

## NORTHERN AREA PLANNING COMMITTEE

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**DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING  
HELD ON 23 APRIL 2014 AT COUNCIL CHAMBER - COUNCIL OFFICES,  
MONKTON PARK, CHIPPENHAM, SN15 1ER.**

**Present:**

Cllr Christine Crisp, Cllr Chris Hurst, Cllr Simon Killane, Cllr Jacqui Lay (Substitute),  
Cllr Mark Packard, Cllr Sheila Parker, Cllr Toby Sturgis, Cllr Anthony Trotman (Chairman)  
and Cllr Philip Whalley

**Also Present:**

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35 **Apologies**

Apologies were received from Cllr Douglas and Cllr Groom.

Cllr Groom was substituted by Cllr Lay.

36 **Minutes of the previous Meeting**

The minutes of the meeting held on 2 April 2014 were presented.

**Resolved:**

**To approve as a true and correct record and sign the minutes.**

37 **Declarations of Interest**

There were no declarations of interest.

38 **Chairman's Announcements**

There were no Chairman's announcements.

39 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

40 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and later published as an agenda supplement, in respect of applications **6a** and **6e** as listed in the agenda pack.

41 **13.00958.S73A - Oaksey Park, Lowfield farm, Oaksey, Wiltshire**

With the approval of the Chairman, application 13/00958/S73A, Oaksey Park, Lowfield Farm, Oaksey, Wiltshire was considered first.

The Chairman explained that prior to the Committee meeting further evidence had been provided which needed to be considered, and as a result of this further evidence it was unsafe to debate the item.

**It was resolved to;**

**Defer the application.**

42 **12.03594 - Octavian, Eastlays, Gastard, Wiltshire, SN13 9PP**

Sheena Audrey, Peter Davis, Charlotte Dines and Cllr Rod Taylor spoke in objection to the application.

Ben Pearce spoke in support of the application.

The officer introduced the report which recommended that planning permission be granted.

The application was for the construction of a building for the storage of fine wine which was 6,200 square meters in total, and was on a site of 17 hectares. The building proposed was substantial in size, being a total of 132 meters long, 70 meters wide and 11 meters high. An extensive landscaping scheme was proposed. The landscaping officer had confirmed that the impact of the building would be limited to particular viewpoints.

The Committee had the opportunity to ask technical questions of officers and it was confirmed that a drainage scheme did not form part of the application. The structure would sit on the existing site level and some areas of the ground level would be raised.

Members of the public addressed the Committee as detailed above.

The local member, Cllr Tonge addressed the Committee and spoke in objection to the application, noting the mass of the structure, its location in the countryside and its impact on the landscape.

In the debate that followed the Committee noted the size of the structure, its rural setting and the potential for the site to result in further above ground developments.

**It was resolved to;**

**Refuse planning permission for the following reason.**

**By reason of its scale, massing and external appearance, the proposed building would not respect the character and distinctiveness of the rural locality and landscape. As such, the proposed development would be contrary to the provisions of Policies C3 and NE15 of the adopted North Wiltshire Local Plan 2011.**

43 **13.05668.VAR.SS - Bassett Down Golf Club, Hay Lane, Bassett Down, Swindon, SN4 9QP**

John Ingleson spoke in objection to the application.

Rob Dance spoke in support of the application.

The officer introduced the report which recommended that condition 13 to planning permission 09/00079/COU be varied.

The officer explained that although the site itself was in Wiltshire, the adjacent road was maintained by Swindon Borough Council. Planning permission to extend the site had been granted in 2009, and condition 13 of that permission had set a start and completion date for the importation of fill to the site, which subsequently expired in December 2013.

The Committee then had the opportunity to ask technical questions of officers and it was confirmed that 282,000 cubic meters of fill was required to complete construction. 192,000 cubic meters had been delivered. Approximately 141 HGV movements would occur from the site each day.

Members of the public then addressed the Committee as detailed above.

The local member, Cllr Groom was absent and Cllr Lay spoke on her behalf. She noted the condition of the adjacent road and questioned its suitability for use by HGVs.

