

WESTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 25 NOVEMBER 2015 IN THE COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Christopher Newbury (Chairman), Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Dennis Drewett, Cllr Magnus Macdonald, Cllr Pip Ridout, Cllr Jonathon Seed, Cllr Roy While and Cllr Jerry Wickham (Substitute)

Also Present:

Cllr Jon Hubbard and Cllr Ian Thorn

98 Apologies for Absence

Apologies for absence were received from Cllr Horace Prickett (replaced only for this meeting by Cllr Jerry Wickham)

99 Minutes of the Previous Meeting

The minutes of the meeting held on 14 October 2015 were presented. The Democratic Services manager drew the committee's attention to the following amendment required to the minutes from those published with the agenda

Minute No. 93 – 15/05079/FUL - Withleigh, Melksham

To insert the following at the start of the resolution which had been inadvertently missed off:

‘Resolved that the Area Development Manager be authorised to grant planning permission, subject to the conditions set out below, on prior completion of a Section 106 legal agreement for bus stops, a pedestrian crossing and off site affordable housing contribution’.

And after discussion the chairman proposed the deletion of the following paragraph::

‘Cllr Jonathon Seed proposed, subsequently seconded by Cllr Pip Ridout, that the Committee should approve the application as per the officer’s recommendation detailed in the report, with the request from the Committee that a signal controlled crossing point between the new development at

Witleigh and the existing Wharf Court on the other side of the road’.

The above mentioned amendment having been moved and seconded, it was

Resolved:

To approve the minutes of the meeting held on 14 October 2015 as a correct record subject to the amendments detailed above.

100 Chairman's Announcements

There were no announcements.

101 Declarations of Interest

Although not a disclosable pecuniary interest, Councillor Jonathon Seed wished it to be known that he knew the applicant’s late husband and therefore knew the applicant by association, in relation to application 6c 15/05656/FUL - Brook Hall Farm, Wood Road, North Bradley, although it was noted that he had not seen the applicant for some 5 years.

102 Public Participation and Councillors' Questions

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

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

Councillor Jon Hubbard explained that for the committee’s consideration of application referenced 15/05079/FUL, at its meeting on 14 October, 2015, he had provided a written submission to Democratic Services for onward circulation to the Committee. He wished to record that he was extremely concerned and disappointed that his request had not been actioned. The Democratic Governance Manager apologised to Councillor Hubbard for this omission.

103 Planning Applications

The Committee considered the following applications:

104 15/05079/FUL - Witleigh, Melksham

The Planning Team Leader outlined the report that recommended that the application be approved with conditions.

Mr. Doug Tuckerman spoke in objection to the application and Mr. David William spoke in support of the application as the agent for the applicant.

Cllr Jon Hubbard spoke as the local member.

Issues discussed in the course of the presentation and debate included: the size and scale of the development with particular reference to the 3 storey building and whether a 2 storey would be more acceptable; the location of walls within the proposed development and their potential impact on neighbours; vehicular access to the site and the provision of parking spaces; the options for traffic calming and layout to have a positive impact on road safety.

Cllr While proposed that planning permission be approved in accordance with the Officer's recommendation subject to an additional requirement for the widening of the central splitter for which an additional financial contribution of £6,000 towards the costs would be required in the section 106 agreement and this was duly seconded by Cllr Pip Ridout.

In questioning the Team Leader, the committee sought clarification on why the application had been brought back to the committee. The Highway Officer was also called in to explain the basis on which the requirement of 50 pedestrians per hour over a peak period of 4 hours was arrived at as a criterion for setting up a pedestrian crossing. He explained in detail how putting a pedestrian crossing in the area under discussion would not be in line with Wiltshire Council policy and was not achievable.

Having been put to the vote, the meeting;

Resolved

That the Area Development Manager be authorised to grant planning permission, subject to the conditions set out below, on prior completion of a Section 106 legal agreement for bus stops and off site affordable housing contribution.

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

carried out in accordance with the approved details.

REASON: 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.

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No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

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 land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning

Authority.

