

EASTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 15 DECEMBER 2011 AT COUNCIL CHAMBER - COUNCIL OFFICES, BROWFORT, DEVIZES.

Present:

Cllr Liz Bryant (Substitute), Cllr Nick Fogg, Cllr Charles Howard (Chairman),
Cllr Jemima Milton, Cllr Jeffrey Ody (Substitute) and Cllr Christopher Williams

Also Present:

Cllr Nigel Carter

196 **Apologies for Absence**

Apologies for absence were received from Cllr Jane Burton (who was substituted by Cllr Jeff Ody), Cllr Peggy Dow, Cllr Richard Gamble, Cllr Chris Humphries and Cllr Laura Mayes (who was substituted by Cllr Liz Bryant).

197 **Minutes of the Previous Meeting**

Resolved:

To confirm and sign the minutes of the Committee meeting held on 24 November 2011, subject to the following amendment:-

Minute No 194 (b) – K/59795/O – Land adjacent to Deans Close and Fields to South opposite Tedworth House, Tidworth – 360 New, Single Family Military Residences with Associated Garages, Parking and Landscaping (Area 19) – Delete Conditions 28 & 29.

198 **Declarations of Interest**

There were no declarations of interest.

199 **Chairman's Announcements**

There were no Chairman's announcements.

200 **Public Participation**

The Committee noted the rules on public participation and the manner in which the meeting would be held.

Members of the public addressed the Committee as set out in Minute No 201below.

There were no questions received from members of the public or members of the Council.

201 **Planning Applications**

1. **E/11/0001/OUT - Drummond Park, Ludgershall, SP11 9RT - Outline Planning Application for the Redevelopment of the Site for a Phased Residential Development (Class C3) with Primary Access from A342 and Matters relating to Layout, Scale, Appearance, Internal Access and Landscaping Reserved**

The following people spoke in opposition to the proposal:

Mrs Helen Snook, a local resident
Dr Toby Davies, representing a local Medical General Practice
Dr Kirkman, representing the Campaign to Protect Rural England

The following people spoke in favour of the proposal:

Ms Sandra Richardson, Wellington Academy
Mr Richard Fitter, representing the applicant
Cllr Owen White, Chairman, Ludgershall Parish Council

The Committee received a presentation from the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that permission be granted subject to a planning obligation and conditions. He also drew Members' attention to the late items.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

Members then heard the views of Cllr Mark Connolly, the member for the adjoining Division, who supported the proposal but with reservations about affordable housing.

After discussion,

Resolved:

To grant planning permission for the following reasons:-

The application is for the re-development of a 'brownfield' site located largely within the limits of development of Ludgershall. As a matter of principle this is acceptable being in accordance with Policy HC21 of the Kennet Local Plan and Central Government guidance set out in PPS's 1 and 3. Although part of the site steps outside of the limits of development, the intended use of this area is informal open space which would have limited visual impact and would provide opportunities for nature conservation.

Although an employment site would be lost, it is not of strategic importance; and another better located site at Castledown Business Park will meet any short and medium terms needs in the locality in any event. This is in accordance with Policy ED7.

In terms of impact, the application demonstrates that the proposed development can be accommodated on the allocated site without causing harm to interests of acknowledged importance, including local infrastructure, highway safety, ecological interests, heritage assets, visual amenity and residential amenity. The application makes adequate provision for infrastructure made necessary by the development, namely affordable housing, open space, education facilities, community facilities and highways works. The application is, therefore, in accordance with central government planning policy set out in PPG's/PPS's; and the development plan - specifically, policies PD1, HC5, HC28, HC30, HC34, HC37, HC42 & HC43.

And subject to:-

(a) the applicant entering into a Section 106 agreement covering the following matters and subject to the conditions set out below:

- 1. Affordable Housing – 25% of all units to be affordable.**
- 2. Highways Works –**
 - a financial contribution towards future projects to relieve congestion in Ludgershall;**
 - a financial contribution towards bus revenue support for local services;**
 - An assurance in perpetuity that land will be set aside at nil cost for any potential future link road(s) between the application site and the A3026 (whether direct or crossing the railway line or other land);**
 - The provision of new and/or improved street lighting in Castle Street and Butt Street to a point west of the new**

- roundabout;
 - A financial contribution towards the cost of preparing and implementing road traffic orders to extend the speed limit in Butt Street;
3. Education – a financial contribution towards the cost of primary and secondary education provision in the locality.
 4. Ecology – a financial contribution towards the cost of future management and monitoring of stone curlews for the Wessex Stone Curlew Project.
 5. Community Facilities – a financial contribution towards the cost of providing and /or improving existing social and community facilities within Ludgershall.

