

Northern Area Planning Committee

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 13 SEPTEMBER 2023 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Tony Trotman (Chairman), Cllr Chuck Berry, Cllr Steve Bucknell, Cllr Gavin Grant, Cllr Jacqui Lay, Cllr Dr Brian Mathew, Cllr Martin Smith, Cllr Elizabeth Threlfall, Cllr Clare Cape (Substitute), Cllr Peter Hutton (Substitute) and Cllr Tom Rounds (Substitute)

Also Present:

Cllr Helen Belcher OBE

54 **Apologies**

Apologies were received from:

- Cllr Howard Greenman was substituted by Cllr Clare Cape.
- Cllr David Bowler was substituted by Cllr Peter Hutton.
- Cllr Nic Puntis was substituted by Cllr Tom Rounds.

55 **Minutes of the Previous Meeting**

On the proposal of Cllr Gavin Grant, seconded by Cllr Chuck Berry, it was:

Resolved

To approve the minutes of the previous meeting, held on 23 August 2023, as a true and correct record.

56 **Declarations of Interest**

There were no declarations of interest.

57 **Chairman's Announcements**

There were no Chairman's announcements.

58 **Public Participation**

The Committee noted the rules on public participation.

Cllr Jacqui Lay joined the meeting at 2:06pm.

59 **Planning Appeals and Updates**

Cllr Steve Bucknell noted that he would welcome further information about the number of successful and unsuccessful appeals against the decisions made by the Committee.

On the proposal of Cllr Gavin Grant, seconded by Cllr Martin Smith, it was:

Resolved

To note the report on planning appeals and updates.

60 **PL.2022.01975: Hawthorn Works, Westwells, Corsham, SN13 9RD**

Public Participation

- Tim Gent (Savills) spoke in support of the application.
- Robert Silvester (Ark Data Centres) spoke in support of the application.

The Development Management Team Leader, Simon Smith, introduced a report which recommended that the application for the erection of a new data centre, plant, highways works, vehicle access, infrastructure, enclosures, landscaping and other associated works, be approved. Key details were stated to include the principal of development, access, parking and landscaping as well as the visual impact of the new buildings on surrounding residential areas.

Attention was drawn to the location of the proposed development on the Spring Park complex, an area of ex-military buildings converted for employment uses. The application site was immediately adjacent to existing development land used for similar purposes, and was of similar scale, so complied with Core Policy 34 of the Wiltshire Core Strategy. It was also noted that Corsham Town Council were supportive of the application subject to sufficient planting to help screen the building.

Members of the Committee then had the opportunity to ask technical questions of the officer.

In response to queries, the Development Management Team Leader acknowledged that the proposed development would have an impact on the character of Rowan Lane, but explained that this was deemed to be acceptable and highlighted that a number of conditions had been imposed and landscaping scheme. He clarified that the existing buildings on the site did not make lots of noise and Wiltshire Public Protection Team had not raised objections in relation to the possibility of incremental noise increases impacting potential future developments.

Members of the public then had the opportunity to present their views to Committee as detailed above. The representative from Ark Data Centres confirmed that the centre would employ adiabatic cooling to regulate temperature, so there would be limited scope to recover excess heat.

Cllr Dr Brian Mathew read out a statement on behalf of the unitary division member, Cllr Derek Walters.

So that the Committee had something to debate, Cllr Steve Bucknell, seconded by Cllr Peter Hutton, proposed that the application be granted in line with the recommendations outlined in the report.

A debate followed where it was discussed whether it would be possible to condition the colour and shading of the building. The Development Management Team Leader confirmed that it would be possible to delegate to officers an additional condition about the gradation of colourisation of the external cladding.

Cllr Dr Mathew proposed an amendment that a potential condition about the colouring of the building was delegated to officers. Cllr Dr Mathew's proposal was accepted by Cllr Bucknell and Cllr Hutton, the proposer and seconder of the original motion, so was added to the substantive motion. The substantive motion then went to a vote and it was:

RESOLVED: That planning permission be GRANTED in accordance with officer recommendation subject to the potential for an additional condition, relating to the gradation of colouration on the cladding being discussed with the applicant prior to issue of decision, being delegated to officers.

Conditions

Limits of Permission

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 floorspace created on this site shall be used for data storage and processing (together with any ancillary uses) only and for no other purpose, including any other uses that may fall within class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or any provision equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification.

REASON: For clarity and the avoidance of doubt and because of the location of the development and particular nature and conclusions of the transport assessment undertaken.

Construction

3. The building works required to implement this development shall only be carried out between the hours of 08:00 to 18:00 on Monday to Friday and 08:00 to 12:30 on Saturdays, and not at all on Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of residential amenity.

4. No construction vehicles may arrive or depart, be loaded or unloaded at or from the site outside the hours of 08:00 to 18:00 Mondays to Fridays, and outside the hours of 08:00 and 12:30 on Saturdays, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of residential amenity.

5. Prior to the commencement of any demolition works on the site, a Demolition Method Statement and Environmental Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the demolition phase, including but not necessarily limited to, the following:

- a) the parking of vehicles of site operatives and visitors;**
- b) storage of plant and materials used in constructing the development;**
- c) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
- d) wheel washing facilities;**
- e) measures to control noise and the emission of dust and dirt during construction so as to protect the amenity of surrounding residential occupiers;**
- f) a scheme for recycling/disposing of waste resulting from demolition and construction works; and**
- g) measures for the protection of the natural environment and details of the arrangements to be made for the drainage during the construction phase.**

Development shall be carried out in strict accordance with the approved Statement.

REASON: In the interests of residential amenity.

6. No development shall commence on site (excluding demolition works), 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;

h) measures for the protection of the natural environment and details of the arrangements to be made for the drainage during the construction phase; and

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.

Noise

7. The development and all operation of the data centre shall be carried out in accordance with the specifications and attenuation recommendations contained within the submitted Noise Impact Assessment (prepared by Sweco UK Ltd, document reference: 65204497-SWE-ZZ-XX-RP-YA-0001 REV.03, dated 9th December 2021).

