

NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION

08 October 2014

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 6(a) - 14/03084/FUL – Land East of Manor Farm, Wadswick

The Council has received an Article 25 holding Direction from the Secretary of State in respect of the application. This Direction suspends the determination of the application by the Local Planning Authority, in order to enable the Secretary of State to consider whether or not he wishes to call in the application for his own determination.

The implications of this are that although the Council may consider the merits of the application and, in this instance, any recommended conditions, it may not approve the application unless instructed to do so by the Secretary of State. Having sought advice from the Secretary's office and the Council's Monitoring Officer, and in the interests of assisting the Secretary of State by providing a complete view of the Council's position, the Committee is advised to proceed to consideration of the recommended conditions.

It is emphasised that, whatever resolution is reached by the Committee in respect of the conditions now proposed, the Council may not now approve the application unless instructed to do so by the Secretary of State, who will advise in due course.

Item 7(b) – 14/06727/FUL– Unit 2 & 3, Abacus House, Newlands Road, Corsham, SN13 0BH

Public Protection comments, received 25 September 2014:

"Based on the noise consultant's report I would recommend that a planning condition is attached to any approval restricting noise emitted from plant used on site.

Additional Condition:

Any plant shall not exceed a rating level of 40dB during daytime (7am to 11pm) nor a rating level of 30dB at night (11pm to 7am), when measured at 1 metre from the nearest residential dwelling's window.

REASON: In the interests of the amenities of local residents.

Item 7C – 14/03343/FUL - Land at Brynards Hill, Royal Wootton Bassett

Urban Design Officer's Comments Received 1/10/14:-

Confirm that the revised plans address all previous comments and no objection raised.

Highways Officer's Comments Received 6/10/14:-

I refer to my correspondence dated 1 October, 11 September, 27 August and 7 July 2014.

As a result of my comment dated 1 October, Wainhomes has provided revised drawings dated 2 October. I am satisfied with the revisions to plots 24, 29, 21 and 25. With regard to plot 29 I will be including a condition to maintain the parking arrangement/ landscaping / including low birds mouth fencing to ensure that vehicles are not crossing the footway from the parallel parking position. I am satisfied with the amendments to provide for the refuse vehicle, please note that I will be including an informative that in the event car parking is occurring in the turning head/ site and obstructing the refuse vehicle that as part of the Section 38 that waiting restrictions are provided at the developers cost. If restrictions are not provided the highway authority may refuse to adopt the roads. With regard to the cycleway and footway links, I understand that these are not going to be offered for adoption and are going to be maintained by a management company. I will still require a condition to ensure its timely provision and suitable specification.

With regard to the outline application for the care home, I understand that this is outline, with all matters reserved, therefore issues such as access, parking are not to be considered at this stage. I understand that these details will be finalised at reserved matters stage. However I understand that it is the correct stage to secure a sustainable transport contribution (£16,500).

As a result of Wainhomes agreement to cover costs of a speed limit review, I am satisfied that this can be included in the Section 106 Agreement. The estimated costs are £6,000.

I recommend that no highway objection be raised subject to the following conditions:

1. Prior to the first occupation at the site the developer shall provide a scheme of footway / cycleway widening (3m) extending from the Interface Business Park access road onto the southern section Bincknoll Lane towards the 'Swallow Mead' bus stop. Full construction details shall be submitted to and approved in writing by the Local Planning Authority prior to construction taking place. The approved scheme shall be constructed in accordance with the approved details prior to the first occupation at the site and to the satisfaction of the Local Planning Authority.

4. (WD20) No part of the dwelling hereby approved shall be first occupied until the parking provision shown on the approved plans (Layout Plan, WAIN/LW/104/01 E) and car parking matrix (WB Parking Matrix Rev A, attached) has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

5. (WD7) No development shall commence on site until full construction details of the cycleway / footways across the country park have been submitted to and approved by the Local Planning Authority. The development shall not be first occupied until the cycleway / footways and laid out in accordance with the approved details, unless an alternative timetable is agreed in the approved details.

REASON: To ensure that the cycleway/ footways are laid out and constructed in a satisfactory manner.

6. (WD12) Plot 29 – Prior to occupation the access, turning area and parking space shall be completed in accordance with the details (including the low birds fencing) shown on the approved plans (Layout Plan, WAIN/LW/104/01 E). The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

INFORMATIVE:

The developer should note that as part of the Section 38 Agreement, Highways Act 1980, that a clause related to waiting restrictions will be required. In the event that car parking occurs that causes obstruction to the refuse vehicles and others vehicles the applicant will be required to cover all costs associated with the provision of a scheme of waiting restrictions on the highway.