**It was resolved;**

**That planning permission be GRANTED subject to conditions imposed under 09/00079/COU together with minor amendments to wording of conditions so as to reflect the fact that development has already commenced, including conditions 03 (Ecology), 08 (hours of operation), 12 (duration of construction phase) and additional condition 14 (survey of highway damage), to read as follows :**

- 1) 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.**

- 2) Development shall take place in complete accordance with the approved surface water drainage scheme for the site (prepared by DJP Consulting Engineers, April 2009), which was based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. In particular, run off from the site following development to not exceed Greenfield rates calculated on page 2 of the letter from DJP Structural and Civil Engineers dated 21 October 2009**

**Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity and ensure future maintenance of these.**

- 3) Within 3 months of the date of this planning permission, an updated Landscape and Ecological Management Plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas shall be submitted to and approved in writing by the Local Planning authority. The Landscape Management Plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning authority. The Scheme shall include the following elements:**

- a) **design details of all water features to ensure they are designed to maximise the benefits for biodiversity. Lakes should have significant areas of shallows and be planted with native wetland plants**
- b) **suitably sized buffer strips of vegetation left between the water features and the main fairways. These strips should be left to develop with limited management. They will provide protection for the water features from intensive management such as fertilise spraying**
- c) **drainage channels and SUDS should be designed to maximise their benefits for biodiversity**
- d) **chemical treatments for green/fairways should be limited and sufficient distances from water features, should always be maintained during these operations to prevent them being impacted by direct application or spray drift.**

**Reason: To ensure protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy**

- 4) **The development hereby permitted shall be carried out in complete accordance with the approved Construction and Environmental Management Plan (prepared by MJ Church, dated 13<sup>th</sup> July 2011).**

**Reason: To minimise the impact on construction vehicles on Junction 16 of the M4**

- 5) **The importation of inert fill to the site shall take place in complete accordance with the Environmental Permit (permit number: EPR/AB3804CL), which transferred to the current operator (Earthline) by the Environment Agency on 13<sup>th</sup> October 2013.**

**Reason: To safeguard the amenities of local residents and the wider environment during the construction phase.**

- 6) **No materials other than inert waste and topsoil shall be imported into and deposited on the site.**

**Reason: To control the type of waste imported.**

- 7) **There shall be no screening or processing of inert waste material on the site at any time.**

**Reason: To safeguard the amenities of local residents and the wider environment during the construction phase.**

- 8) No operations relating the formation of the course, including HGVs entering and leaving the site, shall take place except between the following times:**

**07.30 – 17.00 Mondays to Fridays**

**No operations related to the formation of the course shall take place on Saturdays, Sundays, Bank or Public Holidays.**

**Reason: To safeguard the amenities of local residents and the wider environment during the construction phase.**

- 9) All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with, and use, effective silencers. No reversing beepers or other means of warning of reversing vehicles shall be fixed to, or used on, any mobile site plant other than white noise alarms or beepers where noise levels adjust automatically to surrounding noise levels.**

**Reason: To safeguard the amenities of local residents and the wider environment during the construction phase.**

- 10) During the permitted working hours the freefield equivalent continuous noise level (LAeq, 1 hour) for the period due to normal waste importing and depositing operations shall not exceed 55dB as recorded at the boundary of any inhabited property.**

**Reason: To safeguard the amenities of local residents and the wider environment during the construction phase**

- 11) The deposit of waste and all earthworks required to form the approved development shall be completed no later than 31<sup>st</sup> December 2016. Within a period of a further 12 months (i) all plant and machinery shall be removed from the site (except which the local planning authority agrees in writing is required for future maintenance of the site); and (ii) the temporary access road shall be closed and the restored in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority.**

**Reason: To enable the Council to control the development and monitor the site to ensure compliance with the planning permission.**

**12) In complete accordance with the submitted details, no more than 141 heavy goods vehicle movements to and from the site shall occur on any working day.**

**Reason: To limit the volumes of traffic in the interests of the amenity of residents on and near the approaches to the site.**

