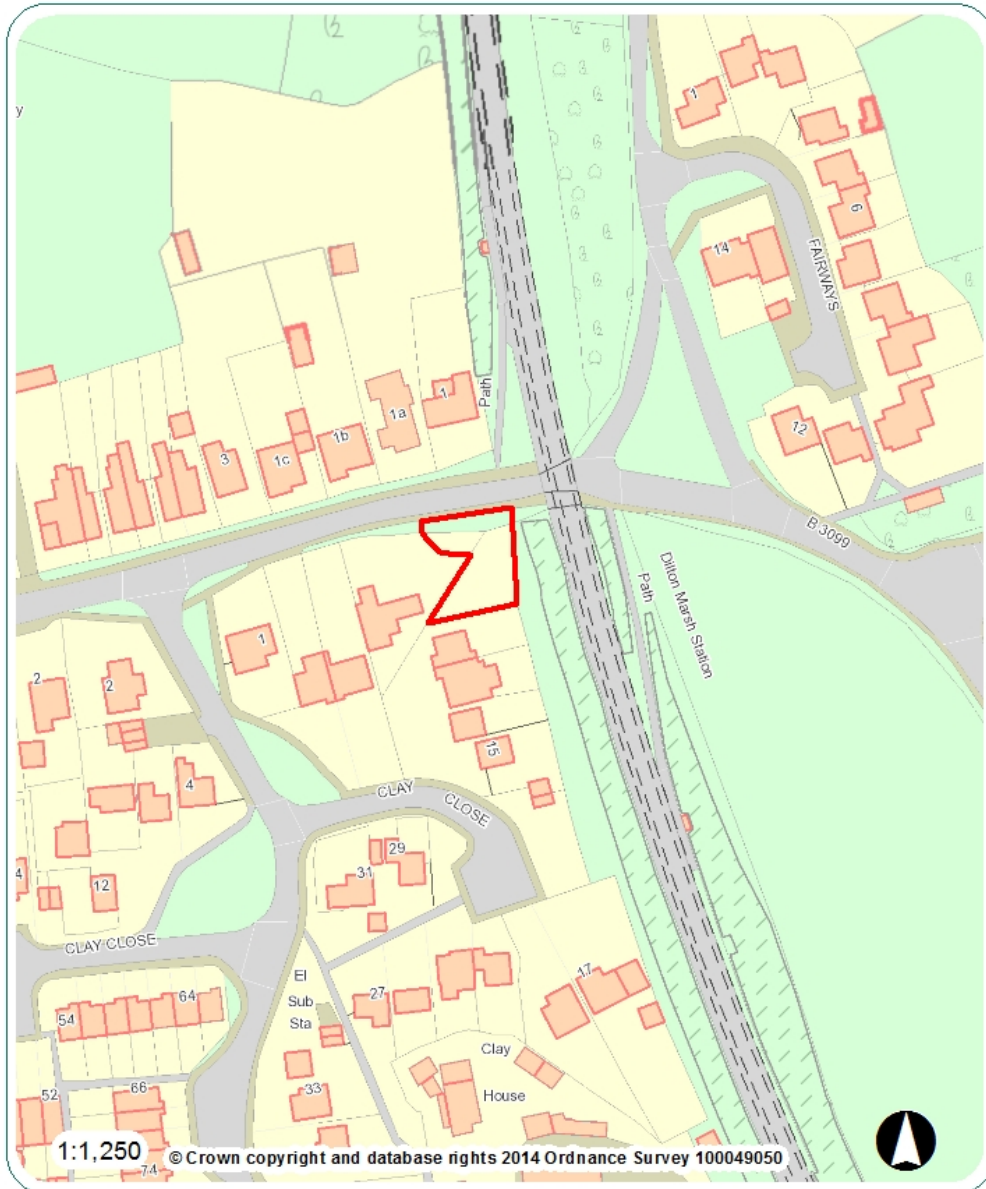
inhabitants and require no maintenance. Woodcrete products are longer-lived than traditional timber-made boxes, and there are many different products available from a range of suppliers. These types of enhancements can be generic or aimed at specific species such as House sparrow, Starling or Swift. Enhancements can also be provided for other species such as amphibians and reptiles, hedgehogs and invertebrates. Further information can be found at:

http://www.ciria.com/buildinggreener/complementary_features.htm

<http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/biodiversity-ecosystems-and-green-infrastructure/>

- 17 INFORMATIVE: The applicant is advised to contact Wessex Water by telephoning 01225 526222 for Water Supply Connections and 01225 526333 for Waste Water Connections.

