

## NORTHERN AREA PLANNING COMMITTEE

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**MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 28 JANUARY 2015 AT COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.**

**Present:**

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice Chairman), Cllr Christine Crisp, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Mark Packard, Cllr Sheila Parker, Cllr Nick Watts, Cllr Philip Whalley and Cllr Chuck Berry (Substitute)

**Also Present:**

Cllr Alan MacRae

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9 **Apologies**

Apologies were received from Cllr Simon Killane and Cllr Toby Sturgis who was substituted by Cllr Chuck Berry.

10 **Minutes of the Previous Meeting**

**Resolved:**

**To confirm as a true and correct record and sign the minutes of the meeting held on 7 January 2015.**

11 **Declarations of Interest**

Cllr Philip Whalley declared himself a member of Corsham Town Council, he would participate in debate and vote with an open mind.

12 **Chairman's Announcements**

The Chairman drew attention to the late observations.

13 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation. A question from a member of the public and a response were available in the agenda supplement.

A supplementary question was submitted in writing and it was confirmed that a written response would be given.

## 14 **Planning Applications**

### 14a **14/10081/FUL Meadowpark School, The Old School, High Street, Cricklade, Swindon, SN6 6DD**

Richard Serjent, Gerdie Schaffer, Nicholas Rose spoke in objection to the application.

Andrew Miles, Mr Averies and Dr Bohdan spoke in support of the application.

Cllr John Coole, Cricklade Town Council, spoke in objection to the application.

The officer introduced the report which recommended that planning permission be refused. The location of the proposed development, photographs and a site plan were shown, alongside items in the late observations. The recommended reasons for refusal detailed in the report were explained.

The Committee then had the opportunity to ask technical questions and a typing mistake in the report was corrected.

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

In the debate that followed the Committee agreed the design was not in-keeping with the local area and suffered from inadequate parking and highways issues. The Committee noted with concern the risk of flooding and pedestrian safety the development may cause.

#### **Resolved:**

#### **To REFUSE planning permission for the following reasons:**

- 1. It has not been demonstrated that adequate provision can be made on site for the parking of vehicles and for the setting down and picking up of pupils which will result in additional on street parking in an area where congestion is already caused by high parking demand. Therefore, the proposed development is considered contrary to Core Policy 60 of the Wiltshire Core Strategy and Policies C3 & T1 of the North Wiltshire Local Plan 2011.**

2. The proposed development would result in an intensification of use of the single lane driveway into the site, which would result in circumstances prejudicial to pedestrian and highway safety from vehicles reserving into and out from the site or waiting in the public highway. Therefore, the proposed development is considered contrary to Core Policy 60 of the Wiltshire Core Strategy and Policies C3 & T1 of the North Wiltshire Local Plan 2011.
3. The proposed development, by reason of the proliferation of the built form into the open areas of the site, size, materials and design, would result in significant harm to the character and appearance of the Cricklade Conservation Area, the setting of the adjacent Listed Buildings. and the open landscape from the River Thames. Therefore, the proposal is contrary to Core Policies 57 & 58 of the Wiltshire Core Strategy, Policies HE1, HE4 & TM4 of the North Wiltshire Local Plan 2011 and paragraphs 17(10), 131, 132, 134 and 137 of the National Planning Policy Framework.

**14b 14/10498/FUL Corsham Police Station, Priory Street, Corsham, SN13 0AY**

David Curry spoke in objection to the application.

Matthew Bollen spoke in support of the application.

The officer introduced the report which recommended that planning permission be granted subject to conditions; errors in the report were corrected. A site layout plan and photographs showing the style of local properties were shown. The officer explained the development would not be subject to Section 106 contributions.

The Committee then had the opportunity to ask technical questions, it was confirmed that residential development was permitted on the site and the number of parking spaces per dwelling was verified.

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

Following statements from the public, the planning officer confirmed the highways officer was satisfied with the proposal and a landscaping scheme would be submitted to the local authority if permission were to be granted.

The local member, Cllr Alan MacRae, spoke in objection to the application and commented the applicant had not sufficiently consulted the public. The Councillor also expressed concern that members of the public were not able to attend the meeting at its current timing.

