

NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION
10th October 2012

This is information that has been received since the committee report was written. This could include additional comments or representation, new information relating to the site, changes to plans etc.

Item 7(a) – 11/03051/S73A – Whites Farm, Grittenham, Chippenham, Wilts. SN15 4JW

Letters of objection:

Four (4) additional letters of objection received. Main issues raised:

- Report has been heavily weighted toward the granting of planning permission with insufficient effort to address noise issues and general impact on amenity of neighbours.
- Parish Council comments have been ignored.
- Incessant and irritating noise from site – lasting all day and without breaks.
- Events often take place at weekends – which are likely to generate a larger number of visitors.
- Noise from site is not continual pitch and volume like that generated by M4.
- Access is from very narrow road

Highway Officer:

Understands concerns about additional traffic movements. However, is also mindful that the use could be legitimately undertaken for 14 days a year under PD rights. If the use is conditioned to that number of days a highway objection would not be appropriate or defensible.

Council Ecologist:

“Having reviewed the available information I note that the field in question was previously arable and is situated adjacent to the M4 motorway. We do not hold any records of protected or notable species, priority habitats or statutory / non-statutory sites for the site itself or surrounding land, I am therefore satisfied that the implementation and continued operation of this facility would not have had any impacts upon local biodiversity. As such I do not have any objections to the application and do not require any conditions or informatives.”

Area Development Manager:

In light of the final comments of the Council’s Highway Officer and the lack of a reason to refuse planning permission on highway safety grounds, the recommendation to grant permission remains, subject to the imposition of the following conditions:

- 1 The land subject to this permission shall be used for the racing and/or practice of motocross motorcycles up to a maximum of 14 days in any one calendar year. Between the months of April and September such racing and/or practice of motocross motorcycles shall not exceed 1 day per calendar month. Between the months of October and March such racing and/or practice of motocross motorcycles shall not exceed 2 days per calendar month.

Reason: In the interests of securing a use that does not unreasonably present a noise nuisance to surrounding residential occupiers.

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- 2 The racing and/or practice of motorcycles specified in condition 1 shall only take place between the hours of 14:00hrs and 20:00hrs, with absolutely no running of such motorcycles (be it either the running of engines whilst the bike is stationary or otherwise) outside of those times.

Reason: In the interests of securing a use that does not unreasonably present a noise nuisance to surrounding residential occupiers.

3. The use hereby permitted shall cease and the land restored to its original conditions within 28 days of the date of the failure to meet any one of the requirements set out in (i)-(v) below:
- (i) Within one month of the date of this planning permission a Event Management Plan (EMP) shall have been submitted for the written approval of the Local Planning Authority. The Event Management Plan shall be a comprehensive document detailing how the site and each event upon it will be managed, and in particular, shall include measures to keep noise levels generated by the use of the site to an absolute minimum. The Event Management Plan, as a minimum, shall include details of how bikes are to be individually checked for compliance with relevant governing body noise emission (Auto Cycle Union) limits prior to use; specification of maximum numbers of motorcycles being run at the site at any one time; a detailed plan for the installation and intended use of PA system during events; a commitment to the provision of at least one period during each of the 14 days the site is used when no motorcycles are in use (such a period shall be of at least 1 hour in length); details of measures for ensuring public health and safety; measures to avoid site contamination; and a detailed commitment to remove all temporary structures from the site and the restoration of the land to its former condition as agricultural land upon the permanent cessation of motocross (or any other form of motorized vehicle racing and/or practice).
 - (ii) Within one month of the date of this planning permission a plan detailing the measures to manage arrivals and departures from the site on each of the 14 days this permission allows for, shall have been submitted for the written approval of the Local Planning Authority. Such details shall include a commitment to implement and enforce phased arrivals and departures from the site. Future use of the site shall be entirely in accordance with the details contained within the submitted and agreed Noise Management Plan.
 - (iii) Within four months of the date of this decision the Event Management Plan (referred to in (i)) and the arrival and departure details (referred to in (ii)) shall have been approved in writing by the Local Planning Authority or if the Local Planning Authority refuse to approve the scheme, or fail to give a decision within the prescribed period, an appeal shall have been made to the, and accepted as validly made, by the Secretary of State.
 - (iv) If an appeal is made in pursuance of (iii) above, that appeal shall have been finally determined and the submitted Event Management Plan and arrivals/departures plan shall have been approved by the Secretary of State.
 - (v) The approved scheme shall be carried out and operated in complete accordance with the approved details and timetable set out in this condition.