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

8. In accordance with the details hereby approved, all fixed and mobile plant to be installed on the site shall be enclosed. Any changes to the development which include proposals for external plant to be provided without enclosure shall be the subject of a separate planning application.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

9. During normal operational conditions, all plant (including generation plant, air conditioning units, extraction systems or other air handling plant etc.) shall be so sited and designed in order to achieve a Rating Level (BS4142:2014) of at least 5dB below the background noise level (LA90T) determined at the nearest noise sensitive receptor, when the plant is intended to operate.

At the request of the Local Planning Authority (LPA), the plant operator

shall, at their own expense, employ a suitably competent and qualified person to measure and assess, whether noise from the plant meets the specified level. The assessment shall be commenced within 21 days of the notification, or such longer time as approved by the LPA. The consultant should use BS4142:2014 methodology to carry out the assessment and provide further details on the generators expected frequency of use and duration.

Good internal standards set out in BS8233:2014 and WHO will need to be achieved at the nearest sensitive receptors.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

Drainage

10. Notwithstanding the submitted Sustainable Drainage Strategy (prepared by Waterman Infrastructure & Environment Ltd, dated January 2022), no development (with the exception of demolition works) shall take place on site until the following details have been submitted to and agreed in writing by the Local Planning Authority:

- a) The proposed rainwater harvesting scheme.
- b) Detailed hydraulic modelling results covering:
 - i. Calculations and drawings for the drainage system design showing conveyance routes are designed to convey without flooding the critical 1 in 30 year rainfall event.
 - ii. Calculations and drawings for the drainage system design showing attenuation features are designed to attenuate without flooding the critical 1 in 100 year rainfall event + climate change.
 - iii. Hydraulic Models should set the MADD factor / additional storage volume factor to 0m³/ ha in order to prevent an overestimation of storage capacity in the proposed drainage network.

The development shall be carried out in complete accordance with the drainage details so agreed.

REASON: To comply with Core Policy 67: Flood Risk within the Wiltshire Core Strategy (adopted January 2015) and to ensure that the development can be adequately drained without increasing flood risk to others.

Ecology and Landscaping

11. The development hereby approved shall be carried out in strict accordance with:

- The Preliminary Ecological Appraisal (Daniel Ahern Ecology, 19th December 2021).
- Bat Activity Survey Report (Daniel Ahern Ecology, May 2022).
- Biodiversity Net Gain Assessment (Daniel Ahern Ecology, February 2022).

REASON: To ensure adequate protection and mitigation for protected species.

12. Prior to the commencement of development, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing.

The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- a) Identification of ecological protection areas/buffer zones and tree root protection areas and
 - b) details of physical means of protection, e.g. exclusion fencing.
 - c) Working method statements for protected/priority species, such as nesting birds and reptiles.
 - d) Mitigation strategies already agreed with the local planning authority prior to determination,
 - e) such as for great crested newts, dormice or bats; this should comprise the preconstruction/construction related elements of strategies only.
 - f) Details and locations of any temporary construction lighting required.
 - g) Work schedules for activities with specific timing requirements in order to avoid/reduce
 - h) potential harm to ecological receptors; including details of when a licensed ecologist and/or
 - i) ecological clerk of works (ECoW) shall be present on site.
 - j) Key personnel, responsibilities and contact details (including Site Manager and
 - k) ecologist/ECoW).
 - l) Timeframe for provision of compliance report to the local planning authority; to be completed
 - m) by the ecologist/ECoW and to include photographic evidence.
- Development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

13. All lighting shall be installed and maintained in accordance with the approved details as set out the External Lighting Report Rev. D (Waterman Building Services, 10th November 2021) and no other lighting shall be installed.

REASON: To ensure the boundary features to the west and south are maintained as dark corridors for bats.

14. Prior to the start of construction (excluding demolition works), a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development. The LEMP will provide a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.

The LEMP shall also include details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured. The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

15. 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.

16. At no time during the construction phase shall there be any working outside of daylight hours which results in vehicle movements, people or machinery being used on the site.

REASON: The introduction of artificial light/noise disturbance may mean that qualifying bat species are disturbed and/or discouraged from using

established flyways or foraging areas. Such disturbance will constitute an offence under relevant wildlife legislation.

Highways

17. The development hereby permitted shall not be first brought into use until the whole of the parking area/turning areas for the accesses off Rowan Lane have been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

18. The development hereby permitted shall not be first brought into use until at least the first 5m of the Firing Range access, measured from the Rowan Lane edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

19. No part of the development shall be first brought into use, until the visibility splays shown on the approved plans for the Firing Range access have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall always be maintained free of obstruction thereafter.

REASON: In the interests of highway safety.

20. No development (with the exception of demolition works) shall commence on site until details of the stopping up of all existing accesses onto Rowan Lane, both pedestrian and vehicular, have been submitted to and approved in writing by the Local Planning Authority.

That stopping up shall take place in accordance with the approved details within one month of the first occupation of the development. No later than one month after the first occupation of the development, the sole means of vehicular and pedestrian access to the development shall be as shown on the plans hereby approved.

REASON: In the interests of highway safety.

21. No development (with the exception of demolition works) shall commence on site until details of the stopping up of the existing vehicular access on Westwells Road (located approximately 60 metres north-west of the Rowan Lane junction accesses onto Rowan Lane) and the reinstatement of full height kerbs have been submitted to and approved in writing by the Local Planning Authority.

That stopping up shall take place in accordance with the approved details within one month of the first occupation of the development.

REASON: In the interests of highway safety.

22. The submitted Travel Plan Statement (within the Transport Assessment dated March 2022) shall be implemented on first occupation of the development hereby granted planning permission and shall remain in operation thereafter.

REASON: In the interests of promoting sustainable patterns of travel to and from the development.

Fencing, Bunding and External Storage

23. Prior to its creation and installation, full and complete details of all earth bunding and security/site fencing to be created and installed at the site and, in particular, its relationship to the frontages to Rowan Lane and Westwells Road, shall have been submitted to and agreed in writing by the Local Planning Authority. Any bunding and fencing shall be created and installed in complete accordance with the details so agreed.

REASON: In the absence of details submitted within the application, so as to ensure the bunding and fencing and its relationship to the Rowan Lane and Westwells Road frontage takes an appropriate form.

