

Thoulstone Park Licensing Application - Summary of Objections

Date	Name	Address	General
1 04/03/2015	Jane Brake (see also 7)	Dilton Court Farm	All through the week and weekends 8.am. To 2 a.m. music
2 05/03/2015	N J Medhurst	Rosebank House, Corsley BA12 7QD	Noise and traffic problems for last few years MP's letter
3 09/03/2015	Venessa Emery	157 Short Street, Chapmanslade BA13 4AA	Anti-social noise for 2 years - electronic music, whooping and cheering
4 09/03/2015	Julie Harridge	Next door to entrance to Thoulstone Park.	Noise, public nuisance, crime and disorder, protecting her children from harm and privacy
5 11/03/2015	Chris da Costa	Manor Farm, Corsley BA12 7QE	Noise - licensed to 2 a.m. and 5 a.m. for LNR. Issue re community events ceasing at 22:30 but music and alcohol for 500 to 2 a.m.
6 11/03/2015	Mr C Elliott and Miss M Sutton	Melon Grove, Dilton Court Farm, Hisomely, Westbury BA13 4DE	People trespassing; blighted by events for three springs and summers
7 11/03/2015	Michael Brake	B & B, Dilton Court Farm, Hisomely, Westbury BA13 4DE	Arena next to boundary line, noise litter trespass, fences broken people sleeping in crops and barn
8 11/03/2015	D P Holmyard	No address given	2 - 3 years, unsuitable events. Sunrise the 1st. Noise, trespass, graffiti and drugs
9 11/03/2015	Chris Oakham	Trend Tracker Limited, 116 High Street, Chapmanslade, Westbury BA13 4AW	Noise and increase in traffic - refers to hotel guests being disturbed (in future)
10 12/03/2015	David Thomas	6 Hillview, Hisomely, Westbury, BA13 4DB	Nuisance from noise and alcohol until late - if granted, end at 11 p.m.
11 13/03/2015	Robin Thwaites	Well Cottage, Short Street, Chapmanslade BA13 4AA	12 months of frequent noise and traffic problems - unable to manage events
12 13/03/2015	Bella Mayo	Buckley Barracks, Stanton St Quintin, Chippenham SN14 6BT	Quiet rural area - large numbers - public safety, crime and disorder on such a large rural site. Police stretched.
13 15/03/2015	Chris Coles	Chalcot Coach House, Short Street, Chapmanslade BA13 4AA	Same people as Sunrise - non-compliance with TEN's and original Sunrise licence. Noise - refers to independent reports
14 15/03/2015	Pat Bailey	158 Short Street, Chapmanslade, BA13 4AA	Says 8 a.m. to 5 a.m. 7 days for all activities - same person - Groundhog Day
15 15/03/2015	Mr R Maynard	32 Huntenhull Green, Corsley, Warminster BA12 7QB	Noise complaints last year - concern about drinking
16 15/03/2015	James Bruce	Chalcot House, Westbury BA13 4DF	Same people as Sunrise - Lepingwell and Hurring. Breached noise limits. Specific complaint 19th July 14
17 15/03/2015	Julian Bower	Skills House, Short Street, Chapmanslade BA13 4AA	Record of failing to comply with undertakings re noise disturbance and risk to public safety
18 12/03/2015	Upton Scudamore Parish Council	Clerk: 5 The Teasels, Warminster, BA12 8NU	Previous events caused discomfort and nuisance - if granted, should be restricted to 10 a.m. to 11 p.m. - less on Sundays
19 13/03/2015	Maxine Crook	17 Upton Scudamore BA12 0AE	Impossible/dangerous to ride horses around perimeter - noise, vehicles, flags banners, trespassers on crops, rubbish, balloons and bottles. Suggests licence is for alcohol 20 hours a day

