

## STRATEGIC PLANNING COMMITTEE

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### MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 11 SEPTEMBER 2019 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

#### Present:

Cllr Fleur de Rhé-Philippe MBE (Chairman), Cllr Derek Brown OBE (Vice-Chairman), Cllr Andrew Bryant, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Stewart Dobson, Cllr Christopher Newbury, Cllr Tony Trotman, Cllr Fred Westmoreland and Cllr Stewart Palmen (Substitute)

#### Also Present:

Cllr Toby Sturgis, Cllr Chuck Berry and Cllr Mollie Groom

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#### 44 Apologies

An apology for absence was received from Cllr Sarah Gibson who was substituted by Cllr Stewart Palmen.

#### 45 Minutes of the Previous Meetings

##### **Resolved:**

**To confirm and sign the minutes of the previous meetings held on 19 & 20 June 2019 as a correct record.**

#### 46 Declarations of Interest

There were no declarations of interest made at the meeting.

#### 47 Chairman's Announcements

There were no Chairman's announcements.

#### 48 Public Participation

There were no questions or statements submitted.

#### 49 Planning Appeals and Updates

An update on planning appeals and decisions was received.

Mr F Morland, a resident of Chapmanslade, referred to the Planning Inspector's decision regarding Application No 17/01798/FULL – Valley View, Dean Road, East Grimstead for the change of use of land for the stationing of one mobile home, one touring caravan, and a day/utility room building for residential purposes and considered that Core Policy 47 – Meeting the Needs of Gypsies and Travellers should be reviewed, as he thought it to be too submissive and that there should be placed a limit or assessment of need.

The Head of Development Management stated his disappointment in that although this Committee refused planning permission against the planning officer's advice, no committee member, Wiltshire Councillor, parish councillor or member of the public attended the hearing on 24 July 2019 to defend and support the reasons for refusal.

**Resolved:**

**To note the contents of the update.**

50 **19-07427-FUL: 30-36 Fisherton Street, Salisbury, Wiltshire, SP2 7RG - Demolition of the existing building at 30-36 Fisherton Street, currently used as retail. Erection of new building for library, gym and 86 room hotel.**

The Committee received a presentation from the Case Officer which set out the main issues in respect of the application. He drew attention to late representations he had received. The Committee noted that the application followed an earlier application for a similar description of development which was refused by this Committee in June. The new building now proposed was materially different in terms of its scale and design to that refused in the earlier application.

Members then had the opportunity to ask technical questions after which they heard statements from members of the public as follows:-

Mr Steve Fear, a local resident, who spoke against the proposal

Mr Ian Williams, the agent, who spoke in support of the proposal

Ms Amanda Foster, representing the Salisbury Chamber of Commerce, who spoke in support of the proposal

Cllr John Farquhar, Chair of Salisbury City Council's Planning Committee, who spoke in support of the proposal

Cllr Toby Sturgis spoke on behalf of Cllr Pauline Church, Cabinet Member for South Wiltshire Recovery, in which he reported her full support for the proposal. It was most important and critical for the recovery of Salisbury.

During discussion several Members stated that they considered that the current application was a considerable improvement on the previous one which was refused. On the proposal of the Chairman, which was seconded by the Vice-Chairman,

**Resolved:**

**To grant planning 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. Notwithstanding the details shown on the submitted application particulars, no development shall commence on site (other than demolition and related site clearance) until the exact details 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, in the interests of visual amenity and the character and appearance of the area, which is a conservation area.**

- 3. No walls shall be constructed on site, until a sample wall panel (or panels), not less than 1 metre square, showing the external materials and mortar colours/depths/finishes, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel(s) shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.**

**REASON: In the interests of visual amenity and the character and appearance of the area, which is a conservation area.**

- 4. No development shall commence on site (other than demolition and related site clearance) until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys, dormers, canopies, parapet copings, roof details (inc. white metal 'crown'), building returns, vents, meters, and external plant 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 contains 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, which is a conservation area.

5. No development shall commence on site (other than demolition and related site clearance) 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 (where relevant) :-
- location and current canopy spread of all existing trees and hedgerows on the land;
  - full details of any to be retained, together with measures for their protection in the course of development;
  - a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
  - finished levels;
  - means of enclosure;
  - vehicle and pedestrian access and circulation areas;
  - all hard and soft surfacing materials, and their detailed arrangement on the site;
  - minor artefacts and structures (e.g. furniture, refuse and other storage units, signs, lighting etc);
  - proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

**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 a satisfactory setting for the development.

6. 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 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.