24. No materials, goods, machinery, finished or unfinished products/parts of any description, skips, crates, containers, waste, or waste products shall be placed, stacked, deposited or stored on any area of the site outside the buildings, unless otherwise agreed in writing by the Local Planning Authority in the form of a separate planning permission in that regard.

REASON: In the interests of visual amenity and views across the site in this prominent junction location.

External Cladding

25. Prior to its installation, the details of the external cladding for the walls shall have been submitted to and agreed in writing by the Local Planning Authority. The cladding shall be installed in complete accordance with the agreed details.

REASON: So as to ensure that the development is of appropriate appearance.

Approved Plans

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

- Proposed Drainage Layout – ref. 17831-WIE-92-ZZ-DR-C-000

- Final Ground Investigation Locations Existing Site Layout – ref. 16316-110-WIE-ZZ-XX-DR-V-80-001
- Sustainable Drainage Strategy – ref. WIE17837-107-R-5-1-1-DRA
- Utility Map Survey – ref. WIE17837-107-R-5-1-1-DRA
- Wiltshire Strategic Flood Risk Assessment North Wiltshire Other Sources of Flooding –
- Flood Risk Assessment – ref. WIE17837-107-R-1-2-2-FRA
- Final Ground Investigation Locations Existing Site Layout - 16316-110-WIE-ZZ-XX-DR-V-80-001
- Proposed West and South Elevations – PL – 2031
- Proposed Stret Elevation and Section – PI-3000
- Proposed Bridge – PL- 9000
- Proposed Masterplan – PL-1020
- Proposed Site Plan – PL – 1021
- Proposed Hard and Soft Landscaping Plan – PL- 1022
- Proposed Ground Floor GA Plan – PL-2010
- Proposed First Floor GA Plan – PL-2011
- Proposed Second Floor GA Plan – PL-2012
- Proposed East and North Elevations – PL – 2030
- Proposed Roof GA Plan – PL – 2013
- Site Location Plan – PL-1000
- Spring Park View – 02V01
- P5 South Soft Landscape Plan – 17873-WIE-114-XX-DR-L-74300
- Bat Activity Survey Report Ark Estates Spring Park Ltd – Job Number 4448
- Biodiversity Metric 3.0 – Calculation Tool Start Page – Project name: Building 5, Spring Park, Corsham
- Biodiversity Net Gain Assessment – Building 5, Spring Park, Corsham
- BREEAM Letter – Focus Environment Design Limited
- BREEAM Pre-Assessment Report ARK Data Centres, Spring Park P5 South – 2020-B07-P5SPAR-01
- Community Infrastructure Levy (CIL) – Form 1: CIL Additional Information
- Design and Access Statement – Spring Park, Building South, Corsham
- Habitat Regulations Assessment Stage 1: Screening – Reference: 4425 P5 South
- Proposed Data Centre, P5 South, Spring Park – IMA-21-154
- External Lighting Report – 001saj211110
- Noise Impact Assessment - 5204497-SWE-ZZ-XX-RP-YA-0001
- Planning Statement –
- Preliminary Ecology Appraisal Building 5, Spring Park, Corsham –
- Preliminary Risk Assessment - WIE17837-113-R-1-2-3
- Proposed Site Section – PL-3010
- Sustainable Data Centre Design, Development and Operations – Sustainable Statement

(incorporating Sustainable Energy Strategy)

• Transport Assessment – IMA-21-154

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

INFORMATIVES:

The proposal includes alteration to the public highway, 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. Please contact the vehicle access team on telephone 01225 713352 or email vehicleaccess@wiltshire.gov.uk for further details.

There is a low risk that bats may occur at the development site. Bats are a transient species and therefore move around; many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species Regulations 2017 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact the Bat Advice Service on 0845 1300 228, email enquiries@bats.org.uk or visit the Bat Conservation Trust website.

61 **PL.2022.05273: Land at Marsh Farm, North of Malmesbury Road, Royal Wootton Bassett, SN4 8ER**

Public Participation

- Daniel Preece (Lidl Great Britain Ltd) spoke in support of the application.
- Cllr Steve Walls (Royal Wootton Bassett Town Council) spoke in opposition to the application.

The Senior Planning Officer, Olivia Tresise, introduced a report which recommended that the application for the erection of a Class E food store with associated car parking, works to create open community space, new access, landscaping and associated works, be granted. Key details were stated to include the scale of development, its visual impact and design, as well as the environmental and highway impacts.

She reminded the Committee that they had agreed to defer the application, that was originally bought to them in June, until clarity on such issues as foul water

sewage and the proposed parkland could be provided. Attention was drawn to the late submissions from Royal Wootton Town Council, Royal Wootton Bassett Environment Trust's Active Travel Group and the applicant. The submissions, along with responses from officers, were included in Agenda Supplement 1. The Senior Planning Officer explained that she had amended conditions 9, 10 and 15, related to drainage, or landscaping, listed in her original report to reflect officer responses to the late submissions. Full details of the revised conditions were listed on pages 7-9 of Agenda Supplement 1.

Members then had the opportunity to ask technical questions of the officer. Details were sought on the issue of road safety, including fears that children would use the crossing to access a nearby sports facility. The Senior Planning Officer advised that Wiltshire Council's Highway Officer strongly resisted any proposals to relocate the proposed raised table crossing closer to the proposed access for the site, due to safety concerns.

The Senior Planning Officer noted that the care home adjacent to the site had withdrawn its proposals to install a private sewage treatment plant and would instead implement the original rising main drainage scheme.

Members of the public then had the opportunity to present their views to the Committee as detailed above.

The unitary division member, Cllr Steve Bucknell then spoke in opposition to the application. He urged the Committee to consider the application on the assumption that the proposed community parkland would not go ahead as the applicant was not the landowner.

So the Committee had something to debate, Cllr Peter Hutton, seconded by Cllr Tom Rounds, proposed a motion that permission for the application be granted in line with officer recommendations, as amended in Agenda Supplement 1.

A debate followed where issues including road safety, drainage and conditions that could be applied to the parkland were discussed. It was noted that land allocated near to the site, for a potential 200 new homes, could not be considered as part of this application.