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20	13/03/2015	Neville and Ruth Giddings	Camping site nr Chalcot Park Farm.	"All day and night drinking" Sunrise. Risk of undesirables - theft and damage.
21	16/03/2015	Fraser Mills	Black Dog Farm, Chapmanslade BA13 45AE	Historically failed to comply with undertakings. Danger to pedestrians on A36.
22	16/03/2015	Mrs Jo Collier	155 Short Street, Chapmanslade BA13 4AA	2 years unacceptable noise levels - abysmal past record. Noise continues after main noise system switched off
23	13/03/2015	Kate Jackson	Short Street (no number given)	Enormous amount of extra traffic - safety. Noise and other disturbance until 5 a.m. Illegal drug use.
24	16/03/2015	Phil Smith	Dye House Farm, Corsley BA12 7QD	Sound levels over 50dB after 22:30; Community events would mean large festivals every weekend. Track record on noise - suggests noise level condition, pay for continuous independent noise monitoring; max duration 2 months
25	no date	Phil Jefferson	Chapmanslade Parish Council	Noise - late hours. 2 years of not controlling noise levels - Sunrise then throughout 2014. No confidence in AL.
26	16/03/2015	Neil Lucas	Turnpike Cottage, Chalcot Lane, Chapmanslade BA13 4AB	Failure to comply with noise levels. Increased crime and disorder - graffiti at Row Farm Nursery. Public safety with events until 5 a.m.
27	16/03/2015	Melanie Lucas	Turnpike Cottage, Chalcot Lane, Chapmanslade BA13 4AB	Failure to comply with noise levels. Increased crime and disorder - graffiti at Row Farm Nursery. Public safety with events until 5 a.m. (As per 26)
28	16/03/2015	Mr Robin Bailey	158 Short Street, Chapmanslade, BA13 4AA	Music will be an unacceptable source of great annoyance
29	16/03/2015	Susan Pinckney	8 Southcroft, Chapmanslade BA13 4AU	"An abomination that will cause serious noise pollution." Not the right area for raves on a regular basis
30	16/03/2015	David Pinckney	8 Southcroft, Chapmanslade BA13 4AU	Alcohol and music will lead to disorder and possibly crime - children could be at risk on such a large site. Litter and (soiled) debris. Suggest limit to 2 or 3 events a year and only until midnight
31	17/03/2015	Mary Medhurst	Probably Rosebank Cottage - see 2 above	Noise from previous events. Virtual non-stop music and drinking
32	17/03/2015	Andrew Murrison	Member of Parliament	RE-run of Sunrise by essentially the same undertaking. Sunrise non-compliant. Wrong to allow unlimited number of events
33	17/03/2015	Richard Francis	SEHO	Representations resolved

**Town & Country Planning Act 1990**

**Notification of Outline Planning**

**Application Reference Number: 14/09146/OUT**

<p><b>Agent</b> Jeremy Smalley Consulting Ltd 18 Yeomans Lodge Frome Somerset BA11 4SA</p>	<p><b>Applicant</b> Mr James Hughes Hallett Hunters Lodge Farm Studley Lane Wanstrow Somerset BA4 4TG</p>
<p><b>Parish: CHAPMANSLADE</b></p>	
<p><b>Particulars of Development: Proposed hotel with associated public areas, bar, restaurant, spa, pool, gym treatment room and function suite. (Outline application to determine access)</b></p>	
<p><b>At: Thoulstone Park Golf Club, Thoulstone, Chapmanslade, Westbury, Wiltshire, BA13 4AQ</b></p>	

In pursuance of its powers under the above Act, the Council hereby grant **PLANNING PERMISSION** for the above development to be carried out in accordance with the application and plans submitted (listed below).

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

**Subject to the following conditions:**

- 1 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.

- 2 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; and
- (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.

- 3 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted 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:**

To ensure that the development harmonises with its setting.

- 4 The hotel hereby permitted shall comprise a maximum of 54 bedrooms and any ancillary function room shall have a maximum capacity of 200 guests.