(b) The following conditions:-

1 No development shall commence on site until details of the following matters (hereinafter called "the reserved matters") 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 internal access within 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.

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 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.

4 No development shall commence until a programme for the phasing of the development has been submitted to and approved in writing by the local planning authority. The programme shall specify in particular that the new external means of access to the site (the roundabout) shall be completed prior to the first occupation of any part of the development. Development shall be carried out in accordance with the approved programme.

REASON: To ensure the proper planning of the development in accordance with an appropriate and viable programme.

5 The details to be submitted under condition no. 1 of the layout of the development hereby permitted shall show one Locally Equipped Area of Play of at least 750 sq m, four Local Areas of Play of at least 150 sq m each, one Suitable Alternative Natural Greenspace of at least 1.1 ha (which shall incorporate one Local Landscaped Area of Play of at least 2,370 sq m), Casual Play Space of at least 4,920 sq m in total, incidental residential amenity land of at least 5,000 sq m in total, and no more than 475 dwellings.

REASON: To clarify the terms of the planning permission and to accord with Policy HC34 of the Kennet Local Plan 2011 and PPS9 which seek adequate infrastructure in new developments.

6 External access to the site from the A342 shall be by means of a roundabout junction in accordance with drawing no. SK10 dated 9 March 2011. Full details of this roundabout and related traffic calming measures and signage shall be submitted to the local planning authority for further approval prior to commencement of development.

REASON: To clarify the terms of the planning permission.

7 The details to be submitted under condition no. 1 relating to the landscaping of the site shall include a strategic landscaping scheme for those parts of the site outside of the built-up areas (including all 'buffer planting' zones) and separate local landscaping schemes for each phase of the development as referred to in the approved programme for the phasing of the development. The strategic landscaping scheme shall show that all buffer planting zones shall be at least 15m in width. The development shall be carried out in accordance with the approved landscaping schemes.

REASON: To clarify the terms of the planning permission and to safeguard visual amenity and wildlife interests.

8 No development shall commence on site in any particular phase of the development as referred to in the approved programme of phasing

of the development until details of the proposed ground floor slab levels of all buildings within that phase have been submitted to and approved in writing by the local planning authority.

REASON: In the interests of visual amenity.

9 All soft landscaping comprised in the approved details of landscaping for any particular phase of the development as referred to in the programme for the phasing of the development 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 in any particular phase of the development 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.

10 The detailed landscaping plans to be submitted pursuant to condition no. 1 shall include a plan at not less than 1:200 scale, showing the position of any trees proposed to be retained and the positions and routes of all proposed and existing pipes, drains, sewers, and public services, including gas, electricity, telephone and water. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or of any Order revoking and re-enacting or amending that Order with or without modification), no services shall be dug or laid into the ground other than in accordance with the approved details.

REASON: To ensure the retention of trees on the site in the interests of visual amenity.

11 (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

12 No development shall commence on a particular phase of the development 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) within the phase 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: To ensure the proper management of the landscaped areas in the interests of visual amenity.

13 The Locally Equipped Area of Play (LEAP) and Local Areas of Play (LAP) shall be designed and equipped in accordance with the minimum specifications set out in the adopted Kennet District Council Benefits from Planning SPG. Prior to installation full details of the LEAP and LAPs shall be submitted to the local planning authority for approval in writing. No dwelling in any particular phase of the development shall

be first occupied until the approved LEAP or LAP (whichever is relevant) within that phase has been completed.

REASON: To ensure that the play area is provided in a timely manner in the interests of the amenity of future residents.

14 No development shall take place in any particular phase of the development until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected for the phase. The approved boundary treatments for each phase shall be completed in accordance with the plan prior to the first occupation of the first building in that phase.

REASON: To ensure proper planning of the development in the interests of amenity.

15 The development shall be carried out strictly in accordance with the ecology mitigation strategies and recommendations set out in the Ecological Assessment, the Habitat Regulations Assessment for Salisbury Plain, the Barbastelle Bats Impact Assessment Report, and the Addendum to Ecological Assessment by Entran accompanying the planning application.

REASON: To safeguard ecological interests.

16 No development shall commence in any particular phase of the development hereby approved until details of measures to safeguard the amenities of future occupants of the development within the phase from potential disturbance from future employment developments on the adjoining business park have been submitted to the local planning authority for approval in writing. Development shall be carried out in accordance with the approved details.

REASON: The adjoining business park has planning permission for Class B1, B2 and B8 uses which could cause disturbance to the Drummond Park development unless appropriate design or mitigation measures are applied. This is in the interests of residential amenity.

17 No development shall take place within any particular phase until full details of how on-site renewable energy will be provided for the phase to reduce carbon dioxide emissions from energy use by owners/occupiers of the buildings by 10% 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: To achieve reductions in carbon dioxide emissions in

accordance with the local planning authority's adopted policy.

