

## NORTHERN AREA PLANNING COMMITTEE

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### **MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 30 MARCH 2016 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.**

#### **Present:**

Cllr Tony Trotman (Chairman), Cllr Christine Crisp, Cllr Sheila Parker, Cllr Toby Sturgis, Cllr Philip Whalley (Substitute), Cllr Chuck Berry, Cllr Terry Chivers, Cllr Jacqui Lay (Substitute) and Cllr Chris Hurst (Substitute)

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#### 30 **Apologies**

Apologies were received from Cllr Mark Packard, Cllr Howard Greenman, Cllr Howard Marshall and Cllr Mollie Groom.

Cllr Packard was substituted by Cllr Chris Hurst.  
Cllr Groom was substituted by Cllr Lay.  
Cllr Marshall was substituted by Cllr Whalley.

#### 31 **Minutes of the Previous Meeting**

The minutes of the meeting held on 9 March 2016 were presented. Cllr Jacqui Lay asked that the names of two people recorded as speaking on the Witts Lane application be corrected to read 'Geoff Greenaway' and 'Robert Owen'.

#### **Resolved:**

**To approve as a true and correct record and sign the minutes the minutes of the meeting held on the 9 March 2016 as amended.**

#### 32 **Declarations of Interest**

There were no declarations of interest.

#### 33 **Chairman's Announcements**

The Chairman welcomed those in attendance and introduced himself and the supporting officers.

The Chairman stated, with the consent of the meeting, that the item on Public Rights of Way at Langley Burrell would be considered prior to the planning applications.

#### 34 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

35 **Planning Appeals**

The Committee noted the contents of the appeals update.

36 **Public Right of Way- Langley Burrell 22 (PART) Stopping Up Order and Definitive Map Modification Order 2015**

The Chairman invited Sally Madgwick, Rights of Way Officer, to present the report which asked that the Committee to consider the objections and representations received to the making of “Langley Burrell 22 (part) Stopping Up Order and Definitive Map Modification Order 2015” made under Section 257 of the Town and Country Planning Act 1990 and Section 53 of the Wildlife and Countryside Act 1981; and which recommended that the Order be forwarded to the Secretary of State for Environment, Food and Rural Affairs for determination.

David Mannering spoke in objection to the order. Richard Walker and Robert Whitrow spoke in support of the order.

Issues highlighted in the course of the presentation and discussion included: the legislative framework relevant to the order; the location of the site and the implications of the permitted planning development; the issues of the security of the site; clarification that the matter was a stopping up and not a diversion order; the potential impact on walkers weighed against the potential impact on the developer; and whether, on balance, the alternative route was a reasonable route.

In response to a question, Lee Burman, Area Team Leader (Planning), stated that he would be seeking to address the issues of the construction of the bund with the site owners.

Cllr Tony Trotman proposed, subsequently seconded by Cllr Peter Hutton, that the proposal as outlined in the report be approved.

Having been put to the vote, the meeting;

**Resolved**

**That “Langley Burrell 22 (part) Stopping Up Order and Definitive Map Modification Order 2015” is forwarded to the Secretary of State for Environment, Food and Rural Affairs for determination with the recommendation that it is confirmed without modification.**

*Reason for Decision:*

*It is considered that the loss of this section of Langley Burrell 22 to the public is outweighed by the inconvenience of having to accommodate a footpath through the site. Such a path would not only disadvantage the operation of the site and potentially its security but would provide the public with such a diminished walking experience that there would be a significant loss to them even if the path were retained. In the event that members consider the path should be retained through the site a new planning application would need to be made by Wavin Ltd.*

*An adequate alternative route exists for the public which is easier to use and not any longer.*

37 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications \*\*\* and \*\*\* as listed in the agenda pack.

38 **15/11618/FUL Cowage Farm Foxley**

The planning officer, Lee Burman, introduced the report which recommended that the application should be granted permission subject to the conditions outlined in the report. The officer also drew the meeting's attention to the late observations relevant to the application, circulated as a supplement, specifically the two additional conditions relating to lighting and waste.

Issues highlighted in the course of the presentation and discussion included: the location of the proposal in an Area of Natural Beauty (AONB) and adjacent to a scheduled ancient monument; that up to 1900 pigs could be accommodated by the proposal; the consultation with the Environment Agency, Historic England and Cotswold AONB all of whom had not raised any objection; the concerns raised by some objectors with regard to highways issues and that the Highways Officer had not raised any formal objections; the size and scale of the building, and the materials to be used; the views of the parish councils in the vicinity; the implications of the Environmental Impact Assessment (EIA) regulations and that a screening opinion had been prepared which concluded that an EIA was not required; the views of the public protection team and the recommendation of two additional recommendations; the location of neighbouring residential and commercial properties; the potential impact on the landscape and odour; the possible steps that could be taken to address odour issues; the number of objections to the development; the animal welfare and farm standards proposed on the farm; and the implications of national and local policies.

