

# Minutes Book

Tuesday 10 May 2016

Council Chamber - County Hall, Trowbridge BA14 8JN



## Minutes of Cabinet and Committees

### February - May 2016

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Cabinet Capital Assets Committee	15 March 2016	<u>27 - 32</u>	Baroness Scott
<b>Overview and Scrutiny Select Committees</b>			
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<b>Joint Committees</b>			
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Pension Fund Committee	1 February 2016	<u>345 - 348</u>	Tony Deane
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## CABINET

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MINUTES of a MEETING held in KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN on Tuesday, 15 March 2016.

Cllr Laura Mayes	Cabinet Member for Children's Services
Cllr Fleur de Rhé-Philippe	Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property
Cllr Baroness Scott of Bybrook OBE	Leader of the Council
Cllr Jonathon Seed	Cabinet Member for Housing, Leisure, Libraries and Flooding
Cllr Toby Sturgis	Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste
Cllr John Thomson	Deputy Leader and Cabinet Member for Communities, Campuses, Area Boards and Broadband
Cllr Dick Tonge	Cabinet Member for Finance
Cllr Stuart Wheeler	Cabinet Member for Hubs, Heritage and Arts, Governance and Support Services
Cllr Philip Whitehead	Cabinet Member for Highways and Transport
Also in Attendance:	Cllr Glenis Ansell, Cllr Trevor Carbin, Cllr Chris Caswill, Cllr Ernie Clark, Cllr Atiqul Hoque, Cllr David Jenkins, Cllr Simon Killane, Cllr Gordon King, Cllr Jacqui Lay, Cllr Bill Moss, Cllr Stephen Oldrieve, Cllr Horace Prickett, Cllr Bridget Wayman and Cllr Jerry Wickham

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Key Decisions Matters defined as 'Key' Decisions and included in the Council's Forward Work Plan are shown as 

### 28 **Apologies**

Apologies were received from Cllr Keith Humphries

### 29 **Minutes of the previous meeting**

The minutes of the meeting held on 9 February 2016 were presented.

### **Resolved**

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

**30 Declarations of Interest**

There were no declarations of interest.

**31 Leader's announcements**

The Leader thanked participants in the Wiltshire Business and Sports Gala Dinner which had made 12 awards to support Wiltshire's Future Olympians and Paralympians, some of whom would be attending the Rio Olympics. In addition, the event had successfully raised a further £38,000.

**32 Public participation and Questions from Councillors**

A statement was received from Sarah Schofield in relation to community concerns regarding potential planning development in the Hilperton Gap/Marsh area. She wanted to make cabinet aware of the level of public opinion in favour of keeping the Gap as a green area, thus maintaining the boundary between Hilperton and the town of Trowbridge. This she said was evidenced by the 1380 plus signatures on a petition on the issue and the 280 plus objections on the council's planning portal.

The Leader thanked Ms Schofield for her statement and encouraged her, and other members of the community, to make their views known by continuing to engage in the planning process.

Questions were received from Mr Richard Hames, Cllr Chris Caswill and Cllr Ernie Clark, details of which together with the responses given are available online and attached to the signed minutes.

In response to a supplementary question from Richard Hames, Cllr Sturgis clarified that it was the Council's statutory duty to consider any property requests and to get the best value from its land holdings.

In response to a supplementary question from Richard Hames, the Leader stated that she would be happy to consider any proposals for further liaison with local media outlets.

The Leader asked officers to liaise with Mr Hames to arrange a meeting to discuss any further issues he may have which would be more constructive than engaging valuable resources in responding to Mr Hames' separate questions to Cabinet.

In response to a supplementary question from Cllr Chris Caswill, the Leader asked that officers take reasonable steps to discuss the concerns raised regarding access to planning information.

In response to a supplementary question from Cllr Ernie Clark, Cllr Sturgis clarified that the figures in relation to the Trowbridge DPD would not be

released until the end of March once developers had been consulted as to the sustainability and deliverability of possible sites. Cllr Sturgis stated that he would give a written response once further information was available at the end of March.

In response to a statement from Cllr Steve Oldrieve, the Leader asked Maggie Rae to arrange a meeting with Cllr Oldrieve to update him on the Trowbridge Health & Wellbeing Centre project.

### 33 **Future of Wiltshire Council Provided Public Conveniences**

 Cllr Philip Whitehead presented a report which provided Cabinet with the outcome of the recent public consultation and discussions with parish and town councils on and sought a decision on the future provision of the public convenience service.

Issues highlighted in the course of the presentation and discussion included: that the 7 conveniences that had not been transferred would remain open whilst a cost benefit analysis was undertaken on each; that local members would be kept informed of progress; the survey work undertaken that had informed the review; the financial pressures on the service; the options for developing a community toilet scheme, delivered through local businesses and organisations; that many town and parish councils had taken the opportunity to take over the running of facilities in their community.

Cllr Gordon King stated that his Town Council was happy to embrace this change and was arranging a lease arrangement; but that he was concerned as to the way in which the option was offered as an ultimatum. Cllr Whitehead stated that he felt that the conversations with the Towns and Parishes had been robust and had expressed the options clearly.

Cllr Chris Caswill stated his support for keeping the Chippenham Bath Road toilets open, and welcomed the decision to proceed to a cost benefit analysis before any closures and asked that discussions continue with Town and Parish Councils who had so far not agreed to take on public conveniences in their areas.

Cllr Dick Tonge, in response to a matter raised by Cllr Atiqul Hoque, stated that Salisbury City Council should consider the proposal to transfer assets, and emphasised the point that Town and Parish Councils were better able to raise funds for public conveniences as they were not subject to a cap on Council tax increases.

#### **Resolved**

- (i) To note the outcome of the public consultation and transfer any public conveniences that the towns and parishes wish to manage and undertake a 'cost benefit' analysis on any remaining facilities to decide their future.**

- (ii) To delegate powers to the Associate Director, Highways and Transport following consultation with the Cabinet Member for Highways and Transport with regard to the cost benefit analysis decision on each remaining public convenience.**
- (iii) Introduce a Community Toilet Scheme in Wiltshire and enabling where possible the opening of resources in Wiltshire public buildings.**
- (iv) Authorise the Associate Director for People and Business to enter into appropriate formal arrangements for the transfer or lease of the assets on such terms as to be determined by the Associate Director for People and Business following consultation with the Associate Director for Highways and Transport, Associate Director for and Law and Governance and the Cabinet member for Highways and Transport.**

*Reason for Decision:*

*Due to Wiltshire Council's continued need to concentrate on delivering priority services; the funding for cleaning and maintenance of public conveniences was removed in April 2015.*

*However, these public conveniences remain open and the purpose of this report is to provide members with the outcome of a public consultation and to seek a decision about the future provision of the public convenience service.*

#### **34 Wiltshire Council Child Sexual Exploitation (CSE) Action Plan Update**

Cllr Laura Mayes, Cabinet Member for Children's Services, presented a report which provided Cabinet with a review of the Council's CSE Action Plan, since consideration of a report to Cabinet in May 2015. In the course of her presentation, Cllr Mayes introduced Cllr Jacqui Lay, Chair of the Scrutiny Task Group, Terence Hebert, Associate Director, and Blaire Keltie, Manager of the CSE Team, emphasising that tackling CSE was a team effort. Cllr Mayes thanked the team of officers and members who had worked hard to raise the profile of the issues within and outside the Council.

Issues highlighted in the course of the presentation and discussion included: that Wiltshire Council's plan was cognisant of other partners' plan; that officers had looked at best practice in other areas; that the three main strands of the plan were prevent, protect and pursue; that the team had visited most of the Area Boards and Multi Agency Forums within Schools; that the team had put on the play, Chelsea's choice, to highlight the issues in schools; how all looked after children were screened to assess their vulnerability to CSE; that the team was working with 55 children who were either victims or at risk; the action that had been taken to disrupt and prevent some activities of perpetrators; that 5 men had been arrested as direct result of work being undertaken; that Ofsted had already made some suggestions e.g. monitoring training impact and

improving screening test; that they had undertaken mandatory CSE training for taxi drivers seeking to renew their license; that it was hoped to roll out training further to more staff and relevant people – such as fast food and car park attendants; how outside agencies, such as the RSPCA, that may not be obvious partners, could be liaised with; how parents could be better informed, particularly of the risks to children through contact on the internet via games and messaging apps; the links to regional partners to ensure a cross-boundary approach was taken.

In response to a question from Cllr Dick Tonge, Carolyn Godfrey, Corporate Director, confirmed that only two local schools had declined showing the play Chelsea's choice, and that she would be writing to the Head and Chair of Governors of each school to emphasise the importance of the work.

There was some debate around the possibility of using an app or other appropriate electronic means to aid efforts in this area to enable children to seek assistance or report incidents. Officers were asked to explore this further and provide a progress report to Cabinet on this.

#### **Resolved**

**(a) To note the progress made against the CSE action plan since May 2015.**

**(b) To ask officers to consider options for the development of electronic communication tools, and to report progress to the June meeting of Cabinet.**

*Reason for Decision:*

*Wiltshire Council has a zero tolerance approach to CSE and treats CSE as a high priority.*

*It is important the Council maintains oversight of progress in relation to the implementation of the CSE action plan.*

#### **35 Mental Health and Wellbeing Strategy and Implementation Plan Update**

In the absence of Cllr Keith Humphries, Cllr Sheila Parker, Portfolio Holder for mental health, presented a report which provided an update on progress made against the Mental Health and Wellbeing Strategy Implementation Plan and provided the current document for review. The report additionally updated members on progress with the establishment of a Partnership Board to monitor progress against the aims of the strategy.

Issues highlighted in the course of the presentation and discussion included: how the impact of the strategy would be measured; that the plan would evolve in the light of national changes and local needs; how other partners are able to monitor progress; specific action being taken, and such as Health training and art on prescription.

## **Resolved**

- 1. To note the summary implementation plan and approve its publication to sit alongside the Mental Health and Wellbeing Strategy which has already been published.**
- 2. To agree that the Mental Health and Wellbeing Partnership Board will monitor progress against the implementation plan and approve developments and additions to deliver on the outcomes between now and 2021, reporting into the Health and Wellbeing Board annually on progress.**

*Reason for Decision:*

*To update Cabinet on the progress with the implementation plan and to gain agreement that future updates can be developed and approved by the Mental Health and Wellbeing Partnership Board.*

## **36 Wiltshire Council's Housing Board Annual Report**

Councillor Jonathon Seed, Cabinet Member for Housing, introduced Cllr Richard Clewer, Chairman of the Housing Board, who presented an update regarding the activities of Wiltshire Council's Housing Board.

The issues highlighted in the course of the presentation and discussion included: that the Board was satisfied with the performance and the progress made; the work that had been undertaken with regards to the risk register; that the Board was waiting to see the results of the Housing Act, and would assess the implications; that the Board would be reviewing the key performance indicators; the environmental improvement works already underway; how tenants are consulted and engaged with by the Board; how departments of the council, and external partners, coordinate their debt recovery to assist tenants in managing their circumstances better.

## **Resolved**

**To note the annual report.**

*Reasons for Decision:*

*Wiltshire Council's Housing Board's Terms of Reference require an Annual Report to be presented to Cabinet.*

## **37 Performance Management and Risk Outturn Report: Q3 2015/16**

Councillor Dick Tonge presented a report which provided a quarter three update on outturns against the measures and activities compiled and reported through the council's website via the Citizens' Dashboard and other key measures, as well as latest outturns on the council's strategic risk register.

The Leader welcomed the data in relation to economic development and childhood obesity; she encouraged those present to contact Cabinet members if they had any subsequent questions on any of the information in the report.

There being no further question or debate, the meeting;

### **Resolved**

- 1. To note updates and outturns against the measures and activities ascribed against the council's key outcomes.**
- 2. To note updates and outturns to the strategic risk register.**

*Reason for Decision:*

*The performance framework compiles and monitors outturns in relation to the outcomes laid out in the Business Plan. The framework is distilled from individual services' delivery plans. In doing so, it captures the main focus of activities of the council against each outcome.*

*The strategic risk register captures and monitors significant risks facing the council: in relation to significant in-service risks facing individual areas, in managing its business across the authority generally and in assuring our preparedness should a national risk event occur.*

### **38 Report on Treasury Management Strategy 2015/16 - Third Quarter ended 31 December 2015**

Councillor Dick Tonge, presented a report which enabled Cabinet to review the Treasury Management Strategy. This report covered the third quarter of 2015-16, ended 31 December 2015. In the course of his presentation, Cllr Tonge explained the Council's position in relation to Lender Option Borrow Option (LOBO) loads. He assured the Cabinet that the Council was not exposed to any unnecessary risk, and explained how the Council would migrate the money invested in this type of loan to more convention Public Works Loan Board (PWLB) types.

### **Resolved**

**To note that the contents of the report presented were in line with the Treasury Management Strategy.**

*Reasons for Decision:*

*To give members an opportunity to consider the performance of the Council in the period to the end of the quarter against the parameters set out in the approved Treasury Management Strategy for 2015-16.*

39 **A303: Stonehenge Improvement**

Cllr Fleur De Rhé-Philippe, presented a report which explained the Development Consent Order (DCO) process, and to set out the main implications for the Council.

Issues highlighted in the course of the presentation and discussion included: that the scheme was part of a programme of nationally significant schemes; that the Department for Transport was considering all the options; the length and complexity of the process; how the programme will be monitored with partners; the concerns of the public and the possibility of conflict; how the police will be involved in any planning; that it was hoped that the scheme would start in 2020; how heritage bodies had been consulted on the proposals; that possible positive and negative impacts of the proposals on local communities; the impact of the proposals on carbon reduction and air quality; and how local members and communities would be kept informed.

**Resolved**

- a) **To note the report**
- b) **To acknowledge the inevitable resource implications for the Council**
- c) **To acknowledge the need for strong governance arrangements**
- d) **To note that items b. and c. above will be the subject of future reports**

*Reasons for Decision:*

*To ensure that the Council's role in the DCO process is properly discharged.*

40 **Clarification of change to council tax discounts on properties that have been unoccupied and unfurnished properties for two years**

Councillor Dick Tonge presented a report which sought to clarify the effective date of the application of the levy in relation to the change to council tax discounts on properties that had been unoccupied and unfurnished for two years. In giving his presentation, Cllr Tonge confirmed that legal advice had been sought, and how notification would be given.

There being no further debate, the meeting;

**Resolved**

- 1. That the levy is introduced for the year 2016/17, but collection be effective from 1<sup>st</sup> October 2016 for properties that have been unoccupied and unfurnished since 1<sup>st</sup> October 2014.**
- 2. That the time between the approval of this report and October 2016 is used to communicate and inform the owners of these properties.**

*Reasons for Decision:*

*The council should employ the freedoms given to local authorities through the introduction of The Council Tax (Exempt Dwellings) (England)(Amendment) Order 2012, to tackle the issue of the issue of property left unoccupied and unfurnished for more than two years.*

#### **41 Licensing and support of Microsoft software**

**Key** Cllr Stuart Wheeler presented a report which sought approval for the Council to competitively procure software licences and related support services for Microsoft products through a Crown Commercial Services framework contract RM1054 - Technology Products, under Lot 2 for Packaged Software.

Issues highlighted in the course of the presentation and discussion included: that the contract would be for three years; that Microsoft was encouraging clients to move their licensing model from property to a cloud model; the national negotiations that had benefitted the Council; that the value of the contract necessitated Cabinet approval; and the arrangements and costs for third party users providing services for the council.

#### **Resolved**

- 1. That Cabinet approve the procurement of a 3 year Enterprise Agreement for Microsoft licences and support services, noting that this will be undertaken through a competitive call off from Lot 2 of the Crown Commercial Services RM1054 framework.**
- 2. That authority is delegated to the Associate Director – People and Business Services to approve the award of any resulting contract for the best value solution.**
- 3. To note that the new contract would run from 1st June 2016 to 31st May 2019.**

*Reasons for Decision:*

*The expiry of our existing Microsoft Enterprise License Contract with Trustmarque on the 1st of June 2016. If we do not have licences in place we will have to cease using the software and essential public services will be significantly disrupted.*

## 42 **Better Care Plan 2016/17**

**Key** In the absence of Cllr Keith Humphries, The Leader asked Maggie Rae, Corporate Director to introduce the report which sought approval for the high level objectives of the Better Care Plan (BCP) which was required to be revised and submitted to the national team for review by the end of March 2016.