- 18 INFORMATIVE: The applicant is advised that a public sewer is shown on record plans within the land identified for the proposed development and it appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Wessex Water Sewer Protection Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Wessex Water under Building Regulations. It should be noted that no building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Wessex Water and the applicant is advised to contact the Sewer Protection Team to discuss further 01225 526333.



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**Wiltshire Council
Western Area Planning Committee
16th March 2016**

Forthcoming Hearings and Public Inquiries between 03/03/2016 and 31/08/2016

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Date	Overturn at Cttee
14/09262/OUT	Land North of Bitham Park Trowbridge Road Westbury Wiltshire	HEYWOOD	Proposed development of up to 300 dwellings; Creation of new roundabout access from Trowbridge Road; Creation of a new emergency/cycle and pedestrian access from Coach Road; Open Space; Drainage Works and ancillary works	COMM	Inquiry	Refuse	14/06/2016	No
14/09500/FUL	Sienna's Valley Farm Huntenhull Lane Chapmanslade Westbury BA13 4AS	CHAPMANSLADE	Siting of a mobile home for use as a rural workers dwelling and alterations to access.	COMM	Hearing	Approve with Conditions	15/03/2016	Yes
14/11919/OUT	Land Off A365 Shurnhold Melksham Wiltshire	MELKSHAM WITHOUT	Outline application with all matters reserved except for access, for demolition of existing structures and construction of up to 263 dwellings with access, open space, landscaping and associated works.	COMM	Inquiry	Refuse	21/06/2016	No
W/11/00064/ENF	Fairfield House, Bradford Leigh, Bradford Leigh, Bradford On Avon, Wiltshire, BA15 2RN	SOUTH WRAXALL	The material change of use of the Land from agriculture, to a mixed use of agriculture and use as a caravan site for the stationing and residential occupation of the mobile homes and storage of a touring caravan, and; operational development comprising formation of a vehicular access to the B3109 classified road; formation of hard surfacing, and the construction of timber decking to one of the mobile homes, all integral to the material change of use.	DEL	Inquiry	N/A	09/03/2016	No

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overtturn at Cttee
14/06938/OUT	Land East of Spa Road Melksham	MELKSHAM (TOWN)	Outline application for up to 450 dwellings with associated access and engineering operations, land for extension of medical facilities or community facility, and extension to Eastern Relief Road from Thyme Road to The Spa - Snowberry Lane (amended)	COMM	Inquiry	Approve with Conditions	09/12/2015	No
14/07689/OUT	Land north of Holt Road and Cemetery Lane Bradford on Avon Wiltshire	BRADFORD ON AVON	Erection of up to 60 dwellings (including affordable dwellings), up to 3,000 sq m of B1 employment floor space, informal and formal public open space, allotments, drainage, landscaping, engineering (ground levelling) and other associated works. Outline application to determine access.	COMM	Written Representations	Approve with Conditions	13/01/2016	Yes
14/11919/OUT	Land Off A365 Shurnhold Melksham Wiltshire	MELKSHAM WITHOUT	Outline application with all matters reserved except for access, for demolition of existing structures and construction of up to 263 dwellings with access, open space, landscaping and associated works.	COMM	Inquiry	Refuse	22/10/2015	No
15/01805/FUL	Land West of Drynham Lane Trowbridge Wiltshire	TROWBRIDGE	Provision for 120 residential houses comprising a mix of 1,2,3 & 4 bedroom units and associated infrastructure including roads, footpaths, bridge, cycleway, garages and substation.	DEL	Inquiry	Refuse	20/01/16	No
15/02597/OUT	Land Adjacent Amberley 21 Northleigh Leigh Road Bradford on Avon Wiltshire BA15 2RG	BRADFORD ON AVON	Erection of 3 affordable dwellings (Outline application with all matters reserved)	DEL	Written Representations	Refuse	02/12/2015	No
15/04629/FUL	50 Dunch Lane Melksham Wiltshire SN12 8DX	MELKSHAM (TOWN)	Side and rear two storey extensions	DEL	Householder Appeal	Refuse	04/01/2016	No
15/05105/FUL	Land at Beaglers Green Kingsfield Grange Road Bradford on Avon Wiltshire BA15 1BE	BRADFORD ON AVON	Erection of new dwelling (Revision to planning permission W/13/00781/FUL)	DEL	Written Reps	Refuse	22/10/2015	No
15/05537/FUL	Rode Common Farm Frome Road, Southwick Wiltshire, BA14 9NE	SOUTHWICK	Retention of use of land for the stationing of a mobile home for use ancillary to adjacent dwelling house	DEL	Written Reps	Refuse	17/11/2015	No

