

WESTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 6 JULY 2011 IN THE COUNCIL CHAMBER - COUNCIL OFFICES, BRADLEY ROAD, TROWBRIDGE.

Present:

Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis (Substitute), Cllr Rod Eaton, Cllr Peter Fuller (Chairman), Cllr Mark Griffiths, Cllr John Knight, Cllr Christopher Newbury, Cllr Stephen Petty and Cllr Pip Ridout

Also Present:

Cllr Francis Morland

62 Apologies for Absence

Apologies for absence were received from Councillor Jonathon Seed (substituted by Councillor Andrew Davis) and Councillor Roy While.

Councillor Pip Ridout apologised as she would have to leave the meeting at 7.00 pm.

63 Minutes of the Previous Meeting

The minutes of the meeting held on 15 June 2011 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 15 June 2011.

64 Declarations of Interest

W1001964OUT - Outline application for 307 dwellings (56 dwellings in Area 1B, 55 dwellings in Area 3A, 22 dwellings in Area 3B and 174 dwellings in Area 5C) with all matters reserved, Land North East Of Snowberry Lane And South Of Sandridge Road Melksham Wiltshire.

Councillor Stephen Petty declared a personal interest as a member of Melksham Without Parish Council but not a member of its planning committee.

Councillor Petty gave his assurance that he would consider the application with an open mind.

65 Chairman's Announcements

There were no Chairman's Announcements.

66 Public Participation

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

67 Planning Applications

The Committee considered the following applications:

67.a W/10/01964/OUT - Outline application for 307 dwellings (56 dwellings in Area 1B, 55 dwellings in Area 3A, 22 dwellings in Area 3B and 174 dwellings in Area 5C) with all matters reserved - Land North East Of Snowberry Lane And South Of Sandridge Road Melksham Wiltshire

Public Participation:

- Mr Stephen Bawtree, agent, spoke in support of the application.

Officers introduced the report which sought approval and in doing so drew the committee's attention to the late list, which is attached to these minutes and contained a comment from Melksham Without Parish Council.

Members of the committee sought and obtained reassurance that the Climate Change Officer was satisfied that the additional condition required would be more applicable at a Reserved Matters stage than for an outline application. The committee was also reassured that the provision of both primary and secondary education had been considered and that the Education Officer was satisfied that neither required further provision than already available.

The committee noted that the Highways Team had no objection to the development subject to the completion of a new Section 106 Agreement which would replace the previous agreement. Members of the committee urged officers to consult Melksham Without Parish and Town Councils at an early stage when drawing up the new Section 106 Agreement. Members of the committee also felt strongly that every effort should be made to ensure that dwellings on Snarlton Lane, were not unduly affected by the next phase of the development.

It was therefore

Resolved:

That the Area Development Manager be authorised to grant permission on completion of a Legal Agreement to secure the following:

- i) Affordable housing**
- ii) Public Transport contribution**
- iii) Public transport improvements including new bus stops and shelters along the distributor road and Snowberry Lane**
- iv) Highway works contribution to include a more flexible use of funds in Melksham town centre or elsewhere within Melksham to discourage traffic from using the town centre.**
- v) Compliance with the two existing s.106 agreements dated 6 August 2008 in so far as they relate to the application proposal**

For the following reason:

The proposed development conforms to the Development Plan and the conditions attached to it overcome any objections on planning grounds.

Subject to the following conditions:

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

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

3. No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The scale of the development;
- (b) The layout of the development;
- (c) The external appearance of the development;
- (d) The landscaping of the site;
- (e) The means of access to the site.

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

4. The number of dwellings to be constructed pursuant to this permission within Area 1B as indicated on the approved plan number CDP01 Rev L (Combined Development Plan) shall be no more than 56 dwellings.

5. The number of dwellings to be constructed pursuant to this permission within Area 3A as indicated on the approved plan number CDP01 Rev L (Combined Development Plan) shall be no more than 55 dwellings.

6. The number of dwellings to be constructed pursuant to this permission within Area 3B as indicated on the approved plan number CDP01 Rev L (Combined Development Plan) shall be no more than 22 dwellings.

7. The number of dwellings to be constructed pursuant to this permission within Area 5C as indicated on the approved plan number CDP01 Rev L (Combined Development Plan) shall be no more than 174 dwellings.

8. No hedge shall be felled, uprooted or otherwise removed before, during or after the construction period, except where removal is indicated on the approved plans or on an approved landscaping scheme, or where removal is required to construct a road, footpath or cycleway in accordance with the approved plans.

REASON: To ensure that existing hedges of value are adequately protected.
POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C40.

9. No development on any area of the site shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority in relation to that phase and those works shall be carried out as approved. This shall include indications of all existing trees and hedgerows on the land, and details of any to be retained.

