

## STRATEGIC PLANNING COMMITTEE

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### DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 22 JANUARY 2014 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

#### **Present:**

Cllr Glenis Ansell, Cllr Terry Chivers, Cllr Andrew Davis (Chairman), Cllr Jose Green (Vice Chairman), Cllr Charles Howard, Cllr Bill Moss, Cllr Anthony Trotman, Cllr Nick Watts, Cllr Fred Westmoreland and Cllr Graham Wright

#### **Also Present:**

Cllr Alan Hill, Cllr Peter Hutton, Cllr Jacqui Lay and Cllr Philip Whalley

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#### 1 **Apologies for Absence**

An apology for absence was received from Cllr Christopher Newbury.

#### 2 **Minutes of the Previous Meeting**

##### **Resolved:**

**To confirm and sign as a correct record the minutes of the previous meeting held on 11 December 2013.**

#### 3 **Declarations of Interest**

Cllrs Glenis Ansell and Tony Trotman declared non-pecuniary interests in application nos. N/13/01610/WCM – Extension to Condition 9 of N/88/1828 – retention of Concrete Products Factory, Sands Farm Quarry, Sand Pit Lane, Calne, SN11 8TJ and N/12/0438/OUT – Marden Farm, Rookery Park, Calne, SN11 0LH, by virtue of being members of Calne Town Council, but would speak and vote on each item, considering each on its merits.

Cllr Nick Watts declared a non-pecuniary interest in application no. N13/01747/FUL – Hunters Moon, Eastern Lane, Chippenham, SN14 0RW by virtue of being a member of Chippenham Town Council, but would speak and vote on the item, considering the item on its merits.

#### 4 **Chairman's Announcements**

The Chairman explained that this meeting was being held at Monkton Park, Chippenham because all the items under consideration were in respect of applications from the north of the County. However, he announced that normally meetings of this Committee would be held at County Hall, Trowbridge.

#### 5 **Public Participation and Councillors' Questions**

Questions were asked by members of the public and responses given as follows:-

##### **Question from Mrs Anne Henshaw North Wiltshire and Swindon CPRE Interpretation of 'cumulative impact' of multiple solar-farm developments.**

Paragraph 97 of the NPPF calls for authorities to ensure that adverse impacts of renewable and low-carbon developments are addressed satisfactorily, including cumulative landscape and visual impacts. There are now ten solar developments proposed or permitted in an arc stretching 7.5 miles north-to-south to the east of Trowbridge. Does this Committee agree that, as part of its positive strategy to promote renewable and low-carbon sources (in accordance with NPPF para. 97), it should have a published, county-wide strategy or set of principles for siting solar arrays, and for evaluating their landscape and visual impacts, with special concern for sequential effects?

The example given demonstrates potential for similar scenarios throughout the county.

Image of clustering of arrays



## Response

The emerging Core Strategy encourages and promotes renewable energy installations. Core Policy 42 will apply across the County and sets out the principal factors that applications for solar farm developments will be evaluated against. These include the impact on the landscape. This policy, when taken together with national planning policy and guidance, will provide a satisfactory framework at national and local level for assessing planning applications for solar farms and other renewable energy installations.

Mrs Henshaw thereupon gave notice that she wished to ask a supplementary question to which the Chairman asked her to submit it in writing following which a response would be sent to her from the Committee.

## Questions from Mr John Kirkman, Kennet CPRE

### 1. Determination of solar farm applications by delegated powers

The Scheme of Delegation Specific to Planning states that large-scale major developments which, by their nature (e.g. scale, location etc.) have wider strategic implications and raise issues of more than local importance shall be dealt with by the Strategic Planning Committee. However, several applications\* to develop large-scale solar arrays, all more than 2 ha, and raising the "more than local" strategic issue of cumulative impact of multiple solar developments within a limited area have been determined under delegated powers.

Why did the Council not follow its own Constitution and determine these applications in the Strategic Planning Committee?

\* For example: 13/01962 Heywood 12.2ha, 13/01561 Brokenborough Malsbury 7.45ha, 13/02309 Coulston 16.6ha, 13/01311 Allington 27ha. 13/05244 Poulshot is 32.2ha.

### **Response**

The Council carefully considers each planning application on its own merits and deals with them in accordance with its constitution. The Council has determined a number of planning applications for solar arrays in different parts of the county, but none of these have had any wider strategic implications or raised issues of more than local importance. Local parish councils have been increasingly engaged at both pre-application and application stages, ensuring that local views are taken into account.

Mr Kirkman thereupon gave notice that he wished to ask a supplementary question to which the Chairman asked him to submit it in writing following which a response would be sent to him from the Committee.