7. No part of the development hereby permitted shall be first brought into use 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. No part of the development shall be first brought into use, until details of secure covered cycle parking, together with a timetable for their provision, have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and timetable, and shall be retained for use at all times thereafter.

**REASON:** To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

9. No part of the development hereby permitted shall be first brought into use until an assessment of the acoustic impact arising from the operation of all proposed external plant at all uses within the development has been undertaken in accordance with BS 4142: 2014 and BS8233. The assessment shall be submitted to the Local Planning Authority together with a scheme of attenuation measures as necessary to ensure the rating level of noise emitted from the proposed plant shall be at least 5dB less than lowest background level and is protective of local amenity. The scheme shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented prior to first use of the development and thereafter be permanently retained.

**REASON:** In order to safeguard the amenities of the area in which the development is located.

10. No part of the gymnasium element of the development hereby permitted shall be first brought into use until a scheme of mitigation and validation for the gymnasium element has been undertaken that meets the noise requirements of NR25 (maximum noise rating level) and to so protect the hotel and library elements of the development. The scheme shall be submitted to and approved in writing by the Local Planning Authority and shall demonstrate substantial compliance over a 1

hour LAeq taking due account of frequency.

The scheme must include details of stages of validation during the construction phase and a post construction scheme of validation and measurement to demonstrate substantive compliance. The gymnasium use hereby permitted shall not commence until the approved details are fully implemented and details of post construction validation have been submitted to and approved in writing by the Local Planning Authority.

**REASON:** In order to safeguard the amenities of the area in which the development is located.

11. No part of the development hereby permitted shall be first brought into use until a scheme of works for the control and dispersal of atmospheric emissions, and in particular odour & fumes, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working condition at all times thereafter.

**REASON:** In order to safeguard the amenities of the area in which the development is located.

12. 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 in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

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

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 (including asbestos) 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, service lines and pipes,**
  - **adjoining land,**
  - **groundwater and surface waters,**
  - **ecological systems,**
  - **archaeological sites and ancient monuments.**

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

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

**If any unacceptable risks are identified as a result of the investigation and assessment referred to in step (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, and 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 must be produced. The report should demonstrate the effectiveness of the remedial works.**

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

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

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

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

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



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

14. The development hereby approved shall not commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include details of the following relevant measures:
  - i. An introduction consisting of construction phase environmental management plan, definitions and abbreviations and project description and location;
  - ii. A description of management responsibilities;
  - iii. A description of the construction programme;
  - iv. Site working hours and a named person for residents / interested parties to contact;
  - v. Detailed Site logistics arrangements;
  - vi. Details regarding parking, deliveries, and storage;
  - vii. Details regarding dust and noise mitigation;
  - viii. Details of the hours of works and other measures to mitigate the impact of construction on the amenity of the area and safety of the highway network; and
  - ix. Communication procedures with the LPA and local community regarding key construction issues – newsletters, fliers etc.

There shall be no burning undertaken on site at any time.

Construction hours shall be limited to 0730 to 1800 hrs Monday to Friday, 0730 to 1300 hrs Saturday and no working on Sundays or Bank Holidays.

The CEMP shall be implemented at all times during the construction phase as approved.

**REASON:** In order to safeguard the amenities of the area in which the development is located.

15. The development hereby approved shall not commence (other than demolition and related site clearance) until an Air Quality Assessment (AQA) is carried out to assess the impact, if any, of the development on the Salisbury Air Quality Management Area. The AQA shall be carried out in accordance with the requirements of the Council's Air Quality SPD; and where impacts are predicted, shall set out mitigation and a programme

of implementation to address these. The development shall not commence until the AQA has been approved in writing by the local planning authority; and the development shall then be implemented and operated thereafter in accordance with the approved mitigation and related programme.

**REASON:** The application site is within an Air Quality Management Area where air quality objectives have been breached. In these circumstances Core Policy 55 of the Wiltshire Core Strategy requires new development to demonstrate that it will not exacerbate the situation and/or to propose mitigation measures as necessary, this in order to protect public health, environmental quality and amenity.

16. Notwithstanding the details sets out in the application particulars, no development shall commence on site (other than demolition and related site clearance) until a scheme for the discharge of surface water from the site (including the service yard), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

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

**INFORMATIVE:**

In preparing the scheme for the discharge of surface water the applicant should have regard to the response to the application from WC Drainage; in particular, those comments relating to the shortcomings of the Flood Risk Assessment and Surface Water Management Plan accompanying the planning application.