18 No development shall commence within any particular phase of the development hereby approved until a scheme for the discharge of surface water from the phase (incorporating sustainable drainage principles) and an assessment of the hydrological and hydrogeological context of the development (as outlined in the Flood Risk Assessment by Entran) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

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

19 No development shall commence until a scheme for the disposal of foul water from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an options appraisal which will consider the options available and assess the impacts of each on the environment and appropriate mitigation measures. No dwelling on any part of the development shall be first occupied until the approved scheme has been fully implemented.

REASON: To minimise the risk of pollution of the water environment.

20 No development shall commence within any particular phase of the development hereby approved until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved in writing by the local planning authority for that particular phase. The plan shall be implemented as approved throughout the construction period.

REASON: To prevent pollution of water environment.

21 No development shall commence within any particular phase of the development hereby approved 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 approved details.

REASON: In the interests of sustainable development and prudent use of natural resources.

22 Prior to the commencement of development within any particular phase of the development approved by this planning permission (or such other date or stage in development as may be agreed in writing by the local planning authority), the following components of a scheme to deal with the risks associated with contamination of the land within the particular phase shall be submitted to and approved in writing by

the local planning authority:

- 1) A preliminary risk assessment which has identified:**
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways & receptors;
 - potentially unacceptable risks arising from contamination at the site.

- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.**

- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.**

- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.**

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved prior to first occupation of the development.

REASON: To prevent pollution of the water environment.

23 No development shall commence within any particular phase of the development hereby approved until -

- a) A written programme of archaeological investigation affecting land within the particular phase, 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: To enable the recording of any matters of archaeological interest.

24 No building within any particular phase of the development hereby

permitted shall be first occupied until the access, turning area and parking spaces serving that building 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.

25 No development shall commence within any particular phase of the development hereby approved until a Green Travel Plan relating to development within that phase has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

REASON: In the interests of road safety and reducing vehicular traffic to the development.

26 This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Masterplan drawing nos. DPL-AL02-030revA, DPL-AL02-031revA, DPL-AL02-032revA, DPL-AL02-033revA, DPL-AL02-034revA dated April 2011;

Revised Design and Access Statement dated April 2011;

Drawing no. SK10 - Proposed traffic calming scheme (March 2011);

Revised Indicative Landscape Masterplan p revA;

Updated Landscape & Visual Appraisal (April 2011);

Updated Landscape Design Statement (April 2011);

Tree Survey Report (March 2011);

Archaeological Evaluation Report (April 2011);

Habitat Regulations Assessment for Salisbury Plain (April 2011);

Barbestelle Bats Impact Assessment Report (April 2011);

Ecological Assessment (November 2011);

Addendum to Ecological Assessment (April 2011);

Transport Assessment (December 2010);

Utilities Appraisal (October 2010);

Flood Risk Assessment (October 2010);

Employment Report (October 2010);

Sustainability Statement (November 2010);

**Intermediate Housing Demand Study rev E (November 2010);
Housing Strategy (November 2010);
Energy Feasibility Study (November 2010);
Preliminary Geo-environmental Assessment (November 2010).**

**2. E/2011/0990/FUL - Samarie, Dunkirk Hill, Devizes, SN10 2BD -
Construction of a Drive**

The following people spoke in opposition to the proposal:

Mr Derek Cook, a local resident
Mr Alan Lucas, a local resident

The Committee received a presentation from the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that permission be granted subject to conditions.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

Members then heard the views of Cllr Nigel Carter, the local member, who endorsed the residents' comments on the possible use of High Lawn as a through road between Roads A361 and A342 .

After discussion,

Resolved:

To grant planning permission for the following reason:-

The proposal will cause no harm to highway safety, the residential amenities of nearby properties or the character and appearance of the area. As such, it would accord with the requirements of policy PD1 of the Kennet Local Plan 2011.

Subject to the following conditions:-

- 1. The driveway hereby permitted shall be used solely for purposes incidental to the enjoyment of the property known as "Samarie". It shall not be used for any other purpose, including use by persons unrelated to Samarie as a general through-route. Any access onto High Lawn shall be gated in perpetuity.**

REASON: The application has been considered on the basis that the proposal is for a domestic driveway. The Council would wish to give further consideration to any proposal for use of the driveway as a general through-route, as it is likely to give rise to additional planning issues.

2. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Approved Plans

Application Form; 1:1250 Location Plan & Plan No: 1724.1 – date-stamped received 29 July 2011).

202 Urgent items

There were no urgent items.

(Duration of meeting: 6.00 - 7.30 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

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