Please note that condition 1 will require a Section 278 Agreement, Highways Act 1980, in order that the works can be carried out.

I recommend that the application secures the following obligations via section 106 agreement:

- The developer to provide a financial contribution of £102,000 (£1,500 per unit) towards Sustainable Transport measures including walking and cycling links to the town centre and other community facilities within Royal Wootton Bassett.
- The developer to provide a financial contribution of £6,000 to review and implement a scheme of revised speed limits in the roads in the proximity of the site (including Bincknoll Lane).

Care Home (age restricted units)

- The developer to provide a financial contribution of £16,500 (£750 per unit) towards Sustainable Transport measures including walking and cycling links to the town centre and other community facilities within Royal Wootton Bassett.

Case Officer Comment:-

The Applicant has submitted a S106 Heads of Terms that addresses the identified requirements except in relation to the Care Home. Separate email confirmation of agreement to meet the care home requirements via the reserved matters application for this element of the scheme has been received from the applicant today 08/10/14. The applicant has also confirmed agreement to the suggested conditions and informatives. The list of conditions and informatives suggested by Highways Officers has been edited to remove those already included with the main report to committee i.e. to highlight only the additional recommended conditions.

Environment Agency comments received 07/10/14:-

Further to our letter of 19 September 2014, I write to provide an update of our position regarding the above proposed development.

We have no objection to the proposals subject to the submission of the following information and the inclusion of the following conditions and informatives in any permission granted.

We have seen additional details relating to the proposals, which we advise you request from the applicant as part of the planning application documents. These are as follows:

1. Operational and Maintenance Strategy for surface water drainage scheme (Updated April 2011) Issue 6, prepared by PFA Consulting.

2. Details contained within the email from awp to the EA dated 02 October 2014, including volume calculations (for the proposed reprofiling works to the Hancock's Flood Storage Area) and awp drawing EWK/001 Rev B (showing the proposed reprofiling footprint). *Please note that the current FRA (prepared by awp dated 06 August 2014 Revision B) incorrectly states that reprofiling works have already been carried out.*

3. Post-re-profiling works topographic survey and confirmation of the additional storage volume achieved.

CONDITION

No development approved by this permission shall be commenced until a full operation and maintenance strategy for the surface water drainage scheme has been submitted to and formally approved in writing by the Local Planning Authority. The strategy shall identify all future land use limitations, identify the ownership, operational and maintenance arrangements for the works over the lifetime of the scheme.

REASON

To ensure that the works provide the necessary mitigation against flooding for the lifetime of the existing and proposed development, in accordance with current planning guidance.

The Local Planning Authority must ensure that they can reasonably enforce the above condition pertaining to the operation and maintenance of the surface water drainage scheme if land on which any part of the scheme sits (the Woodshaw Flood Storage Area) including access routes etc. is not owned by the applicant.

INFORMATIVE

Under the terms of the Water Resources Act 1991 and the Land Drainage Bylaws, the prior written Flood Defence Consent of the Environment Agency is required for any proposed permanent or temporary works or structures in, under, over or within 8 metres of the top of the bank of the Hancock's Water, designated a 'main river'. The need for Flood Defence Consent is over and above the need for planning permission. To discuss the scope of our controls and to obtain an application form please contact Daniel Griffin on 01278 483421.

Water Efficiency and Climate Change

The incorporation of water efficiency measures into this scheme will provide resilience to some of the extremes of weather conditions that climate change brings. It benefits future residents by reducing water bills, and also benefits wider society by allowing more water to go round in times of shortage. The following condition has been supported in principle by the Planning Inspectorate.

CONDITION

No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

REASON: In the interests of sustainable development and climate change adaptation.

INFORMATIVE

The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting

should be considered. An appropriate submitted scheme to discharge the condition will include a water usage calculator showing how the development will not exceed a total (internal and external) usage level of 105 litres per person per day.

NOTE TO LPA

By ensuring that any scheme submitted meets the standards given above you do not need to consult the Environment Agency on discharging the above condition.

Construction Environmental Management Plan (CEMP)

CONDITION

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

REASON

To prevent pollution of the water environment

INFORMATIVE

Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

- the use of plant and machinery
- oils/chemicals and materials
- the use and routing of heavy plant and vehicles
- the location and form of work and storage areas and compounds
- the control and removal of spoil and wastes.