- 4** No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the drainage details have been constructed 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.
- 5** 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 together with permeability test results to BRE365, has been submitted to and approved in writing by the Local Planning Authority.
Should the submitted storm water drainage system, include a connection to the main sewer, and thus incorporating the use of a pumped system the application will need to include details of the pumping station and storage system, details of ownership, future maintenance liability and maintenance regime and standby power arrangements
The development shall not be occupied until the surface water drainage details have been constructed 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.
- 6** No development shall commence on site until a noise and dust management plan for both the demolition and construction phases has been submitted to and approved in writing by the Local Planning Authority. The development shall then 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.
- 7** No development shall commence on site until details of the provision of bat roosting features into the new buildings,

including integral boxes/bricks/tubes and access into parts of the roof space, and bat boxes in trees, including the Ash tree in the south-eastern corner of the site, and nesting opportunities for House martin, House sparrow, Starling and Swift and a plan showing the locations and types of all bat and bird features has been submitted to and approved in writing by the local planning authority. including a plan showing the locations and types of all bat and bird features. The approved details shall be implemented before the building hereby approved is first occupied.

REASON: To provide additional roosting for bats and nesting birds as a biodiversity enhancement, in accordance with paragraph 118 of the National Planning Policy Framework and Section 40 of the Natural Environment and Rural Communities Act 2006.

- 8** 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

- 9** No part of the development hereby approved shall be occupied until details of the obscure glazing used in the windows shown on the approved plans has been submitted to and approved in writing by the Local Planning Authority, and; the obscure glazing has been installed in accordance with the approved details. The obscure glazing shall be maintained in accordance with the approved details in perpetuity.

REASON: In the interests of residential amenity and privacy.

- 10** Unit 2 shall not be occupied until the side windows serving the living room and bedroom 1 have been glazed with obscure glass to the level agreed in condition 9. The windows shall be maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

- 11** The windows serving the refuse room shown on drawing annotated as proposed ground floor plan shall be fixed shut and shall remain as such in perpetuity.

REASON: In the interest of neighbouring amenity.

- 12 No part of the development hereby approved shall be occupied until details of external lighting within the site have been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved details.**

REASON: In the interest of amenity and neighbouring amenity.

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

REASON: In the interests of highway safety.

- 14 No dwelling shall be occupied, until details of the privacy screen walls detailed on the approved plans and for units 14, 17, 19, 22, 24, 25 & 30 have been submitted to and approved in writing by the Local Planning Authority, and; the privacy screen walls in respect of each dwelling have been erected in accordance approved details. The approved screen walls shall be retained and maintained as such at all times thereafter.**

REASON: To prevent overlooking & loss of privacy to neighbouring property

- 15 All soft landscaping comprised in the approved plans 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.

- 16 Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:30 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.**

REASON: In the interest of neighbouring amenity

- 17 **No burning of waste or other material shall take place on the site**
REASON: In the interest of neighbouring amenity
- 18 **The dwellings hereby permitted shall meet the relevant requirements of energy performance equivalent to Level 4 of the Code for Sustainable Homes. The development shall not be occupied until a final Code Certificate has been issued for it certifying that Code Level 4 or its equivalent has been achieved.**

REASON: In the interest of Sustainable Construction

- 19 **The development hereby permitted shall be carried out in accordance with the following approved plans:
Site Plan, Proposed Roof Plan, Tree Protection Plan, Landscape Strategy Plan, Planning Drainage Strategy, Proposed Elevations 2 of 2, Proposed Ground Floor Plan, Proposed First Floor Plan, Proposed Second Floor Plan, received 26th May 2015
Proposed Elevations 1 of 2 received 26th June 2015
REASON: For the avoidance of doubt and in the interests of proper planning.**

- 1 **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 TBC**
- 2 **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/communityinfrastructurelevy**
- 3 **INFORMATIVE TO APPLICANT:
Please note that this consent does not override the statutory protection afforded to any protected species. All British bat species are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not. If bats are discovered, all works should stop immediately and a licensed bat worker should be contacted for**

- 4 **advice on any special precautions before continuing (including the need for a derogation licence from Natural England). The applicant is also advised works should not take place that will harm nesting birds from March to August inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the Council Ecologists. 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.**

105 **15/09226/FUL - 30 Palairet Close Bradford-on-Avon**

The Planning Team Leader outlined the report that recommended that the application be approved with conditions.