In the debate that followed some Members noted with concern the number of proposed dwellings, their relation to the natural line of housing and privacy issues caused by overlooking. It was considered whether a Construction Method Statement could be implemented if permission were to be granted.

**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 and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

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

**Site Location Plan – 3802/201 Rev A – Received 5th November 2014**

**Proposed Site Plan - 3802/204 Rev G – Received 12th January 2015**

**Proposed Streetscene Elevation - 3802/230 Rev D - Received 12<sup>th</sup> January 2015**

**Plot 10 Elevations - 3802/229 Rev A – Received 22nd December 2014**

**Plot 10 Floor Plans - 3802/228 – Rev A Received 22nd December 2014**

**Plots 1 & 2 Elevations - 3802/221 – Received 5th November 2014**

**Plots 1 & 2 Floor Plans - 3802/220 - Received 5th November 2014**

**Plots 3 & 4 Elevations - 3802/223 - Received 5th November 2014**

**Plots 3 & 4 Floor Plans - 3802/222- Received 5th November 2014**

**Plots 5 & 6 Elevations - 3802/225- Received 5th November 2014**

**Plots 5 & 6 Floor Plans - 3802/224 – Received 5th November 2014**

**Plots 7, 8 & 9 Elevations - 3802/227 – Received 5th November 2014**

**Plots 7, 8 & 9 Floor Plans - 3802/226 – Received 5th November 2014**

**Design and Access Statement – Received 5th November 2014**

**Material Schedule - Received 5th November 2014**

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

- 3. 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.

4. 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:-
  - location and current canopy spread of all existing trees and hedgerows on the land;
  - full details of any to be retained, together with measures for their protection in the course of development, including off-site trees.
  - a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
  - finished levels and contours;
  - means of enclosure;
  - car park layouts;
  - other vehicle and pedestrian access and circulation areas;
  - all hard and soft surfacing materials;
  - minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
  - 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.

5. 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.

- 6. 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 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.

- 7. No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.**

**REASON:** To ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

- 8. 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 undertaken and until:**
  - a) The Local Planning Authority has been provided with written confirmation that, in the opinion of the developer, the site is likely to be free from contamination which may pose a risk to people, controlled waters or the environment. Details of how this conclusion was reached shall be included.**
  - b) If, during development, any evidence of historic contamination or likely contamination is found, the developer shall cease work immediately and contact the Local Planning Authority to identify what additional site investigation may be necessary.**
  - c) In the event of unexpected contamination being identified, all development on the site shall cease until such time as an investigation has been carried out and a written report submitted to and approved by the Local Planning Authority, any remedial works recommended in that report have been**

undertaken and written confirmation has been provided to the Local Planning Authority that such works have been carried out. Construction shall not recommence until the written agreement of the Local Planning Authority has been given following its receipt of verification that the approved remediation measures have been carried out.

**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.

9. No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

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

10. 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 buildings or structures, or gate, wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans.

**REASON:** To safeguard the character and appearance of the area and in the interests of highway safety.

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 windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the side northern elevation of Unit 3 (facing the amenity space of No.2 Kings Avenue) of the development hereby permitted.

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

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Page 24 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 garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

**REASON:** To safeguard the character and appearance of the area.

**13.** 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) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - e) wheel washing facilities;
  - f) measures to control the emission of dust and dirt during construction;
  - g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
  - h) measures for the protection of the natural environment.
- i) hours of construction, including deliveries;

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.

**INFORMATIVES:**

**14.** 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.

**15.** The developer is advised to discuss the contaminated land



issues relevant to the site and what works, if any, are required in order to comply with the relevant conditions attached to this approval. The developer should contact Richard Francis in the Council's Public Protection Team.