### **2. Status of planning guidance published by Government Departments.**

In a recent report on a planning application\*, the case officer declared that the DECC document *UK Solar PV Strategy Part 1: Roadmap to a Brighter Future* "does not as yet carry any status as formal Government Guidance". This comment implies that, in the determination of that case, no weight was given to the principles set out in the Roadmap. In fact, the Roadmap itself explains that "This Roadmap document forms the first element of a two-part Strategy process. The second part will be a full Strategy Document which will be published in spring 2014." (*Roadmap* para.90).

Does this Committee agree that the Council's strategic consideration of solar-array developments should be guided, inter alia, by the Roadmap, and by the DCLG document *Planning Practice Guidance for Renewable and Low-Carbon energy*?

\* 13/02309/FUL

### **Response**

National planning guidance on solar farms is contained in the National Planning Policy Framework (NPPF), and the Planning practice guidance for renewable and low carbon energy published by DCLG in 2013. The DECC 'Roadmap' addresses wider matters associated with the development of solar photovoltaics in the UK and in relation to planning, simply reflects the planning practice guidance published by DCLG. The Council will continue to consider planning applications for solar farms in accordance with development plan policy, national planning guidance and any other relevant material considerations.

Mr Kirkman thereupon gave notice that he wished to ask a supplementary question to which the Chairman asked him to submit it in writing following which a response would be sent to him from the Committee.

There were no questions received from members of the Council.

Members of the public addressed the Committee as set out in Minute Nos. 6 -9 below.

6 **N/13/01610/WCM - Extension to Condition 9 of N.88/1828 - Retention of Concrete Products Factory) Sands Farm Quarry, Sand Pit Road, Calne, SN11 8TJ for Aggregate Industries Ltd.**

**The following people spoke against the proposal:**

Ms Luisa Crook, representing Sandpit Road Residents' Association  
Mrs Anne Henshaw, representing Sandpit Road Residents' Association and North Wiltshire & Swindon CPRE

**The following spoke in favour of the proposal:**

Mr John Penny, representing the applicant

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that the planning application be approved, subject to completion of a variation of the legal agreement attached to N/88/1828 and 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 Cllrs Alan Hill and Tony Trotman, local Members, both of whom considered that the hours of operation of the site should be limited to the hours agreed for lorry movements to and from the site.

After discussion, during which several Members did not consider that conditions should be imposed on the hours of operation of the site,

**Resolved:**

**That, subject to completion of a variation of the legal agreement attached to N/88/1828 dated 2 February 1989, planning permission be granted subject to the following conditions:-**

- 1. The development should be carried out in accordance with the submitted Plan Nos 8831/01 and 8831/02 and accompanying statement dated 15th June 1988.**

**Reason: To define the nature and extent of the development permitted.**
- 2. All vehicular access and egress to and from the site shall be from Sandpit Road and the junction with Oxford Road. No other access shall be used by vehicles entering or exiting the site.**

**Reason: In the interests of highway safety and safeguarding local amenity.**

**Policy: MDC8 of the Wiltshire and Swindon Minerals Development Control Policies DPD**
- 3. No commercial vehicle shall leave the site unless its wheels and underside chassis are clean to prevent materials, including mud or other detritus, being deposited on the public highway.**

**Reason: In the interests of highway safety and safeguarding local amenity.**

**Policy: MDC8 of the Wiltshire and Swindon Minerals Development Control Policies DPD**
- 4. The measures detailed in the Environmental Noise and Dust Control Scheme prepared by Advance Environmental dated 10 October 2013 shall be implemented in full from the date of this permission and shall be complied with at all times.**

**Reason: To protect the amenities of the locality from the effects of any noise or dust arising from the development.**

**Policy: MDC2 of the Wiltshire and Swindon Minerals Development Control Policies DPD**
- 5. The storage of finished products in the stock yard shall not exceed 3 metres in height.**

**Reason: To safeguard the amenities of the area.**

**Policy: MDC1 of the Wiltshire and Swindon Minerals Development Control Policies DPD**
- 6. The building and products stock yard hereby permitted shall be removed, the use thereof shall be discontinued and the land reinstated to its former condition at or before 30 November 2022 or the cessation of the processing of sand as permitted under planning permission N/10/03280/WCM, whichever is the sooner.**

**Reason:** In the interests of the amenity of the area and to ensure the building hereby permitted is not used for inappropriate purposes.

**Policy:** MDC2 of the Wiltshire and Swindon Minerals Development Control Policies DPD

7. The building hereby permitted shall be used solely for the manufacture of concrete products and for no other purpose.

**Reason:** In the interests of the amenity of the area and to ensure the building hereby permitted is not used for inappropriate purposes.