15/06694/PNCOU	Barn At Hoopers Pool Farm Hoopers Pool Southwick Wiltshire	SOUTHWICK	Change of Use of Agricultural Building to a Dwellinghouse (Prior Approval) - Resubmission of 15/02039/PNCOU	DEL	Written Reps	Prior Approval Refused	29/01/2016	No
15/06999/FUL	137 Queensway Melksham Wiltshire SN12 7QL	MELKSHAM (TOWN)	Change of use of land to be incorporated into domestic curtilage	DEL	Written Reps	Refuse	09/11/2015	No
15/10320/TPO	Land at Courtyard Terrace Frome Road Bradford on Avon Wiltshire BA15 1EF	BRADFORD ON AVON	T1 - Hornbeam - Fell T2/T3 - Hornbeams - Crown lift by 2-3 metres all round .	DEL	Householder Appeal	Refuse	10/02/2016	No

Planning Appeals Decided between 14/10/2015 and 03/03/2016

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
14/07954/VAR	64 Shaw Hill Shaw Melksham Wiltshire SN12 8EX	MELKSHAM WITHOUT	Variation of Condition 2 of planning permission 79/1187 - to enable the flat to be let seperately	DEL	Written Reps	Refuse	Dismissed	10/11/2015	No
14/10213/CLP	Sandridge Park House Sandridge Hill Sandridge Common Melksham Wiltshire SN12 7QU	MELKSHAM WITHOUT	The stationing of a mobile log home to provide ancillary staff accommodation	DEL	Written Reps	Prior Approval Refused	Allowed with Conditions	30/12/2015	No
15/01553/VAR	Oakstone Farm Bratton Road West Ashton Wiltshire BA14 6AX	WEST ASHTON	Erection of an agricultural workers dwelling (Removal of condition 2 of planning permission 14/06930/FUL to enable a rural worker to live permanently in the existing mobile home)	DEL	Hearing	Refuse	Dismissed	15/12/2015	No
15/01075/PNCOU	Tiled Barn Haygrove Farm & Nurseries 44 Lower Westwood Bradford On Avon Wiltshire BA15 2AR	WESTWOOD	Conversion of agricultural building to a dwelling	DEL	Written Reps	Prior Approval Refused	Allowed with Conditions	13/02/2016	No
15/03555/PNCOU	Oakley Farm Lower Woodrow Forest Melksham Wiltshire SN12 7RB	MELKSHAM WITHOUT	Prior Notification for a change of use of Agricultural Building to Dwellinghouse (Resubmission)	DEL	Written Reps	Prior Approval Refused	Allowed with Conditions	24/12/2015	No
15/03564/PNCOU	The Store Conkwell Winsley Bradford on Avon Wiltshire	WINSLEY	Change of use of agricultural building to a dwellinghouse	DEL	Written Reps	Prior Approval Refused	Allowed with Conditions	15/02/2016	No
15/05105/FUL	Land at Beaglers Green Kingsfield Grange Road Bradford on Avon Wiltshire BA15 1BE	BRADFORD ON AVON	Erection of new dwelling (Revision to planning permission W/13/00781/FUL)	DEL	Written Reps	Refuse	Allowed with Conditions	19/01/2016	No
15/05537/FUL	Rode Common Farm Frome Road	SOUTHWICK	Retention of use of land for the stationing of a mobile home for use ancillary to adjacent dwelling house	DEL	Written Reps	Refuse	Dismissed	22/02/2016	No

	Southwick Wiltshire BA14 9NE								
15/06999/FUL	137 Queensway Melksham Wiltshire SN12 7QL	MELKSHAM (TOWN)	Change of use of land to be incorporated into domestic curtilage	DEL	Written Reps	Refuse	Dismissed	20/01/2016	No

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