Mrs. Esther Harris, Mr. Mike Wilson, Mr. John Grose and Cllr Gwen Allison from Bradford on Avon Town Council spoke in objection. Ms. Liz Dawe, the applicant, spoke in support of the application.

Cllr Ian Thorn spoke as the local member.

Issues discussed in the course of the presentation and debate included: The relevance of land covenants to planning applications. The Legal Officer explained that the discharge of private covenants were outside of the planning process.

Cllr Pip Ridout moved that planning permission be granted in accordance with the Officer's recommendation and this was duly seconded by Cllr Ernie Clark.

In questioning the Planning Team Leader, the committee requested that future reports on planning applications include information on whether or not the Council was party to any relevant covenants. Whilst accepting that covenants were outside the planning process, it would enable the Committee to ensure the appropriate Council department was made aware to carry out any necessary follow up action.

The Chairman requested that clarification concerning the covenant attached to the dwelling the subject of this planning application be circulated to all members, substitute members and local member.

Having been put to the vote, the meeting

Resolved to grant 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 Pile and beam foundations should be used for the foundations of the proposed wall to prevent future pressure on the wall. Details of which should be submitted to the Local Planning Authority in writing prior to any works commencing on site.**

REASON: To prevent future pressure on the wall

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.**

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

- 4 No root pruning shall be carried out until a site meeting has been arranged and has arranged by the applicant, their appointed arboricultural consultant and a representative from the Local Planning Authority (LPA) to discuss details of the working procedures and that meeting has taken place with the Local Planning Authority in attendance. Any approved works shall subsequently be carried out under strict supervision by the LPA immediately following that approval.**

REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged and to ensure that as far as possible the work is carried out in accordance with current best practice

- 5 The applicant should note that the work hereby permitted should be carried out in accordance with good practice as set out in the "British Standard Tree Work - Recommendation for**

Tree Work", BS 3998: 2010 or arboricultural techniques where it can be demonstrated to be in the interests of good arboricultural practice.

- 6 A suitable root barrier should be installed at 0.5 mm from the wall to guide extended root growth away from the wall.**

REASON: To ensure the future stability of the wall.

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

Proposed ground floor plan received 16.09.2015

Existing floor plan received 16.09.2015

Location Plan received 16.09.2015

First Floor Plan received 16.09.2015

Existing elevations received 16.09.2015

Proposed elevations received 16.09.2015

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

106 15/05656/FUL - Brook Hall Farm, Wood Road, North Bradley

The Senior Planning Officer outlined the report that recommended that the application be approved with conditions.

Mr Chris Bale, the applicant spoke in support of the application.

Cllr Francis Morland of Heywood Parish Council and Mr Evans spoke in objection to the application.

Cllr Jerry Wickham spoke as the local member.

Issues discussed in the course of the presentation and debate included: noting that the whole size of the development had been significantly scaled down in response to initial concerns raised; identifying the need to have a written update on solar developments in West Wiltshire and a request for the information to be circulated among members. A query was raised about the use of diesel generators on solar developments and whether this was allowed. A view of the full landscape of the area was discussed with comment on the relevant impact on the surrounding area and how the quality of the soil was very poor to support any feasible agricultural development.

Cllr Jonathon Seed moved that planning permission be granted subject to an amendment to condition 3 to insert the same term as used in condition 2 'the installation hereby approved' and to add to condition 4 the requirement for the

development to be in accordance with paragraph 3.8 of the Design and access statement BHF/RPT/001 and this was duly seconded by Cllr Trevor Carbin.

Reference was made to previously circulated details of solar schemes for which planning permission had been granted. The Chairman requested that an update be circulated to members of the Committee indicating those schemes which had built or proceeded with.