The Chairman proposed an amendment to the motion to stipulate conditions on the timing of tree planting on the nearby parkland, specifically that this should be done in advance of the occupation of the supermarket. This was accepted as a friendly amendment by the proposer, Cllr Hutton and seconder of the original motion, Cllr Rounds.

The Development Management Team Leader, Simon Smith, clarified that the issue would need to be delegated to officers, which was accepted by assent of the Committee.

The Senior Planning Officer confirmed that the revised Condition 15 included a stipulation for a maintenance plan for the community parkland. The Development Management Team Leader elaborated that it would not be

possible to compel the applicant to deliver the parkland but, as it was being proposed, the Committee would be entitled to respond to those proposals by applying conditions on the application. Referencing an agreement by the applicant to deposit a £50,000 maintenance bond for the land, he highlighted that this should not be a consideration for the Committee as they had to assume that all conditions for the planning would be complied with. He highlighted that there were no suggestions that the applicant was not planning to deliver the community parkland and that Wiltshire Council would not be privy to any contractual arrangements between the applicant and the landowner.

During the debate, Cllr Chuck Berry, seconded by Cllr Gavin Grant, proposed a further amendment to the substantive motion, that the landscaping scheme for the parkland must be undertaken in advance of the first occupation of the supermarket.

Cllr Berry's proposed amendment was not accepted by the proposer of the original substantive motion, Cllr Hutton, so the Committee voted on whether to add it to the substantive motion. The vote carried, so Cllr Berry's amendment was added to the substantive motion.

The Committee then voted on the substantive motion as amended and it was:

RESOLVED: To GRANT permission in accordance with officer recommendation (as revised within Agenda Supplement 1), subject the amendment of Condition 14 so as ensure the planting on, and landscaping of, the parkland area is implemented prior to the first use/occupation of the supermarket:

Condition 1 (Time limit for implementation)

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.

Condition 2 (Approved plans)

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

Revised Landscape management plan, SLR Ref No: 403.V61442.00001, March 2023,

received by the Council on 14 March 2023

Revised Proposed Boundary Treatment plan, 19078 AD_114 Revision C, received by

the Council on 10 March 2023

The following documents received by the Council on 27 February 2023:

- Proposed elevations, AD_113 B**
- Proposed Lidl Site Access Arrangement on B4042, SK01 Revision D**
- Planting plan for Lidl car park LIDL / GA 2**

- Planting plan for Public Open Space, LIDL/GA3
- Planting plan for General Arrangement, LIDL/GA1
- Hard and Soft Landscaping Details, LIDL / GA07 and GA08
- Hard materials – Public Open Space, LIDL / GA6
- Hard materials – Car Park, LIDL/GA5
- Hard materials – General Arrangement, LIDL/GA4
- Site Layout Plan LIDL/PLAN3
- Site Block Plan, LIDL/PLAN2
- Detailed Masterplan, LIDL/PLAN4

The following documents received by the Council on 8 July 2022

- Proposed Site Section, 19078/AD119/Rev A
- Site location plan, AD_100 Rev B
- Proposed roof plan, AD_112
- Proposed elevations, AD_113 Rev B
- Proposed building (floor) plan, AD_111 Rev A

REASON: For the avoidance of doubt, in the interests of proper planning, and for the protection, mitigation and enhancement of biodiversity.

Condition 3 (Retail use only)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the retail element of the proposed development shall be used solely for purposes within Class E(a) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (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 at this particular site is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use, other than a use within the same class(es), having regard to the circumstances of the case and its potential impact upon the town centre.

Condition 4 (No sub-division of the unit)

The retail element of the development shall not at any time be sub-divided into a larger number of units.

REASON: To enable the Local Planning Authority to consider individually or cumulatively planning permission should be granted for additional units and to protect the vitality and viability of the Royal Wootton Bassett town centre.

Condition 5 (Restriction sale of comparison goods)

No more than 20% of the approved net sales area of the retail unit shall be used for the sale of comparison goods.

REASON: To protect the vitality and viability of the Royal Wootton Bassett town centre.

Condition 6 (Removal of Permitted development rights)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 7, Classes A, C, D, E, F, G, H, I, J and K shall take place on the buildings or within the curtilage of any of the buildings hereby granted planning permission.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider whether planning permission should be granted for additions, extensions or enlargements.

Condition 7 (Construction Method Statement – pre-commencement condition)

Prior to the commencement of the development hereby approved, 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 construction works;**
- h) measures for the protection of the natural environment; and**
- i) hours of construction, including deliveries;**
- j) demonstrate how surface water will be managed throughout the construction phase to prevent an increase in local flood risk / local pollution risk, has been submitted to, and approved in writing by, the Local Planning Authority. The approved Construction Method 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: In the interests of highway safety and residential amenity of the neighbouring properties.

Condition 8 (Construction Environment Management Plan - Pre-commencement condition)

Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- a) Identification of ecological protection areas/buffer zones and tree root**

protection areas and details of physical means of protection, e.g. exclusion fencing.

b) Working method statements for protected/priority species, such as reptiles, nesting birds and roosting bats.

c) Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.

d) Pollution prevention measures.

e) Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).

f) Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence. Development shall be carried out in strict accordance with the approved CEMP.

REASON: To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

Condition 9 (surface water drainage scheme – pre-commencement condition)

Prior to the commencement of the development hereby approved, a scheme for the discharge of surface water from the site /phase, including SuDS (sustainable drainage systems) and all third-party approvals, shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the said scheme shall be in accordance with the submitted Flood Risk Assessment and Drainage Strategy v5 (February 2023). Development shall be carried out in accordance with the approved details and shall be maintained as such thereafter.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that all elements of the development is undertaken in an acceptable manner, and to ensure that all elements of the development can be adequately drained without increasing flood risk to others.

Condition 10 (foul drainage – Grampian condition)

No development shall place until the foul drainage scheme has been created in its entirety and is ready for connection and used by the proposed food store hereby approved. For the avoidance of doubt, the foul drainage scheme shown on the drawing no. C160504-PIN-XX-XX-DR-C-224 S2-P05 in the submitted Flood Risk Assessment and Drainage Strategy Revision 5 dated 15 February 2023 shall be implemented in full and shall be maintained as such thereafter.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that all elements of the

development is undertaken in an acceptable manner, 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.