Issues highlighted in the course of the presentation and discussion included: That the fund would run from 2018/19 but then would form part of core funding; that the national team would be visiting and report would be discussed at H&WB; that the plan focused on the frail elderly population; that the activities arising from the plan aimed to divert hospital admissions and keep people in their communities.

In response to a question from Cllr Chris Caswill, Maggie Rae explained that Homefirst was a pilot scheme being trialled in Salisbury, and it was yet to be fully analysed. It may be possible for the results to be discussed through the Select Committee.

During debate concern was expressed over the introduction of new Sustainability and Transformation Plans that the Government had required local NHS partners to develop in a short timescale.

In response to a question from Cllr Chris Caswill, Maggie Rae explained that it was her intention that funding be focused on enhancing and embedding the community services model.

### **Resolved**

- 1. To note the Better Care Plan in Wiltshire retains a strong reputation nationally and as the data demonstrates we are making strong progress in a number of performance indicators.**
- 2. To approve the high level objectives of the Better Care Plan for 2016/17 and the budget outline in appendix 1 of the report.**
- 3. That the Cabinet remains concerned that any budgets remain unallocated, and that these should be correctly identified as earmarked reserve.**

*Reason for Decision:*

*In line with the urgency associated with this work the BCP needs to be revised and submitted to the national team for review by the end of March 2016.*

## 43 **Urgent Items**

There were no urgent items.

(Duration of meeting: 9.30 am - 12.50 pm)

These decisions were published on the 18 March 2016 and will come into force on 30 March 2016

The Officer who has produced these minutes is Yamina Rhouati, of Democratic Services, direct line 01225 718024 or e-mail [Yamina.Rhouati@wiltshire.gov.uk](mailto:Yamina.Rhouati@wiltshire.gov.uk)  
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## CABINET

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DRAFT MINUTES of a MEETING held in THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN on Tuesday, 19 April 2016.

Cllr Keith Humphries	Cabinet Member for Health (including Public Health) and Adult Social Care
Cllr Laura Mayes	Cabinet Member for Children's Services
Cllr Fleur de Rhé-Philippe	Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property
Cllr Baroness Scott of Bybrook OBE	Leader of the Council
Cllr Jonathon Seed	Cabinet Member for Housing, Leisure, Libraries and Flooding
Cllr Toby Sturgis	Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste
Cllr John Thomson	Deputy Leader and Cabinet Member for Communities, Campuses, Area Boards and Broadband
Cllr Dick Tonge	Cabinet Member for Finance
Cllr Stuart Wheeler	Cabinet Member for Hubs, Heritage and Arts, Governance and Support Services
Cllr Philip Whitehead	Cabinet Member for Highways and Transport

Also in Attendance: Cllr Glenis Ansell, Cllr Chuck Berry, Cllr Allison Bucknell, Cllr Chris Caswill, Cllr Richard Clewer, Cllr Christine Crisp, Cllr Alan Hill, Cllr Atiqul Hoque, Cllr Jon Hubbard, Cllr David Jenkins, Cllr Bob Jones MBE, Cllr Simon Killane, Cllr Gordon King, Cllr Jerry Kunkler, Cllr Magnus Macdonald, Cllr Horace Prickett, Cllr Anthony Trotman, Cllr Bridget Wayman, Cllr Fred Westmoreland and Cllr Jerry Wickham

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Key Decisions Matters defined as 'Key' Decisions and included in the Council's Forward Work Plan are shown as 

### 44 **Apologies**

There were no apologies as all members of the Cabinet were present.

### 45 **Minutes of the previous meeting**

The minutes of the meeting held on 15 March 2016 were presented.

**Resolved:**

**To approve as a correct record and sign the minutes of the meeting held on 15 March 2016.**

**46 Minutes - Capital Assets Committee**

The minutes of the meeting held on 15 March 2016 were presented.

**Resolved:**

**To receive and note the minutes of the meeting held on 15 March 2016.**

**47 Declarations of Interest**

There were no declarations of interest.

**48 Leader's announcements**

The Leader invited Cabinet, and those in attendance, to observe a minutes silence as a mark of respect for Cllr Jeff Osborn who had recently passed away.

The Leader provided an opportunity for those in attendance to sign a book of condolence.

**49 Public participation and Questions from Councillors**

The Leader stated that, in accordance with normal practice, questions regarding agenda items would be taken under the respective item.

Cllr Chris Caswill, indicated that he wished to ask supplementary questions, on issues he had raised not on the agenda.

**(a) Cllr Chris Caswill – Public Conveniences**

Cllr Caswill thanked Cabinet for the response, and reemphasised his support for the continued negotiations between Wiltshire Council and Chippenham Town Council which he hoped would result in the transfer of assets to the control of the local community.

**(b) Cllr Chris Caswill – Better Care Plan Scrutiny**

In response to a question from Cllr Chris Caswill as to whether the Homefirst pilot and the Better Care Fund could be scrutinised by the relevant Scrutiny Task Group, the Leader stated that whilst she would not hinder a request, it was up to the Health Select Committee to determine its own workplan.

Cllr Gordon King as member of the Better Care Plan Task Group added that the Task Group had already considered the Joint Commissioning Arrangements and financial information.

## 50 **Draft Chippenham Site Allocations Plan: Progress Update**

Cllr Toby Sturgis, Cabinet Member for Planning, presented a report which provided an update on the Chippenham Site Allocations Plan and progress with the Schedule of Work developed to respond to the Inspector's comments following the suspension of the Examination and next steps.

The Leader invited members of the public to present their submitted questions, as previously circulated in agenda supplement two together with the responses and invited questioners to ask any supplementary questions.

### a) Ian James – Flood Risks

In response to a supplementary question from Mr Ian James, Cllr Toby Sturgis stated that he had seen the email in question, and understood the officer's comments. Cllr Sturgis went on to state that no development should go ahead unless it included mitigation measures designed to reduce the flood risk. Developers would have to demonstrate such measures, and the Environment Agency would have to consider the evidence, and make final decision on the adequacy of the plans.

In response to a supplementary question from Mr Ian James, Cllr Jonathan Seed clarified that any development of any ground had flood risks associated with it, but such risks could be mitigated with appropriate strategies.

In response to a supplementary question from Mr Ian James, Cllr Toby Sturgis explained that the Environment Agency (EA) would publish information when they were ready. The Leader asked that officers talk to the EA about expediting the process and asked officers to ensure the relevant parties were informed when the evidence was produced.

In a closing statement, Mr Ian James emphasised the impact of climate change on flood risk

### b) Marilyn Mackay – Chippenham DPD

Marilyn Mackay stated that she did not have any supplementary questions.

### c) Helen Stuckey – Chippenham DPD

In response to a supplementary question from Mrs Helen Stuckey, Cllr Toby Sturgis explained that the full appraisals would be included in the papers for the

Council meeting on 10 May which would be published on 29 April, and that he intended to keep an open mind considering all the evidence in full.

The Leader emphasised that the meeting of Full Council would make the final decision on a recommendation to the Inspector. The Leader also asked that a link to the published Council papers be promoted in the locality.

d) Cllr Chris Caswill – Chippenham DPD

In response to a supplementary question from Cllr Chris Caswill, Cllr Toby Sturgis undertook to keep an open mind about the need for an Eastern or Southern Link Road. Alistair Cunningham, Associate Director, added that the reference to the need for an Eastern Link Road in the Regulation 123 list was based on the evidence available at the time of publication and did not pre-empt any subsequent consideration of transport needs as part of the Chippenham DPD.

In response to a supplementary question from Cllr Chris Caswill, the Leader stated if the Council produced a detailed transport plan at this stage would it be in danger of being accused of pre-empting the Inspector.

e) Malcolm Toogood – Speculative Development

The Leader asked officers to provide a written response to Mr Toogood's statement about the impact of the delay in the adoption of the Chippenham Site Allocation on speculative development in other areas. As the statement had not been submitted in advance, it was not possible to give a considered reply at the meeting.

### **Resolved**

**That Cabinet notes the progress made with the examination of the Draft Chippenham Site Allocations Plan including the work being undertaken pursuant to the Schedule of Work agreed with the Inspector appointed to examine the Plan and the next steps.**

### Reason for Decision

To inform Cabinet of the continuing work to respond to the concerns of the Inspector appointed to examine the Chippenham Site Allocations Plan following suspension of the Examination in November 2015 and next steps.

## 51 **Laptop Estate Refresh**

 Cllr Stuart Wheeler, Cabinet Member for ICT, presented a report which sought approval for the spend, and the commencement of a project to replace all Windows 7 laptops in scope with Windows 10 laptops within the Wiltshire Council estate, along with the associated 3rd party services that were required to

assist with the provisioning of new laptops and the reselling, recycling or disposal of old laptops.

Issues highlighted in the course of the presentation and discussion included: that hardware options had been tested by users, compatibility with existing software and applications was also being tested how issues of access, security and equalities would be dealt with. A discussion ensued on the ICT needs of members which would continue to be explored.

Cllr Dick Tonge, Cabinet Member for Finance, stated that issues in relation to the possible disposal of hardware to the community had been explored. However, the disposal programme as detailed in the report, represented the best logistical, secure and value for money outcome but would continue to be considered and taken into account within the business case.

Cllr Dick Tonge also proposed two additional recommendations in relation to developing the business plan to take account of mobile working and expansion of the MyWiltshire App which Cllr Stuart Wheeler accepted.

### **Resolved**

- 1. To invest in new laptops to replace the aging current devices and to take advantage of new mobile functionality.**
- 2. To delegate powers to enter into a contract to purchase new laptops incorporating supply, build, deploy the new devices and dispose of the old devices, to the Associate Director, People and Business and Cabinet member for Hubs, Governance, Support Services, Heritage & Arts and Customer Care in conjunction with the Section 151 Officer.**
- 3. To develop a business plan that evaluates mobile working across all aspects of the Council that results in an action plan that shows potential savings with initial feedback in October 2016.**
- 4. To develop a business plan that evaluates the use of the MyWiltshire App across all aspects of the Council that results in an action plan that shows the advantages to residents and potential savings with initial feedback in October 2016.**

### Reasons for Decision

The increasing failure rate of laptops is beginning to have an impact on costs and operational support as well as disruption to council staff. To take full advantage of the Windows 10 operating system we need a new laptop estate that will meet the needs of the majority of staff and still be a cost effective solution. Bringing in Windows 10 will allow us to engage with the Disability Forum, Information Assurance and HR to understand how we can then deploy

the same council build to devices other than those proposed to be purchased e.g. tablets.

**52 Wiltshire Council direct provision – CQC registered care services for adults**

Cllr Keith Humphries, Cabinet Member for Health, presented a report which updated Cabinet on the registered care services that were directly provided by the Council.

In giving his presentation, Cllr Keith Humphries emphasised that the Council should to acknowledge the hard work of the staff, many of whom went the extra mile; and encouraged councillors to arrange a visit, so they could see for themselves the positive work being undertaken in respite settings.

The Leader asked if such a visit could be arranged for Cabinet members.

**Resolved**

**That Cabinet notes the key outcomes of the CQC inspections in relation to the Council run registered services. Acknowledges the input of the staff, required in order to achieve such positive outcomes, giving assurance to the Council that quality services are being provided to Wiltshire residents.**

**Reason for Decision**

To ensure that Cabinet is aware of the high quality of service provision being delivered by the Council's Adult Care directly provided registered services.

**53 Salisbury City Council Asset Transfer – Cabinet Approval of Transfer from Wiltshire Council**

Councillor Dick Tonge, Cabinet Member for Finance, presented a report which sought approval of a final package of assets and services to be transferred to Salisbury City Council; provided detailed information in relation to the financial impact this would have on Wiltshire Council; and recommended the process and timescale for other potential asset and service transfers to parish and town councils.

Issues highlighted in the course of the presentation and discussion included: the number of services and properties to transfer; that some land tenure and ownership issues had proved intractable and costly to resolve, so the Council had agreed to agency agreements as an alternative to full transfer of ownership; the s106 monies to be transferred, and the restrictions placed on these; the ambitions of other towns, and how the Council had learnt from the experience thus far; the revenue implications to the Councils; the support that can be provided to Councils during the transfer; that the aim was for packages to be

broadly cost neutral for both parties, and that this meant that assets and liabilities would be devolved.

Cllr Dick Tonge, in giving his presentation explained that the deal for Salisbury, particularly in relation to the funding of CCTV assets, may not be replicated in other towns. Cllr Tonge also made a minor amendment to recommendation (e).

Cllr John Thomson state, in response to a question from Cllr Bob Jones MBE, that discussions with Cricklade on the transfer of some assets were being dealt with separately and he was open to discussions about timescales.

The Leader, in response to a question from Cllr Jon Hubbard explained that she would be happy to arrange discussions about the funding of improvement works for land that had not yet transferred from the ownership of Wiltshire Council.

Cllr Richard Clewer stated that he welcomed the proposals and the opportunities it afforded the City Council.

Cllr Atiqul Hoque expressed his support for the proposals but was concerned at the time it was taking.

The Leader expressed concern that Salisbury City Council were not planning to consider the matter until July, which she felt was an undue delay; and emphasised that the decision on the Asset Transfer was not contingent on any decision regarding Community Governance Review of parish boundaries.

She asked that no more officer time be spent on this issue until a decision had been made by Salisbury City Council. Acknowledging that the Corporate Director had already written to the City Council's clerk, the Leader stated that she would also write to Leader of the City Council to further emphasise these issues.

## **Resolved**

- 1. To approve the final list of assets and services listed that will be transferred to Salisbury City Council;**
- 2. To note the net revenue impact to the council;**
- 3. To approve the service transfer budget principle of “tapering” to zero cost over 4 years;**
- 4. To delegate the implementation of the transfer of properties and the service delegation to a Corporate Director following consultation with the Cabinet Member for Finance;**
- 5. To use the work and model established for Salisbury for further transfers with indicative phasing as shown in on page 90 and 92 of the**

**report.**

Reason for Decision

To complete the transfer of the package of assets and services to Salisbury City Council and ensure an agreed process is in place for other asset and services transfers to parish and town councils.

#### 54 **Age UK Contracts 2016 and beyond**

 Cllr Keith Humphries, Cabinet Member for Health, presented a report which set out a proposal for entering into two agreements with a single Age UK organisation covering the whole of Wiltshire. It was noted that the report was required in advance of two exemptions from the Council's procurement regulations so that the Council and Clinical Commissioning Group could enter into a long term investment grant and a separate community services contract with Age UK.

In making his presentation, Cllr Keith Humphries stated that as the management of the new Wiltshire Age UK had not yet been appointed, he asked that the recommendation be amended to delegate the final decision to the Associate Director to allow further negotiation to take place.

In response to issues raised at the meeting, Cllr Keith Humphries agreed that a meeting should take place with relevant parties so that Age UK could take full part in the efforts to devolve more Health and Wellbeing activity to Community Area level.

