

## EASTERN AREA PLANNING COMMITTEE

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**DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 10 DECEMBER 2015 IN THE WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.**

**Present:**

Cllr Charles Howard (Chairman), Cllr Mark Connolly (Vice Chairman), Cllr Stewart Dobson, Cllr Peter Evans, Cllr Richard Gamble, Cllr Jerry Kunkler and Cllr Paul Oatway

**Also Present:**

Cllr Anna Cuthbert

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**86. Apologies for Absence**

Apologies were received from:

Cllr Nick Fogg

**87. Minutes of the Previous Meeting**

**Resolved**

**To approve and sign as a true and correct record the minutes of the meeting held on 08 October 2015.**

**88. Declarations of Interest**

None.

**89. Chairman's Announcements**

It was announced that application 15/07022/FUL had been deferred at the request of the applicant and would be considered by the Council at a later date.

**90. Public Participation and Councillors' Questions**

None.

**91. Planning Appeals**

None.

92. **Planning Applications**

93. **15/09105/FUL - Land to the South of Silverlands Road, Rowde, Devizes, SN10 2BF**

**Public Participation**

None.

The Area Development Manager introduced the report which recommended that the application be approved subject to the Council signing a Unilateral Agreement to ensure the dwellings are delivered as affordable units and retained as such.

Key issues were noted as including principle of development; need for affordable housing; loss of agricultural land; design, layout and impact on residential amenity; visual Impact; and the impact on highway safety.

Members of the Committee then had the opportunity to ask technical questions of the officer. It was asked if the dwellings would be built with ramps, wide doors, and other disability features. Specific comments could not be given on the dwelling's specifications, but it was noted that there were grants available to make the homes more accessible if required.

The divisional member, Cllr Anna Cuthbert, spoke in support of the application. Cllr Cuthbert explained that the majority of residents supported the application as an opportunity for Rowde to provide affordable housing for the elderly. It was noted that the development would free up homes for families. Concerns from residents related to potential parking issues with the local school. She was working with the Parish Council and the school to address these.

A debate followed concerning whether potential age limitations should be included in conditions if the application was approved. It was discussed whether this would exclude people outside of the age limits who could otherwise have a genuine need for the dwellings.

**Resolved**

**To grant planning permission subject to the Council signing a Unilateral Agreement to ensure the dwellings are delivered as affordable units and retained as such.**

**Recommendations:**

- 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 and the imposition of the following conditions:**

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

- Application Form;
- Existing Site Plan, no.80-01;
- Proposed Context Site Plan, no.90-01;
- Proposed Site Plan, no.90-02;
- Proposed Floor Plans for House 1 and 2, no.20-;
- Proposed Floor Plans for Houses 3 and 4 and House 5 and 6, no.20-02;
- Proposed Typical Front and Side Elevation 1 for Houses 1 and 2, no.20-03;
- Proposed Typical Rear and Side Elevation 2 for House 1 and 2, no.20-04;
- Proposed Typical Front and Side Elevation 1 for Houses 3/4 and 5/6, no.20-05;
- Proposed Typical Rear and Side Elevation 2 for House 3/4 and 5/6, no.20-06;

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

**3 No above ground 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 matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area

**4 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 :-**

- \* a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- \* means of enclosure;
- \* all hard and soft surfacing materials.

**REASON:** The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

**5 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.

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

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

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

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

- 8** **INFORMATIVE TO APPLICANT:**  
The applicant will be expected to enter into a S38 agreement under the Highways Act 1980 with the Local Highway Authority to enable the roads to be adopted and maintainable at public expense. This is necessary to ensure adequate access for refuse vehicles.

- 9** No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:
- a) the parking of vehicles of site operatives and visitors;
  - b) the access route to the site of the vehicles of the site operatives and visitors;
  - c) loading and unloading of plant and materials;
  - d) storage of plant and materials used in constructing the development;
  - e) measures to control the emission of dust and dirt during construction;
  - f) measures for the protection of the natural environment.
  - g) hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

**REASON:** The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety,

during the construction phase.

- 10** No development shall commence on site until full details of the surface water drainage scheme shown on drawing no.D-01 R4 'Indicative Drainage Layout' has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission. In order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

- 11** The mitigation measures detailed in section 9 of the approved Ecological Assessment by Ethos Environmental Planning (July 2015) shall be carried out in full prior to the first occupation of the development and/or in accordance with the approved timetable detailed in the Ecological Assessment.

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

- 12** The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall 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:** in order to ensure the development reduces its impact and contribution to climate change through improved design and construction methods.

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

**Step (i) Site Characterisation:**

An investigation and risk assessment must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

- A survey of the extent, nature and scale of contamination on site;
- The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages;

- If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants;
- An assessment of the potential risks to:
  - \* human health,
  - \* property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - \* adjoining land,
  - \* groundwater and surface waters,
  - \* ecological systems,
  - \* archaeological sites and ancient monuments;

**Step (ii) Submission of Remediation Scheme:**

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

**Step (iii) Implementation of Approved Remediation Scheme:**

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

**Step (iv) Reporting of Unexpected Contamination:**

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

**Step (v) Verification of remedial works:**

Following completion of measures identified in the approved remediation scheme a verification report should be submitted to the Local Planning Authority. The report should demonstrate the effectiveness of the remedial works.

A statement should also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the

approved scheme have been carried out (The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage (ii) above).

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

**Step (vi) Long Term Monitoring and Maintenance:**

If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in approved pursuant to step (ii) above, until all the remediation objectives in that scheme have been achieved.

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

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

**14** **INFORMATIVE TO APPLICANT:**  
This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the .....

**15** **INFORMATIVE TO APPLICANT:**  
The attention of the applicant is drawn to the contents of letter from the Wiltshire Fire & Rescue Service dated 18 September 2015 which can be viewed on the Council's website [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

**94. 15/07022/FUL - The Coach House, Winterbourne Monkton SN4 9NF**

This item had been deferred for consideration by the Council at a later date.

**95. Urgent items**

None.

(Duration of meeting: 6.00 - 6.15 pm)

The Officer who has produced these minutes is Adam Brown, of Democratic Services, direct line 01225 718038, e-mail [adam.brown@wiltshire.gov.uk](mailto:adam.brown@wiltshire.gov.uk)

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