On being put to the vote, it was

Resolved

To grant 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 Local Planning Authority shall be notified in writing within one month of the event that the solar array hereby approved has started to feed electricity to the Grid. The installation hereby approved shall be permanently removed from the site and the land reinstated within 25 years and six months of the date that the solar farm starts feeding electricity into the grid, in accordance with a scheme for the decommissioning and restoration of the development which shall have been submitted to and approved in writing by the Local Planning Authority 6 months prior to decommissioning. The Local Planning Authority shall be notified in writing of that removal within one month of the event.**

REASON: In the interests of amenity and the finite operation of this type of development.

- 3 In the event that the development ceases to be operational for the generation of energy before the end of the period defined in condition 2 then the installation hereby approved shall be removed from the site and the land returned to its former condition in accordance a Decommissioning Plan to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of decommissioning, and within six months of the cessation**

of the generation of energy from the site.

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

- 4** The development hereby permitted as well as all associated development shall be carried out in accordance with the following approved plans:
Plan EDP H3: received on 5 November 2015;
BH00104-00-000 REV R06 received on 1 October 2015
BH00104-15-001 REV R03 received on 1 October 2015
BH00104-16-001 REV R02 received on 25 June 2015 insofar as the plan relates to additional hedge planting only; and
Read in conjunction with details for Mounting Arrangements, Inverter and Transformer Housing, SSE Substation, Cable Trench Arrangements and Security Cameras as contained in the document "Equipment Appearance and Technical Details" and Paragraph 3.8 of the "Design and Access" Statement BHF/RPT/001 received on 9 June 2015.
REASON: For the avoidance of doubt and in the interests of proper planning.
- 5** The development hereby approved shall be carried out in accordance with the Construction and Traffic Management Plan Ref. BHF/RPT/011 dated May 2015 and details of the signage scheme proposed in Paragraph 4.2 of that document shall be submitted for approval to the Local Planning Authority prior to the commencement of development, including the delivery of any materials to the site.
REASON: In the interests of highway safety and amenity.
- 6** No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 0730 - 1800 Monday to Fridays and 0800 - 1300 on Saturdays.
REASON: In the interests of amenity.
- 7** The development hereby approved shall be carried out in accordance with the recommendations made in section 5 of the Ecological Appraisal and Mitigation Strategy report dated April 2015 prepared by AD Ecology Ltd, including the implementation of defined working areas, as already submitted with the planning application and agreed in principle with the local planning authority before determination.
REASON: To ensure adequate protection and mitigation for protected species / priority species / priority habitats

through the implementation of detailed mitigation measures that were prepared and submitted with the application before determination.

- 8** Prior to any site preparation works or the commencement of development, an amended Habitat Management Plan shall be prepared and submitted to the local planning authority for approval to include the location of badger access points through the perimeter security fence and the management of the ecological mitigation area in field F3. The development site shall be managed and maintained in accordance with the measures set out in the approved plan in perpetuity unless otherwise agreed in writing with the local planning authority.
REASON: To ensure the appropriate management of priority habitats and mitigation for protected species.
- 9** Prior to any site preparation works or the commencement of development, a Landscape Strategy shall be prepared and submitted to the local planning authority for approval, including, but not necessarily limited to, the following:
- an extension to the new hedgerow from field F2, around the badger exclusion area to link up with the section of new hedgerow in field F5 (with a gap for the internal access track)
 - a native, locally characteristic species-rich hedgerow planting specification (minimum of 6 woody species)
 - an ecological enhancement plan for field F3 (habitat creation details)
- wildflower seed mix and farmland bird crop mix details
- preparation and establishment methodology for wildflower meadows and farmland bird crop areas
- All newly created habitats shall comprise native species of British origin and local provenance. The approved Landscape Strategy shall be carried out in the first planting and seeding season following the completion of the development. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock (if necessary). Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.
REASON: To ensure the proper implementation of a landscape strategy, in the interests of biodiversity.

10 Other than the development and use hereby approved no materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site between the times of completion of development and commencement of decommissioning.