#### **Resolved**

- 1. To delegate authority to the Corporate Director following consultation with the Cabinet Member for Health, to conclude negotiations in entering into a long term investment grant in partnership with the CCG with Age UK for a total maximum term of four years based on a two year agreement with the option to extend the agreement for an additional two years based on the agreement of the parties.**
- 2. To enter into a one year community services contract exempt from the procurement regulations.**
- 3. To arrange a meeting of the Chairs of Health & Wellbeing Groups, Community Engagement Managers and Age UK to discuss possibilities to deliver priorities together.**

Reasons for Decision

1. This proposal has been made so as to ensure there are a range of effective and robust community based prevention services available across the County of Wiltshire. The proposal will provide the Council and CCG with a key strategic partner with which to achieve shared objectives around developing resilient communities and delivering services within the community. The proposal will deliver efficiencies through rationalising the allocation of resources ensuring best value is achieved.
2. The recommendation to enter into a two year agreement with a single Age UK organisation will give commissioners from across the CCG and the Council the opportunity to develop a strategic partnership with Age UK which can be used to drive community based prevention activities, deliver the shared objectives set out in this document and support strategic objectives shared by both the council and CCG delivered through the Health and Well Being Board.
3. The strategic partnership will also be a key element of working across the system to ensure that prevention, information and voluntary services are coordinated and deliver the best value for both health and care sectors.
4. The optional extension will be considered based on the service providers' ability to evidence how it is delivering the objectives shared by the commissioning organisations and that they can work as a key strategic partner across the system. A report will be submitted for the cabinet's consideration in the autumn of 2017 setting out the impact of extending the long term investment grant based on the data collated during the term.
5. The Community service contract will give commissioners the time to agree how these services will be delivered after April 2017.

## 55 **Highways Peer Review**

Cllr Philip Whitehead, Cabinet Member for Highways and Transport, presented a report which advised Cabinet of the outcome of the recent peer review of the Highways Service.

The Council had received very positive feedback about the way its Highways Service was managed and delivered. The areas recommended for consideration would be taken forward to form an action plan. The review team was due to return to Wiltshire to agree the action plan. The plan and progress with its implementation would then be reported to cabinet and the Environment Select Committee later in the year.

### **Resolved**

**That Cabinet notes the positive results of the recent Highways Maintenance Efficiency Programme Peer Review, and that progress on**

**implementing its recommendations will be reported to a future meeting of Cabinet.**

#### Reasons for Decision

There have been significant changes in the Council's Highways Service over the last few years. These include a significant increase in capital expenditure in maintenance through the Local Highways Investment Fund 2014-20, substantial reduction in revenue funding, realignment of transport funding by the central government, termination and procurement of the term maintenance contract, and several restructuring of the service since Wiltshire became a unitary council.

It is important to get an independent view on whether, after all these changes the service is fit for purpose and provides value for money to the residents.

#### 56 **Urgent Items**

There were no urgent items.

(Duration of meeting: 9.30 - 11.24 am)

These decisions were published on the 26 April 2016 and will come into force on 5 May 2016
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## CABINET CAPITAL ASSETS COMMITTEE

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DRAFT MINUTES of a MEETING held in KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN on Tuesday, 15 March 2016.

Cllr Fleur de Rhé-Philippe	Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property
Cllr Toby Sturgis	Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste
Cllr John Thomson	Deputy Leader and Cabinet Member for Communities, Campuses, Area Boards and Broadband
Cllr Dick Tonge	Cabinet Member for Finance

Also in Attendance: Cllr Stuart Wheeler and Cllr Trevor Carbin

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Key Decisions Matters defined as 'Key' Decisions and included in the Council's Forward Work Plan are shown as 

### 14 **Apologies and Substitutions**

Apologies were received from the Baroness Scott of Bybrook OBE who was substituted by Cllr Philip Whitehead.

*Cllr John Thomson, Vice-Chairman, in the Chair.*

### 15 **Minutes of the previous meeting**

The minutes of the meeting held on the 19 January 2016 were presented and considered.

#### **Resolved**

**To approve as a correct record and sign the minutes of the meeting held on the 19 January 2016 be**

### 16 **Leader's Announcements**

There were no leaders announcements.

### 17 **Declarations of interest**

There were no declarations of interest.

### 18 **Public Participation and Questions from Councillors**

It was noted that no requests for public participation had been received

**19 The Enterprise Network - Old Fire Station extension**

Cllr Fleur De Rhé-Philipe, Cabinet Member for Economic Development and Strategic Property, presented the report which presented a business case for the refurbishment and extension of the Old Fire Station building, Salt Lane, Salisbury, to enable the Enterprise Centre currently operating from the building at over capacity to grow and provide further needed incubation space for new enterprises in the city.

The meeting considered the exempt information in part two of the meeting, prior to making the following resolution:

**Resolved**

- 1. To approve the business case for the extension of the Old Fire Station Enterprise Centre**
- 2. To delegate authority to the Associate Director for Economic Development and Planning, in consultation with the Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property and Cabinet Member Strategic Planning and Development Management), Operational Property, Waste and Strategic Housing to take forward the business case according to the options set out in the report, noting that if Council funding is required the proposal will be brought back to Cabinet.**

*Reason for Decision:*

*The Old Fire Station building is currently underused and the Enterprise Centre is oversubscribed having already demonstrated considerable success in providing a much needed service, assisting business growth and generating jobs. There is a lack of business workspace in the centre of Salisbury as a result of commercial pressure to convert property to residential use. This risks having a knock on effect of decreasing the overall vitality and attractiveness of the retail core. Providing for and stimulating the demand for office space for new start-ups will have considerable economic benefit for the area while maximising the usage of one of the Council's assets.*

**20 Urgent items**

There were no urgent items.

**21 Exclusion of the Press and Public**

**Resolved**

**To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the following items of business because it is likely that if members of the public were present there would disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.**

Reason for taking the item in private:

Paragraph 3 – information relating to the financial information or business affairs of any particular person (including the authority holding that information)

No representations have been received as to why this item should not be held in private.

**22 The Enterprise Network - Old Fire Station extension (Part II Appendix)**

The meeting considered the information in the appendix made exempt from publication.

**23 Swindon and Wiltshire Growth Fund (Part ii)**

 Councillor Fleur de Rhé-Philippe, Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property, presented the report which provided an update on the progress of funded Growth Deal projects. The report sought confirmation and agreement from Cabinet Capital Assets Committee on the list of prioritised projects that the Council may pursue through future anticipated rounds of Growth Deals with Government (see paragraph 17). The report also requested that Cabinet Capital Assets Committee approves the process for approving and funding development costs for Local Growth Fund projects.

**Resolved**

- 1. To note the progress of funded Growth Deal projects.**
- 2. To confirm the list of prioritised projects that the Council may pursue through future anticipated rounds of Growth Deals with Government.**
- 3. To approves the process for approving and funding development costs to enable projects to be developed to a level where they would stand a greater chance of securing funding through future anticipated rounds of Growth Deals with Government.**

*Reasons for Decision:*

*To ensure that Wiltshire Council maximizes the benefits and opportunities associated with the Growth Deal programme in terms of delivering key infrastructure projects and building Wiltshire's economy whilst managing the financial implications and associated risks to the organisation.*

**24 Brydges Court (Part II Item)**

Councillor Fleur de Rhé-Philipe, Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property, presented the report which provided an update on the performance of the council owned and managed business park at Brydges Court, Ludgershall, and seek approval for the proposed method of repaying the Swindon and Wiltshire Local Enterprise Partnership (SWLEP) provided loan under the Growing Places Infrastructure Fund (GPIF).

**Resolved**

**To delegate authority to the Associate Director for Economic Development and Planning, in consultation with the Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property, to enter into negotiations with the SWLEP to agree a reasonable extension to the repayment term of the GPIF funding agreement, and to enable the Council to lease or sell the remaining unoccupied units on the scheme.**

*Reasons for Decision:*

*It is necessary for the Council to renegotiate the term of the existing GPIF agreement with the SWLEP to enable unoccupied units to be let or sold so that repayment of the grant can be made without incurring additional revenue pressure to the Council, while ensuring the economic benefits of the Brydges Court scheme at Ludgershall.*

**25 Surplus Assets for Disposal (Part II Item)**

**Key** Councillor Fleur de Rhé-Philipe, Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property, and Councillor Toby Sturgis, Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste, presented the report which asked the Committee to consider declaring 15 assets surplus and to authorise their sale at or above market value.

**Resolved**

**To declare 15 assets listed in the report as assets held for sale.**

**To Authorise the Associate Director for People and Business to dispose of the assets at or above market value and on such terms as to be determined by the Associate Director for People and Business.**

*Reasons for Decision:*

*To declare assets surplus so that they can be sold in order to generate capital receipts in support of the council's capital programme.*

(Duration of meeting: 1.20 - 1.54 pm)

These decisions were published on the 17 March 2016 and will come into force on 29 March 2016
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## OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

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### **DRAFT MINUTES OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETING HELD ON 1 MARCH 2016 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

Cllr Simon Killane (Chairman), Cllr Alan Hill (Vice Chairman), Cllr Glenis Ansell, Cllr Chuck Berry, Cllr Stewart Dobson, Cllr Howard Greenman, Cllr Jon Hubbard, Cllr Gordon King, Cllr Jacqui Lay, Cllr Stephen Oldrieve, Cllr Jeff Osborn, Cllr Tony Trotman, Cllr John Walsh and Cllr Bridget Wayman

#### **Also Present:**

Cllr David Jenkins, Cllr Baroness Scott of Bybrook OBE, Cllr Bob Jones MBE, Cllr John Thomson and Cllr Philip Whitehead

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#### **29 Apologies**

Apologies were received from Councillor Christine Crisp.

#### **30 Minutes of the Previous Meeting**

The minutes of the meetings held on 5 January, 3 February and 12 February 2016 were presented for consideration.

#### **Resolved:**

**To approve and sign as a true and correct record.**

#### **31 Declarations of Interest**

There were no declarations.

#### **32 Chairman's Announcements**

There were no announcements.

#### **33 Public Participation**

There were no statements or questions submitted.

## 34 Forward Work Programme

### Hydrocarbon extraction

At its meeting on 23 February 2016 Full Council considered a motion from Councillors Jeff and Helen Osborn on the hydrocarbon extraction process known as Fracking, following the granting of Petroleum Exploration and Development Licences (PEDL) in the county, though planning permission would need to be applied for prior to any construction works. A number of Councillor Briefing Notes had been prepared on the subject, and Council also received a petition and several representations from members of the public on the issue at the meeting.

An officer response to the original motion from the Councillors Osborn was published in the Summons for the meeting, and following debate and an amendment of the motion to request scrutiny involvement, Council resolved:

*Consequently Council requests that Scrutiny establish a task group to help councillors better understand the general implications of possible hydrocarbon exploration and extraction in the county. This will enable members on relevant planning committees to be better briefed on such matters*

The Committee discussed the referral and request, with input from the Leader of the Council, Councillor Baroness Scott of Bybrook OBE, and Corporate Director, Dr Carlton Brand.

The Committee considered the broad implications on the county and council from proposed hydrocarbon extraction, as well as the potential complexities of technical and decision making processes to be followed, and debated whether before any Task Group was approved it would first be appropriate to undertake further research into those complexities. This would ensure that should following that research a Task Group was considered necessary, would have the required information to identify key lines of enquiry which would add value to the council's processes and policies.

Some members felt any research or investigation was not necessary until such time as an application was actually submitted, but others such as the mover of the original motion felt there was a need for additional guidance to better inform councillors at the current time to prepare for any future eventualities.

A debate followed on the potential extent of any investigation, including utilising research undertaken by other authorities, the possibility of briefings from expert witnesses, councillor seminars, which service would coordinate the work across the council and other data collection possibilities such as the use of external consultants. Information to gather could include basic information on the process of hydrocarbon extraction, government and council policy, landowner rights, a brief overview of environmental issues and economic impacts.

The timescale of such an activity was questioned, with some members such as the Leader of the Council stating that there was extensive information already prepared across the council, and it would not necessarily be an extensive piece of work to collate all that information for the initial guidance to inform scrutiny in determining what further action would be appropriate.

It was acknowledged as particularly important to determine what functions in relation to hydrocarbon extraction were devolved to local authorities and what was retained at a national level, so that any investigation or future enquiries by Scrutiny related solely to matters within the powers afforded to the council. It would also be important to ensure any investigation or future scrutiny work did not prejudice the council's ability to fulfil its responsibilities as planning authority in the event of any applications being received in relation to hydrocarbon extraction, given the risk of predetermination and potential legal challenge which had occurred at other planning authorities.

It was also discussed that an initial approach could be for the council's own technical officers to provide further guidance on all these topics, and following that Scrutiny would determine whether further work was needed, and in what form, such as a Task Group as suggested by Full Council. A Task Group would have the power to call witnesses from all sides of the discussion on the issue, as well as forming a view on the council's preparedness to handle future applications that might be received, as none had been received to date.

At the conclusion of debate, it was,

**Resolved:**

**That the Committee requests officers undertake an investigation into hydrocarbon extraction as detailed above, to include technical explanations of the process, current national policy, and the process of decision making, in particular what functions are devolved to local authorities or retained at a national level, and what policies are in place in Wiltshire Council in relation to this issues.**

Digitisation

Following the management committee's initial decision at its meeting on 5 January that a task group be formed to consider input into the council's digitisation strategy, an update was received that the scope of the task group was being prepared, with a full update to be provided at the next meeting.

Good Neighbours

The Good Neighbours scheme involved locally based representatives assisting primarily older residents of rural areas to identify and access council services. As discussed at the meetings on 3 February and 12 February, responsibility for the scheme was being devolved to Area Boards, and an invitation had been received from the Cabinet Member for Public Health for Scrutiny to assess and comment upon the implementation of the devolution of the scheme.

After discussion, it was,

**Resolved:**

**To request the Health Select Committee determine the most appropriate method to add value through scrutiny of the Good Neighbours scheme devolution.**

Select Committee Updates

The Management Committee then received updates on the work of the select committees, including the following:

Health Select Committee - Details were provided on the work programme, including regarding mobilising wider health service in the community, including a programme called PharmacistsFirst as a potential model for other health providers

Environment Select Committee - Details were provided on the work programme, including that a further report on highways and streetscene was scheduled, which may include a briefing for members.

Children's Select Committee - Details were provided on the work programme, including ongoing engagement between the committee and young person representatives, and the ongoing task groups including the Obesity Task Group which would report shortly.

**Resolved:**

**To note the updates from the Select Committees.**

**35 Management Committee Task Group Updates**

In addition to the written reports, updates were received from the Management Committee Task Groups as follows:

Financial Planning Task Group

Following approval of the council's budget, the Task Group would continue to assess revenue and council budgets and quarterly reports, and would also be focusing on adult social care budgets and the scrutiny process itself.

Military-Civilian Integration Partnership(MCIP) Task Group

The MCIP Task Group had not met since the last report, but the committee were informed a Peer Review would be taking place on 4 April, and it had been confirmed the transfer of military personnel to Wiltshire would be completed in 2020, the latest date initially proposed.

Local Enterprise Partnership (LEP) Task Group

Two additional meetings had been scheduled and it was reported minor scrutiny work on LEP processes had now been performed. The committee were also

informed the Director of the LEP Secretariat, Isobel Brown, had left the post in December, and the new appointment was Paddy Bradley, previously the Head of Economy, Skills and Property Development at Swindon Borough Council.

### 36 **Executive Reponse to the Report of the Campus Governance Task Group**

On 5 January 2016 the Management Committee received the report of the Campus Governance Task Group and resolved:

*That the Cabinet Member for Cabinet Member for Communities, Campuses, Area Boards and Broadband;*

*i. Considers the Terms of Reference offered as a potential governance model to deliver the community area's priorities as identified by the Area Board;*

*ii. Ensures there is clear delineation of the roles of area board, governance body and Health and Wellbeing team with regards to the HWC and delivering the community area's priorities as this would be crucial in maintaining supportive and harmonious working relationships between the three;*

*iii. Considers a review of the role and delegated powers of the area boards, as defined in the council's constitution, if it is necessary to ensure that these would enable the area boards to fulfil its role with regards to the governance of campuses;*

*iv. Considers offering some administrative support for the Governance Body;*

*v. Considers if, and if appropriate when, the Task Group should be reconvened in 2016 to provide constructive input to the development of "A communications strategy for keeping communities informed about progress with revised campus developments."*

The response of the Cabinet Member to the report was presented to the Committee. The Cabinet Member, Councillor John Thomson, thanked the Task Group for its work and commented upon the recommendations of the Task Group as detailed in his report, and stated his intention to, having regard to the comments of the Task Group, to use his delegated authority to implement the proposed governance arrangements as outlined in the form of policy guidance to the area boards. Although he considered the Task Group had concluded its work on the current issues, he welcomed future involvement of scrutiny if it were determined they could add further value to other aspects of Area Board governance.