REASON: To provide a satisfactory landscaped setting for the development.
POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32

10. All planting, seeding or turfing comprised in the approved details of landscaping shall in relation to each area of the site be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development of that phase, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the

development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

REASON: To provide a satisfactory landscaped setting for the development.
POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32

11. No development approved by this permission shall be commenced until a Construction Environmental Method Statement incorporating measures to protect any ecological features such as remaining hedgerows and Forest Brook is submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period.

REASON: To prevent ecological features
Planning Policy Statement 9: Biodiversity and Geological Conservation

12. No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved in writing by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

REASON: To prevent pollution of the water environment
Planning Policy Statement 25: Development and Flood Risk

13. No development approved by this permission shall commence 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 prudent use of natural resources.
Planning Policy Statement 25: Development and Flood Risk

14. No development approved by this permission shall commence until a foul and surface water drainage strategy is submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the Local Planning Authority.

REASON: To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property.
Planning Policy Statement 25: Development and Flood Risk

15. No materials shall be burnt on site at any time on any phase of the development during the building and construction works.

REASON: In order to minimise nuisance.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C38

16. Building and construction work on the development hereby permitted shall not take place outside 07.30 hours to 18.00 hours, Monday to Friday, and 08.00 hours to 13.00 hours on Saturday, and at no time on Sundays and Bank Holidays unless the Local Planning Authority gives written approval to any variation.

REASON: To protect the amenity of the occupiers of nearby dwellings.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C36

17. No development approved by this permission shall commence until details of the management plan for the future maintenance of the balancing ponds shall be submitted to and approved in writing by the Local Planning Authority. The balancing pond shall be subsequently maintained in accordance with the approved details thereafter.

REASON: In the interests of flood prevention

Planning Policy Statement 25: Development and Flood Risk

18. The development of any particular area of the site shall not be commenced until surface water drainage works have been carried out and completed in relation to that area in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U2.

19. Before any development is commenced on any area of the site, including site works or storage of any description, all trees to be retained on that area of the site must be protected. The protective fencing should be at minimum, weld mesh panels (Heras or similar) erected on a scaffold framework driven in to the ground by a minimum of 600mm. Alternatively a three-bar post and rail fence should be erected with galvanised livestock mesh attached to it. The protective fence should be erected at a minimum of 2 metres outside the canopy of each tree or hedgerow. If a group of trees are to be protected the fence should be erected a minimum of 5 metres outside the group canopy.

Within the areas so fenced off the existing ground level shall neither be raised or lowered and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon. If trenches for services are required within the fenced off area, they shall be excavated and back-filled by hand avoiding any damage to the bark and any principal tree roots encountered shall be left unsevered. Where excavations do expose roots, should be surrounded with sharp/grit sand before replacing soil or other material in the vicinity. For further details relating to Tree in relation to construction the applicant should refer to BS 5837: 1991.

The fences shall not be removed without the consent of the local Planning Authority until the whole of the development is complete.

REASON: To ensure that existing trees of value are adequately protected.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C40.

20. No development shall take place, including any works of clearance, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall include provision for construction vehicular routes to and from the site, excluding Snarlton Lane, Melksham.

REASON: To protect the amenity of the residents on Snarlton Lane.

Informative(s):

1. An Energy Statement to be submitted to the Climate Officer detailing how relevant building regulations/CfSH targets will be met, what options have been considered and what consideration has been given to site wide energy solutions such as district heating. The statement should also provide details about the viability and deliverability of proposals.

2 Foul and surface water manhole covers should be marked to enable easy recognition; convention is red for foul and blue for surface water. This is to enable water pollution incidents to be more readily traced.

68 W/11/01201/ADV - Two removable flags, Village Green Garage Ham Green Holt Wiltshire BA14 6PX

Councillor Pip Ridout had to leave at this time.

Public Participation:

- Mr Lee Herrison spoke in objection to the application.
- Mr Robert Mizen, representing Holt Parish Council, spoke in objection to the application.

Officers introduced the report which sought advertisement consent. The committee sought and was offered reassurance that the proposed flags were of an acceptable size and that the Highway Authority had no objection.

The committee could not be satisfied that painting the poles black would be more in-keeping with the character of the area than white poles; they also felt that black poles would potentially be a safety risk as they would be less noticeable when visibility was poor (for example at dusk).

Resolved:

That advertising consent be GRANTED.

For the following reason:

The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.

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 flag poles shall be white and together with the flags, shall be displayed only during the opening hours of the premises.

REASON: To protect the amenity of this part of the Holt Conservation Area.

3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

Site Location Plan received on 6 April 2011

Site Location received on 31 March 2011

Existing Forecourt Plan received on 6 April 2011

Proposed Forecourt Plan received on 31 March 2011

Full Forecourt Plan Proposed received on 31 March 2011

REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

69 Urgent Items

There were no Urgent Items.

(Duration of meeting: 6.00 - 7.25 pm)

The Officer who has produced these minutes is Marie Gondlach (Democratic Services Officer), of Democratic Services, direct line 01225 713597, e-mail marie.gondlach@wiltshire.gov.uk

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