16. 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.
17. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
18. The applicant should note that the works hereby approved could involve the removal and disposal of asbestos cement roofing. This should only be removed by a licenced contractor. Asbestos waste is classified as 'special waste' and as such, can only be disposed of at a site licensed by the Environment Agency. Any contractor used must also be licensed to carry 'special waste'.
19. 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.
20. The applicants should aim to achieve Secured by Design (SbD) award status for this development. SbD is an initiative owned by the Association of Chief Police Officers with the aim of providing an acceptable minimum standard of security and crime prevention measures within the built environment. The scheme has a proven history of reducing crime and generally improving the quality of life within communities. The principals and standards involved provide an excellent guide to effective and acceptable measures that can and should be adopted to reduce crime opportunities and otherwise prevent crime and anti-social behaviour. Details can be found on line at [www.securedbydesign.com](http://www.securedbydesign.com).

**14c 14/10004/FUL South View, 14 The Street, Oaksey, Malmesbury, SN16 9TG**

Christopher Page spoke in objection to the application.

King Scott spoke in support of the application on behalf of the applicant.

Cllr Kimbel, Oaksey Parish Council, spoke in objection to the application.

The officer introduced the report which recommended that planning permission be granted subject to conditions, as amended by the late observations. A site plan and floorplans were shown; it was explained the application had the same footprint as a previous application but was single-storey.

The Committee then had the opportunity to ask technical questions during which it was confirmed the ridge height of the proposed development would be slightly higher than that of the old bakery.

Following the statements from members of the public the planning officer confirmed an application had previously been made by the same applicant.

The local member, Cllr Berry, encouraged applicants to consult with neighbours before they submitted applications to the local planning authority.

In the debate that followed Members commented the development would compliment the main building.

**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 and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans:  
Revised Proposal Block Plan – 100/14 – Received 15th December 2014.  
Revised Proposal Elevations – 101/14 – Received 15th December 2014.  
Revised Proposal Elevations – 102/14 – Received 15th December 2014.**

**Site Location Plan – Received 6th November 2014.**

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

3. No development shall commence on site until details and samples of the materials to be used for the external walls and roofs (including a sample wall panel, not less than 1 metre square to be constructed at the site) 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.

4. The outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as South View, 14 The Street, Oaksey and it shall remain within the same planning unit as the main dwelling.

**REASON:** The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

5. Notwithstanding the approved drawings, no works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:
  - i) Large scale details of external doors and windows, including colour and finish;
  - ii) Large scale details of proposed eaves and verges (1:5 section);The works shall be carried out in accordance with the approved details.

**REASON:** In the interests of preserving the character and appearance of the listed building and its setting.

**INFORMATIVES**

6. You are advised that the current scale of the business operate at the site is considered as ancillary to the main residential use of the dwelling. Any increase in intensity of use of the business at the site, including employment of staff, increase in customers to

**the site and use of more floor space of the dwelling for operation may require planning permission for a change of use.**

- 7. 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.**
- 8. 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.**

**14d 14/09422/FUL Land Adjacent to Ashley Lane, Box, Wiltshire, SN13 8AN**

Richard Campbell and Bob Alderman spoke in objection to the application.

Cllr Margaret Carey, Box Parish Council, spoke in objection to the application.

The officer introduced the report which recommended that planning permission be granted subject to conditions, as amended by the late observations. Aerial photographs of the site and floor plans were shown; it was explained that development for outdoor sport and recreation was permitted in the Area of Outstanding Natural Beauty (AONB) and greenbelt area. An amendment to condition 2 suggested in the late observations was explained.

The Committee then had the opportunity to ask technical questions and it was confirmed the shelters onsite would be mobile.

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

Following statements from members of the public, the planning officer confirmed the reasons for the number of horses per hectare and that the planning authority was required to allow 3 months for the removal of a mobile home already on site.

The local member, Cllr Sheila Parker, expressed concern over the entrance of traffic to the site via the narrow lane and the flood risk to grey crested newts.

In the debate that followed the Committee expressed disappointment in the applicant's current management of the site however noted the application had to be considered on its merits.