The Committee discussed the executive response to the report of the Task Group, during which it was confirmed the area board members would not have

responsibility for managing the finances of the Wellbeing centres under the proposed model, but would receive updates on the performance. It was also debated how best young people would be represented on Wellbeing governance boards, with some members wanting a community youth officer in addition to a young person representative to be explicitly included within the proposed terms of reference, and others considering the arrangements were flexible to enable each area to consider the most appropriate arrangements for them. The Cabinet Member confirmed the target size of a governance board would be a guide only, not a firm rule restricting the inclusion of additional members if deemed beneficial.

**37 Scrutiny Councillors Learning and Development Programme Update**

A meeting had been prepared for non-executive councillors on 2 March, which would include discussions with several members of the Executive???

**38 Date of Next Meeting**

The date of the next meeting was confirmed as 24 February 2016.

**39 Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 am - 12.10 pm)

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## **CHILDREN'S SELECT COMMITTEE**

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### **DRAFT MINUTES OF THE CHILDREN'S SELECT COMMITTEE MEETING HELD ON 22 MARCH 2016 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

Cllr Jon Hubbard (Chairman), Cllr Jacqui Lay (Vice Chairman), Cllr Pat Aves, Cllr Mary Champion, Cllr Sue Evans, Cllr Chris Hurst, Cllr Simon Jacobs, Cllr Bill Moss, Cllr Ricky Rogers, Cllr Philip Whalley, Rev Alice Kemp, Dr M Thompson, Miss Sarah Busby, Miss Tracy Cornelius, Mr J Hawkins, Miss Cathy Shahrokni and Cllr Stewart Dobson (Substitute)

#### **Also Present:**

Cllr Richard Gamble, Cllr Simon Killane and Cllr Laura Mayes.

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#### **16 Apologies**

Apologies for absence were received from Cllr Mary Douglas (who was substituted by Cllr Stewart Dobson), Cllr Helen Osborn, Cllr James Sheppard and James Wilkins.

#### **17 Minutes of the Previous Meeting**

##### **Resolved:**

**To confirm and sign the minutes of the previous meeting held on 26 January 2016.**

#### **18 Declarations of Interest**

There were no declarations of interest made at the meeting.

#### **19 Chairman's Announcements**

The Chairman made the following announcements:

- **Cabinet items**

On 15 March 2016 Cabinet considered the following item:

**Wiltshire Council CSE Action Plan Update (Non-Key Decision)**

Cabinet was informed of progress made on implementing the Child Sexual Exploitation (CSE) Action Plan.

On 17 May 2016 Cabinet would consider the following item:

**Wiltshire's Obesity Strategy 2016-2020 (Non-Key Decision)**

Cabinet would be requested to approve the Strategy following public consultation before final submission to the Health and Wellbeing Board in June 2016.

- **Special meeting of the Overview and Scrutiny Management Committee – Draft 2016/17 Budget**

A Special Meeting of the Overview and Scrutiny Management Committee Meeting was held on 3<sup>rd</sup> and 12<sup>th</sup> February to consider the Draft 2016/17 Budget. The Chair and Vice Chair of the Children's Select Committee were in attendance to discuss the following budget issues relevant to Children's Services:

- Increased pressures, such as Special Guardianship Orders
- Dependency on agency workers
- A commitment to reducing the number of looked after children in residential or out of county care
- Local Youth Network funding
- Pressures on Special Educational Needs and Early Years grant funding.

The draft budget had since been received by Cabinet on 9 February and Full Council on 23 February and had been adopted.

- **Amendment on PAUSE Project**

At the Budget Meeting of Full Council on 23 February 2016 those present considered the recommended budget amendment to investment in the 'Pause' initiative.

Pause was a national initiative to reduce the demand and cost placed on Children's Services by working with families who had experienced, or were at risk, of repeated removal of children from their care in an attempt to break that cycle. A national pilot scheme was currently running.

A proposed amendment to invest £0.125m into the initiative was accepted at Full Council. The initiative was considered a worthwhile investment and members were informed the cost would get the initiative running in Wiltshire. Feasibility studies with other local authorities had shown

significant savings in following years as a result of the project's successful implementation.

A pre-meeting information briefing on this PAUSE initiative would be arranged for this Committee when the plan was in place.

- **Cllr Helen Osborn**

The Committee was informed that Cllr Helen Osborn was currently in hospital. Members and officers joined the Chairman in extending their best wishes for a speedy recovery and looked forward to welcoming her back to meetings of this Committee.

## 20 **Public Participation**

There were no members of the public present or councillors' questions.

## 21 **Activities of the Wiltshire Assembly of Youth 2015**

Consideration was given to an update report from James Wilkins, Children's & Young People's representative on this Committee. Unfortunately, James was unwell at present and his report was presented by Judy Edwards, Senior Commissioning Officer, Joint Commissioning.

The report presented a summary of the activities of the Wiltshire Assembly of Youth during the period February 2015 to January 2016.

It was noted that WAY members had attended a residential conference at Oxenwood and had developed an Agenda for Action, which included the following three main areas of focus:

- (1) Improve emotional wellbeing and mental health support for young people.
- (2) Work with schools to improve Personal, Social, Health and Economic (PSHE) education.
- (3) Work together to beat bullying.

Members noted that the UK Youth Parliament (UKYP) had set mental health as one of its priorities for 2016 and this was supported by WAY who had promoted a UKYP campaign – *Mind the Gap*. WAY and UKYP members had met local MPs to discuss support for mental health campaigns both nationally and locally.

WAY had expressed continued concern about the quality and relevance of PSHE teaching in schools. During 2015, WAY had designed and planned a conference for teachers and pupils on involving children and young

people in planning PSHE curricula together, to ensure that need was met. Unfortunately, this was postponed due to a low take-up. Officers were now working with WAY to consider the development of short video messages from WAY to governors and teachers, to be screened during PHSE and Healthy Schools' training.

WAY had also requested a presentation at the conference from Wiltshire Police on the law regarding sexting, this being an area WAY felt was not well covered in PSHE. WAY would now include this as an area of focus for video messaging.

Members expressed their disappointment that the conference had to be postponed and felt that every effort should be made to encourage teachers and pupils to jointly plan PSHE curricula in schools. They also considered that the problems associated with sexting should remain a high priority.

The Chairman referred to the need to ensure that there was mental health counselling available for young people and explained the facilities that were being provided in Melksham. These had proved to be very well taken up and enquiries were being received from young people in Warminster and Westbury. It was suggested that this needed to be referred to the Wiltshire Association of Secondary and Special School Headteachers (WASSH) for their views and Sarah Busby agreed to report back to this Committee on the outcome.

It was also noted that WAY had written to WASSH to express their concern at the careers advice offered post 16, particularly in relation to the promotion of opportunities within apprenticeships and a response was awaited. Sarah Busby stated that it was not always possible to offer advice to young people in this respect as apprenticeships were not always available locally. She agreed to report back the views of WASSH in due course. Cathy Shahrokni, Further Education representative, explained that Wiltshire College had been trying to match vacancies with demand and had been arranging Apprenticeship Evenings with parents and employers to take this forward.

**Resolved:**

- (1) To note the contents of the report.**
- (2) To receive in due course the views of WASSH regarding mental health counselling for young people and careers advice offered post 16.**

## 22 **Final Report of the Obesity and Child Poverty Task Group**

Consideration was given to a report which presented the conclusions and recommendations of the Obesity and Child Poverty Task Group.

Cllr Pat Aves, Chairman of the Task Group, introduced the report and explained that in 2015 this Committee and the Health Select Committee had agreed to undertake a joint exercise looking at the links between child poverty and obesity.

The Task Group was established to explore and help develop the work already underway in Wiltshire communities to tackle obesity amongst children living in poverty and their families. This included looking at healthy lifestyle initiatives in Wiltshire, the Wiltshire Obesity Strategy, and the potential contribution from Wiltshire's public services towards tackling obesity amongst children in poverty and their parents.

The Health Select Committee considered the report at its meeting on 8 March 2016 and concurred with the conclusions and recommendations of the Task Group, subject to endorsement by this Committee, and referred it to the relevant Cabinet Members and Wiltshire Clinical Commissioning Group (CCG) for response.

During the subsequent discussion, in which the Committee considered the conclusions and recommendations of the Task Group, it was pointed out that obesity was a complex issue and it had been shown that to some extent there were links with poverty due to many calorific foods being generally less costly to purchase. There was a need to identify the availability cheap healthy foods and also to encourage an uptake in free school meals which were generally nutritious. It was noted that only about 1% of packed lunches met national nutritious standards and Members were pleased to be informed that a significant number of schools were now teaching cooking skills and nutrition.

Members considered that there was a need to find ways of educating families into providing and cooking good and nutritious food and recognised that, although a significant start had been made by the introduction of food nutrition and cooking at schools, there was still much to do in educating and encouraging families in this provision at home.

### **Resolved:**

**To endorse the conclusions and recommendations of the Task Group and refer them to the relevant parties for response.**

## 23 **Draft Annual Report of Corporate Parenting Panel**

The Committee received a report which formed the annual update to Council from the Corporate Parenting Panel (CPP) in accordance with the Council's

Constitution. It was noted that the Corporate Parenting Panel had been established to secure Councillor involvement and commitment throughout the Council to deliver better outcomes for children and young people who were looked after.

It was noted that the Corporate Parenting Panel was suggesting the following key improvements:-

Para 5.5 of report –

A review of the Corporate Parenting Terms of Reference had been completed and a new strategy incorporating these had been agreed by CPP on 26 January 2016.

Para 5.6 of report –

Corporate Parents, working with the Children in Care Council had agreed seven new strategic priorities. To ensure that strategic oversight and critical challenge was effective, each member of the Panel would have a lead role in relation to delivery of one strategic priority.

Para 5.7 of report –

The Panel would now report its work through the Wiltshire Council Children's Select Committee. Following each meeting the Chairperson would send a copy of the Panel minutes to the Chairman of Children's Select Committee. On a six monthly basis the Panel Chairperson would prepare a report for Chairman of the Children's Select Committee, addressing progress against each of the seven strategic priorities. In addition to this the Chairperson of the Corporate Parenting Panel would present an annual report to Full Council which would be shared with the Children's Select Committee prior to submission.

Para 6.1 of report –

The Corporate Parenting Panel had struggled in recent years to fully evidence its impact. The introduction of a Corporate Parenting Strategy, with new strategic priorities and an enhanced reporting system should help to ensure greater impact in the future.

During discussion, it was noted that the Virtual Head had stated that attendance for the first half of the academic year had achieved 94.8% which was an improvement on 93% overall for the academic year 2014/15. Although absence was currently slightly higher than the final reported figure for 2014, it was dominated by authorised absence, details of which were known and effective actions were being taken.

Members were also reassured to note that no Looked after Children were being educated in a school rated Inadequate either in Wiltshire or placed in another authority. Furthermore, there were fewer children placed out of county with other authorities and those that were so placed tended to be more challenging with complex needs which were not always catered for in Wiltshire.

**Resolved:**

**To note the Draft Annual Report and ratify the improvements required to strengthen Corporate Parenting in Wiltshire.**

**24 Rapid Scrutiny - Children's Community Services Rapid Scrutiny Exercise**

The Chairman reminded the Committee that on 21 July 2015 this Committee received an update on Children's Community Health Services when it had been noted that children's community health services in Wiltshire were being retendered with a single provider rather than by five organisations. A decision had been made by Cabinet on 13 October 2015 regarding the preferred provider.

On 13 October 2015 this Committee resolved for a rapid scrutiny exercise to take place in January 2016 addressing the opportunity available to contribute to how the services included in the contract would be monitored.

Cllr Chris Hurst, as Rapid Scrutiny Lead Member, reported that concerns about a number of issues had been raised including:

- a. The importance of ensuring that the new provider's IT system used to collect data was at a level where it was able to handle future capacity prior to its implementation on 1 April 2016. It was stressed that it was important to get the system fit for use before its implementation to ensure data was collected in the most effective way.
- b. It was also important to ensure that the IT system could be used to create a single master profile for each user/child, so that all data collected by individual services for the user could be attributed to that single profile.
- c. Much of the data collected from 1 April 2016 would not provide clear or meaningful results until 1 April 2017 onwards. As such it was important to ensure that the right data sets were agreed by April 2016 to ensure these results would be received in the future. It was also important to provide a clear commentary alongside data to provide an explanation on this data.
- d. There were difficulties in comparing many data sets with other local authorities, as not all were performing measurements based on the same KPI's. Challenges were also noted regarding the ability to break down current data into local areas within Wiltshire due to a lack of data quantities and the way data is currently collected. The Task Group noted that a new system could contain better functionality for data collection, such as post code searching.
- e. In the case that a service, for example portage, would be delivered by different providers in the county the Task Group queried whether the data measuring methods would be common across all providers.

After some discussion,

**Resolved:**

**To endorse the recommendations and send to the Cabinet Member for Children's Services for consideration and response.**

**25 Executive Response to the Interim report of the Safeguarding Children and Young People Task Group**

The Chairman reminded Members that the Safeguarding Children & Young People Task Group had been established by this Committee in May 2012 and the current terms of reference had been endorsed by this Committee on 28 March 2013.

An interim report had been submitted to this Committee on 28 January 2016 outlining progress and further work to be completed before the Task Group was disbanded. A number of recommendations from the report were endorsed by this Committee and submitted to the Cabinet Member for Children's Services for response, these being detailed in the report together with the Cabinet Member's responses.

Cllr Laura Mayes, Cabinet Member, explained that the Safeguarding Children and Young People Panel, of which she was Chairman, would be taking over the ongoing work of this Task Group and she would ensure that checks were made on available data and performances.

**Resolved:**

**To note the executive response to the Interim report of the Safeguarding Children and Young People Task Group.**

**26 DfE Changes - Update from Department for Education - January to March 2016**

The Committee received an update from Carolyn Godfrey, Corporate Director, on developments relating to children's services arising from the Department for Education from January to March 2016 as follows:-

- Childcare and early years survey of parents: 2014 to 2015
- Schools national funding formula consultations
- High needs funding reform consultation
- Identifying children who are missing education
- Alternative provision
- Academies update
- 16 to 19 study programmes

- Post-16 education and training institutions: area based reviews
- SEND: guide for health professionals
- Special Guardianship: amended regulations relating to assessment
- Review of the Youth Justice System
- The lives of young carers in England
- Children and young people's mental health: peer support
- Fact sheet on mandatory reporting of female genital mutilation
- Statutory definition of child sexual exploitation
- Consultation on re-inspection of inadequate local authorities

**Resolved:**

- (1) To note the update provided.**
- (2) To arrange an additional meeting of this Committee to consider the Government's White Paper "Educational Excellence Everywhere".**

**27 Task Group Update**

The Committee received an update on the activity of the following Task Groups:

- Child Exploitation (CSE) Task Group
- Obesity and Child Poverty Task Group (Joint with Health Select Committee)
- Positive Leisure Time Activities for Young People Task Group (reconvened)
- Safeguarding Children and Young People Task Group
- School Improvement Strategy Task Group

**Resolved:**

- (1) To note the update on task group activity provided.**
- (2) To endorse the terms of reference for the School Improvement Strategy Task Group, as set out in the report.**

**28 Forward Work Programme**

The Committee received a document showing the relevant items from the Overview & Scrutiny Forward Work Programme.

**Resolved:**

**To note the Forward Work Programme for this Committee.**

29 **Date of Next Meeting**

**Resolved:**

- (1) **To note that the next scheduled meeting of this Committee would be held on Tuesday 31 May 2016, at County Hall, Trowbridge, starting at 10.30am.**
- (2) **To request the officers to look into the possibility of rescheduling both the May and July meetings of this Committee so that they do not take place during school holidays.**

30 **Urgent Items**

There were no items of urgent business.