In response to a question from Cllr Peter Hutton, Lee Burman confirmed that water would be supplied to the buildings and that each pig pen would have their own supply.

Mark Willis, Martin Irisari, Andrew Cook spoke in objection to the application.

Thomas Collins. Francis Baird and Charlotte Boole spoke in support of the application.

Cllr John Thomson spoke as the local division member.

Cllr Toby Sturgis proposed, subsequently seconded by Cllr Peter Hutton, that the application be approved subject to the conditions outlined in the report and the late observations. Cllr Sturgis also proposed an additional condition to limit the height of silos built in conjunction with the proposal.

Cllr Chuck Berry asked if it were possible to defer consideration of the application to ask the applicant to prepare an EIA to give the members of the public more assurance. Lee Burman advised the meeting requiring an EIA for this reason would not be reasonable or necessary and that a Screening Opinion had been issued in this respect. Will Oulton, Senior Democratic Services Officer, advised the Chairman that a proposal for deferral could not be considered as an amendment to a proposal for permission, and this question was not put.

The meeting then returned to the consideration of the proposal for permission with additional conditions.

Having been put to a vote, the meeting;

### **Resolved**

**That that planning permission be granted subject to conditions listed below:**

**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:**

- **Proposed plans and elevations**
- **Geophysics report**
- **Design and access statement**
- **Historic Environment Assessment**
- **Received 24.11.15**
- **Supporting statement dated 21.01.16**
- **Revised sightlines plan received 25.01.16**
- **Revised site plan received 12.02.16**
- **Revised block plan received 14.03.16**

- Flood plain detail received 15.02.16
- Visual Impact Assessment received 24.02.16
- Further information email dated 23.02.16
- Feed system and justification statement received 03.03.16
- Odour Management Plan received 25.01.16
- Construction Method Statement received 25.01.16

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

**3** No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

**REASON:** 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.

**4** No external stonework shall be constructed on site, until a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

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

**5** 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 for the hedgerow to the east showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours including sections through the buildings;
- means of enclosure;
- car park layouts;

- all hard and soft surfacing materials;
- Full details of the hoppers including positioning, and finishes and any other ancillary structures
- retained historic landscape features

**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, to ensure a satisfactory landscaped setting for the development and the protection of existing important historic and landscape features.

**6** 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.

**7** No part of the development shall be first brought into use, until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 900mm above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

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

**8** The development hereby permitted shall not be first brought into use until the first five metres of the access, measured from the 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.

**9** Any gates shall be set back 5 metres from the edge of the carriageway, such gates to open inwards only.

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

**10 No development shall commence within the area outlined in red onsite until:**

**a) A written programme of archaeological investigation, which should include on-site work and off-site work such as to strip, map and record excavation of the footprint of the new buildings, and any area of landscaping and services, has been submitted to and approved by the Local Planning Authority; and**

**b) The approved programme of archaeological work has been carried out in accordance with the approved details.**

**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, to enable the recording of any matters of archaeological interest.**

**11 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: The development must be undertaken in an acceptable manner, 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.**

**12 The development and practice shall be conducted in full compliance with the approved Odour Management Statement and shall be complied with in full in perpetuity. The development shall not be carried out otherwise than in accordance with the approved odour management statement.**

**REASON: In order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities and the amenities of the area in general.**

**13 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365, has been submitted to and approved in writing by the Local Planning Authority.**

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

**14 The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.**

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

**15** 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 in accordance with the appropriate Environmental Zone standards (i.e. E1- Intrinsically dark) as 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.

**16** There shall be no burning whatsoever of any manure or materials associated with the keeping of pigs onsite at any time.

**REASON:** In the interests of the amenities of the area.

**17** 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), development within Part 6, Class A shall not be of a height more than 0.5 metres in excess of the height of the two buildings hereby approved under this consent.

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

## **18**    **INFORMATIVE**

The site falls within a groundwater Source Protection Zone 3 (SPZ 3). This is a zone of protection surrounding a nearby drinking water borehole (Rodbourne Boreholes, Malmesbury), which is vulnerable to pollution. It therefore requires careful protection from contamination.