17. No part of the development hereby permitted shall be first brought into use until a flood emergency plan (Flood Warning and Evacuation Plan) has been submitted to and approved in writing by the Local Planning Authority. The emergency plan shall address all sources of flooding (river, surface water, groundwater and sewer), and shall set out prevention and evacuation measures in the event of a flood event. Following first use of the development the flood emergency plan shall be implemented if and whenever flood events occur.

**REASON:** To ensure safe access and escape routes during times of flooding.

18. Notwithstanding the details set out in the application particulars, the finished floor levels of the development hereby permitted shall be set no lower than 47.2 metres above Ordnance Datum (AOD).

**REASON:** To reduce the risk of flooding and to accord with the terms of the Flood Risk Assessment which accompanies the planning application.

**INFORMATIVE:**

In view of the potential flood risks in this locality, the Environment Agency advises that the developer of this site gives consideration to the use of flood resilient construction practices and materials in the design and build phase. Choice of materials and simple design modifications can make the development more resistant to flooding in the first place, or limit the damage and reduce rehabilitation time in the event of future inundation. Guidance is available within the Department for Communities and Local Government publication 'Improving the Flood Performance of New Buildings – Flood Resilient Construction, May 2007' available at:

<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

19. No development approved by this permission shall commence (other than demolition and related site clearance) until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

**REASON:** In the interests of sustainable development and climate change adaptation.

**INFORMATIVE:**

The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. An appropriate submitted scheme to discharge the condition will include calculations to demonstrate how the development will not exceed a total (internal and external) usage level of 110 litres per person per day.

20. There shall be no surface water drainage connection to foul water drainage systems.

**REASON:** To reduce the risk of flooding.

21. No works shall commence on site until an appropriate programme of building recording (including architectural/historical analysis) of the existing building to be demolished has been carried out. This record shall be carried out by an archaeologist/building recorder or an organisation with acknowledged experience in the recording of standing buildings which is acceptable to the Local Planning Authority. The recording shall be carried out in accordance with a written specification, and presented in a form and to a timetable, which has first been agreed in writing with the Local Planning Authority.

**REASON:** The application contains 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 secure the proper recording of the existing building.

22. No works for the demolition of the existing building or any part thereof shall commence on site until evidence that there is an interested party obliged to complete and/or occupy the replacement development (such as a valid Agreement for Lease of the replacement development) has been submitted to and approved in writing by the Local Planning Authority.

**REASON:** The application contains 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 the visual amenity of the locality, which is within a designated Conservation Area.

23. A written programme of archaeological investigation and mitigation, promoting better understanding of the impact of the proposed development, which should include both 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;

The approved programme of archaeological work has been carried out in accordance with the approved details.

**REASON:** To enable the recording of any matters of archaeological interest.

24. Prior to commencement of the development hereby approved (other than demolition and related site clearance), a scheme for the incorporation of bat and bird boxes (including swift bricks) into the new building works shall be submitted to the local

planning authority for approval in writing. The bat and bird boxes / swift bricks shall be incorporated in accordance with the approved scheme and retained for nesting purposes in perpetuity thereafter.

**REASON:** To ensure enhancement of ecological interests in accordance with Core Policy 50 of the Wiltshire Core Strategy.

25. The development shall be carried out in accordance with the recommendations set out in the Preliminary Ecological Appraisal by Ecological Consultancy Services Ltd dated February 2019; in particular, those recommendations requiring further bat surveys to be undertaken at particular times of the year.

**REASON:** To safeguard ecological interests, notably bats.

26. No development shall take place until a plan detailing the protection and enhancement of the adjacent SAC (Hampshire Avon River) and its associated habitats and species has been submitted to and agreed in writing the local planning authority. The plan must consider the whole duration of the development, from the construction phase through to development completion. Any change to operational responsibilities, including management, shall be submitted to and approved in writing by the local planning authority. The species/habitat enhancement and protection plan shall be carried out in accordance with a timetable for implementation as approved.

**REASON** To protect the Hampshire Avon and its habitat within the development site, and to avoid damaging the site's nature conservation value.