(Duration of meeting: 10.30 am - 12.45 pm)

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## **ENVIRONMENT SELECT COMMITTEE**

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### **MINUTES OF THE ENVIRONMENT SELECT COMMITTEE MEETING HELD ON 12 JANUARY 2016 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

Cllr Bridget Wayman (Chairman), Cllr Peter Edge (Vice-Chairman), Cllr Jacqui Lay, Cllr Magnus Macdonald, Cllr Dennis Drewett, Cllr Peter Evans, Cllr Jose Green, Cllr James Sheppard, Cllr Tony Trotman, Cllr Linda Packard, Cllr Trevor Carbin (Substitute), Cllr Anna Cuthbert (Substitute)

#### **Also Present:**

Cllr Simon Killane, Cllr Jonathon Seed, Cllr Alan Hill, Cllr John Noeken, Cllr George Jeans, Cllr Rosemary Brown, Cllr John Walsh, Cllr Tony Deane, Cllr Mike Hewitt, Cllr Jeff Osborn, Cllr Atiqul Hoque, Cllr Bob Jones MBE, Cllr Philip Whitehead

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#### **1 Apologies**

Apologies were received from Cllr Ian McLennan, Cllr Brian Dalton who was substituted by Cllr Trevor Carbin and Cllr Whalley, who was substituted by Cllr Anna Cuthbert.

#### **2 Declarations of Interest**

There were no Declarations of Interest.

#### **3 Chairman's Announcements and Date of the Next Meeting**

There were no announcements. The date of the next meeting was noted as being on 16 February 2016.

#### **4 Public Participation**

There were no questions or statements submitted in relation to the item to be discussed for this extraordinary meeting.

#### **5 New Highways Contract Award**

A report was introduced by the Cabinet Member for Highways and Transport, Councillor Philip Whitehead and Dr Carlton Brand, Corporate Director. The Cabinet Member praised the work of officers in appropriately and robustly preparing and tendering for the contract in as short a time as was possible since the termination of the previous contract.

Following the early termination of the Council's existing Highways and Streetscene contract with Balfour Beatty Living Places (BBLP), a procurement exercise had been undertaken for a new highways contract. The new contract would include the provision of routine highways maintenance, Parish Stewards, pothole repairs, winter gritting and the implementation of safety and Community Area Transport Group (CATG) schemes. The new contract was anticipated to start on 1 April 2016, and it was anticipated that annual expenditure through the contract was likely to be in the region of £15,000,000.

In response to queries, the report was corrected to confirm that although the new highways contract was a joint procurement exercise with Swindon Borough Council, there would be separate contracts between each Authority and the Contractor.

The Cabinet member, Cllr Philip Whitehead, also explained that 65-70% of services within the previous contract had been retained by the Council and would run for another four years, therefore the new contract award was for the remaining 30-35% of the services within the previous contract.

The committee then discussed the report raising points including the following:

It was noted that score weighting for assessing the tenderers on price and quality had been amended from the previous contract to give a greater emphasis on the quality of the offer, moving from a 70/30 split between price/quality to 60/40. The Committee welcomed the change.

Concern was raised over the amount of road closures that BBLP undertook in the past, in order to service the highways. It was explained that the current preferred new contractor had their own health and safety systems and thus, road closures would continue, if this was deemed appropriate when carrying out work on Wiltshire's highways.

The Committee sought and received from the Cabinet Member and Corporate Director assurance that performance on the new contract would be monitored closely from the commencement of the contract, and performance levels would continue to be published, with the contract including termination clauses if necessary. It was also confirmed full referencing and proper assessment of all those who had submitted tenders had been undertaken.

The Committee especially welcomed the emphasis given to the role of Parish Stewards as a co-ordinating role in the process for the new contract, and requested detailed specifications of what the role would entail, and that this be

made available as widely as possible. The Committee also recommended that a guide for councillors on common maintenance issues and the level at which intervention could be authorised would be of assistance to councillors and parish councils in dealing with queries, which would also reduce some need for reporting matters to the council directly.

Lastly, some members queried the description in the report of Overview and Scrutiny involvement in the process as having been 'active', with appreciation that involvement prior to the decision had occurred, but that it had been limited in nature and contributed to only 5% of the scoring of the process, while welcoming the receipt of a report ahead of Cabinet's determination. The Cabinet Member acknowledged the query and stated the description would be amended accordingly.

The Cabinet member stated in response to queries that the KPIs for the new contractor would continue to be published. He also welcomed the opportunity for further discussions on the level of information that could be made available to councillors on service intervention levels.

## 6 **Exclusion of the Public**

***Resolved:*** To agree that in accordance with Section 100A (4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Item Number 7 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

**Reason for taking item in private:**

***Paragraph 3 - information relating to the financial or business affairs of any particular person (including the authority holding that information).***

## 7 **New Highways Contract Award (Part II)**

The Committee received the confidential report on the new highways contract award along with a presentation on the key aspects from Peter Binley, Head of Highways Asset Management and Dr Carlton Brand, Corporate Director. Details were provided on the process and results of the evaluation of each company which had submitted a tender, and how the preferred bidder had been selected.

**It was resolved that:**

- **The Environment Select Committee accepts the recommendations of officers to Cabinet as detailed in the report.**

- **The Environment Select Committee wishes for all councillors to receive a detailed specification for the proposed parish steward role.**
- **The Environment Select Committee requests that all councillors are informed of all intervention levels in a summary format.**
- **At the next full Environment Select Committee meeting, the Committee will consider whether the Highways and Streetscene Task Group should continue in its present format and establish how Overview and Scrutiny will best monitor, as early as possible, the implementation of the new contract (including reviewing KPIs).**

(Duration of meeting: 15:00-16:34)

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## **ENVIRONMENT SELECT COMMITTEE**

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### **DRAFT MINUTES OF THE ENVIRONMENT SELECT COMMITTEE MEETING HELD ON 12 APRIL 2016 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

Cllr Brian Dalton, Cllr Dennis Drewett, Cllr Peter Edge (Vice Chairman), Cllr Peter Evans, Cllr Jose Green, Cllr Jacqui Lay, Cllr Magnus Macdonald, Cllr Ian McLennan, Cllr Linda Packard, Cllr Tony Trotman, Cllr Bridget Wayman (Chairman) and Cllr Philip Whalley

#### **Also Present:**

Cllr Britton, Cllr Hill, Cllr Whitehead, Cllr Seed

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#### **8 Apologies**

There were no apologies for absence.

#### **9 Minutes of the Previous Meetings**

It was noted that the minutes of the meeting held on 12 January 2016 be amended to include attendees.

#### **Resolved:**

**To confirm as a true and accurate record the minutes of the meeting held on 27 October 2015**

**To confirm as a true and accurate record the minutes of the meeting held on 12 January 2016. Subject to the inclusion of attendees.**

#### **10 Declarations of Interest**

There were no declarations of interest.

#### **11 Chairman's Announcements**

Respect was paid to Cllr Jeff Osborn and his contribution to the Environment Select Committee, both as a member and a substitute in 2010/2011 and since 2014. Cllr Osborn's role as Chairman of the Balfour Beatty Task Group was

also highlighted and members of the Committee were advised that a Condolence Book was available for them to sign.

Cllr Killane, Chairman of Scrutiny, was then invited to speak. He drew attention to the outstanding service that Cllr Osborn had provided to scrutiny; outlining that Cllr Osborn's efforts had helped shape scrutiny into its current representation. It was noted that Cllr Osborn's contribution to Wiltshire Council would be sorely missed and sympathies were sent to Cllr Osborn's wife, Helen.

The Committee then held a minute's silence for Cllr Osborn.

The Chairman then made the following announcements and drew the committee's attention to the information contained in the agenda:

- **A303 Stonehenge Improvement**

The Chairman highlighted that a report detailing the Development Consent Order (DCO) had been considered by Cabinet on 15 March. She outlined that, although Highways England was the promoter, there would be a high demand on Council resources and this was likely to be a controversial project. Further reports would be taken to Cabinet, at those times further updates will be provided to the committee.

- **Housing Board Annual Report**

The Chairman explained that this report, to update on the activities of Wiltshire Council's Housing Board between December 2014 and November 2015, had been considered by Cabinet on 15 March.

Cllr Seed, Cabinet Member for Housing, Leisure, Libraries and Flooding, updated that the Wholly Owned Subsidiary report would soon be brought to scrutiny. In addition, he informed the meeting that there had been a difference in the way that Wiltshire Council was encouraging developers to build and that affordable housing did not necessarily equate to social housing. He further explained that Wiltshire Council was seeking to widen the open market element of the housing register; because there was a desire to encourage low-cost ownership, as largely, Wiltshire residents did not qualify for social housing. It was stressed that Wiltshire Council was keen for tenant engagement in this planning process.

The Chairman thanked Cllr Seed for his contribution and reminded the committee that at 30 August meeting, the topic of housing would be explored in greater depth. The Chairman invited members of the committee to send any questions relating to housing to Natalie Heritage (Democratic Services Officer) ahead of the meeting, so they could be compiled to ensure responses could be provided at the meeting.

The Committee noted the rules on public participation and that there had been no questions submitted.

### 13 **Leisure Services**

John Goodall, Consultant in Public Health, was in attendance to present on Leisure Services and outlined that from January 2014 leisure had been incorporated as a wider part of public health and this move had been deemed beneficial; as leisure contributed directly to the health and wellbeing of the population.

Mr Goodall outlined that the overall health of the Wiltshire population was classed as 'good', especially in comparison to the national average and that deprivation in Wiltshire was lower than the national average too. He explained that the vision for leisure services was to help to improve the life expectancy of Wiltshire residents and to ensure that the population were well informed; in order to be able to make improved lifestyle choices.

Mr Goodall detailed that there were a range and diversity of clubs and activities, which accommodated for a wide range of ages and abilities within Wiltshire Council's leisure services. For example, there were groups and activities targeted at all ages; such as, walking football for older people or street dance for younger people. Indeed, he commented that young people targeted schemes often had an anti-bullying component added to them. Mr Goodall noted that there were approximately 3.5 million visits recorded per annum to Wiltshire Council leisure centres, yet that this figure was likely to be higher, as such a statistic was inevitably difficult to measure.

Attention was drawn to the Cabinet decision made in December 2015, which would ensure that 'Places for People' leisure centres would become in-house centres; it was highlighted that this would allow Wiltshire Council to have greater flexibility in delivering its current services.

Cllr Seed added that GPs had raised interest in becoming a part of the Health and Wellbeing centres and that nearly 4000 GP referrals were made to Wiltshire Council leisure centres, under the programme known as 'Active Health'. Cllr Seed highlighted that such an example showed a clear and proper integration of services and this was in line with the Council's aim. It was confirmed that the financing of the 'Active Health' referral programme was financed by central government and that, occasionally, participating individuals would have to pay a fee; however, it was stated that Public Health also provided a grant to help fund the 'Active Health' scheme.

There were a number of questions raised by committee members regarding the leisure provision for areas where it was unlikely there would be a Health and Wellbeing Centre. It was confirmed that the leisure provision was countywide

and open to all Wiltshire residents and activities were, and would be, offered in existing leisure centres, as well as Health and Wellbeing Centres.

The Committee congratulated Leisure Services on the range and diversity of activities available to Wiltshire residents and welcomed Leisure Services' move to public health; as this change could be seen as positive, due to the greater offer of activities and the increased engagement with the public that this service was offering. It was highlighted that Walking Football was over-subscribed for retirees in Calne and Leisure Services were complimented on the free swimming sessions that were available in Wiltshire. Cllr Seed responded that an investigation had showed that free swimming in the holidays was a good investment for the community and it was hoped that the Council would be able to maintain such an offer.

It was explained that due to the fiscal savings that Wiltshire Council had to achieve, the Leisure Services budget had been reduced. The general consensus was that, if Wiltshire demonstrated a healthier population, then spending on health would inevitably reduce and future savings could be seen. It was noted that for Area Boards there would be a separate grant for Health and Wellbeing Services, and it was pointed out that such a service did not necessarily purely encompass one being active as, for example, there were also health and wellbeing benefits to reducing social isolation within the community.

Following questions from the Committee, it was explained that there were two Heads of Service; David Redfern who was responsible for in-house centres and Louise Carey, who was responsible for 'Places for People' centres, as well as the independent sites within Wiltshire.

The committee expressed interest in receiving an update on the implementation of the vision for the Leisure Service and further data, identifying the number of people undertaking leisure activities. It was explained that work was being done to compile this data set more closely.

**Resolved:**

**That an update report from Leisure on implementing their vision (Helping people in Wiltshire to live longer, healthier lives, while addressing health inequalities), including statistics on the number of individuals participating in leisure activities within Wiltshire, would be received by the committee in a year's time.**

14 **Library Service**

Cllr Seed, Cabinet Member for Housing, Leisure, Libraries and Flooding, introduced the report. He outlined that Wiltshire Council had the same number of static libraries (31) that it had had in 2009. A review of mobile library services took place in 2015 as part of delivering corporate savings targets, and following

extensive consultation with local communities; the number of public mobile libraries was reduced from 4 to 2. New timetables were introduced that retained 90% of the original stops. Joan Davis, Head of Libraries, Heritage and Arts, stated that the timetables would be reviewed in October 2016. It was explained that a mobile library stop needed to have at least 3 people per stop, for the stop to be maintained as a part of the mobile library service.

Cllr Seed informed that book lending had decreased by 5% and that Wiltshire Council's aim was to allow its communities to be involved in the libraries as much as possible. Cllr Seed drew attention to the Corsham Library, housed at the Springfield Community Campus, and highlighted that this library was unstaffed outside library operating times and therefore, had had its opening hours extended for the past 18 months. He reported that the Corsham Library had been operating well for the community; indeed, it was stressed that since the Corsham library had been opened at the Springfield Campus, theft had decreased.

Laurie Bell, Associate Director Communities and Communications, commented that Wiltshire libraries should not be under-estimated in their power to help and improve health and wellbeing. She noted that Wiltshire's libraries had been helping older people with digital literacy and that there were a range of activities run out of the libraries; which helped to ensure that all individuals in the community could feel included.

It was explained that the Library Service needed to save 25% of its current budget and this was aiming to be achieved through a management restructure, back office reductions and the year's book stock fund. The stock fund was detailed as being used to purchase not only new books for loan, but also a range of other materials and services related to library provision; such as DVDs for income generation, newspapers, online information services, catalogue data and RFID self-service tags, as well as inter-lending service subscriptions. It was hoped that in the following year money would be able to be placed back into the book stock fund, in order to ensure that the fund would be sustainable.

Cllr Seed noted his admiration for how Wiltshire Council Libraries had approached such a wholesale reorganisation and commended the 750 volunteers of Wiltshire's libraries.

Following the identification of a discrepancy between the budget book and the report with regards to the Book Fund, it was confirmed that the report presented to committee was accurate and that the Book Fund would be reduced by 50%; as it had been felt that any further reductions to the fund would be inappropriate. It was highlighted that the total figure for Library Service savings, as agreed at Full Council, had not changed.

Following questions from the Committee, it was confirmed that, as seen with the Corsham Campus, Wiltshire residents were making use of facilities and services that they had not previously traditionally interacted with. It was noted

that the wishes of communities had been taken into account when relocating, or not, libraries into the Health and Wellbeing Centres. It was further clarified that on Wiltshire Council's libraries' webpages and on posters within the libraries, donations of recently published books in good condition were invited. It was highlighted that the public had engaged well with the scheme; as 5000 donations had been received in the previous year.

**Resolved:**

**That**

- i. The Committee noted the content of the report;**
- ii. An updated breakdown of the 2016/17 budget for the Libraries, Heritage & Arts Service would be provided to the Committee at its next meeting;**
- iii. An update on the success and progress of the new Calne Library model, including a breakdown of usage for each library in Wiltshire and an update on the review of the Library Service would be provided to the Committee in early 2017.**

**15 Update on the Local Highways Investment Fund 2014 - 2020**

Cllr Whitehead, Cabinet Member for Highways and Transport, was in attendance to introduce the report on the Local Highways Investment Fund 2014-2020. He highlighted that a resilient road network was being identified for Wiltshire and that the report demonstrated that Wiltshire Council had been making progress in this respect.