Further information on SPZs can be found at <http://www.environment-agency.gov.uk/homeandleisure/37833.aspx>

The site must be drained on a separate system with all clean roof and surface water being kept separate from foul drainage. Manure/dung heaps must be sited in an area where it/they will not cause pollution of any watercourse or water source by the release of contaminated run-off. The subsequent disposal of collected wastes must be undertaken in accordance with, 'Protecting our Water, Soil and Air, DEFRA 2009'.



**There must be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches.**

#### **19     INFORMATIVE**

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

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

#### **20     INFORMATIVE TO APPLICANT:**

**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.**

#### **21     INFORMATIVE TO APPLICANT:**

**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.**

#### **22     INFORMATIVE TO APPLICANT:**

**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.**

#### **23     INFORMATIVE TO APPLICANT:**

**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.**

**24 INFORMATIVE TO APPLICANT:**

**The applicant should note that there may be badger setts in the vicinity of the site, and as a consequence compliance with certain requirements and provisions of the Badgers Act 1991 may be necessary. If this is the case the applicant is advised to contact Natural England who are responsible for issuing licences relating to development on the site of badger setts.**

**25 INFORMATIVE TO APPLICANT:**

**This consent does not authorise any works which would disturb or in any way affect a Scheduled Monument. A separate consent for any such work should be sought from Historic England.**

**39 15/10486/FUL Lower Woodshaw Brynards Hill Royal Wootton Bassett**

The planning officer, Lee Burman, introduced the report which recommended that the application should be granted permission subject to the conditions outlined in the report. The officer also drew the meeting's attention to the late observations relevant to the application, circulated as a supplement, specifically that the Environment Agency had confirmed that the information and details submitted by the applicant team had addressed their concerns and as such they had written to confirm that their holding objection is now withdrawn. On this basis and as is set out in the report the Council's drainage officers confirmed that their own objection were also withdrawn.

Issues highlighted in the course of the presentation and discussion included: the number of dwellings and the planning history on the site; that the site was subject to an approved application for residential housing including extra-care and age restricted dwellings; that the providers of the care home had withdrawn from the proposals, and the application had been submitted for all for un-age-restricted market housing and affordable housing; the issues of noise and security resulting from proximity to a industrial land; that the extant permission must be given significant weight in considering the proposals; the implications of the five year land supply, and the implications of NPPF guidance; and the previous consents for employment land and the extent of marketing of the site.

In response to a question from the members of the Committee, Lee Burman confirmed: that pending the signing of a legal agreement, the developer had agreed to pro-rata increase their financial contributions, including for education provision, arising from the increase in proposed housing numbers; that the minimum number of house required for the Housing Market Area had not been met and due to their being insufficient land allocated, that following recent appeal decisions Core Policy Two could not be given full weight in any

deliberation; that the Environment Agency had wanted confirmation that previously requested drainage works had been undertaken, and that this had been confirmed; that the size of the affordable housing units was similar to the extant permission; that the solar panels had not been identified as a specific policy requirement, but that this could be encouraged as part of the discharge of conditions on materials; that private operator interest in providing care facilities had waned in other similar sites; that charges to residents for management costs were similar to schemes made in other sites; that there is no proposed bypass in any extant Development Plan Document or Local Transport Plan document; that build out rates for the community area, along with those for the Housing Market Area, were being assessed; and that, as it had yet to be formally examined or adopted, the emerging local plan for Wootton Bassett could not be given significant weight.

Tim Block, Steve Watts, spoke in objection to the application.

Andrew Ball spoke in support of the application.

Cllr Paul Heaphy spoke on behalf of Royal Wootton Bassett Town Council

Cllr Chris Hirst spoke as the local division member.

Cllr Chris Hirst proposed, subsequently seconded by Cllr Terry Chivers, that the application could result in excessive flooding to the canal contrary to Core Policy 69, and in the further coalescence with Swindon.

Having been put to a vote, the motion was not passed.

Cllr Peter Hutton proposed, subsequently seconded by Cllr Christine Crisp, that the application be approved subject to the conditions outlined in the report.