**REASON:**

In order to define the terms of this permission and in accordance with the justifications within the supporting documentation submitted with the application.

- 5 The ridge height at the highest point to the roof of the proposed building shall not exceed 14.7m above the immediately adjacent ground level.

**REASON:**

In order to protect the appearance of the countryside.

- 6 No development shall commence until a surface water management scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The submitted details shall clarify the intended future ownership and maintenance provisions for all drainage works serving the site. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

**REASON**

To prevent the increased risk of flooding, and ensure future maintenance of the surface water drainage system.

- 7 No development approved by this permission shall be commenced until a scheme for the provision of foul drainage works has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans before development commences.

**REASON:**

To prevent pollution of the water environment.

- 8 Prior to any site preparation, clearance, demolition and/or commencement of the development hereby permitted, an ecological survey, investigating and recording details of all protected species and their habitats, likely to be affected by the development, and measures to mitigate the effect of the development on them, shall be submitted to and approved by the Local Planning Authority. Development shall

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then only be carried out in accordance with the approved details.

**REASON:**

In the interests of natural species which have statutory protection.

- 9 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

**REASON:**

To ensure the appearance of the development is satisfactory.

- 10 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;
- \* a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- \* finished levels and contours;
- \* car park layouts;
- \* other vehicle and pedestrian access and circulation areas;
- \* all hard and soft surfacing materials;

**REASON:**

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

- 11 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.

- 12 Car and cycle parking and servicing areas together with the means of access thereto shall be completed and made available for use before the premises are occupied in accordance with details to be submitted and approved in writing by the Local Planning Authority, and shall be maintained as such thereafter.

**REASON:**

To ensure that an adequate area for parking and/or servicing is available in the interests of highway safety.

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- 13 No development shall commence on site until visibility splays have been provided at the entrance to the site between the edge of the carriageway and a line extending from a point 2.4m metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 43 metres to the west and 43m metres to the east from the centre of the access. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height 900 above the level of the adjacent carriageway.

**REASON:**

In the interests of highway safety and pedestrian safety on the public right of way adjacent to the site.

- 14 No development shall commence on site until details of verge and shrub/tree clearance to be carried out on "Thoulstone Road", the access to the A36 to the west of the site, has been submitted to, and approved in writing by, the Local Planning Authority. No part of the development shall be first brought into use until the clearance work has been carried out in accordance with the approved details.

**REASON:**

In the interests of highway safety.

- 15 Prior to the bringing in to use of the proposed development the applicant shall provide a full Travel Plan for the site. The plan should include details on the following issues:

- \* The identification of targets for trip reduction and modal shift;
- \* The methods to be employed to meet these targets;
- \* The mechanisms for monitoring and review;
- \* The penalties to be applied in the event that targets are not met;
- \* The mechanisms for mitigation;
- \* Implementation of the Travel Plan to an agreed timescale or timetable and its operation thereafter;
- \* Mechanisms to secure variations to the Travel Plan following monitoring and review.

A review of the targets shall be undertaken within 3 months of the first occupation of the development and on an annual basis thereafter.

**REASON:**

To ensure the operation of the Strategic Highway Network is protected and that sustainable travel objectives for the site are met and maintained.

- 16 Prior to the premises being brought into use, a scheme providing for the adequate storage of refuse shall be submitted to and approved by the Local Planning Authority. The scheme shall then be carried out in accordance with the approved details, prior to the commencement of use, and shall be maintained at all times.

**REASON:**

In the interests of public health and safety.

- 17 No development shall take place until details of the refurbishment of the golf course all associated golf related development at the site have been submitted to and approved by the Local Planning Authority. Refurbishment shall take place in accordance with a time frame that shall be included in the details.

**REASON:**

To ensure that the refurbishment of the golf course takes place and will harmonise with the proposed building on the site.