Condition 11 (Building materials – pre-commencement condition)
Notwithstanding the details shown on the submitted plans and forms, no development shall commence on site until details of the materials to be used on the development 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

Condition 12 - Landscape and Ecological Management Plan (Precommencement condition)

Prior to the start of construction, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets in accordance with the BNG calculation. The LEMP shall also include details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured. The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

REASON: To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

Condition 13 (Ultra Low Energy Vehicles Infrastructure)

Prior to the first occupation of the development hereby approved, a scheme of Ultra Low Energy Vehicle infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full and maintained permanently and satisfactorily as such thereafter.

REASON: Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

Condition 14 (Landscaping Scheme for parkland area)

Notwithstanding the submitted revised proposal, within 6 (six) months following the commencement of the development, a scheme of hard and soft landscaping for the park land area shall be submitted to and approved in writing the local planning authority. The details shall include:

- finished levels and contours;**
- means of enclosure;**
- all hard and soft surfacing materials;**
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);**
- number of trees, of a size and species and in a location to be agreed in writing with the Local Planning Authority, shall be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428.**
- Time of planting**
- On-going management of the planting**

All soft landscaping including the tree planting comprised in the approved details of landscaping scheme shall be carried out in full prior to the first use or occupation of the food store building hereby approved. For the avoidance, all trees and shrubs shall be planted within their planting seasons (normally between October and April). 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.

Condition 15 (Landscape management plan)

Notwithstanding the submitted revised proposal, within six months following the commencement of the development, a landscape management plan and a public accessibility management and maintenance plan for the Parkland Area and the surrounding landscape area, 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 public accessibility management plan and maintenance plan shall detail the long-term on-going management and maintenance responsibilities for all private, communal play spaces / amenity spaces and all publicly accessible open space to secure its open accessibility to members of the public for the lifetime of the development. Prior to the first occupation of the food store hereby approved, the approved management and

maintenance plans shall be carried out in full and for the lifetime of the development in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure the proper management of the landscaped areas in the interests of visual amenity.

Condition 16 (restrict shopping trolleys leaving the site)

The retail element of the development shall not be first brought into use until a scheme to restrict shopping trolleys leaving the site has been submitted to and approved in writing by the Local Planning Authority; and the approved scheme has been brought into operation. The approved scheme shall thereafter be maintained in operation in accordance with the approved details.

REASON: In the interests of the character, appearance and amenities of the area.

Condition 17 (Odour)

Prior to the first use or operation of the in-store bakery within the retail store, a scheme of works for the control and dispersal of atmospheric conditions (in particular emissions from cooking or baking of food) shall have been submitted to and agreed in writing by the Local Planning Authority. The approved scheme shall be implemented before any on site cooking or baking takes place and shall be maintained in effective working condition at all times thereafter.

REASON: So as to ensure that the amenity and living conditions of surrounding residential occupiers are not unacceptably affected.

Condition 18 (External Lighting)

Prior to first use or occupation of the development hereby approved, detailed lighting schemes with a validation report shall be submitted to and approved in writing by the Local Planning Authority. Such a validation report shall have been prepared by a suitably qualified member of the institute of lighting professionals (ILP) and shall validate that the lighting scheme as installed conforms to the recommendations for environmental zone E2 or better in the ILP document "Guidance Notes for the Reduction of Obtrusive Light - Guidance Note 01:20. All external lighting at the retail element of the proposal, as validated, shall be implemented in accordance with the agreed details and shall thereafter be permanently retained in that condition.

REASON: To ensure that the amenity and living conditions of surrounding residential occupiers are not unacceptably affected.

Condition 19 (Storage and Refuse)

Prior to the first use or occupation of development hereby approved, details of the intended arrangements for the storage of refuse and recycling, including details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority. The approved refuse and recycling storage arrangements shall be implemented prior to the first use of occupation of the development and made available for use for that purpose thereafter.

REASON: In the interests of public health and safety.

Condition 20 (Boundary treatment)

The proposed boundary treatment, drawing no. AD_114 Revision C, shall be carried out in accordance with the approved details prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.

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

Condition 21 (Landscaping Implementation)

All soft landscaping comprised in the approved details of landscaping, shown on

- Planting plan for Lidl car park LIDL / GA 2**
- Planting plan for General Arrangement, LIDL/GA1**
- Hard and Soft Landscaping Details, LIDL / GA07 and GA08**

shall be carried out in the planting and seeding season prior to the first occupation of the building(s) hereby approved. 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.

Condition 22 (Landscaping management)

The submitted Landscape Management Plan, SLR Ref. 403.V61442.00001 Version No. 5 dated March 2023 shall be implemented in full and maintained as such thereafter.

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

Condition 23 (highway work)

Prior to first use of the development hereby permitted, the ghost island right turning lane outlined on drawing 2202/046/SK01/D including a pedestrian refuge, any required street lighting and highway drainage alterations to accommodate the right turning lane, an altered bus layby, relocated 2 metre wide footway over part of the site frontage, resurfacing of the entire width of the B4042 over the length of the right turning lane scheme, shall all provided in in accordance with details to be first approved under a Highways Act 1980 Section 278 Agreement.

REASON: In the interests of providing safe and convenient access to the development.

Condition 24 (Widen the pedestrian and cycle way)

Prior to first occupation of the development hereby permitted, a 3 metre wide shared pedestrian and cycle way shall have been provided between the existing toucan crossing, and the development access point, as outlined on drawing 2202/046/SK01/D.

REASON: In the interests of good development accessibility.

Condition 25 (Provision of access road, footways and cycleways)

Prior to the development hereby permitted being first brought into use, the access road, footways and cycleways, including a traffic calmed cycle crossing of the access road, and a marked out cycle route across the development car park, shall all be provided as detailed on drawing 2202/046/SK01/D. The access shall be provided with visibility with nothing to exceed the height of 600mm above carriageway level between the carriageway edge, and a line drawn from a point 4.5 metres back along the centre line of the access from the carriageway edge, to points on the nearside carriageway edge 120 metres to the north-west and 120 metres to the south-east.

REASON: In the interests of safe and convenient access to the development.