Having been put to a vote, the meeting;

## **Resolved**

**To delegate authority to the Area Development Manager to grant planning permission subject to the signing of a Section 106 agreement within the next 6 months and the conditions listed below.**

**In the event that the S106 agreement is not signed in the next 6 months delegate authority to the Area Development Manager to refuse permission for the following reason:-**

**The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Waste; Public Open Spaces and their maintenance including maintenance provision for the Country Park; Air Quality Management; Traffic Regulation Order; and Pedestrian Footpath works and is therefore contrary to Policies CP3 CP43 & CP55 of**

**the Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.**

**Proposed Conditions and Informatives:-**

**WA1 FULL PLANNING PERMISSION -COMMENCEMENT 3 YEARS**

**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.**

**WB1 SUBSEQUENT APPROVAL OF MATERIALS FOR WALLS & ROOFS**

**No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

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

**WC1 APPROVAL OF LANDSCAPING BEFORE COMMENCEMENT**

**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;**
- **means of enclosure;**
- **car park layouts;**
- **other vehicle and pedestrian access and circulation areas;**
- **all hard and soft surfacing materials;**
- **minor artifacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);**
- **proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);**

- **tree(s), 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**

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

## **WC2 LANDSCAPING TO BE CARRIED OUT & MAINTAINED**

**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.**

## **WC6 PROTECTION OF RETAINED TREES**

**No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837:**

**2012: "Trees in Relation to Design, Demolition and Construction - Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and;**

**The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.**

**No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work –**

**Recommendations” or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.**

**If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.**

**No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.**

**[In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later].**

**REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.**

#### **WC8 SUBMISSION OF LANDSCAPE MANAGEMENT PLAN**

**No development shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.**

**REASON: To ensure the proper management of the landscaped areas in the interests of visual amenity.**

#### **WD1 CONSOLIDATED ACCESS**

**The residential dwellings hereby permitted shall not be first occupied until the first five metres of the access, measured from the 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.**

#### **WD8 ROADS/FOOTPATHS ETC TO BASE COURSE BEFORE OCCUPATION**

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.

### **WE3 NO ADDITIONS/EXTENSIONS OR EXTERNAL ALTERATIONS**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to any building forming part of the development hereby permitted.

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

### **WE6 NO GARAGES / OUTBUILDINGS**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

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

### **WE15 USE OF GARAGE**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.

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

**NSC**

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

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

**NSC**

**No works shall commence on site until full evaluation of the existing public and S104 drainage systems have been checked for capacity to serve the site and where reinforcement / mitigation works are required these need to be completed before first occupation.**

**REASON: to ensure no increase in downstream property flooding due to this development.**

**NSC**

**Prior to the commencement of works on site the excavation and re-profiling works to the Woodshaw Flood Storage Area approved within the Operation and Maintenance (O&M) Strategy (Issue 6 April 2011) under planning application references N/09/00871/OUT and N/10/03055/FUL shall have been completed in full and a condition survey report shall be submitted to the Local Planning Authority. The Woodshaw Flood Storage Area shall be maintained in accordance with the approved O&M Strategy and any subsequently approved surface water drainage details thereafter.**

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

**WG4 DISPOSAL OF SEWERAGE –IMPLEMENTED**

**The development shall not be commenced until a foul water drainage strategy is submitted and approved in writing by the local Planning Authority in consultation with Wessex Water acting as the sewerage undertaker a drainage scheme shall include appropriate arrangements for the agreed points of connection and the capacity improvements required to serve the proposed development**

**Phasing**



• the drainage scheme shall be completed in accordance with the approved details and to a timetable agreed with the local planning authority.

**REASON:** To ensure that proper provision is made for sewerage of the site and that the development does not increase the risk of sewer flooding to downstream property.

#### **WH9 ECOLOGICAL ASSESSMENT (IMPLEMENTATION)**

Prior to the commencement of works on site the mitigation measures detailed in the approved Ecological Management Plans in relation to planning application references N/09/00871/OUT & N/10/03055/FUL dated 28/2/2011, shall be carried out in full. Monitoring reports will be submitted in accord with the approved Ecological Management Plans.

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

#### **WM4 CONSTRUCTION METHOD STATEMENT**

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

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- h) measures for the protection of the natural environment.
- i) hours of construction, including deliveries;
- j) 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.

#### **NSC**

The development hereby permitted shall not begin until a noise impact assessment and scheme for protecting the proposed dwellings and their cartilages from environmental and railway traffic noise has been submitted and approved by the Local Planning Authority. Any works which form part of the scheme approved by the Local Planning Authority shall be completed before any permitted dwelling is first occupied, unless an alternative period is agreed in writing by the Local Planning Authority.

**REASON:** In order to safeguard the amenities of the area in which the development is located.

#### **NSC**

No plant machinery or equipment shall be operated or repaired so as to be audible at the site boundary outside the hours of 0730 to 1800hrs Mondays to Fridays and between 0730 and 1400hrs Saturdays or at any time on Sundays or Bank Holidays.