**13) Within 2 months of the date of this planning permission, a photographic survey of Hay Lane between the M4 junction and the site entrance shall be carried out. Upon completion of the construction phases, a post construction survey shall be carried out at the same locations. Details and results of both before and after survey shall have been submitted to the Local Planning Authority (who will liaise with Swindon Borough Council as the Highway Authority) within 3 months of the first use or occupation of the development. Those submitted details and results shall be accompanied by a plan and timing schedule for the repair of any damage identified and attributable to the construction of the development, to be carried out at the expense of the applicant, which shall have been agreed in writing with the Local Planning Authority beforehand.**

**Reason: So as to secure a scheme for the repair of the public highway following completion of substantive construction works.**

**44 13.06672 - 56 New Road, Chippenham, SN15 1ES**

Mark Willis and Tony Gill spoke in support of the application.

The officer introduced the report which recommended that planning permission be granted subject to conditions.

He explained that the application was for the change of a retail unit into a gym. The proposal included an extension to the side and to the rear of the property and an alteration to the building frontage. The application included a noise assessment.

The Committee then had the opportunity to ask technical questions of officers and it was confirmed that further planning permission would be required for the installation of air conditioning units. The opening hours were not restricted through conditions. Environmental Health officers had not raised any concerns regarding noise levels. Although the building concerned was not listed, others in the vicinity were.

Members of the public then addressed the Committee as detailed above.

The local member, Cllr Caswell spoke in objection to the application. He noted that the proposed extension would create a unified frontage with the listed buildings adjacent to the site and that the fire escape had been moved as part of the proposal.

In the debate that followed the Committee noted the increased number of service businesses in the vicinity and the potential for the development to assist the night-time economy.

**It was resolved;**

**To GRANT Planning Permission subject to the following conditions:**

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

**REASON: To comply with the provisions of Section 91 of the Town & Country Planning Act 1990 as amended by the Planning & Compulsory Purchase Act 2004.**

- 2. No development shall commence on site until details of the formal noise assessment as required by the Environmental Health Officer email dated 06.02.2014 and mitigation measures (if any) have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and decibel rating.**

**REASON: In order to prevent loss of amenity to the flats through the noise and to ensure the viability of the business from unnecessary enforcement action from Public Protection.**

- 3. No development shall commence on site until details of the materials to be used for the external walls and roof 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 this part of the Conservation Area and adjacent Listed Buildings.**

- 4. The following plans and documents were taken into account in the consideration of the application:**

<b>Dwg No: 2472/01 Various</b>	<b>Dated</b>
<b>06.12.2013</b>	
<b>Dwg No: 2472/02A Plans and elevations as existing</b>	
<b>13.12.2013</b>	
<b>Part Superseded Dwg No: 2472/03A Plans &amp; elevations as proposed</b>	
<b>13.12.2013</b>	
<b>Revised Dwg No: SK.01 New shop front with two glazing bars</b>	
<b>06.02.2014</b>	
<b>Additional Information on Ceiling Treatments</b>	
<b>21.03.2014</b>	

**INFORMATIVES TO THE APPLICANT:-**

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

**If you intend carrying out works in the vicinity of the site boundary, you are also advised it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 2006.**

- 2. This permission does not permit the display of any advertisements which require consent under the Town**

**45 13.07226 - 9 Gaston Lane, Sherston, Wiltshire, SN16 0LY**

Mike Moss spoke in objection to the application.

Gina Butler spoke in support of the application.

The officer introduced the report which recommended that planning permission be delegated to the Area Development Manager to grant subject to a s106 agreement and conditions.

Outline approval for the construction a building on the site was previously granted, and the application before the Committee included slight amendments to the original plans.

The Committee then had the opportunity to ask technical questions of officers and it was confirmed that any external building materials would be subject to approval.

Members of the public then addressed the Committee as detailed above.

The local member, Cllr Thomson spoke in support of the application. He noted the need to minimise disruption to local residents and to improve the quality of the final build. He highlighted the need for an agreed finished floor level, a condition survey on the site lane and the need to ensure that a fire hydrant close to the site was clearly painted and left serviceable.

In the debate that followed the Committee noted the importance of achieving a high quality finish, the need to control deliveries to the site and to ensure that the garage was used for parking a vehicle.