Condition 26 (Alteration of the existing toucan crossing)

Prior to the development hereby permitted being first brought into use the existing toucan crossing located to the north-west of the development's access shall have been altered to accommodate the greater carriageway width that is to be provided at that location as outlined on plan number 2202/046/SK01/D, and in accordance with details to be first approved under a Highways Act 1980 Section 278 Agreement.

REASON: In the interests ensuring that the existing toucan crossing continues to operate correctly following the implementation of the ghost island right turning lane.

Condition 27 (Provision of parking and turning areas)

Prior to the development hereby permitted being first brought into use, the vehicle parking and turning areas shall have been provided with the

individual parking spaces being demarcated, and the areas shall thereafter be maintained and kept available for the parking and turning of vehicles.

REASON: In the interests of safe and convenient use of the development.

Condition 28 (Provision of cycle parking spaces)

Prior to the development hereby permitted being first brought into use the 6 No. Sheffield type cycle parking spaces shall have been provided, and shall thereafter be maintained and kept available for the parking of cycles.

REASON: In the interests of good cycle accessibility.

Condition 29 (relocation of direction sign)

Prior to the development hereby permitted being first brought into use, the advance direction sign to the north-west of the proposed access, shall have been relocated to a position out of the required visibility splays in accordance with details to be first approved under a Highways Act 1980 Section 278 Agreement.

REASON: In the interests of highway safety.

Condition 30 (Provision of bus shelter)

Within three months of the development hereby permitted being first brought into use, the south-east bound bus layby shall have been provided with a bus shelter including a perch seat, flag sign and timetable case, in accordance with details to be first approved under a Highways Act 1980 Section 278 Agreement.

REASON: In the interests of public transport accessibility.

Condition 31 (Travel Plan)

The food store hereby permitted shall not be brought into use until those parts of the Food store Travel Plan capable of being implemented prior to first use have been implemented. Those parts identified for implementation after first use shall be implemented in accordance with the timetable contained therein, and shall continue to be implemented as long as any part of the development is occupied. The Travel Plan Coordinator shall be appointed and carry out the identified duties to implement the Food store Travel Plan for a period from first use until at least 5 years following first use.

REASON: In the interests of reducing the amount of private staff car movements to and from the development.

Condition 32 (Service yard management scheme)

The retail store development shall not be occupied until a service yard management scheme has been submitted to and approved by the local planning authority. Such a scheme shall include the method of ensuring reversing beepers from delivery/collection vehicles do not disturb

surrounding residential occupiers. The development shall be operated in full accordance with the provisions of the agreed service yard management scheme.

REASON: To ensure that the amenity and living conditions of surrounding residents, are not unacceptably affected.

Condition 33 (construction hours)

No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: To ensure high design and place shaping such that appropriate levels of amenity are achievable.

Condition 34 (deliveries hours)

Deliveries to or collection from the retail development hereby permitted shall not be permitted before 07:00 and after 23:00hrs. No reversing beepers shall be used during these hours. Waste collections should also take place within these hours and preferably before 22:00.

REASON: In the interests of residential amenity.

Condition 35 (opening hours)

There shall be no customers/members of the public on the site outside the hours of (23:00 in the evening) and (07:00 in the morning) from Mondays to Saturdays (including Bank Holidays) and between (17:00 in the evening) and (10:00 in the morning) on Sundays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

Condition 36 (Noise and disturbance)

The rating level of noise from all fixed plant and machinery installed at the development hereby permitted shall not exceed the pre-existing background noise level at any time when measured or calculated at 1 metre from the facade of the nearest noise sensitive properties. Background levels are to be taken as a 15 minute LA90 at the boundary of the nearest residential noise-sensitive receptors. The measurement and assessment shall be undertaken in accordance with BS 4142:2019 or any subsequent version.

REASON: To ensure high design and place shaping such that appropriate levels of amenity are achievable.

Condition 37 (No external storage)

Except within the delivery yard of the retail store, there shall be no external storage of any description unless otherwise agreed in the form of a separate planning permission in that regard.

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

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Public Participation

- Mr Andrew Stevens spoke in objection to the application.
- Mr Ioan Rees spoke in objection to the application.
- Ms Anne Henshaw (The Countryside Charity) spoke in objection to the application.
- Mr James Broome (Woodsome Estates) spoke in support of the application.
- Mr David Rhodes ((RHAR – (Rhodes Architects LLP)) spoke in support of the application.
- Mr Paul Walsh (Selwood Housing Association) spoke in support of the application.
- Cllr Doug Price (Calne Without Parish Council) spoke in objection to the application.

Senior Planning Officer, Peter Crozier, introduced a report which recommended that the reserved matters application dealing with the scale, layout, external appearance, landscaping and means of access for a residential development of 26 entry level dwellings and associated works, be approved. Key details were stated to include the visual, design and environmental impact of the development as well as its relationship to neighbouring properties. It was noted that outline planning permission for the development had been granted in June 2021.

Attention was drawn to amendments to the drawings made during the application process to address comments from technical consultees, including a reduction in the number of red brick dwellings. The site's location in open countryside outside of Calne's settlement boundary was highlighted. However, it was observed that outline planning permission had been granted on an exception basis, as all of the dwellings would be affordable as defined by Annex 2 of the National Planning Policy Framework. The Senior Planning Officer noted the likely need for an additional condition relating to appropriate tree protection.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought on the access to the site. The Senior Planning Officer explained that the access arrangements had to be in compliance with the outline planning permission granted in June 2021. He confirmed that there was bicycle access, and each property would have its own bike storage. He was not aware of any previous flooding to the site and noted that the proposed development site was in Flood Zone 1.

Members of the public then had the opportunity to present their views to the Committee as detailed above.

In response to the points raised by the public, the Senior Planning Officer stated that Wiltshire Council's Highway's Officer had raised no objection to the scheme. He also noted that the proposed development contained a large number of solar panels despite an overall reduction from the original proposals to increase the number of properties with hipped roof-forms. Changes to the number of hipped roofs had been introduced as a result of comments by Wiltshire's Urban Design Officer.

So that the Committee had something to debate, Cllr Peter Hutton, seconded by Cllr Elizabeth Threlfall, proposed that permission for the reserved matters application be granted, subject to the conditions outlined in the report.