**Policy:** MDC2 of the Wiltshire and Swindon Minerals Development Control Policies DPD

8. No lorry traffic shall enter or leave the site except between the hours of:

0700 hours and 1800 hours Monday to Friday; and

0700 hours and 1300 hours Saturday.

No vehicles shall enter or leave the site on Sundays or Public Holidays.

**Reason:** To safeguard the amenity of local residents and properties adjacent to Sandpit Road.

**Policy:** MDC2 of the Wiltshire and Swindon Minerals Development Control Policies DPD

7 **N/13/01916/WCM - Retention of existing compost facility, access & increase in throughput at Parkgate Farm Waste Management Facility, Purton, SN5 4HG for Hills Waste Solutions Ltd.**

**The following people spoke against the proposal:**

Dr Richard Pagett, representing Purton Ps & Qs  
Cllr John Coole, representing Cricklade Town Council

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He reported that the Applicant had submitted an appeal in respect of the application on the grounds of non-determination, that is the Council's failure to determine the application by the agreed date of 13 November 2013. He explained that as a consequence no formal decision could be made by the Council in respect of this application. However, in order to progress with the appeal and in light of the call-in request, Officers now sought the opinion of the Committee in respect of the application

had they been in a position to determine it and on what grounds the Committee wished to contest the scheme at appeal, if at all.

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 Jacqui Lay, the local Member, who considered that the appeal should be defended.

After discussion,

**Resolved:**

(1) To agree that had the Council been in a position to determine the application, the Committee would have been mindful to refuse planning permission for the following reasons:-

1. **Insufficient information has been submitted to demonstrate that the increase in throughput of green waste managed at the site can be done so without causing adverse off-site odour impact. The application is not supported by a detailed odour impact assessment. The omission of an assessment of the impacts relating to odour is contrary to the provisions of Policy WDC2 of the Waste Development Control Policies DPD.**
  
2. **Insufficient information has been submitted to demonstrate the proposals facilitate sustainable transport by mitigating or compensating for any adverse impact on the safety, capacity and use of the highway network or minimises transportation distances. The omission of an assessment of the impacts relating to the transportation of waste is contrary to the requirements of Policy WDC2 and Policy WDC11 of the Waste Development Control Policies DPD.**

(2) To authorise the Officers to contest the appeal on these grounds.

**8 N13/01747/FUL - Hunters Moon, Easton Lane, Chippenham, SN14 0RW**

**The following people spoke against the proposal:**

Mr Paul Martin, a local resident  
Cllr Peter Pearson, representing Corsham Town Council

**The following spoke in favour of the proposal:**



Mr Lawrence Turner, planning consultant, representing the applicant  
Mr Nick Puntis, a local resident  
Cllr Linda Packard, representing Chippenham Town Council

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that the planning application be approved, subject to all parties entering into a Section 106 legal agreement and planning 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 Peter Whalley, the local Member, objecting to the proposal on the grounds that the application site was not identified in the draft Wiltshire Core Strategy as a site for strategic development and considered that a decision on the current planning application should be deferred until strategic development sites had been identified.

Cllr Peter Hutton, an adjoining local Councillor, spoke in favour of the application, which although technically was situated within the Corsham Town Constituency was in reality much closer associated with Chippenham.

After discussion, during which several Members considered that the application site should be limited to a maximum of 450 homes and that a standard archaeological condition should be included,

**Resolved:**

**To grant planning permission, subject to the following conditions:-**

- 1. The detailed element (ie. the part of the site befitting from full planning permission) of 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 outline element of 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.**

- 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;****

**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. 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.**

- 5. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.**

- SW-0005-12-MAS.01J – Phase 1 Layout, received 22<sup>nd</sup> November 2013**
- SW-0005-12-MAT.01C – Phase 1 Materials Plan, received 22<sup>nd</sup> November 2013**
- GA010-1 A – Proposed improvements, received 22<sup>nd</sup> November 2013**
- GA10-2 C – Extension from Methuen Business Park, received 22<sup>nd</sup> November 2013**
- GA10-3 E – Easton Lane Employment Access, received 22<sup>nd</sup> November 2013**