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Reason: In the interests of securing a use that does not unreasonably present a noise nuisance to surrounding residential occupiers and to ensure the use of the site does not result in the surrounding highway network becoming being placed under strain in the event of participants and spectators arriving and departing from the site within a short timeframe.

4. The temporary "porta-loo" block on the site shall be completely removed from the site in the event of events ceasing to take place for a period of 6 weeks or longer. At which time it shall be removed permanently from the site and shall not be reinstalled on the site until the recommencement of events on the site thereafter.

Reason: To ensure the removal of a temporary structure when the site is not in use.

Item 7(b) – 12/02124/FUL – Calne Rugby Club, Anchor Road, Calne, Wiltshire, SN11 8DX

Further to seeking legal advice on the matter, the following slight amendments to the proposed conditions (shown in bold) are recommended:

- 2 The fences shown on the approved plans shall be erected prior to the first use of the facility hereby permitted **and retained in perpetuity thereafter** and shall incorporate the neoprene dampening feature as detailed in the Design and Access Statement accompanying the application.

Reason: In the interests of the amenity of the area and the prevention of noise nuisance.

- 3 No development shall commence on site (including any works of demolition), until a Management Plan, which shall include the following:
 - a) details of any CCTV system to be installed;
 - b) details of proposed hours of operation, including the means by which the facility is to be secured, if applicable;
 - c) details of any schedule of routine inspections/maintenance;
 - d) details of any anticipated Police involvement with the facility; and
 - e) details of any anticipated ongoing dialogue with neighbours of the facility

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to thereafter. The development shall not be carried out otherwise than in accordance with the approved Management Plan without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to the neighbouring amenities and the amenities of the area in general.

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INFORMATIVES

1. No permission has been sought or given in respect of any external lighting. Thus in the event that this is needed, planning permission is required.
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Item 7(d) – 12/01966/FUL – Deceuninck, Stanier Road, Calne, Wiltshire SN11 9PX

Proposed condition 15 should be amended to exclude the phrase “...unless otherwise subsequently approved in writing by the local Planning authority.”

Following recent High Court decisions this approach to the wording and implementation of conditions has been found to be unlawful because it made uncertain what had been granted by the permission.

Following representations from the agents for the application the proposed conditions require minor re-wording and amendment. Principally this is because the previous conditions attached to historic consents at the site and the recent consent to change the use to an indoor sports facility were used as a basis for drafting conditions and are not accurately worded to fully reflect the current proposals, in that they included references to the extended building which is not a part of the current proposals; Also to remove some elements of duplication between proposed conditions. The proposed amendments are as follows:

Conditions 7 and 8: delete reference to “the extended building”

Condition 10: amend the cross reference from condition 3 to condition 2

Condition 11: Insert a cross reference to condition 15 at the end of the condition:

“...unless otherwise agreed in writing with the Local Planning Authority in the form of a separate planning permission in that regard or through the discharge of Condition 15 in respect of the layout of the external areas of the site.”

Condition 12 – Delete. Agreement of hours of operation is required through the agreement of the Operational Statement required under condition 15. As such condition 12 is unnecessary and duplicates condition 15.

Condition 13: amend to delete references to the extended building. Condition 13 to be re-worded as follows:

13. There shall be no further doors, windows or any other form of opening whatsoever unless otherwise agreed in writing with the Local Planning Authority in the form of a separate planning permission in that regard.

Item 7e - 12/01537/FUL - Fieldhouse, 2 Pickwick, Corsham, Wiltshire, SN13 9JB

Town Council Comments:

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“Resolved: to support the application on the grounds of sustainability.”