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

3097-A-1500 P02 (Site location plan) dated 31/07/19

3097-A-1600 P04 (Ground floor plan) dated 31/07/19

3097-A-1601 P04 (First floor plan) dated 31/07/19

3097-A-1602 P04 (Second floor plan) dated 31/07/19

3097-A-1603 P02 (Roof plan) dated 31/07/19

3097-A-1630 P02 (Elevations – sheet 1) dated 12/08/19

3097-A-1631 P02 (Elevations – sheet 2) dated 12/08/19

3097-A-1632 P02 (Elevations & sections – sheet 1) dated 12/08/19

3097-A-1633 P02 (Elevations & sections – sheet 2) dated 12/08/19

3097-A-1650 P02 (Elevation / section detail building A) dated 09/08/19

3097-A-1651 P02 (Elevation / section detail building B) dated 09/08/19

3097-A-1652 P02 (Elevation / section detail building C) dated

**09/08/19**

**3097-A-1653 P02 (Elevation / section detail building D) dated 09/08/19**

**3097-A-1655 P02 (Elevation / section detail building E) dated 09/08/19**

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

**28. INFORMATIVE:**

**An environmental permit is required for any works within 8m of a main river, such as the River Avon. For more guidance on environmental permits, consult the Wiltshire Council website.**

**The Environment Agency issue environmental permits, however, as Wiltshire Council have the lead responsibility for surface water management, the discharge rate from the site must be agreed with the Council.**

**29. INFORMATIVE:**

**This permission does not permit the display of any advertisements which require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007 or under any Regulation revoking and re-enacting or amending those Regulations, including any such advertisements shown on the submitted plans.**

**30. INFORMATIVE:**

**The applicant should note that the costs of carrying out a programme of building recording and archaeological investigation will fall to the applicant or their successors in title. The Local Planning Authority cannot be held responsible for any costs incurred.**

**31. INFORMATIVE:**

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

**If it is intended to carry out works in the vicinity of the site boundary, the applicant is also advised that it may be expedient to seek independent advice with regard to the requirements of the Party Wall Act 1996.**

**32. INFORMATIVE:**

**The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) 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 see Natural England's website for further information on protected species.

**33. INFORMATIVE:**

The applicant is advised that Council offices do not have the facility to receive material samples. If samples are required then they should be delivered to site and the Planning Officer notified accordingly.

**34. 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](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy).

- 51 **18/11739/FUL: The Paddock ,Hook, nr Royal Wootton Bassett Wiltshire SN4 8EA - Change of use of land to a residential caravan site consisting of 4 pitches each containing 1 mobile home, 1 touring caravan, 1 semi-detached utility building, car parking, access and children's play area.**

The Committee received a presentation from the Head of Development Management which set out the main issues in respect of the application. The purpose of the report was to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved subject to conditions.

Members then had the opportunity to ask technical questions after which they heard statements from members of the public as follows:-

Mr Mark Fisher, a local resident, who spoke against the proposal.

Mr Mike Drury, a local resident, who spoke against the proposal.

Mr Paul Wrathall, a local resident, who spoke against the proposal.

Cllr Robert Collis, Chairman of Lydiard Tregoze Parish Council, spoke against the proposal.

Members then heard the views of Cllr Mollie Groom, the local Member, who stated her objections to the application on account of the likely increase in size and volume of traffic on the road network, the potential for the flooding of adjacent gardens and the infringement of the human rights of the nearby neighbours.

In response, the Head of Development Planning informed the Committee that there was a 30mph speed limit on the road network and there had been no objections to the proposal received from the Highway Authority. He also stated that regarding drainage, a technical report had been received and no objections had been raised by Wessex Water.

During discussion, Members expressed concern at the wording of Core Policy 47 – Meeting the Needs of Gypsies and Travellers and considered that the Policy should be reviewed so that such planning applications could be considered in a similar way as when examining other applications.

After further discussion, on the proposal of Cllr Tony Trotman, which was seconded by Cllr Christopher Newbury,

**Resolved:**

**To refuse planning permission for the following reasons:-**

**Proposals for new gypsy and traveller pitches are assessed against the criteria set out for such sites in policy CP47 of the Wiltshire Core Strategy. In this case, the proposal does not satisfy the following criteria in CP47:**

**vi) The proposed development of the site for the four pitches would have an unacceptable impact on the character and appearance of the landscape, harming the appearance of the countryside by the introduction of this urbanising development extending into the rural landscape. The development would also have an unacceptable impact on the amenity of neighbouring properties, due to the increased level of disturbance through the use of the access and the proximity of the development to nearby residential properties.**

**viii) The development of the site for gypsy and traveller pitches is inappropriate in this location to the character of its surroundings, where**



**the village is characterised by traditionally built permanent housing.**

**For the reasons set out in relation to vi) above, the development is also considered to conflict with Wiltshire Core Strategy policy CP57 (vii), due to the adverse impact on the amenities of neighbouring properties**

**2           INFORMATIVE TO APPLICANT:**

**The Council, in its latest Five Year Land Supply Statement for Gypsy and Traveller Sites, published in August 2019, can demonstrate a supply of 12.3 years as at 1st January 2018 in the Housing Market Area within which this site is located (with further sites granted planning permission since then).**

**52           19/04941/FUL: Thatado Farm, Braydon Road, Leigh, SN6 6RQ - Two standard gypsy & traveller plots and vehicle access**

The Committee received a presentation from the Case Officer which set out the main issues in respect of the application. The purpose of the report was to assess the merits of the proposals against the policies of the Development Plan and other material considerations and to consider the recommendation that planning permission be granted subject to conditions.