- GA10-4 E – Easton Lane Site Access, received 22<sup>nd</sup> November 2013
- GA10-5 B – Proposed footway / cycleway, received 22<sup>nd</sup> November 2013
- GA10-6 C – Proposed footway / cycleway, received 22<sup>nd</sup> November 2013
- GA10-7 A – Pheasant roundabout proposed toucan crossings, received 22<sup>nd</sup> November 2013
- SW-0005-12-HWY.01B – Highway Adoption, received 22<sup>nd</sup> November 2013
- 2B4P-3B5P-4B6P.01 Rev B – Elevations Affordable, received 19<sup>th</sup> November 2013
- 2B4P-3B5P-4B6P.02 Rev B – Floor plans Affordable, received 19<sup>th</sup> November 2013
- 2B4P-3B5P.01 Rev B – Floor plans and elevations affordable block, received 19<sup>th</sup> November 2013
- SW-0005-12-AFF.01B – Affordable housing, received 19<sup>th</sup> November 2013
- 303.01 Rev B – Floor plans and elevations cottage brick, received 19<sup>th</sup> November 2013
- 1BF03-2B4P-3B5P.01 Rev A – Elevations affordable, received 8<sup>th</sup> November 2013
- 2B4P.02 Rev A – Floor plans and elevations affordable brick, received 8<sup>th</sup> November 2013
- 504.03 Rev A – Elevations cottage brick, received 8<sup>th</sup> November 2013
- 1BF01-2B4P-3B5P.01 Rev A – Elevations affordable, received 8<sup>th</sup> November 2013
- 1BF01-2B4P-3B5P.02 Rev A – Floor plans affordable, received 8<sup>th</sup> November 2013
- 1BF01.01 – Floor plans and elevations, received 8<sup>th</sup> November 2013
- 410.01 Rev A – Floor plans and elevations arts and crafts stone, received 8<sup>th</sup> November 2013
- 420.01 – Floor plans and elevations arts and crafts brick, received 8<sup>th</sup> November 2013
- 415.02 Rev A – Floor plans and elevations arts and crafts brick, received 8<sup>th</sup> November 2013
- 412.02 Rev A – Floor plans and elevations arts and crafts stone, received 8<sup>th</sup> November 2013
- 415.03 – Floor plans and elevations cottage brick, received 8<sup>th</sup> November 2013
- 421.01 Rev A – Elevations arts and crafts stone, received 8<sup>th</sup> November 2013

- 421.02 Rev A – Floor plans arts and crafts stone, received 8<sup>th</sup> November 2013
- 411.01 Rev A – Floor plans and elevations cottage brick, received 8<sup>th</sup> November 2013
- 406.01 Rev A – Elevations cottage stone, received 8<sup>th</sup> November 2013
- 412.01 Rev A – Floor plans and elevations cottage stone, received 8<sup>th</sup> November 2013
- 400.01 Rev A – Floor plans and elevations cottage brick, received 8<sup>th</sup> November 2013
- 2B4P-3B5P.05 – Elevations affordable brick, received 8<sup>th</sup> November 2013
- 2B4P-3B5P.04 – Floor plans affordable brick, received 8<sup>th</sup> November 2013
- 1BF03-2B4P-3B5P.02 Rev A – Elevations affordable, received 8<sup>th</sup> November 2013
- 420.02 Rev A – Floor plans and elevations cottage brick, received 8<sup>th</sup> November 2013
- 504.04 Rev A – Floor plans cottage, received 8<sup>th</sup> November 2013
- 418.01 Rev A – Elevations cottage brick, received 8<sup>th</sup> November 2013
- 418.02 Rev A – Floor plans cottage brick, received 8<sup>th</sup> November 2013
- 415.01 Rev A – Floor plans and elevations cottage brick, received 8<sup>th</sup> November 2013
- 304-305.01 Rev A – Elevations arts and crafts stone and render, received 8<sup>th</sup> November 2013
- 304-305.02 Rev A – Floor plans arts and crafts stone and render, received 8<sup>th</sup> November 2013
- 206-301-305.01 Rev A – Elevations arts and crafts brick and stone, received 8<sup>th</sup> November 2013
- 206-301-305.02 Rev A – Elevations arts and crafts brick and stone, received 8<sup>th</sup> November 2013
- 206-301-305.03 Rev A – Floor plans arts and crafts brick and stone, received 8<sup>th</sup> November 2013
- 2B4P.01 Rev A – Floor plans and elevations affordable brick, received 8<sup>th</sup> November 2013
- 2B4P-3B5P.03 Rev A – Floor plans and elevations affordable brick, received 8<sup>th</sup> November 2013
- 410.03 Rev A – Floor plans and elevations cottage stone, received 8<sup>th</sup> November 2013
- 3B5P.01 – Floor plans and elevations