**REASON:** In order to safeguard the amenities of the area in which the development is located.

#### **WM13 APPROVED PLANS**

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

- 1629/01 REV F dated 06/02/106
- 1629/02 REV C dated 06/02/106
- 129/03 REV B dated 06/02/106
- 1629/03 REV B dated 06/02/106
- 1629/04 REV B dated 06/02/106
- 1269/06 REV A dated 06/02/106
- 1629/07 dated 06/02/106
- 1629/09 dated 01/03/2016
- Lower Woodshaw House Types Booklet:
- WAIN/PLAN/BC
- WAIN/PLAN/NE15 REV A
- WAIN/WR/01
- WAIN/WR/02
- WAIN/PLAN/DA/01
- WAIN/PLAN/DA/02
- WAIN/PLAN/DA/03
- WAIN/PLAN/DA

- WAIN/PLAN/DA SIDE
- WAIN/PLAN/WOS/GARAGE
- WAIN/PLAN/WO/SIDE
- WAIN/PLAN/WO/01
- WAIN/PLAN/WO/02
- WAIN/PLAN/WO
- WAIN/PLAN/SH15 REV A
- WAIN/PLAN/ST15/01
- WAIN/PLAN/ST15 REV A
- WAIN/PLAN/SH15
- WAIN/chau/01-1 REV A
- WAIN/chau/01-2 REV A
- WAIN/PLAN/FL/203/rent01 REV A
- WAIN/PLAN/EL/204/rent REV A
- WAIN/PLAN/FL/203/rent01
- WAIN/PLAN/FL/HLe1/rent
- WAIN/PLAN/FL/HKLplans/rent
- WAIN/BL/2014/inter
- WAIN/PLAN/FL/207 REV A
- WAIN/PLAN/ENC REV A
- Wain/gar/01 rev a
- All dated 06/02/106
- Wootton Bassett Feb 2016 Attenuation Pond As Built Survey  
Dated 08/03/2016

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

#### **WP6 ALTERATIONS TO APPROVED PLANS**

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.

#### **WP8 REFERENCE TO SECTION 106 AGREEMENTS**

This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the [INSERT].

#### **WP13 PUBLIC SEWERS**

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. Any alterations to the approved plans, brought about by the need to secure easements for Wessex Water Facilities must first be agreed in writing with the Local Planning Authority before commencement of work.**

#### **WP18 PERMISSION NOT AUTHORISING WORK ON LAND OUTSIDE THE APPLICANT'S CONTROL & PARTY WALL ACT**

**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.**

#### **RIGHTS OF WAY LEGAL ORDER**

**A legal order to divert the rights of way will have to be undertaken to implement this development. If the development proceeds without this order and obstructs a right of way, legal action must be taken against the developer. It is recommended that the developer applies for this order at the earliest opportunity.**

#### **WP31 MATERIAL SAMPLES**

**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.**

#### **40 16/01121/FUL Chuffs Lower Kingsdown Road Kingsdown**

The planning officer, Lee Burman, introduced the report which recommended that the application should be refused for the reasons outlined in the report. The officer also drew the meeting's attention to the late observations relevant to the application, circulated as a supplement.

Issues highlighted in the course of the presentation and discussion included: that the building proposed to be extended was a previously extended annex converted from garage; that the site was in an Area of Outstanding Natural Beauty within the greenbelt; that the applicant wished to extend the annex to make it fully habitable due to personal medical reasons; the amount of extension to the property that had already been allowed; whether on balance the harm to greenbelt created by the cumulative development on the site was

outweighed by the benefit to the applicant; whether or not the personal circumstances of the applicant constituted very special circumstances under green belt policy; and the impact of the design and the landscaping in the proposals.

Chris Beaver spoke in support of the application.

Cllr Sheila Parker spoke as the local division member.

Cllr Sheila Parker proposed, subsequently seconded by Cllr Terry Chivers, that the application should be approved as the personal circumstances of the applicant constituted very special circumstances and outweighed the harm to the openness of the green belt resulting from the additional development. It was also agreed that permitted development rights should be removed, and to link the annex to the other residence on the site and restrict further extension of the annex and the main dwelling through a Section 106 agreement.

Having been put to a vote, the meeting;

### **Resolved**

**Resolved to delegate authority to the Area Development Manager to approve subject to the signing of a section 106 agreement to tie the annex to the main dwelling known as Chuffs and to restrict any further extension of the main dwelling or the annex beyond that now approved under this application for the following reason:-**

**It is considered that the personal circumstances and needs of the applicant outweigh the harm to the openness of the green belt and the proposal is therefore in accordance with paragraphs 14 & 17 and Chapter 9 including paragraphs 88 & 89 of the National Planning Policy Framework.**

### 41 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 6.42 pm)

The Officer who has produced these minutes is Natalie Heritage, of Democratic Services, direct line , e-mail

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