**To GRANT planning permission subject to the following conditions:**

- 1. There shall be no more than 10 horses kept on site at anyone time, including foals at foot.**

**REASON: To prevent over grazing of the land to the detriment of the landscape quality of the Area of Outstanding Natural Beauty.**

- 2. Within three months of the date of this permission the hard standing, access, mobile home (including any fixtures and ancillary pipe work), horse trailer and any other trailers or buildings not shown as approved on the approved plans shall be removed from the site.**

**REASON: To protect the amenity and landscape quality of the Area of Outstanding Natural Beauty and Green Belt**

- 3. No fences or jumps shall be erected on the site without the prior approval in writing of the Local Planning Authority.**

**REASON: In order to protect the living conditions of nearby residents and/or the rural character of the area.**

- 4. Within 2 months of the date of this permission details for the storage of manure and soiled bedding (including the location of such storage) and its disposal from site (including frequency) have been submitted to and approved in writing by the Local Planning Authority. Before the development is first brought into use, the works for such storage and disposal shall be completed in accordance with the approved details and shall subsequently be maintained in accordance with the approved details. No storage of manure and soiled bedding shall take place outside of the storage area approved under this condition.**

**REASON: In the interests of public health and safety, in order to protect the natural environment and prevent pollution.**

- 5. The development hereby permitted shall only be used for the private stabling of horses and the storage of associated equipment and feed and shall at no time be used for any commercial purpose whatsoever, including for livery, or in connection with equestrian tuition or leisure rides.**

**REASON: In the interests of highway safety and/or to protect the living conditions of nearby residents.**

- 6. There shall be no parking of horse boxes, caravans, trailers or other vehicles during the hours between dusk and dawn on the site.**

**REASON: In order to protect the living conditions of nearby residents and/or the rural character of the area.**

- 7. No portable buildings, van bodies, trailers, vehicles or other structures used for storage, shelter, rest or refreshment, shall be stationed on the site without the prior approval in writing of the Local Planning Authority.**

**REASON: In order to protect the living conditions of nearby residents and/or the rural character of the area.**

- 8. The development hereby permitted shall be carried out in accordance with the following approved plans: Drwgs PL05A; PL03A dated 4th December 2014 and Drwg PL02PL06 dated 6th October 2014.**

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

- 9. No external lighting shall be installed on the site until plans showing the position, luminance and type of light appliance have been submitted to and approved in writing by the local planning authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.**

**REASON: In the interests of the amenity of the Area of Outstanding Natural Beauty and Green Belt.**

- 10. Within 2 months of the date of this permission a scheme for the grassland management of the land hereby granted for the keeping of horses shall be submitted to and approved in writing by the local planning authority. The approved grassland management plan shall be fully implemented and maintained thereafter.**

**REASON: In the interests of the visual amenity of the Area of Outstanding Natural Beauty and Green Belt.**

**14e 14/09315/ADV Roundabout East of Priory Mews, Burton Hill, Malmesbury, SN16 9LS**

The officer introduced the report which recommended that advertisement consent be granted subject to conditions. The site and sign specifications were shown. It was explained the signs would be free-standing, non-illuminated sponsorship signs.

The Committee then had the opportunity to ask technical questions and it was confirmed the signs would reach no more than 700mm above the ground.

**Resolved:**

**To GRANT Advertisement Consent subject to the following condition:**

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

**Location plan received on 3 December 2014; and  
Sign Spec received on 26 September 2014.**

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

**14f 14/09316/ADV Whychurch Roundabout, Malmesbury, Wiltshire**

Cllr John Gundry, Malmesbury Town Council, spoke in objection to the application and suggested if consent were to be granted the town council would like the signage to promote local businesses.

The officer introduced the report which recommended that advertisement consent be granted subject to conditions. The site and sign specifications were shown. It was explained the signs would be free-standing, non-illuminated sponsorship signs.

The Committee then had the opportunity to ask technical questions during which it was confirmed the sponsor on the sign was indicative.