- 400.02 Rev A – Floor plans and elevations cottage stone, received 8<sup>th</sup> November 2013
- 303-351-350.01 Rev A – Elevations arts and crafts and cottage, received 8<sup>th</sup> November 2013
- 303-351-350.02 Rev A – Elevations arts and crafts and cottage, received 8<sup>th</sup> November 2013
- 303-351-350.03 Rev A – Floor plans arts and crafts and cottage, received 8<sup>th</sup> November 2013
- 303-351-350.04 Rev A – Floor plans arts and crafts and cottage, received 8<sup>th</sup> November 2013
- 303-351-350.05 Rev A – Floor plans arts and crafts and cottage, received 8<sup>th</sup> November 2013
- SW-0005-12-STESC-01 Rev A – Streetscenes, received 8<sup>th</sup> November 2013
- SW-0005-12-STESC-01 Rev A – Streetscenes, received 8<sup>th</sup> November 2013
- Garage.01 – Floor plans and elevations garage stone and brick
- Garage.02 – Floor plans and elevations garage stone and brick
- Garage.03 – Floor plans and elevations garage brick
- 504.01 – Elevations arts and crafts stone
- 504.02 – Floor plans arts and crafts stone
- 410.02 – Floor plans and elevations arts and crafts brick
- 1BF01-2B4P.02 – Floor plans affordable brick
- 1BF01-2B4P.01 – Elevations affordable brick
- 410.01 – Floor plans and elevations arts and crafts stone
- 425.01 – Floor plans and elevations arts and crafts brick
- 304-351.01 – Elevations arts and crafts
- 304-351.02 – Floor plans arts and crafts
- 303-305.01 – Elevations cottage brick and render
- 303-305.02 – Floor plans cottage brick and render
- 303.03 – Floor plans and elevations cottage brick
- 2B4P.03 – Floor plans and elevations affordable brick
- 411.02 – Floor plans and elevations arts and crafts brick
- 2B4P-3B5P.02 – Floor plans and elevations affordable brick
- 303.02 – Floor plans and elevations cottage brick
- 301-305.01 – Elevations cottage brick and stone
- 301-305.02 – Floor plans cottage brick and stone
- 303-306.01 – Elevations cottage brick and render
- 303-306.02 – Floor plans cottage brick and render
- 301.01 – Floor plans and elevations cottage brick
- 306-400.01 – Elevations cottage brick and render
- 306-400.02 – Floor plans cottage brick and render

- 9050 – Site location plan
- SW-0005-12-B1-01 – B1 units – block 1
- SW-0005-12-B1-02 – B1 units – block 2

**REASON:** To ensure that the development is implemented as approved.

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

**REASON:** In the interests of visual amenity and the character and appearance of the area.

7. There shall be no access to Saltersford Lane, except for buses, cyclists and pedestrians, and no access to the A350 West Cepen Way.

**REASON:** In the interests of highway safety, and to deter rat-running through the site.

8. Prior to the commencement of development, details of the proposed access to Saltersford Lane adjacent Plot 68/69 shall be submitted to and approved in writing by the local planning authority. The access link to Saltersford Lane shall be carried out in complete accordance with the details so agreed and shall be completed prior to the occupation of the 20<sup>th</sup> dwelling served by the road to which the new access (to which this condition refers) is linked.

**REASON:** In the interests of sustainable transport and to secure the link at an appropriate time in the development.

9. No development shall take place until Easton Lane has been widened to a minimum width of 6.5 metres between Saltersford Lane and the access to the employment land in Phase 1, together with the provision of a 3 metre wide footway / cycleway on the southern side of Easton Lane, in accordance with details which shall first have been submitted to and agreed in writing by the local planning authority beforehand.

**REASON:** In the interests of highway safety, to secure an acceptable access to serve construction of phase 1 of the development, and to make proper provision for cyclists on National Cycle Route 403.

**10. Prior to the commencement of the development a detailed drawing showing the network of cycle / footpaths to serve the site, with particular emphasis on access to the proposed primary school and the employment areas, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in complete accordance with those details so agreed.**

**REASON: In the interests of sustainable transport and to ensure that a comprehensive approach to movement within to and from the site has been secured.**

**11. The gradient of all private drives on the site shall not at any point be steeper than 7% for a distance of 5 metres from its junction with the prospectively maintainable highway.**

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

**12. There shall be no gates provided on any private accesses within the site served from the prospectively maintainable highways.**

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

**13. Notwithstanding the details submitted on Drg SW-005-12-MAS.01J, no development within any individually approved phase of the development shall commence on site until details of the estate roads, footways, footpaths, unsegregated pedestrian / cycle routes, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works within any particular phase, have been submitted to and approved by the local planning authority. The development of each phase of development shall not be first occupied until the estate roads, footways, footpaths, unsegregated pedestrian / cycle routes, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture have all been constructed and laid out in accordance with the approved details, unless an alternative timetable is agreed in the approved details.**

**REASON:** To ensure that the roads are laid out and constructed in a satisfactory manner, and are of adequate amenity for users.