**It was resolved to;**

**DELEGATE to Area Development Manager for APPROVAL subject to the applicant entering into a legal agreement under S.106 of the Town and Country Planning Act 1990 in respect of the provision of a financial contribution towards public open space and affordable housing, as required by policies CF3 and H6 of the adopted North Wiltshire Local Plan 2011 and subject to the following conditions:**

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

**REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

- 2) No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-**
  - a. location and current canopy spread of all existing trees and hedgerows on the land;**
  - b. full details of any to be retained, together with measures for their protection in the course of development;**
  - c. a detailed planting specification showing all plant species, supply and planting sizes and planting densities;**
  - d. finished levels and contours;**
  - e. means of enclosure;**
  - f. car park layouts;**
  - g. all hard and soft surfacing materials;**

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

- 3) 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.

- 4) No development shall commence on site until details of the finished floor levels and maximum height of the dwelling have been submitted to and agreed in writing by the local planning authority. Development shall be carried out in accordance with the agreed finished floor levels.**

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

- 5) Notwithstanding the submitted plans the front (North-East) and rear (south-west) elevations shall be constructed using natural stone and shall not be rendered. No development shall commence on site until details and samples of the natural stone to be used have been made available and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**
- 6) No development shall commence on site until details and samples of the materials to be used for the external 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) No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans, 'Proposed Site Plan' 3909/53 Rev B. The areas shall be maintained for those purposes at all times thereafter.

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

- 8) No development shall commence on site until visibility splays have been provided in accordance with the approved plan 'Proposed Site Plan' 3909/53 Rev B with the wall reduced in height to 1 metre for 3 metres either side of the access as demonstrated. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1 metre above the level of the adjacent carriageway.

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

- 9) 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 hereby permitted shall not be converted to habitable accommodation and shall be available to be used as a parking space at all times.

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

- 10) No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

- 11) 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), no habitable room windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the north west or south west elevations at first floor level of the development hereby permitted.

**REASON:** In the interests of residential amenity and privacy.

**12) Before the development hereby permitted is first occupied the first floor hallway window in the north west elevation shall be glazed with obscure glass only and the windows shall be permanently maintained with obscure glazing in perpetuity.**

**REASON:** In the interests of residential amenity and privacy.

**13) A pre-commencement site meeting shall be held and attended by the developer's arboricultural consultant, the designated site foreman and a representative from the Local Authority to discuss details of the proposed work and working procedures prior to any demolition, site clearance and any development. Subsequently and until the completion of all site works, site visits should be carried out on a monthly basis by the developer's arboricultural consultant. A report detailing the results and any necessary remedial works undertaken or required shall be submitted to and approved in writing by the Local Planning Authority. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant following that approval.**

**REASON:** In order that the Local Planning Authority may be satisfied that the trees to be retained on site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with best practice.

**14) No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:**

- a) the parking of vehicles of site operatives and visitors;**
- b) loading and unloading of plant and materials;**
- c) storage of plant and materials used in constructing the development;**
- d) measures to control the emission of dust and dirt during construction;**
- e) measures to ensure that the condition of Gastons Lane is**

monitored and any damage attributable to construction activity is repaired – measures should include a survey of the highway prior to commencement of development and following completion of the development and measures to address any identified issues.

- f) hours of construction - to avoid undue disturbance to neighbouring residents in the early mornings, evenings or at weekends/and bankholidays, (including deliveries which should be restricted to not before 09:30 or after 15:00 on any weekday;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

**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.

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

- 3909/53 Rev B (Proposed site plan)
- 3909/51 Rev B (Proposed floor plans & elevations)
- 3909/54 (Proposed floor plan & elevations of garage)
- 3909/02 (Site location)

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

**INFORMATIVES TO APPLICANT:**

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way.

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

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

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

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

**The applicant should note that there is a fire hydrant close to the site and that it should remain accessible and serviceable at all times.**

46 **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.00 - 8.25 pm)

The Officer who has produced these minutes is Eleanor Slack, of Democratic Services, direct line 01225 718255, e-mail [eleanor.slack@wiltshire.gov.uk](mailto:eleanor.slack@wiltshire.gov.uk)

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