Cllr Whitehead outlined that the report detailed the definition of a pothole and he drew attention to the fact that Wiltshire had received an additional £866,000 for 2016/17; in order to fund the repairing of potholes within the county. It was noted that all work on Wiltshire's highways was based on prioritisation and members were encouraged to use the Wiltshire Council App. Cllr Whitehead commented that, by having improved transport routes in Wiltshire, this would help to reduce the number of HGVs travelling through Wiltshire towns and villages.

In response to questions, it was confirmed that residential areas were the current priority of the Highways Team. It was highlighted that, overall, towns and city centres were in good condition and that footways would be focused upon, once residential roads had been improved. It was outlined that a report would be brought to the Committee's October meeting; which would detail road collision data and those present were informed that this information would also be placed on the Council's website and circulated to the Area Boards.

The Chairman and Cllr Whitehead both thanked Officers for their diligent work, especially so in the transition to the new highways contract.

**Resolved:**

**That the Committee note:**

- i. the work completed so far in connection with the ‘Local highways Investment Fund 2014 – 2020’, and the progress being made in improving the county’s roads;**
- ii. the proposed ‘Wiltshire Resilient Road Network’;**
- iii. the positive results of the recent HMEP Peer Review, and that progress on implementing its recommendations will be reported to a future meeting of this Committee**

**That the following information be included in the report to be presented to the Environment Select Committee on 25 October:**

- i. data on road collision;**
- ii. road conditions in the county, and work carried out in each Area Board**

**16 Budget 2016/17**

The Committee was invited to consider the budget set for 2016/17 for the service areas within its remit and to agree how it wished to consider this information at further meetings to monitor, throughout the financial year, the implementation of savings and generation of income where appropriate, alongside considering customer satisfaction and the impact on service areas.

**Resolved:**

- i. That the ‘Budget 2016/17’ be maintained as a standard item on the Environment Select Committee’s agenda and that any reports provided to the Committee by Officers, be considered alongside the relevant extract from the Budget Papers to enable members of the committee to effectively scrutinise the implementation of savings and generation of income, where appropriate, alongside customer satisfaction and the impact on service areas;**
- ii. That members of the committee would inform the chairman, ahead of meetings, of any areas of the budget relating to the Environment Select Committee they would specifically welcome further information on, to enable inclusion of these in the forward work programme for the committee.**

**17 Resident Engagement Task Group**

Cllr Britton, Chairman of the Resident Engagement task group, was in attendance to introduce the report of the task group. He explained that the overall aim of the task group was to investigate how Housing Associations engaged their residents and whether there were any further opportunities for engagement. Cllr Britton highlighted that he was appreciative of the time Housing Associations had given to the task group.

It was outlined that three objectives had been decided; the first related to how residents were engaged, the second centred on regarding tenants as a valuable resource and the third focused on how one could increase tenant satisfaction. It was relayed that it was important that Housing Associations promoted themselves as an organisation with an ethos of resident engagement and that tenants were given the widest opportunity possible to contribute, however, Housing Associations needed to be mindful that only the smallest amount of individuals would be most likely to engage. It was noted that Wiltshire's Housing Associations had a focused approach to resident engagement and this should be applauded.

Cllr Britton congratulated Adam Brown, Senior Scrutiny Officer, for his sterling service to the task group and the high quality of the task group's report.

In response to questions, Cllr Britton confirmed that, often, residents had a desire to engage with their housing estate, but not with their Housing Association as a whole and therefore, this was an area where a resident community group would be beneficial. It was stressed that tenants were encouraged to fully use IT; as this would allow them to engage further through the process of surveys.

Some members of the Committee expressed their appreciation for the report and commended the task group for its comprehensive work in a relatively short period of time. It was noted that the role and work of Housing Panels was important in helping to further engage residents.

Cllr Seed, Cabinet Member for Housing, Leisure, Libraries and Flooding, welcomed the detailed report and signalled that a further update and report on resident engagement would be provided to the Committee in 12 months' time.

**Resolved:**

**That**

- i. The Committee endorsed the report of the task group and the 11 recommendations within it;**
- ii. The response from the Cabinet Member for Housing, Leisure, Libraries and Flooding would be provided at the next meeting of the Environment Select Committee;**
- iii. A further update and report on resident engagement would be provided to the Environment Select Committee in a year's time.**

18 **Task Group Update**

The Chairman drew attention to the reports contained in the agenda pack. It was highlighted that another member would be selected to join the Highways and Streetscene Task Group.

Cllr Evans explained that the task group would meet to review the outcome of the consultation on 20 April 2016 and that, at that meeting, the task group would also consider how best to engage with members of the public and the different groups who had actively engaged with the consultation.

Cllr Green updated that the Waste Service Changes' task group visit to HRCs had gone well. It was also noted that it was important for members to communicate and publicise that fly-tipping was an illegal activity. Cllr Green also took the opportunity to thank all the officers and witnesses that had engaged with the task group for their outstanding contributions.

19 **Forward Work Programme**

No comments were received on the Forward Work Programme.

20 **Urgent Items**

There were no urgent items.

21 **Date of Next Meeting**

The date of the next meeting was confirmed as 7 June 2016.

(Duration of meeting: 10:30-13:28)

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# Public Health and Leisure Services

**John Goodall**  
Consultant in Public Health  
Wiltshire Council

## Public Health

Health  
Improvement

Health Protection

Healthcare services



**Public Health is the science and art of promoting and protecting health and well-being, preventing ill-health and prolonging life through the organised efforts of society.**

## Public Health Team includes:

- Health Protection
- Emergency Planning, Resilience and Response
- Occupational Health and Safety
- Leisure Services
- Licensing, trading standards, food safety
- Public Health Intelligence
- Community Safety and ASB
- Pest control
- Children health improvement
- Adult health improvement
- Environmental Health

## In Wiltshire...

- Life expectancy has risen to 80.6 years for males and 83.9 years for females.
- Wiltshire's CVD mortality rates are below those of the South West and England nationally.
- The health of people in Wiltshire is generally better than England average.
- Deprivation is lower than average.



## However, in Wiltshire...

- Male healthy life expectancy is 68.5 years
- Female healthy life expectancy is 66.7 years
- 63.6% of adults are overweight or obese
- 21.4 % of adults are inactive
- 17.6% of adults smoke
- About 260 early deaths from CHD & stroke a year.
- Over 15,800 people have Coronary Heart Disease.
- Over 9,900 people have had a stroke or TIA.
- Over 71,900 people have hypertension.
- Over 22,600 people have diabetes.

## What can we do?

- A great deal of cardiovascular disease is caused by poor lifestyle choices:
  - Smoking
  - Diet
  - **Lack of physical activity**
  - Alcohol

## Health Benefits of Physical Activity (1)

- Whatever your age, there's strong scientific evidence that being physically active can help you lead a healthier and even happier life.
- The Chief Medical Officer recommends that adults undertake **150 minutes (2.5 hours) of moderate activity per week**, in bouts of 10 minutes or more. The overall amount of activity is more important than the type, intensity or frequency.
- **Physical activity includes everyday activity** such as walking and cycling to get from A to B, work-related activity, housework, DIY and gardening. It also includes recreational activities such as working out in a gym, dancing, or playing active games, as well as organised and competitive sport.

## Health Benefits of Physical Activity

**people who do regular physical activity have:**

- up to 35% lower risk of coronary heart disease and stroke
- up to 50% lower risk of type 2 diabetes
- up to 50% lower risk of colon cancer
- up to 20% lower risk of breast cancer
- 30% lower risk of early death
- up to 83% lower risk of osteoarthritis
- up to 68% lower risk of hip fracture
- 30% lower risk of falls (among older adults)
- up to 30% lower risk of depression
- up to 30% lower risk of dementia

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Source: NHS Choices:

# Leisure Services

## **Vision for Leisure Services:**

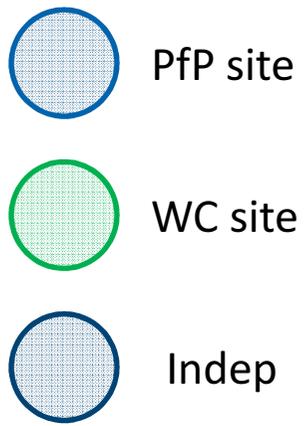
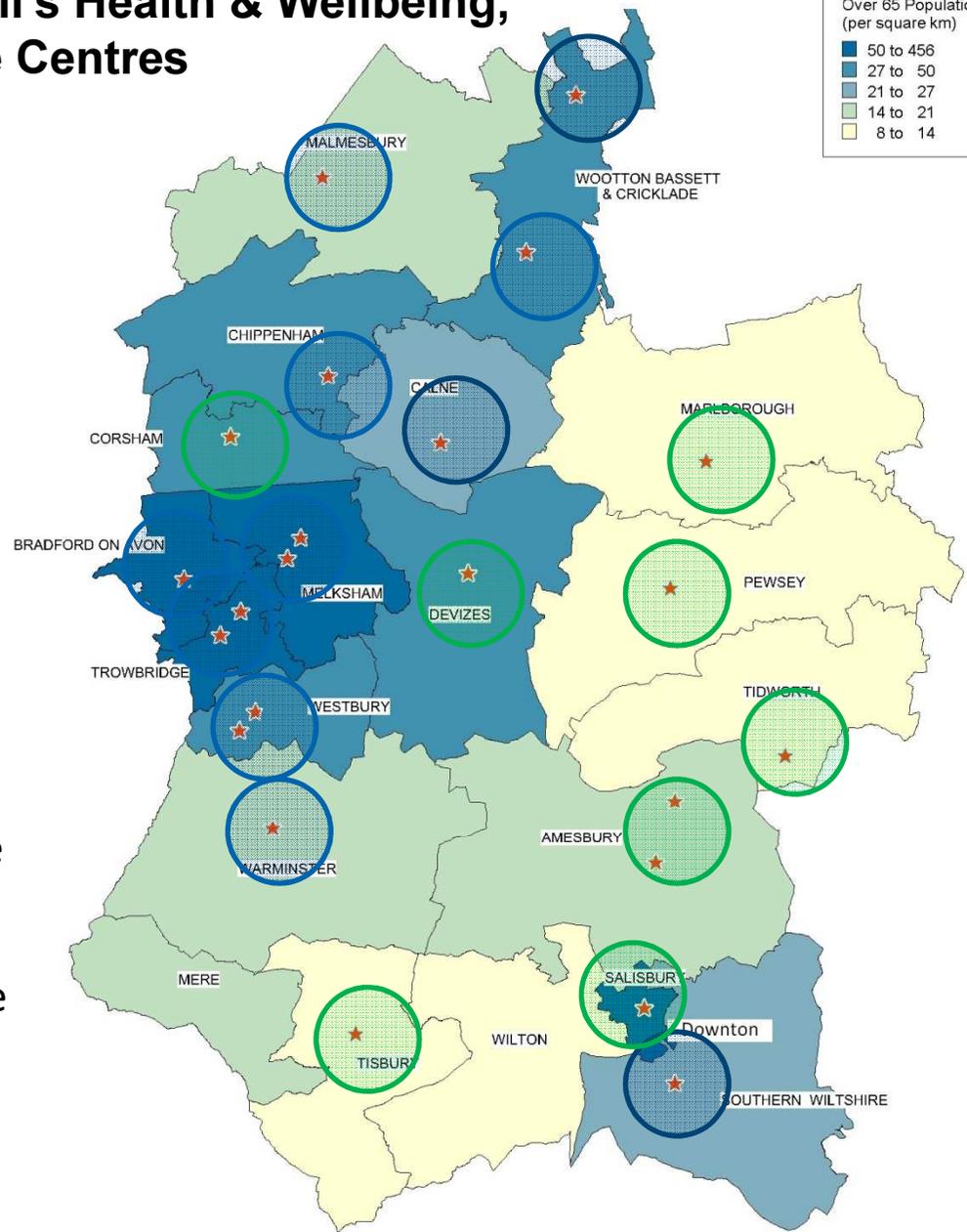
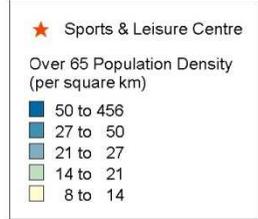
- Help people in Wiltshire to live longer, healthier lives, while addressing health inequalities

## **Objectives:**

- Contribute to health improvement and reduction in health inequalities
- Increase participation in community sport and physical activity and reduce inactivity
- Develop a strong sporting infrastructure to improve the health, well-being and skills of people and communities
- Identify opportunities that will inspire people to take part in sport, active recreation and health related activities
- Identify opportunities to increase the volunteering workforce

**Delivered through universal and targeted activities and services**

# Wiltshire Council's Health & Wellbeing, Sport, & Leisure Centres



# Some Wiltshire physical activity opportunities:



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# Questions



## HEALTH SELECT COMMITTEE

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### DRAFT MINUTES OF THE HEALTH SELECT COMMITTEE MEETING HELD ON 12 JANUARY 2016 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

#### Present:

Cllr Chuck Berry (Chairman), Cllr Gordon King (Vice Chairman), Cllr Chris Caswill, Cllr Mary Champion, Cllr Christine Crisp, Cllr Sue Evans, Cllr David Jenkins, Cllr Bob Jones MBE, Cllr John Knight, Cllr Jeff Osborn, Cllr John Walsh, Diane Gooch, Irene Kohler and Steve Wheeler

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#### 1 **Apologies**

Apologies were received from Cllr Paul Oatway, Cllr Mary Douglas and Cllr Keith Humphries

#### 2 **Minutes of the Previous Meeting**

The meeting considered the minutes of the Health Select Committee meeting held on 17 November 2015.

#### **Resolved**

**To approve the minutes of the meeting held on the 17 November for signing.**

#### 3 **Declarations of Interest**

There were no declarations of interest made.

#### 4 **Chairman's Announcements**

The Chairman made the following announcements:

##### **a) Social care council tax precept**

[In the Chancellor's Comprehensive Spending Review](#) (CSR) announcement on 25 November, local councils were given the power to raise social care funding through a new 2% Council Tax precept. The money raised from this

will have to be spent on adult social care and is on top of the existing 2% that local authorities are already allowed to raise council tax levels by.

Members wished to understand how any funds raised through the Levy would be used in Wiltshire.

### **b) Procurement of Adult Community Health Services**

It was noted that the CCG had recently concluded its formal procurement of Adult Community Services (ACS). A briefing note provided by the CCG was included in the Agenda supplement.

The preferred bidder had been identified as Wiltshire Health and Care (WHC); a new joint venture organisation focused solely on community services in Wiltshire. The organisation is a partnership between Great Western Hospitals NHS Foundation Trust, Royal United Hospitals Bath NHS Foundation Trust and Salisbury NHS Foundation Trust.

The single contract will be for 5 years, plus the option of a further two year extension by mutual agreement and will start on 1 July 2016.

A meeting between the Chairman and colleagues at the CCG was currently being arranged to discuss this committee's input going forward.

Following questions from the Committee, Maggie Rae, Corporate Director, stated that the contract had been valued at approximately £45- 50 million; that the procurement exercise was an opportunity to consider the links to AWP and other organisations such as Ambulance.

### **c) Disposal of AWP's Red Gables site in Trowbridge**

At the committee's November meeting the disposal of AWP's Red Gables building in Trowbridge was raised and officers were asked to investigate further. Two emails had been sent to committee members with relevant information, namely:

- That Red Gables was used by AWP as the admin and management base, which will move to Warminster.
- That Red Gables also included rooms for the delivery of services to those with secondary mental health needs. Following the closure of Red Gables, this will be housed in a different property in Trowbridge, while new clinical

rooms are also being investigated in Bradford on Avon and Melksham. This greater geographical spread reflects AWP's shift towards a more localised model, where provision is brought closer to service users rather than being concentrated in a few locations.

- That the change was expected to take place at the end of February and continuity of care for service users will be ensured.

Chair noted that the location of the new facility.