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- 18 The refurbished golf course shall be brought into use prior to the first occupation of the hotel hereby permitted or simultaneously with such first occupation.

REASON:

In the interests of ensuring that the golf course is returned to functional use.

- 19 All licenced venues within the development hereby permitted shall remain closed between 00h00 and 08h00. Nothing in this condition will prevent the sale of alcohol to resident guests in their rooms.

REASON:

To preserve the amenity of existing nearby residential properties.

- 20 No development shall commence on site until a scheme of acoustic insulation and noise control has been submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the acoustic insulation and other measures to be put in place to prevent and control the emission of noise from the development including noise from amplified music. The approved scheme shall be implemented in full before use commences and maintained at all times thereafter.

REASON:

To preserve the amenity of existing nearby residential properties.

- 21 The development hereby permitted shall be used for hotel and ancillary purposes (which may include public areas, bar, restaurant, spa pool, gym, treatment room and functions suites) only, and for no other purpose (including any other purpose in Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON:

The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

- 22 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", 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 amenities of the area and to minimise unnecessary light spillage above and outside the development site.

POLICY-[number & purpose]

- 23 The development hereby permitted shall be carried out in accordance with the following approved plan:

p578/001 registered on 10 October 2014;

p578/002 registered on 10 October 2014;

p578/101 registered on 10 October 2014 (for indicative purposes only).

read together with all Reserved Matters plans that are subsequently approved.

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**REASON:**

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

**24 INFORMATIVES**

The Environment Agency advises that, In the course of discharging condition 6, the detail design of the surface water drainage scheme for the proposed development must meet the following criteria:

- a. Any outflow from the site must be limited to Greenfield run-off rates and discharged incrementally for all return periods up to and including the 1 in 100 year storm.
- b. The surface water drainage system must incorporate enough attenuation to deal with the surface water run-off from the site up to the critical 1% Annual Probability of Flooding (or 1 in a 100-year flood) event, including an allowance for climate change for the lifetime of the development. Drainage calculations must be included to demonstrate this (e.g. Windes or similar sewer modelling package calculations that include the necessary attenuation volume).
- c. Exceedence flow occurs during short but very intense rain storms, or if system blockage occurs etc. The large volume of runoff generated from impermeable surfaces during such events may not all be captured by the drainage system and unless otherwise intercepted a proportion would flow downslope possibly onto land under other ownership. For surcharge / flooding from the system, overland flood flow routes and "collection" areas on site (e.g. car parks, landscaping) must be shown on a drawing. CIRIA good practice guide for designing for exceedance in urban drainage (C635) should be used. The run-off from the site during a 1 in 100 year storm plus an allowance for climate change must be contained within the site and must not reach unsafe depths on site.
- d. Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.
- e. The adoption and maintenance of the drainage system for the lifetime of the system must be addressed and clearly stated.
- f. The tarmac surfacing to the existing carpark would need to be broken up and removed.
- g. Consideration of further use of soakaways, grass swales and infiltrations trenches which could work well in contributing to reducing the surface water off rate from the proposed buildings.
- h. A comprehensive drainage strategy should be submitted, which explains what methods will be used to reduce the surface water runoff rate.

**Pollution Prevention During Construction**

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 on its website.

The applicant is advised that this permission relates to the hotel and ancillary facilities on site and in no way implies any acceptability of other potential development as is referenced in some of the supporting documentation.

**Signed**

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**Director for Economic Development & Planning**

**Dated: 01 December 2014**

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**Town and Country Planning Act 1990**  
**PERMISSION FOR DEVELOPMENT**

**NOTES**

1. **Other Necessary Consents.** This document only conveys permission for the proposed development under Part III of the Town and Country Planning Act 1990 and the applicant must also comply with all the byelaws, regulations and statutory provisions in force in the area and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 or other legislation.