- 14.**The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

**REASON:** To ensure that the development is served by an adequate means of access.

- 15.**No dwelling shall be occupied until the parking space(s) for that dwelling, together with the access thereto, have been provided in accordance with the approved plans. Parking provision for all dwellings shall meet the minimum parking standards set out in the Wiltshire LTP3 2011-2026 Car Parking Strategy, March 2011, and any garages counting towards parking spaces shall be provided with minimum internal dimensions of 3 metres by 6 metres per vehicle space; in relation to cycles the parking provision shall be in accordance with Appendix 4 of the LTP 2001-2026 Cycling Strategy.

**REASON:** In the interests of highway safety and the amenity of future occupants.

- 16.** No development shall commence on site until details of secure covered cycle parking and, in the case of employment land, changing and shower facilities 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 made available for use prior to the first occupation of the buildings to which they relate 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.

- 17.**Prior to the first occupation of any dwelling within Phase 1 (the detailed element of the permission) of the development a scheme for the improvement of Public Right of Way CORM122 shall have been submitted to and approved in writing by the local planning authority and the improvement completed in accordance with the approved scheme.



**REASON:** In the interests of sustainable transport and to secure a surface finish compatible with intensified pedestrian use.

- 18.** Prior to the commencement of Phase 2 of the development (the outline element of the permission) details of a footpath link between the site and the east side of Queensbridge shall be submitted to and approved by the local planning authority; the footpath link shall be completed in accordance with the details so agreed and prior to the occupation of more than 75% of the number of dwellings comprised in the phase of development to which the path connects in accordance with the approved details.

**REASON:** In the interests of sustainable transport and to secure a link between the development site and the Core Strategy strategic employment and housing sites to the south and east of Queensbridge respectively.

- 19.** Prior to the commencement of Phase 2 of the development details of a connecting route between the site and the southern part of Saltersford Lane shall be submitted to and approved in writing by the local planning authority. The details shall include provision for vehicular access from the site to the cottages for serving and for a pedestrian and cycle link between the site and the Queensbridge junction. Development shall be carried out in complete accordance with those details so agreed.

**REASON:** In order to rationalise traffic movements at Queensbridge and effect a safer environment for pedestrian and cycle movements under the bridge, and to secure more efficient transport arrangements for servicing the existing dwellings on Saltersford Lane.

- 20.** No development shall commence on site (including any works of demolition), until a Construction Environmental Method Statement, which shall include the following:
- a) the parking of vehicles of site operatives and visitors;
  - b) detailing of routing arrangements for lorry traffic associated with the development;
  - c) loading and unloading of plant and materials;
  - d) storage of plant and materials used in constructing the development;

- e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- f) wheel washing facilities;
- g) measures to control the emission of dust and dirt during construction;
- h) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- i) measures for the protection of the natural environment.
- j) hours of construction, including deliveries;
- k) measures for protection of retained habitat features
- l) sensitive working protocols including vegetation clearance to avoid impacts upon protected species

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 development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

**REASON:** To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

**21. No development shall commence within the area indicated until:**

- a) A written programme of archaeological investigation, 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.

**22. No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of**

the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the local planning authority:

**Step 1 (i)** A written report has been submitted to and approved by the local planning authority which shall include details of the previous uses of the site and any adjacent sites for at least the last 100 years and a description of the current condition of the sites with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site and the potential impact of any adjacent sites.

**Step 2 (ii)** If the above report indicates that contamination may be present on, under or potentially affecting the proposed development site from adjacent land, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's 'Model Procedures for the Management of Land Contamination CLR11' and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the local planning authority.

**Step 3 (iii)** If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details must be submitted to the local planning authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the local planning authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the local planning authority that the works have been completed in accordance with the agreed remediation strategy.

**REASON:** To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the local planning authority.

**23.** During the site preparation and construction of the development, activity which may give rise to noise audible beyond the site boundary shall not be undertaken outside the following hours unless written permission is obtained from the Local Planning Authority:

- 08:00 to 18:00 Monday to Friday
- 09:00 to 13:00 Saturday
- No working Sundays and Bank Holidays

**This shall include, excavation, construction, loading, unloading, deliveries or any similar construction related activity.**

**REASON: To protect the amenity of nearby residents.**

- 24. All building services plant shall be so sited and designed in order to achieve a Rating Level of -5dB below the lowest measured background noise level, determined at the nearest noise sensitive receptor.**

**REASON: To protect the amenity of nearby residents.**

- 25. A dust suppression scheme shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development and shall be designed to minimise windblown dust from affecting adjoining neighbouring properties. This scheme should cover all the phases of the construction site, including earth works, spoil heap storage, vehicle movements and cutting of materials. All development shall be carried out in full accordance with the approved scheme and retained as such thereafter.**