REASON: In the interests of the appearance of the site and the amenities of the area.

11 No external lighting shall be provided or installed within the site other than in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.

REASON: To minimise the effects of light pollution on the surrounding area

12 INFORMATIVES: Drainage: In relation to Council drainage by laws and the Land Drainage Act (LDC) and works on/over/to or within 8m of the top of non-main river watercourses (including outfalls) will require formal LDC consent which is totally separate process to planning. As part of the LDC there will be a requirement of no structure (including panels) to be sited within the 8m margin - this would have an impact on the submitted planning site layout Any works within 8m of Main River will require similar approval from the Environment Agency.

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 Protection of Badgers Act 1992 protects badgers from

cruel ill-treatment, including damage or destruction of their setts, or disturbance whilst a sett is in occupation. This Act makes it illegal to carry out work that may disturb badgers without a Natural England licence. Particular care should be taken when clearing ground prior to development, and if evidence of badger activity is found, (such as foraging routes, snuffle holes, latrines or established setts), then work must stop immediately while a professional ecologist is contacted for advice. Applicants are advised to pay particular attention to foundation ditches, which can be hazardous to badgers. Sloping boards or steps should be provided to allow badgers to escape from such ditches should they become trapped. Failure to consider this matter, leading to the death of individuals, may leave the developer liable for prosecution. Further information about badgers and licensing can be found at <https://www.gov.uk/badgers-protection-surveys-and-licences>

Pollution Prevention During Construction: Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover: - the use of plant and machinery - oils/chemicals and materials - the use and routing of heavy plant and vehicles - the location and form of work and storage areas and compounds - the control and removal of spoil and wastes. The applicant should refer to the Environment Agency's Pollution Prevention Guidelines
The applicant is advised to contact National Grid (plantprotection@nationalgrid.com or +44 (0)800 688588) prior to the commencement of development with regard to protection of infrastructure.

107 **15/09014/FUL - 4 Brampton Court, Bowerhill**

The Senior Planning Officer outlined the report which recommended that the application be approved with conditions.

Mr. Simon Chambers, the applicant's agent, spoke in support of the application.

It was noted that this was a revised application.

Cllr Roy While moved that planning permission be granted as recommended and this was duly seconded by Cllr Trevor Carbin.

On being put to the vote, the meeting;

Resolved

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: 15/103/1 Rev B received on 2 October 2015; 15/103/2 Rev A received on 2 October 2015; 15/103/3 Rev B received on 2 October 2015.

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

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

4. The internal alterations as detailed by drawing no: 15/103/3 Rev B (in relation to the removal of stud walls and blocking up internal doorways) shall be carried out prior to the first occupation of either dwelling. Thereafter, the resultant layout shall remain in perpetuity.

REASON: In order to define the terms of this permission and to ensure the development satisfies the minimum residential parking standards as set out by policy CP64 of the Wiltshire Core Strategy and Policy PS6 of the LTP3 Car Parking Strategy.

5. The external works as detailed by drawing no: 15/103/1 Rev B (in relation to parking and access to provide 4 car parking spaces) shall be carried out prior to the first occupation of either dwelling. Thereafter, the resultant layout shall remain in perpetuity.

REASON: In order to define the terms of this permission and ensure a development satisfies the minimum residential parking standards as set out under policy CP64 of the Wiltshire Core Strategy and Policy PS6 of the LTP3 Car Parking Strategy.

6. 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-H shall take place to the dwelling houses hereby permitted or within their curtilages.

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.

PLANNING INFORMATIVES:

1. In accordance with Policy CP41 the applicant is encouraged to incorporate design measures to reduce energy demand within the development initially through energy efficiency enhancement to reduce energy consumption and then the use of renewable technologies.
2. 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. 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/communityinfrastructurelevy

108 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 3.00 – 6.20 p.m.)

The Officer who has produced these minutes is Shirley Agyeman, of Democratic Services, direct line 01225 7139358089, e-mail Shirley.Agyeman@wiltshire.gov.uk

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