A debate followed whether issues such as access, solar panels, and disruption during construction were discussed. The size of, and access route for, vehicles during construction was discussed and it was noted that an informative could be added to the Construction Method Statement to advise that discussions should take place between the developer and local councils.

RESOLVED: To GRANT planning permission in accordance with officer recommendation, together with an additional informative in respect of the size of construction vehicles and discussion with the adjoining landowner and town/parish council in respect of routing.

Subject to the following conditions:

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

LLC-RHAR-ZA-XX-GA-A-01.revI: HousetypeA-3B5P
LLC-RHAR-ZA-XX-GA-A-02.revI: HousetypeA-3B5P-Hipped
LLC-RHAR-ZB-XX-GA-A-01.revI: HousetypeB-3B5P
LLC-RHAR-ZC-XX-GA-A-01.revJ: HousetypeC-2B4P
LLC-RHAR-ZC-XX-GA-A-02.revC: HousetypeC-2B4P-Hipped
LLC-RHAR-ZC-XX-GA-A-03.revC: HousetypeC-2B4P-Hipped Stone
LLC-RHAR-ZD-XX-GA-A-01.revH: HousetypeD-3B5P
LLC-RHAR-ZE-XX-GA-A-01.revG: HousetypeE-2B4P.M4(2)
LLC-RHAR-ZF-XX-GA-A-01.revC: HousetypeF-3B4P
LLC-RHAR-ZZ-XX-GA-A-0001.revE: Site Location
LLC-RHAR-ZZ-XX-GA-A-0002.revE: Site Analysis
LLC-RHAR-ZZ-XX-GA-A-0030.revQ: Proposed Site Plan
LLC-RHAR-ZZ-XX-GA-A-0031.revK: Waste Collection & Cycle Storage Strategy
LLC-RHAR-ZZ-XX-GA-A-0032.revI: Vehicle Strategy
LLC-RHAR-ZZ-XX-GA-A-0033.revL: External Works
LLC-RHAR-ZZ-XX-GA-A-0034.revJ: Fences & Enclosures
LLC-RHAR-ZZ-XX-GA-A-0035.revJ: Building Heights

LLC-RHAR-ZZ-XX-GA-A-0036.revA: Ecological Enhancements
LLC-RHAR-ZZ-XX-GA-A-0037.revD: House Type Materials
LLC-RHAR-ZZ-XX-GA-A-0038.revC: Affordable Housing Plan
LLC-RHAR-ZZ-XX-GA-A-0040.revK: Street Scenes
LLC-RHAR-ZZ-XX-RP-A-0001.revC: Design and Access Statement
P22-196/SK001/P4: Drainage Strategy Plan
WHL-1504-01: Public Realm and on-Plot Planting

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

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no gates, fences, walls or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site.

REASON: In the interests of visual amenity

3. No development shall commence above ground floor slab level until details 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 part of the development shall be first occupied, until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall always be maintained free of obstruction thereafter.

REASON: In the interests of highway safety.

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

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

6. No dwelling of the development hereby approved shall be first occupied until such time as the parking area shown on the approved plans for said dwelling has been consolidated, surfaced and

laid out in accordance with the approved details and attached parking schedule. 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.

7. The development hereby permitted shall not be first brought into use/occupied, until the cycle parking facilities shown on the approved plans have been provided in full and made available for use. The cycle parking facilities shall be retained for use in accordance with the approved details at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

8. Within one month of the first available use of the play area shown indicatively on the approved Site Plan, 2no. waste / re-cycling bins to a specification previously approved in writing by the Local Planning Authority shall be provided and retained permanently thereafter.

REASON: In the interests of residential amenity.

9. No development shall commence on site until the applicant has submitted calculations which demonstrate that the proposed drainage design provides a sufficient level of water treatment.

REASON: To prevent pollution of the receiving watercourse.

10. The dwellings shall be constructed to meet as a minimum the higher Building Regulation standard Part G for water consumption limited to 110 litres per person per day using the fittings approach.

Reason: The site is in an area of serious water stress requiring water efficiency opportunities to be maximised; to mitigate the impacts of climate change; in the interests of sustainability; and to use natural resources prudently in accordance with the NPPF.

11. Prior to first occupation final details of the electric vehicle charging locations, cabling and charge points shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of sustainability and air quality

12. Prior to first occupation final details of any air source heat pumps including manufacturers details, locations and cabling shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of sustainability and energy efficiency.

13. Prior to first occupation final details of the roof mounted solar PV panels including manufacturers details, locations and number of panels shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of the sustainability and energy efficiency.

14. No development shall commence above ground floor slab level 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;
- 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);

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

15. 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 any of the dwellings 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. 16. No demolition, site clearance or development shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees has been submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following:-

- A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2012 and a plan indicating the alignment of the protective fencing;
- A specification for scaffolding and ground protection within tree protection zones in accordance with British Standard 5837:2012;
- A schedule of tree works conforming to British Standard 3998: 2010;
- Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;
- Plans and particulars showing the siting of the service and piping infrastructure;
- A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of any no-dig construction and the extent of the areas to be constructed using a no-dig specification;
- Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and Details of all other activities, which have implications for trees on or adjacent to the site.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the 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 current best practice and Section 197 of the Town & Country Planning Act 1990.

INFORMATIVES

The developer/applicant will be expected to enter into a S278 and S38 Agreement with the Highway Authority before commencement of works hereby approved.

The council requires an indemnity in order to operate on any roads that are not adopted, including during any period where the council needs to

deliver waste collection services prior to adoption. The required arrangements are set out in section 5.8 of the attached guidance with a sample indemnity provided in Appendix C.

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 is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website <https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy>.

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.

This permission shall be read in conjunction with the Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the 8th June 2021, and any related Deed of Variation agreed pursuant to that Agreement.

Your attention is also drawn to the conditions imposed on the outline planning permission reference 19/11601/OUT dated 9th June 2021.

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.

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their

habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

For the Construction Method Statement to stipulate that discussions should take place between the developer, adjoining landowners, Calne Without Parish Council and Calne Town Council with regard to the size of, and most appropriate access route for, construction vehicles.

Cllr Tom Rounds wished for it to be recorded in the minutes that he voted against the motion to grant planning permission.