**REASON: To protect the amenity of nearby residents.**

- 26. A lighting scheme shall be submitted to and approved in writing by the local planning authority prior to the commencement of development and shall be so designed as to overcome glare, sky glow, spillage and intrusion. The scheme should aim to achieve Environmental Zone E2 as specified in the guidance issued by the Institution of Lighting Engineers. All development shall be carried out in full accordance with the approved lighting scheme and retained as such thereafter.**

**REASON: To protect the amenities of nearby residents.**

- 27. (a) No retained tree/s shall be cut down, uprooted, or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars without prior written approval of the Local Planning Authority. Any topping or lopping approval shall be carried out in accordance with BS 3998 2010 British Standard for Tree Work or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practice.**

**(b) If any tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place at a size and species planted at such time that must be agreed in writing with the Local Planning Authority.**

**(c) No equipment, machinery or materials shall be brought onto the site for the purpose of development until a scheme showing the exact position of protective fencing to enclose all retained trees and hedgerows beyond the outer edge of 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 protective fencing has been erected in accordance with the approved plans. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations without prior written approval by the Local Planning Authority.**

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

**REASON: To prevent trees being retained on or adjacent to the site from being damaged during the construction works and in the interest of visual amenity.**

- 28. No development shall commence until a foul and surface water drainage strategy is submitted 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.**

- 29. No development approved by this permission shall be occupied or brought into use until a scheme for the future responsibility and maintenance of the surface water drainage system has been submitted to and approved by the Local Planning Authority. The**

approved drainage works shall be completed and maintained in accordance with the details and timetable agreed.

**REASON:** To ensure adequate adoption and maintenance and therefore better working and longer lifetime of surface water drainage schemes.

30. Prior to any reserved matters approval, details of a surface water drainage masterplan shall be submitted to, and agreed in writing by, the local planning authority. The masterplan shall be in accordance with the Flood Risk Assessment and include details of the phasing of surface water drainage infrastructure including source control measures. The development shall be implemented in accordance with the approved scheme.

**REASON:** To prevent the increased risk of flooding as a result of the development.

31. No development shall take place on land to which reserved matters relate until the detailed drainage design for each plot, phase or parcel of land, incorporating sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, have been submitted to and approved by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the plot or parcel is completed.

**REASON:** To prevent the increased risk of flooding as a result of the development.

32. No development shall commence on site until details of the storage of refuse, including details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved refuse storage has been completed and made available for use in accordance with the approved details and it shall be subsequently maintained in accordance with the approved details thereafter.

**REASON:** In the interests of public health and safety.

**33. No development shall commence on phase 1 until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:**

**(a) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;**

**(b) finished levels and contours;**

**(c) means of enclosure;**

**(d) hard surfacing materials;**

**(e) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc); and**

**(f) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc).**

**REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.**

**34. 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.**

**35. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or**

re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.

**REASON:** To secure the retention of adequate parking provision, in the interests of highway safety.

36. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions / extensions / external alterations to any building forming part of the development hereby permitted and no plant or machinery shall be installed outside any such building on the site on the approved plans.

**REASON:** In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations, or the installation of any outdoor plant/machinery.

37. No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site.

**REASON:** In the interests of the appearance of the site and the amenities of the area.

38. Prior to the commencement of development, a scheme detailing measures to protect the amenities of the occupiers of Taffswell Farm shall be submitted to and approved in writing by the local planning authority. The scheme shall include consideration of the fenestration to plot 103 and details of a landscape buffer. The scheme shall be implemented in accordance with the approved details and within an agreed timetable.

**REASON:** To protect the amenities of the occupiers of Taffswell Farm.

39. Prior to the commencement of development, a scheme detailing measures to protect the amenities of the occupiers of Hunters Moon Farm shall be submitted to and approved in writing by the local planning authority. The scheme shall include consideration of the fenestration to plots 27-28 and details of a landscape buffer. The



scheme shall be implemented in accordance with the approved details and within an agreed timetable.

**REASON:** To protect the amenities of the occupiers of Hunters Moon Farm.

40. Prior to submission of any application for reserved matters, the development site shall be subject to up to date surveys for protected species including:

- Dormouse
- Invertebrates
- Bats
- Habitats / botany

The survey results shall be included in a mitigation statement clearly setting out necessary measures to avoid and mitigate impacts upon protected species, including parameters for detailed designs. The mitigation statement shall be submitted to and approved in writing by the Local Planning Authority prior to submission of any application for reserved matters. Reserved matters applications will only be permitted where the design is in accordance with the parameters set out in the approved mitigation statement.

**REASON:** In the interests of securing ecological surveys required by legislation and so as to secure a form of development that does not unnecessarily impact upon protected species and their habitat.