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at:

<https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

Case Officer Comment:-

The applicant has provided the requested information except in relation to post-re-profiling works topographic survey and confirmation of the additional storage volume achieved. This will be provided following completion of the drainage works and a condition is recommended as follows. In addition the Applicant has confirmed ownership of all the relevant land and so the requirement to implement the identified drainage works can be enforced as necessary. The list of conditions and informatives suggested by Environment Agency Officers has been edited to remove those already included with the main report to committee i.e. to highlight only the additional recommended conditions.

No Development hereby approved shall commence until a topographic survey and report of the post re-profiling works confirming the additional storage capacity has been submitted to and approved by the Local Planning Authority.

REASON: To prevent pollution of the water environment

Comments of the Council's Ecologist Received 30/9/14:

I recommend that suggested condition WH9 Ecological Assessment (Implementation) is amended to read:-

Prior to the commencement of development the applicant shall submit to the Local Planning Authority a monitoring report including a condition survey of all areas identified in the approved Ecological Management Plans for the site (Tyler Grange, 2011, Report Ref: 1171_2010_02c_JSA_RW and 1171_2010_03c_JSA_RW) and the management operations undertaken to date in accordance with the approved management prescriptions of the EMP. Prior to the commencement of development all areas identified in the approved Ecological Management Plans for the site (Tyler Grange, 2011, Report Ref: 1171_2010_02c_JSA_RW and 1171_2010_03c_JSA_RW) shall be managed in accordance with the approved management prescriptions, thereafter all areas identified in the approved Ecological Management Plans for the site (Tyler Grange, 2011, Report Ref: 1171_2010_02c_JSA_RW and 1171_2010_03c_JSA_RW) shall be managed in accordance with the approved management prescriptions in perpetuity unless otherwise agreed in writing with the local planning authority. Thereafter all monitoring shall be carried out in accordance with the approved monitoring prescriptions and monitoring reports shall be submitted in writing to the local planning authority.

REASON: To mitigate against the loss of existing biodiversity and nature habitats

Representations received from Oxford University Endowment Fund 02/10/14

No objection is raised to the principle of residential and care home development on the application site, but OUEM is concerned that the proposed layout would frustrate the extension of the existing access road to serve as part of the route of a future southern bypass. It is also highlighted that the OUEM is promoting land to the south of RWB for development through the emerging Wiltshire Core Strategy. It is further highlighted that Paragraph 41 of the NPPF (March 2012) states that:- 'Local planning authorities should identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice.'

Case Officer Comment:-

There is no confirmed proposal in any adopted or emerging development plan document for the extension/completion of the bypass or development to the south of RWB. Officers in Spatial Plans and Highways Teams have not identified any proposals for these developments or recommended refusal on this basis. The applicant owns the land in question. The site benefits from extant consents for employment uses and Country Park which are considered to have the same effect. Given this position Officers do not consider that it can be recommend to the Committee that the application be refused on the grounds that it would frustrate completion of the bypass as a sound and defensible reason for refusal.

Additional amendment to Conditions:-

WM13 Approved Plans

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

Layout Plan, WAIN/LW/104/01 E
Reprofiling Works 0162-EWK/001 Rev B
WB House Types A1 Plots 17 – 21
WB House Types A1 Plots 22 – 26
WB House Types A1 Plots 27 – 31
WB House Types A1 Plots 32 – 37
WB House Types A1 Plots 38 – 42
WB House Types A3 Plot 49
WB House Types A3 Plot 14 – 15
WB House Types A1 Plots 4 – 8
WB House Types A1 Plots 10 – 13
WB House Types A1 Plots 43 – 48
WB House Types A3 Plots 1
WB House Types A3 Plots 2 and 52
WB House Types A3 Plots 3
WB House Types A3 Plots 9 and 16
Wain Garages 2014 A3 Plans
WB House Types A Plots 53 – 55
WB House Types A1 Plot 59 – 63
WB House Types A1 Plots 65 – 68
WB House Types A2 Plots 56 – 58
WB House Types A3 Plots 50 – 51
WB House Types A3 Plot 64
WB Parking Matrix REV A
Tracking Layout 0162-ATR-001 REV C
Preliminary Highway Layout 0162-PHL-001-C
WAIN19060-3C
0162/PHL/102 REV A
0162/PHL/101 REV B
0162/PDL/001 REV E
WAIN/LW/104/107 REV C
WAIN/19060 13
WAIN 19060 14
WAIN 19060 15
WAIN 19060 16
0162 XS/001 REV A
WAIN 19060 10 C

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