63 **PL.2023.01007: Land south of Abberd Lane and east of Spitfire Road, Calne**

Public Participation

- Ms Caroline Richardson (Aspbury Planning, on behalf of Latestop) spoke in objection to the application.
- Ms Anne Henshaw (The Countryside Charity) spoke in objection to the application.
- Mr Damian Barry (RPS Consulting) spoke in support of the application.
- Mr Ioan Rees made a neutral statement broadly supportive of the application.
- Cllr Doug Price (Calne Without Parish Council) spoke in favour of deferring the application.

Senior Planning Officer, Peter Cozier, introduced a report which recommended that the application for the development of a new local centre comprising Class E(f) day nursery and a Class E(a) convenience store with associated access and landscaping, be approved. Key details were stated to include the principal of development, visual impact, highway impact, sustainability, noise, and drainage.

The Senior Planning Officer explained that the site was located on a parcel of land situated at the junction of Spitfire Road and Abberd Lane, outside of the defined settlement boundary. The application was very closely linked to another application PL/2022/07893, which was seeking outline planning permission for 100 houses. However, as this application was yet to come to Committee, as there were still a number of outstanding technical matters to be resolved, Cllr Tony Trotman had called in the application due to concerns about considering the application for the day nursery and convenience store in isolation from the proposed housing development.

Attention was drawn to amendments made during the course of the determination of the application, such as the removal of an acoustic fence, intended to shield the proposed adjoining housing development and a minor change to the proposed access. It was also noted that there had been some late comments from Wiltshire Council's Landscape Officer.

Members of the Committee then had the chance to ask technical questions of the officer. Details were sought on whether the proposed development would contain solar panels. It was confirmed that there would be four electric vehicle charging points but no solar panels. It was also stated that Wiltshire's Department for Education and Skills had not been consulted on the proposals for the nursery. Furthermore, it was clarified that conditions relating to outdoor storage did not make any specific reference to the front of the property.

Members of the public then had the opportunity to present their views to the Committee as detailed above. The Chairman then made a statement in his capacity as one of the local unitary division members, as access to the site went partially through his division.

So that the Committee had something to debate, the Chairman, seconded by Cllr Clare Cape, proposed that the application be deferred until plans for housing came forward so that the design of, and need for, the development could be better assessed.

A debate eschewed about whether it would be possible to defer the application. It was also noted that developers were often criticised for not putting in infrastructure in advance of new housing. The Development Management Team Leader urged caution about deferring the application on grounds of prematurity in the context of the emerging Local Plan. He noted that the application should be considered on its own individual merits and that the applicant would be able to appeal for non-determination if the application was deferred indefinitely.

After considering advice from officers, the Chairman, in agreement with his seconder Cllr Cape, withdrew his motion to defer the application.

Cllr Peter Hutton, seconded by Cllr Tom Rounds, then proposed that permission for the development be granted in line with officer recommendation.

Issues debated included the benefits that the additional service provision would bring to local families, as well as concerns about the quality of design and its location outside of the settlement boundary. Worries were also raised about the use of a tin roof given the noise impact that this could have on the nursery during periods of heavy rainfall.

Following a vote, the motion to grant permission was lost. A motion to refuse the application, contrary to officer recommendation, was then moved by Cllr Gavin Grant, seconded by Cllr Cape. The reasons for refusal were that the proposed development contradicted Core Policy 51 (Landscape) and Core Policy 57 (High Quality Design and Place Shaping) of the Wiltshire Core

strategy as well as Policy NE2 (Setting of Calne and Calne Without) of the Calne Community Neighbourhood Plan.

A vote was then held on the motion to refuse permission and it was:

RESOLVED: That planning permission be REFUSED contrary to officer recommendation.

REASONS: The proposed development contradicted Core Policy 51 (Landscape) and Core Policy 57 (High Quality Design and Place Shaping) of the Wiltshire Core Strategy as well as Policy NE2 (Setting of Calne and Calne Without) of the Calne Community Neighbourhood Plan. The development being of poor design and extending out into countryside beyond settlement limits.

Cllr Cape left the meeting at 6:30pm after the item was concluded.

64 **PL.2023.03187: 1 The Peak, Purton, Swindon, SN5 4AT**

The Conservation and Planning Officer, Stefan Galyas, introduced a report which recommended that the application for single storey side and rear extensions to two-storey semi-detached dwelling be approved, subject to conditions. It was noted that the proposals included a wheelchair accessible bedroom and shower room connecting to the existing ground floor. Key details were stated to include the principal of development, visual impact and impact on residential amenity.

Members of the Committee then had the opportunity to ask technical questions of the officer. It was confirmed that it would be possible to condition a potential additional first floor extension under permitted development.

There was no public participation but the unitary division member, Cllr Jacqui Lay, spoke on the application.

So the Committee had something to debate, Cllr Lay, seconded by Cllr Gavin Grant, proposed that the application be granted in line with officer recommendation.

A debate followed where it was confirmed that an informative could be added to advise that the extension should not be demolished when the current resident vacates the property.

Cllr Elizabeth Threlfall proposed an amendment to add a condition to remove permitted development rights for future additional extensions above the proposed single storey extension, which was accepted by Cllr Lay and Cllr Grant.

Following the vote, it was:

RESOLVED: To GRANT permission in accordance with officer recommendation, with the addition of condition withdrawing permitted development rights in respect of building upwards.

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:

25189/1 Existing Floor Plan

25189/2B Proposed Floor Plan

25189/3 Existing Proposed Front and Rear Elevations

25189/4 Existing Proposed Side Elevations 25189/5 Site Block Plan

SU0987 Site Location Plan

All received 21st April 2023

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

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match be as stated on the approved plans, application form and submitted documentation.

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no additional storey shall be added to the single storey extension hereby permitted.

REASON: In the interests of the amenity of the area.

Informatives:

1. 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.

2. 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.

3. 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.

4. The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website.

5. The applicant is advised that the extension should not be demolished at the time that the current tenant vacates the property.

65 **Urgent Items**

There were no urgent items.

(Duration of meeting: 2.00 - 6.40 pm)

The Officer who has produced these minutes is Matthew Hitch of Democratic Services, direct line 01225 718224, e-mail matthew.hitch@wiltshire.gov.uk

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