41. Prior to commencement of development, a Landscape, Ecology and Arboricultural Management and Monitoring Plan (LEAMMP) shall be submitted to and approved in writing by the local planning authority. The LEAMMP shall include:

- (i) details of any relevant up to date ecological surveys;
- (ii) drawings clearly showing all landscaped areas and semi-natural habitats including mature trees to be managed under the LEAMMP;
- (iii) any capital works such as habitat creation, tree / shrub planting, bat / bird boxes etc including creation of 1.13ha of traditional orchard habitat as shown on plan Drg Ref. 9903;
- (iv) ongoing management prescriptions for semi-natural habitats and maintenance schedules for all landscaped areas clearly setting out timescales and responsibilities
- (v) approach to management of all mature trees based on their ecological interest and an arboricultural protocol for carrying out tree works; and
- (vi) a schedule of ecological monitoring work and plan review.

Upon commencement of development all capital works shall be carried out to the agreed timescales and all areas identified in the LEAMMP shall be managed in full accordance with the agreed prescriptions in perpetuity. All monitoring reports shall also be made available to the local planning authority.

**REASON:** In the interests of securing a form of development that does not unnecessarily impact upon protected species and their habitat. In particular, this condition is ensure that the loss of the existing mature orchard on the site early in the development process is also compensated at an appropriate and early stage of development, so as to allow for maximum mitigation.

42. No more than 450 dwellings shall be constructed on the site pursuant to this planning permission.

**REASON:** To define the limits of the planning permission and to set the maximum number of dwellings to be constructed on the application site

**INFORMATIVES:**

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws the prior written consent (Flood Defence Consent) of the Environment Agency is required for any proposed works (permanent or temporary) or structures in, under, over or within 8 metres of the top of the bank of the Pudding Brook designated a 'main' river. The need for this consent is over and above the need for planning consent. The applicant is advised to contact Daniel Griffin on 01258 483421 to discuss the scope of our controls.

For the 'southern catchment' the discharge point is to the ordinary watercourse close to Queensbury Cottages. In addition, because an ordinary watercourse crosses the site of the proposed development we recommend the following informative.

There are ordinary watercourses within or in close proximity to your site. If you intend to obstruct the flow in the watercourse (permanently or temporarily, including culverting) you will require prior Land Drainage Consent from Wiltshire Council as the Lead Local Flood Authority. You are advised to contact the Drainage Team to discuss their requirements:-

<http://www.wiltshire.gov.uk/communityandliving/civilemergencies/drainage/drainageordinarywatercourseconsent.htm>

The applicant is reminded of their agreement to provide a marketing suite, so that new occupiers can see what school provision there is, GPs and local traders etc.

9 **N/12.0438/OUT - Marden Farm, Rookery Park, Calne, SN11 0LH - Update**

**The following people spoke against the proposal:**

Mr Alistair Cone, a local resident  
Mrs Anne Henshaw, representing North Wiltshire & Swindon CPRE  
Mr Paddy O’Keeffe, a local resident  
Cllr Derek Warnett, representing Calne Town Council

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He reported that this application had been previously refused planning permission by Strategic Planning Committee on 30th July 2013. The applicants had subsequently lodged an appeal and a Public Inquiry was scheduled to take place week commencing 24th February 2014.

The Inspector’s tenth procedural letter (2nd December 2013) to the Wiltshire Core Strategy had changed the context within which this application should be considered and impacted upon the reasons for refusal. The Inspector had suggested that the Core Strategy housing requirement should be increased by 5,000 to 42,000 homes in Wiltshire and it is currently unclear what impact this would have on the number of homes planned for Calne and the North and West Housing Market Area. This Committee was therefore being requested to consider the approach to the conduct of this appeal.

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 Alan Hill, a local Member, who did not support the development on the grounds that:

- He did not consider that the development was necessary bearing in mind that as at present only an additional 170 houses were needed in Calne until 2026, according to the current allocation.
- He was concerned that such a development would result in a further increase in air pollution which currently exceeded the Government’s recommended levels by 50%.

Officers advised the Committee that it would not be possible for the Committee to advance any further reasons for opposing the application but that individual

people were at liberty to attend the public enquiry and put forward their own reasons why the appeal should be dismissed.

After discussion,

**Resolved:**

**To agree that the Council offer no defence at the forthcoming appeal and invite the applicant to resubmit the application to the Council for reconsideration, in the context of the recent comments made by the Core Strategy Inspector.**

(Note: Cllr Terry Chivers requested that his vote against the Motion be recorded.)

10 **Date of Next Meeting**

**Resolved:**

**To note that the next meeting was due to be held on Wednesday 12 February 2014 in the Council Chamber at County Hall, Trowbridge, starting at 10.30am.**

11 **Urgent Items**

There were no items of urgent business.

(Duration of meeting: 10.40 am - 2.10 pm)

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

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