#### **d) RUH Hopper Bus**

It was noted that the Wiltshire CCG had confirmed that they would not be providing any funding for this service and that the issues was now being considered by the Cabinet Member who would be making a delegated decision.

#### **e) Public Participation**

At the Committee's November meeting Cllr Caswill raised concerns about the limited time allowed for members of the public to submit questions once the committee's agenda has been published.

It was resolved that the issue be referred to the Constitution Focus Group, which considered the matter on 2 December. It resolved to seek the views of Group Leaders on this before considering a recommendation to the Standards Committee. The issue will be on the agenda for the Group Leader's next meeting in the New Year, with a report coming back to the Constitution Focus Group in February.

The Chairman stated that that he had never restricted public participation.

#### **f) Announcement from Irene Kohler of SWAN Advocacy on Swan's application to Big Lottery to support their work with people with dementia**

Irene Kohler announced that SWAN Advocacy had successfully secured Big Lottery funding for a programme to engage with people with dementia across Wiltshire, Somerset and Bath from April.

It was noted that SWAN had not been awarded a 3 year contract in Wiltshire, which Ms Kohler expressed some disappointment about, and that she expected to hear from CCG as to the future. She emphasised the need and importance of

advocacy in preventing crises, and that she wanted to increase work with those who don't meet statutory threshold.

Cllr John Walsh commended the value of the support SWAN provided.

## **5 Public Participation**

There were no questions or statements from members of the public.

## **6 Developing the Forward Work Programme**

The Chairman presented the report which presented the developed list of workplan items for consideration by the Committee.

The committee was asked to agree that the chairman and vice-chair would meet with colleagues and partners to discuss how to approach the topics listed and following this bring a revised forward work programme to the committee's next meeting on 8 March.

The Chairman, in response to a comment made, agreed that briefing meetings should influence the formal workplan items.

The Chairman also agreed, in response to an issues raised by Cllr Chris Caswill, that an interim report be presented to the Committee from the Better Care Task Group.

### **Resolved**

- 1. To approve the longlist of work priorities, reflecting the additions and amendments agreed by the committee, and for these to be circulated to members following the meeting.**
- 2. The Chairman and Vice-chairman to meet with colleagues and partners to discuss the agreed work priorities, with updates and a revised forward work programme being brought to the committee's next meeting on 8 March.**

## **7 NHS Health Checks Update**

The meeting considered the report which provided an update on the NHS Health Checks Programme commissioned by Public Health and delivered by Primary Care. The report was presented by John Goodall from Public Health, Wiltshire Council.

Issues highlighted in the course of the presentation and discussion included: that the Health and Social Care Act (2012) gave Councils a statutory responsibility for improving and protecting the health of their local populations with the NHS Health; that the aim is to deliver a tailored package of healthy lifestyle interventions to improve health and wellbeing and reduce risk of cardiovascular disease; that the service is commissioned through GPs, for those not already registered with cardiovascular problems; how local information and resources are tailored; how action and advice is tailored according to risk factors; the focus on prevention; that uptake is less than 50% of those eligible, which is in line with the national picture; that some practices do better than others in getting attendance; how pilot schemes were used to learn from best practice; how the media are used to improve awareness; how the figures are analysed by cluster; how previously questions raised by the Committee had been considered; that a further report on outcomes should be able to be shared with the Committee, if suitably anonymised; how poorer performance from some GPs could be understood and addressed; the impact of demographic factors on take up of the service e.g. fewer men than women will take up offer.

In response to a question from the Chairman, John Goodall stated that measures such as using telephone reminders, and offering appointments at convenient times in the evening can improve take up. It was noted that Practices are only paid on delivery – e.g. for each completed healthcheck.

In response to a question from Cllr Jeff Osborn, John Goodall stated that some practices had chosen not to provide the healthcheck service. It was noted that, nationally, some senior GP bodies have expressed disquiet on the programme, for example with regards to additional workload in an era of decreasing GP numbers.

The Chairman commended the report and hoped to look into this in greater depth in future.

### **Resolved**

- 1. To note the update on the NHS Health Checks programme provided.**
- 2. To note that under the previous item the committee resolved to explore further work on the NHS Health Check programme.**

**8 Response to the Final Report of Joint Avon and Wiltshire Mental Health Partnership Trust Working Group (AWP)**

The meeting considered the report which detailed the responses to report of the joint AWP working group jointly established by four local authorities to look at AWP's response to the CQC inspection carried out in June 2014. It was noted that the other authorities taking part were Bath & North East Somerset Council, Bristol City Council and North Somerset District Council, and that in November recommendations from the working group's final report were endorsed by the committee and referred to the Cabinet Member for Health, Wiltshire CCG and the Health and Wellbeing Board for response.

The main agenda pack included a letter of response from the CCG, the Agenda supplement included the cabinet member response and a summary of what the other local authorities have done with the report in terms of approval so far.

Cllr Chris Caswill, a member of the Task Group, noted the challenge of getting the other authorities involved in the review. He stated that he remained concerned about the future challenges that the AWP would be facing.

James Cawley mentioned that the CQC was due to re-inspect the AWP soon, and that a further report could be published thereafter. It was noted that North Somerset commissioned on behalf all the CCGs, and that Wiltshire Council did not commission services directly.

### **Resolved**

- 1. To note the responses to the Final Report of the Joint AWP Working Group provided by the Cabinet Member and CCG.**
- 2. To note progress so far with the three other participating local authorities considering and endorsing the report.**
- 3. To receive an update on the views of the other participating local authorities regarding the recommendation that further joint scrutiny work on this topic is undertaken.**

### **9 Task Group Update**

The meeting considered the report which provided an update on Task Group activity since the Committee's last meeting.

Written updates were provided on:

- **Better Care Plan Task Group** (chaired by Cllr John Walsh)

Cllr Walsh noted that it was a complex issue for members to fully understand, and that he would be pleased to bring the interim report to the next meeting. Cllr Chris Caswill and Jeff Osborn raised concerns that the relationships between the CCGs and Wiltshire Council should be made more transparent.

- **Obesity and Child Poverty Task Group** (chaired by Cllr Pat Aves)

There were no questions on the update.

### **Resolved**

1. **To note the update on Task Group activity provided.**
2. **To ask the Better Care Plan Task Group to bring an interim report to the committee so that members remain informed about this major area of work and to invite relevant partners to attend the meeting to contribute to the discussion.**

### 10 **Forward Work Programme**

The Chairman noted that the draft Forward Work Programme would be developed following meetings with key colleagues, and a more developed version would be presented to the next meeting.

### **Resolved**

**To note the forward work programme.**

### 11 **Urgent Items**

There were no urgent items.

### 12 **Date of Next Meeting**

It was noted that the next meeting would at 10.30am, Tuesday 8 March 2016.

(Duration of meeting: 10.30 am - 1.21 pm)

The Officer who has produced these minutes is Adam Brown, of Democratic Services, direct line (01225) 713935, e-mail [william.oulton@wiltshire.gov.uk](mailto:william.oulton@wiltshire.gov.uk)

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## HEALTH SELECT COMMITTEE

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### **DRAFT MINUTES OF THE HEALTH SELECT COMMITTEE MEETING HELD ON 8 MARCH 2016 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

Cllr Chuck Berry (Chairman), Cllr Gordon King (Vice Chairman), Cllr Chris Caswill, Cllr Mary Champion, Cllr Mary Douglas, Cllr Sue Evans, Cllr David Jenkins, Cllr Bob Jones MBE, Cllr John Knight, Cllr Paul Oatway, Cllr John Walsh, Diane Gooch and Cllr Peter Evans (Substitute)

#### **Also Present:**

Cllr Pat Aves and Cllr Atiqul Hoque

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#### **13 Apologies**

The meeting was informed that:

- The representative from Healthwatch, Steven Wheeler, had given his apologies and had been replaced by Shiena Bowen for the meeting.
- Cllr Pip Ridout had given her apologies and had been replaced by Cllr Peter Evans
- Councillors Jeff Osborn, Paul Outway and Keith Humphries had given their apologies.
- Irene Kohler, SWAN Advocacy, had given her apologies.

#### **14 Minutes of the Previous Meeting**

The meeting considered the minutes of the Health Select Committee meeting held on 12 January 2016.

#### **Resolved**

**To approve the minutes of the meeting held on the 12 January 2016 for signing.**

#### **15 Declarations of Interest**

There were no declarations of interest made.

#### **16 Chairman's Announcements**

The Chairman made the following announcements:

**a) Scrutiny engagement with the Swindon and Wiltshire Local Pharmaceutical Committee (LPC)**

- Initial meeting with Swindon and Wilts LPC
- Now awaiting a plan from the LPC re priorities
- Conversations with Medvivo and James Roach
- Meeting to be held with the Royal Pharmaceutical Society, Swindon and Wiltshire LPC and partners
- Will bring a report to Health Select asap

**b) Adult Social Care Operations budget 2016/17**

- At OS Management Committee on 3 February where the draft administration's budget was discussed Cllr Keith Humphries offered to provide overview and scrutiny with further information on the Adult Social Care budget for 2016/17.
- I have discussed this with Cllr Glenis Ansell, chair of Financial Planning Task Group and agreed the task group to undertake some deep dive work at its next meeting in April with outcomes to then come to Health Select in May.
- This could include a look at how Social Care Levy funds will be used.

**c) Relocation of Trowbridge premises of Avon and Wiltshire Mental Health Partnership (AWP)**

- At previous meeting officers have been asked to investigate the situation with AWP's Red Gables property in Trowbridge, which had been reported as being up for sale. Following this, further information was circulated by email.
- In summary, AWP have advised that clinical rooms will now be housed in the Civic Hall in Trowbridge. The Centre will provide 4 clinical rooms and access to a group room, in addition access to 8 hot desks to support clinicians to complete office type tasks within the Trowbridge area. This will be in addition to clinic space at Trowbridge and Melksham Hospital.

- AWP plan to provide services from the Civic Centre from the 29th February 2016.

**d) CQC Inspection Report of Great Western Hospital (GWH), Swindon – Sep/Oct 2015**

- In September and October the Care Quality Commission (CQC) undertook an inspection of the Great Western Hospital, Swindon, and overall found that the hospital 'Requires improvement'.
- The full report results of the inspection were published on 19 January 2016 and a link is provided in the agenda.
- In January the committee agreed that 'Pressures within the Acute system' should be a priority within the work programme. Gordon, Henry and I will shortly be looking at what areas of Acute hospital performance this should focus on and will bring a proposal back to Committee.

**e) CQC inspection of Avon and Wiltshire Mental Health Partnership (AWP) – May 2016**

- The CQC will be inspecting the Mental Health services and Community Health services at AWP Trust during the week commencing 23<sup>rd</sup> May. The results will be reported to the Committee. Future scrutiny of AWP is covered under today's Agenda Item 13, Task Group Update.
- An information flyer is included in the agenda.

**f) CQC inspection of the Royal United Hospital (RUH), Bath**

- A CQC inspection of the RUH is anticipated in March, although a date has not been released.
- An information flyer regarding a pre-inspection engagement event in Trowbridge is attached.
- Future item on the agenda is likely.

There were no questions or statements from members of the public.

**18 Executive response to the Final Report of the Help to Live at Home Task Group**

The Chairman presented the final report of the Help to Live at Home Task Group which had endorsed by the Committee and referred for response in November 2015.

To contribute to the discussion the three Help to Live at Home care providers attended the meeting: Jenny Fitcher from Somerset Care; Emma Belcher from Leonard Cheshire and Bernadette Walsh from Mears.

James Cawley, Associate Director for Adult Care Commissioning and Housing, also attended.

Issues highlighted in the course of the presentation and discussion included: the key recommendations from the task group and the Executive's response; the inspection reports that demonstrate what changes have taken place; that investment in resources has helped improvements; that efforts were being made to continue to promote the role of the care worker; that there was still work to be done to attract and retain individuals and to develop this as a career path; how links can be made to the wider Health and Social Care industry; that there were some good pilots and officers were looking at how social and acute care are integrated; that HLTAH providers had requested reinspection from CQC to see what improvements that had been made; that work was ongoing to develop apprentices and identifying school leavers; that work on recruitment was ongoing, but that staffing capacity remains an issue; the implications off the Bolton report and the possible pilot schemes arising, and the Task Group could become involved; that information about the implications of the Living Wage would be shared with the Task Group.

**Resolved**

- 1. To welcome the positive CQC reports received by Mears and Somerset Care and congratulate their staff for the quality of the service provided to residents of Wiltshire.**
- 2. For the committee to receive a report on the Better Outcomes for Adult Care Peer Review, which is due to commence on 21<sup>st</sup> June.**

- 3. For the Chairman of the Help to Live at Home Task Group and other interested members to receive a briefing on a piece of pilot work relating to the review commissioned by the Joint Commissioning Board for Adults regarding the split between health and care tasks and other key issues.**
- 4. To revisit progress with Help to Live at Home and the Executive Responses to the Task Group's final report at a future meeting.**

#### 19 **Interim report from the Better Care Plan Task Group**

Cllr John Walsh, Chairman of the Better Care Plan Task , presented an interim report giving an update on the work undertaken so far. The report included the draft commissioning intentions for the Better Care Plan 2016/17., which had been considered by the Task Group at its last meeting, and as scheduled to go to Cabinet on 15 March and the Health and Wellbeing Board in April for adoption.

James Roach, Joint Director of Integration Wiltshire Council and Wiltshire CCG, and James Cawley, Associate Director for Adult Care Commissioning and Housing from Wiltshire Council, were also in attendance to present the draft BCP Plan.

Issues highlighted in the course of the presentation and discussion included: that the officers had been engaging positively with the Task group; the implications of the 2014 Care Act had promoted greater integration between Social and Health Care series; that a 100 day challenge was put together to push initiatives and provide evidence base for further changes; that there was an increase in older residents that had increased demand for services; how evidence for the work of the task group had been gathered; the links to the Single View of the Client project and the implications of the Data Protection Act; and how the task group was planning to report back to the Committee.

In response to a question from Cllr Gordon King, it was clarified that there was a national commitment to continuing the work of the Better Care Plan over the next 2-3 years, but that the implications of the new Sustainability Transformation Plan was uncertain.

In response to a query from the Committee, it was clarified that intermediate care beds were focused on therapy and appropriately referring people to community services. It was suggested that the task group could look at this further.

## **Resolved**

- 1. Note the interim report and the work undertaken by the task group to date**
- 2. Endorse the proposed future work plan for the task group as detailed in Appendix A**
- 3. Endorse the task group's recommendation that Area Boards should be invited to promote the "Your care, Your support Wiltshire" portal either via the Area Board itself or its Older People Champion**
- 4. Endorse the task group's support of the Single View project in recognising the benefits anticipated not only for the partners but for the residents in Wiltshire in enabling better and earlier intervention through the sharing of information.**
- 5. Note the draft outline plan and commissioning intentions for the Better Care Plan 2015/16, and that Cabinet and the Health and Wellbeing Board will sign off the final version for submission to NHS England in April.**
- 6. To ask the task group to add a focus on the following to its Forward Work Programme:**
  - Ensuring the delivery of outcomes outlined in the draft outline plan and commissioning intentions for the BCP 2016/17.**
  - That the BCP Task group be asked to consider how changes to the number and use of Intermediate Care Beds is delivering the best outcomes for patients.**

*Ask the BCP Task Group to monitor the outline activity targets and Better Care Fund spend?*

20 **NHS Shared Planning Guidance 2016-2021**

21 **Transforming Care Partnership - Service Model**

Ted Wilson, Group Director for North East Wiltshire – Wiltshire CCG, presented the report which provided an update on the Transforming Care Partnership and

reported the progress made in delivering Wiltshire's commitments in relation to Winterbourne View.

Issues highlighted in the course of the presentation and discussion included: that the Health & Wellbeing Board had signed off the draft plan in January, which enabled the plan to be submitted to NHS England; that the final plan would come back to the Governing body for final sign off and final submission to NHS England in March 2016; that the plan would then be implemented in April 2016 and would be reviewed in 2019/20; that officers had worked with partners in Wiltshire and Swindon to move people to more appropriate accommodation; that there had been some good work done resulting in improved outcomes for patients; that the cohort of patients affected was a small number.