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

**Resolved:**

**To GRANT Advertisement Consent subject to the following condition:**

- 1. The development hereby permitted shall be carried out in**

**accordance with the following approved plans:  
Location plan received on 26 September 2014; Block Plan  
received on 26 September 2014; and**

**Sign Spec received on 26 September 2014.**

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

15 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 6.08 pm)

The Officer who has produced these minutes is Libby Beale, of Democratic Services,  
direct line 01225 718214, e-mail [elizabeth.beale@wiltshire.gov.uk](mailto:elizabeth.beale@wiltshire.gov.uk)

Press enquiries to Communications, direct line (01225) 713114/713115



The following question was submitted in advance of the Northern Area Planning Committee meeting 28 January 2015:

**Please may I have an update on progress of the three planning issues Cricklade Town Council has asked Wiltshire Council to investigate following questions raised in Public Question Time during the Cricklade Town Council Planning Meeting held on 15 December 2014. All issues relate to Education Plus Ltd, The Old School, High Street, Cricklade. Cricklade Town Council subsequently submitted the questions to Wiltshire Council but has not received a response to them at the time of writing.**

- (1) In terms of powers around enforcement will Cricklade Town Council call upon Wiltshire Council to investigate non-compliance of its Condition 2 in respect of planning permission granted to The Old School, High Street, Cricklade application reference N/09/02086/FUL which read:

No development shall take place on site until a School Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the Plan arising from those results.

REASON: In the interests of road safety and reducing vehicular traffic to the development POLICY: C3, T2

Whilst a Travel Plan was submitted by Education Plus Ltd ref DCSF No 865/6027 it is unclear whether it was approved, implemented or monitored.

Please see below for a response provided by Wiltshire Council:

**Condition 2 of planning permission 09/02086/FUL required that a Travel Plan be submitted prior to development commencing on site, a Travel Plan was submitted in April 2010 and subsequently approved. The Council does not actively monitor compliance with the Travel Plan although the applicants are required to do so, and where complaints or queries are received the Council will investigate any potential breaches of the requirements of the Travel Plan. Whilst complaints have been received recently (prompted by the consultation carried out in relation to planning application 14/10081/FUL) about the failure to adhere to the Travel Plan these complaints have not been specific, as such the Council has not been made aware which aspects of the plan have been breached. If further information is forthcoming about the nature of the potential breach(es) then this will be investigated.**

- (2) In terms of its powers around enforcement will Cricklade Town Council call upon Wiltshire Council to investigate non-compliance of planning laws by Education Plus Ltd whereby trees have been removed from a conservation area without corresponding permissions being either sought or granted.

The trees in question are detailed in the Tree Report dated 29th April 2010 submitted as part of planning application N/09/02086/FUL. The following trees, deemed healthy in 2010 (Damson T3,T4 and Lilac T6, Damson T7,) no longer exist according to the Arboricultural Impact Assessment by Education Plus Ltd submitted in respect of planning application 14/10081/FUL.

Please see below for a response provided by Wiltshire Council:

**The site is within the Cricklade Conservation Area and therefore all trees (over a certain size) require consent to be lopped, topped or felled. Council officers (including the arboricultural consultant) have reviewed all the applications for works to trees at the site. Consent has been granted for the removal of a number of trees within the site in the past (under references 11/01920/TCA; 12/02179/TCA and 12/01888/DDD) . The Council is satisfied that any protected trees that have been removed were removed with the benefit of the appropriate consent. Some smaller trees have been removed without specific consent as they did not benefit from Conservation Area protection due to their size (generally speaking any tree less than 7.5 centimetres in diameter, measured 1.5 metres above the ground is not protected by Conservation area status).**

- (3) Please can you ask the Planning department at Wiltshire Council why the owners of Meadowpark School did not apply for Listed Building Consent for the erection of their gazebo (Application Ref 14/10081/FUL) Permission was granted despite Conservation Officers recommendations to refuse. Is LBC not required because the gazebo is classed as a temporary structure?

The owners of the Old School haven't applied for Listed Building Consent for their latest application (14/10081/FUL) as they state "the site isn't in the original curtilage of the property". It is however in the original curtilage to neighboring property Knowle Cottage so surely the LBC regulations should still apply - would you mind asking for clarification from Wilts Council about this 'loophole' ?

Please see below for a response provided by Wiltshire Council:

**Planning permission was granted for a gazebo in the grounds of the school under reference 11/01633, the permission is not temporary. Listed Building Consent was not required for the works as it was not attached to any listed structure. Whether the structure is within the curtilage of a listed building is not, in this case, the determining factor. The structure was within the setting of a listed building and within the Conservation Area therefore the impact of the structure upon the historic environment were taken into account when the application was considered.**



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