Members then had the opportunity to ask technical questions after which they heard a statement from Mr Keech, the agent, in support of the application.

Members then heard the views of Cllr Chuck Berry, the local Member, who objected to the proposal. He explained that he had received representations from neighbours to the site including the proprietors of a successful bed and breakfast establishment stating that they considered that their businesses would be adversely affected. Cllr Berry also questioned the need for an additional site for gypsies and travellers as there appeared to be several extant permissions that had not been taken up.

After some discussion, on the proposal of the Chairman, which was seconded by Cllr Fred Westmoreland,

**Resolved:**

**To grant planning 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 development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 17/135 (i) and 17/135(ii) received on 21st May 2019.

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

- 3** No development shall commence on site until the exact details of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 4** 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 :-

- \* location and current canopy spread of all existing trees and hedgerows on the land;
- \* full details of any to be retained, together with measures for their protection in the course of development;
- \* a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- \* finished floor levels;
- \* means of enclosure;
- \* other vehicle and pedestrian access and circulation areas;
- \* all hard and soft surfacing materials;
- \* minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);

**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 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 The development hereby permitted shall not be occupied until the approved sewage disposal works proposed have been completed in accordance with the submitted and approved details contained within The Surface and Foul Water Drainage Strategy by Cole Easdon Consultants Limited. Once implemented the foul drainage strategy shall be retained and maintained in accordance with the approved details.**

**REASON: To ensure that the development is provided with a satisfactory means of foul drainage.**

- 7 Notwithstanding the details in the Foul and Surface Water Drainage Strategy, 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 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 regarding the riparian ownership of the drainage ditch to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can**

be adequately drained.

- 8** 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 gates, fences, walls or other means of enclosure or additional hardstanding, other than those shown on the approved plans or agreed as part of the landscaping scheme as required by conditions within this decision notice, shall be erected or placed anywhere on the site.

**REASON:** In the interests of visual amenity.

- 9** The site shall not be permanently occupied by persons other than gypsies and travellers as defined in Annex 1 of Planning policy for traveller sites (DCLG, 2015).

**REASON:** Planning permission has only been granted on the basis of a demonstrated unmet need for accommodation for gypsies and travellers and it is therefore necessary to keep the site available to meet that need.

- 10** There shall be no more than four (4) caravans as defined in the Caravan Sites and Control of Development Act 1960 and the caravans Sites Act 1968 stationed on the site edged in red, of which no more than two (2) shall be a static caravan or mobile home. For the avoidance of doubt there shall be no stationing of any mobile home on the land located outside the site outlined in red on the location plan.

**REASON:** It is important for the local planning authority to retain control over the number of caravans on the site in order to safeguard interests of visual, residential amenity and flood risk in accordance with policies CP47 of the Wiltshire Core Strategy.

**11**

No more than two commercial vehicles shall be kept on the site for use by the occupiers of the caravans hereby permitted, and shall not exceed 3.5 tonnes in weight.

- 12** **REASON:** In the interests of residential amenity, highway safety and the character of the countryside.

Except for the keeping of commercial vehicles as defined in condition 11, above, no commercial activity or use, including the storage of materials and waste, shall be carried out on the site.

- 13 REASON: In the interests of residential amenity, highway safety and the character of the countryside.**

**No external lighting shall be installed until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Professionals in their publication "Guidance Notes for the Reduction of Obtrusive Light GN01:2011", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.**

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

- 14 INFORMATIVE TO APPLICANT:  
Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.**

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

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

- 16 INFORMATIVE TO APPLICANT:  
Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.**

53 **Date of Next Meeting**

**Resolved:**

**To note that the next scheduled meeting of this Committee is due to take place on Wednesday 16 October 2019 at County Hall, Trowbridge, starting at 10.30am.**

54 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 am - 12.35 pm)

The Officer who has produced these minutes is Roger Bishton of Democratic Services, direct line 01225 713035, e-mail [roger.bishton@wiltshire.gov.uk](mailto:roger.bishton@wiltshire.gov.uk)

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