In particular the applicant is reminded of the following matters:-

- 1.1 the need in appropriate cases to obtain approval under Building Regulations. **(The Building Regulations may be applicable to this proposal. Please contact the Council's Building Control team before considering work on site);**
  - 1.2 the need to obtain an appropriate order if the proposal involves the stopping up or diversion of a public right of way or other highway (including highway verge);
  - 1.3 the need to obtain a separate "Listed Building Consent" to the demolition, alteration or extension of any listed building of architectural or historic interest;
  - 1.4 the need to make any appropriate arrangements under the Highways Act 1980, in respect of any works within the limits of a highway. The address of the Highway Authority is County Hall, Trowbridge, BA14 8JD (It is the responsibility of the applicant to ascertain whether the proposed development affects any listed building or public right of way / other highway, including highway verge).
2. **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to grant permission subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of this decision. (Information and forms relating to the appeals process can be found at the Planning Portal - <http://www.planningportal.gov.uk/planning/appeals> ). The Secretary of State has the power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission of the proposed development could not have been so granted otherwise than subject to the conditions imposed by the local planning authority, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him.

If the applicant wishes to have any further explanation of the reasons for the conditions imposed on this permission it will be given on request and a meeting arranged if necessary.

**Appeals where an enforcement notice has been issued.** Article 33 (2) (b) & (c) of the Town and Country Planning (Development Management Procedure) (England) Order 2010, provides that a shorter time limit to appeal to the Secretary of State shall apply where an enforcement notice has been served, as follows:-

'Type A appeal', 28 days from— the date of the notice of the decision or determination giving rise to the appeal; or

expiry of the specified period;

'Type B appeal', 28 days from the date on which the enforcement notice is served;

['Type A appeal' means an appeal in respect of an application relating to land and development which are the same or substantially the same as the land and development in respect of which an enforcement notice—

(a) was served no earlier than 2 years before the application is made;

(b) was served before— (i) the date of the notice of the decision or determination giving rise to the appeal; or (ii) the expiry of the specified period; and

(c) is not withdrawn before the expiry of the period of 28 days from the date specified in sub-paragraph (b);

'Type B appeal' means an appeal in respect of an application relating to land and development which are the same or substantially the same as the land and development in respect of which an enforcement notice—

(a) is served on or after— (i) the date of the notice of the decision or determination giving rise to the

appeal, or (ii) the expiry of the specified period;

(b) is served earlier than 28 days before the expiry of the time limit specified— (i) in the case of a householder appeal, in paragraph (2)(a) of the Order; or (ii) in any other case, in paragraph (2)(d) of the Order; and

(c) is not withdrawn before the expiry of the period of 28 days from the date on which the enforcement notice is served.]”

3. **Purchase Notices.** If permission to develop land is granted subject to conditions, whether by the local planning authority or by the Secretary of State for Communities and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council a purchase notice requiring the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
4. **Compensation.** In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
5. **Discharge of Conditions.** There is now a fee for applications to discharge planning conditions, details of which are set out on the Council's website. The fee is payable per request and not per condition. The fee must be paid when the request is made, and cannot be received retrospectively. It does not matter when the permission was granted as long as it remains extant. The request, identifying the permission (with reference number) and the conditions concerned, should be made by using the 1 APP forms which are available on the Councils Website or the Planning Portal.  
  
You are advised that the local planning authority has up to 12 weeks to consider the request, that you apply well in advance of when you intend to start work
6. **Street naming and numbering.** If this permission relates to the creation of new dwellings/commercial units or conversion of buildings into dwellings/commercial units, you are required to apply for street naming and numbering to ensure that the new buildings are allocated accurate addresses and registered with the Royal Mail. Relevant application forms, guidance notes and fee sheets are available to download at <http://www.wiltshire.gov.uk/planninganddevelopment/streetnaming> or you can contact the Address Information Team on 01225 770508 or by email at [streetnaming@wiltshire.gov.uk](mailto:streetnaming@wiltshire.gov.uk)

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