There being no further debate, the meeting;

### **Resolutions**

**To note the draft Transforming Care Partnership Service Model Plan, which will receive final sign-off and submission to NHSE in March 2016, for implementation in April 2016 and review in 2019/20.**

## **22 Final Report of the Obesity and Child Poverty Task Group**

Cllr Pat Aves, Chairman of the Task Group, introduced the final report of the Obesity and Child Poverty Task Group, presented for endorsement and referral to the Cabinet Member for Children's Services, the Cabinet Member for Health and Adult Social Care and Wiltshire CCG for response.

In giving her presentation, Cllr Aves thanked the public health team for assistance, particular Phoebe Kalungi, the other members of task group and Henry Powell for their hard work in putting the review together. She welcomed the publication of the draft joint strategy, and emphasised the need for commitment to enable successful deliver of its aims, recommending that it should be monitored by Health and Children's Select.

Issues highlighted in the course of the presentation and discussion included: that work was a joint exercise between the Children's Select Committee and Health Select Committee; that the links between child poverty and obesity had been considered; the focus on early intervention and preventative measures; the complex reasons that lead to obesity; the accessibility of unhealthy food choices; the prevalence of sugar in our diets; that some foods marketed as low fat may have higher levels of sugar; that Wiltshire was performing better than

the national average, having arrested the increase in childhood obesity, but that further improvement was desirable; how schools can be encouraged to increase physical activity and promote healthy eating;

Specific mention was made about the absence of consistent weight data during infancy. A suggestion was made as to whether dentist could be approached to undertake weighing as part of their check ups.

Cllr Pat Ayes, referencing the success of multi-agency working in child safeguarding, wondered if a similar joint approach could be taken to talk child obesity

Cllr Atiqul Hoque asked whether further support could be given to families to encourage physical activity thereby diverting them from electronic devices.

The Chairman asked whether Early Years and Dentistry partners be approached to assisting with weight checks in children.

### **Resolved**

- 1. To endorse the conclusions and recommendations of the Obesity and Child Poverty Task Group and, subject to endorsement by the Children's Select Committee on 22<sup>nd</sup> March, refer its report to the relevant Cabinet Members and Wiltshire CCG for response.**
- 2. To ask the Cabinet Members and CCG to comment on the further points and suggestions raised by the Committee.**

### **23 Wiltshire Draft Obesity Strategy 2016-2020**

Jon Goodall, Consultant in Public Health, and Phoebe Kalungi, Public Health Specialist, presented the Draft Obesity Strategy. It was noted that the draft strategy was approved by the Health and Wellbeing Board in January, and was out for public consultation until 30<sup>th</sup> April.

Issues highlighted in the course of the presentation and discussion included: that the strategy is governed by the Health and Wellbeing Board through the Health Improvement Panel, which will monitor an updated yearly action plan; that, following the consultation, the finalised draft strategy would be presented to the Health and Wellbeing Board for final sign-off with a launch intended for Summer 2016; that the strategy had been jointly developed with the Wiltshire CCG; that obesity can have major consequences for the future health of people;

that strategy aims to take a long term view on health and wellbeing and not focus on just weight; the new campaign for those aged 40-60; what support can be given to promote the strategy within the Council and the wider community; the national and local projects that are undertaken in Wiltshire; how success and effectiveness is measured.;

Cllr Chris Caswill commended the strategy and asked what support can be given to encourage retailers to act more responsibly, and how schools could be encouraged to promote sport in schools. In response John Goodall stated that further detail would be available in an action plan, and implored councillors to do what they can to spread the message and promote projects in their community areas that aid the aims of the strategy.

Diane Gooch, raising concern about eating disorders, emphasised that the importance of focusing on overall health and not appearance when encouraging weight loss.

#### **Resolved**

**To note the draft Wiltshire Obesity Strategy 2016-20, which will be out for public consultation until 30<sup>th</sup> April 2016.**

**To be agreed by Cabinet in May.**

#### **24 Scrutiny engagement with the South West Ambulance Service Trust (SWAST)**

The Chairman introduced the item which provided an update on the proposal for scrutiny of the South West Ambulance Service Trust (SWAST), including the views of other authorities involved in the joint scrutiny committee.

It was noted that there was clear cross-authority support for disbanding the Joint SWAST Scrutiny Committee, but that there remained a need for an effective scrutiny mechanism to ensure Wiltshire residents are receiving a high performing ambulance service.

There being no further debate, the meeting;

#### **Resolved**

- 1. To note the cross-local authority support for disbanding the Joint SWAST Health Scrutiny Committee, as endorsed by Wiltshire's Health Select Committee in November 2015.**

- 2. To invite SWAST to provide annual reports to Wiltshire's Health Select Committee on the performance of the ambulance service in Wiltshire. The format of the report and the data provided should reflect any learning from Wiltshire members' experiences of the former Joint Scrutiny Committee.**
- 3. The first SWAST performance report to be received by the Committee on 21<sup>st</sup> June 2016 so that the results of the CQC inspection of SWAST in early June can also be considered if available.**
- 4. Further cross-authority scrutiny of SWAST to be considered if and when evidence suggest a regional approach is appropriate.**

## **25 Task Group Update**

The meeting considered the task group update, noting that BANES had suggested awaiting the results of the CQC inspection of AWP scheduled for May before undertaking a Joint Avon and Wiltshire Mental Health Partnership (AWP) Task Group.

### **Resolved**

- 1. To note the update on task group activity provided.**
- 2. Consideration of further joint scrutiny of Avon and Wiltshire Mental Health Partnership Trust to await the results of the CQC inspection of the Trust scheduled to begin on 23<sup>rd</sup> May 2016.**

## **26 Forward Work Programme**

The meeting considered the draft forward work plan, noting that a more developed version would presented to the next meeting.

Cllr Mary Douglas presented her proposal to form a task group to consider Family Resilience. In the course of her presentation she highlighted the following issue: the links to child poverty, and that group would be organised jointly with the Children's Select Committee; the national project on troubled families; the importance of early intervention and prevention; how local communities can be engaged in solutions; and the outline terms of reference.

The Chairman asked if the group could consider a broad definition of family so that multi-generational families could be included, and not just focus on nuclear families. Seeking volunteers.

In response to a question from Cllr Chris Caswill, Cllr Mary Douglas stated that, in her opinion, a resilient family was one that could bounce back following challenges.

In response to a request from James Cawley, Associate Director, to include a review of the change to benefits and housing in the review, Cllr Mary Douglas stated that she was concerned not to dilute the focus of the work.

The Chair asked that further discussion be undertaken with the officer's to agree a way forward.

### **Resolved**

- 1. To note the forward work programme**
- 2. That authority be delegated to the Chairs of the Health Select Committee and Children's Select Committee to further develop the terms of reference for a Family Resilience Task Group following consultation with relevant Associate Director and Cabinet Member.**

### **27 Urgent Items**

There were no urgent items.

### **28 Date of Next Meeting**

(Duration of meeting: 10.30 am - 1.38 pm)

The Officer who has produced these minutes is Will Oulton, of Democratic Services, direct line (01225) 713935, e-mail [william.oulton@wiltshire.gov.uk](mailto:william.oulton@wiltshire.gov.uk)

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## **STRATEGIC PLANNING COMMITTEE**

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### **DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 10 FEBRUARY 2016 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

Cllr Andrew Davis (Chairman), Cllr Tony Trotman (Vice Chairman), Cllr Trevor Carbin, Cllr Terry Chivers, Cllr Stewart Dobson, Cllr Charles Howard, Cllr David Jenkins, Cllr Bill Moss and Cllr Jerry Wickham (Substitute)

#### **Also Present:**

Cllr Pip Ridout, Cllr Nick Fogg MBE, Cllr Jon Hubbard, Cllr Toby Sturgis and Cllr Roy White

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#### **1 Apologies for Absence**

Apologies for absence were received from Cllr Glenis Ansell, Cllr Christopher Newbury and Cllr Fred Westmoreland (who was substituted by Cllr Jerry Wickham).

#### **2 Minutes of the Previous Meeting**

##### **Resolved:**

**To confirm and sign the minutes of the previous meeting held on 9 December 2015 as a true record.**

#### **3 Declarations of Interest**

Cllr Andrew Davis declared a non-pecuniary interest in Planning Application No. 15/08374/FUL (Minute No. 6 below) as he was a member of Warminster Town Council and, as a member of the Town Council's Planning Advisory Committee, had taken part in that Committee's consideration of this application. However, he would take part in the forthcoming debate with an open mind and vote.

Cllr Stewart Dobson declared a non-pecuniary interest in Planning Application No. 15/02026/OUT (Minute No. 8 below) as he was a member of Marlborough Town Council and, as a member of the Town Council's Planning Committee, had taken part in that Committee's debate on this application but did not vote. He would take part in the forthcoming debate with an open mind and vote.

4 **Chairman's Announcements**

There were no Chairman's announcements.

5 **Public Participation and Councillors' Questions**

There were no questions received from members of the Council.

Members of the public addressed the Committee as set out in Minute Nos. 6 to 9 below.

6 **15/08374/FUL - Land adjacent 89, Bath Road, Warminster, BA12 8PA - Change of use of land to 4 Romani gypsy pitches and associated works including 4 mobile homes, 4 dayrooms, 4 touring caravans, hard standing and new access**

**The following people spoke against the application**

Mr Jonathan Carver, a local resident  
Mr Eric Tomes, a local resident  
Mr P Muir, a local resident  
Cllr Rob Fryer, Chairman, Warminster Town Council

The Committee received a presentation from the Case Officer which set out the main issues in respect of the application, with a recommendation that planning permission be granted, subject to conditions. He explained that the Council's Drainage Engineer considered that the proposed arrangements for foul water drainage and the storm water drain were inadequate and should be linked to the main drainage system. He recommended that the proposed Conditions 4 and 6 should be strengthened to take these views into account.

Members had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

Members then heard the views of Cllr Pip Ridout, the local Member, who expressed concern the proposed development would have on the surrounding area, its relationship to adjoining properties, the design, environmental impact and dangers of flooding. She also expressed concern at the lack of footpaths on the highway and the consequent dangers particularly to children walking to and from school.

After discussion, during which Members considered that Conditions 4 and 6 should be strengthened as recommended by the Drainage Engineer,

**Resolved:**

To Grant planning permission subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**REASON:** To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of Planning Policy for Traveller Sites (DCLG, 2015).

**REASON:** Planning permission has only been granted on the basis of a demonstrated unmet need for accommodation for gypsies and travellers and it is therefore necessary to keep the site available to meet that need.

- 3 There shall be no more than 4 pitches on the site and on each of the pitches no more than 2 caravans shall be stationed at any time and of these, only 1 caravan on each pitch shall be a static caravan, all as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968.

**REASON:** In order to define the terms of this permission.

- 4 No development shall commence on site until a scheme for the discharge of foul water from the site to a public foul sewer has been submitted to and approved in writing by the Local Planning Authority.

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

- 5 The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

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

- 6 No development shall commence on site until a scheme for the discharge of surface water from the site including surface water from the access / driveway, incorporating sustainable drainage details together with permeability test results to BRE365 and

which provides for a positive discharge from the site to the downstream watercourse, has been submitted to and approved in writing by the Local Planning Authority.

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

- 7** 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.

- 8** The development hereby approved shall be carried out in accordance with the recommendations made in section 4 of the Ecological Appraisal and Bat Survey Report dated 20th August 2015 prepared by TP-Ecology Ltd. as submitted with the planning application.

**REASON:** To ensure adequate protection and mitigation for protected species / priority species / priority habitats through the implementation of detailed mitigation measures that were prepared and submitted with the application before determination.

- 9** A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority prior to any site clearance or preparation or any other work in association with the development hereby approved. The content of the LEMP shall include, but not necessarily be limited to, the following information:

a) Full specification of vegetation and habitats to be created, including locally native species of local provenance and locally characteristic species;

b) Description and evaluation of features to be managed; including locations shown on a site map which shall include details of trees and hedgerows to be retained;

c) Aims and objectives of management;

d) Appropriate management options for achieving aims and objectives;

- e) Preparation of an annual work schedule;
- f) Details of the body or organisation responsible for implementation of the plan;
- g) Ongoing monitoring and remedial measures;
- h) Timeframe for reviewing the plan; and
- i) Details of how the aims and objectives of the LEMP will be communicated to the occupiers of the development.

The LEMP shall be implemented in full in accordance with the approved details.

**REASON:** To ensure the long-term management of protected and priority habitats and other landscape and ecological features, and to maintain and enhance these habitats and features for the lifetime of the development.

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

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

- 11 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.

- 12 Any gates shall be set back 12.5 metres from the edge of the carriageway, such gates to open inwards only.

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

- 13 The development hereby permitted shall not be first brought into use until the first 12.5m 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.

- 14 No commercial activities shall take place on the land, including the storage of materials and no burning of materials shall take place on open ground.

**REASON:** In order to define the terms of this permission, protect the rural scene and character of the area, and protect the amenities of the area and neighbour uses.

- 15 No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site.

**REASON:** In order to define the terms of this permission and protect the character of the area.

- 16 Prior to the first occupation of the development hereby approved, details of any external lighting shall be submitted 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 preventing light pollution and nuisance.

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

Site Location Plan registered on 21 August 2015;

1450/02 REV E (Site Layout) registered on 22 December 2015;

1450/03 (Day Room Elevations) registered on 21 August 2015;

JB15-FSW rev. A (Drainage) registered on 13 October 2015;

It being noted for the avoidance of doubt that the landscaping including tree and hedgerow retention/planting shall be in accordance with the details to be submitted in respect of Condition 9 above.

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

- 18 **INFORMATIVES:**

The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) 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 the 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. More information is available on Council's website.

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

7 **N14/10433/OUT - Land north and east of Barrow Farm, Chippenham, SN15 5LX - Residential Development for up to 500 dwellings (C3) , New roundabout access and ancillary emergency access from B4069 Maud Health Causeway/Swindon Road, two form primary school (D1), up to 2500m2 of assembly & leisure (D2), up to 25002retail uses (A1), play areas, open space ,landscaping, drainage & ancillary works**

**The following people spoke against the application:-**

Mr Edward Barham, a local resident  
Cllr David Mannering, representing Langley Burrell Parish Council

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He explained that the applicant had submitted an appeal in respect of this application on grounds of non-determination. As a consequence, no formal decision could be made in respect of this application. However, in order to progress with the appeal, Officers were

seeking the opinion of the Committee in respect of the application had they been in a position to determine it and on what grounds the Committee wished to contest the scheme at appeal, if at all.

The Case Officer further reported that a late representation had been received from Highways England, taking the form of a formal TR110 response. In it Highways England confirmed that it would recommend that if planning permission were to be granted, the following planning condition should be imposed:-

*No development shall commence, except for works referred to in conditions [ . . . ], until a detailed scheme for the highway junction improvement works at M4 Junction 17 (comprising signalisation of the M4 eastbound and westbound off-slips) has been submitted to and approved in writing by the local planning authority in consultation with Highways England. The occupation of development authorised by this permission shall not commence until such scheme is completed and open to traffic.*

Members had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the application.

After some discussion,

**Resolved:**

**Had the Committee been able to determine the application, it would have recommended that planning permission be REFUSED and that officers be authorised to contest the appeal for the following reasons (including the delegated authority to negotiate potentially satisfactory outcomes that may address reasons 03 and 06 prior to that appeal taking place):**

- 1. The proposal is unacceptable when having regard to the principles of policies CP1 and CP2 of the Wiltshire Core Strategy (2015), saved Policy H4 of the North Wiltshire Local Plan 2011, as well as the principles set out within the National Planning Policy Framework.**
- 2. The proposal is not sustainable development since it fails to address the phasing and delivery of the North Chippenham Consortium site, especially the link road therein, which is necessary for the development to avoid an unacceptable impact upon surrounding road junctions and traffic movements across Chippenham as a whole. Such impacts would be contrary to policies CP3, CP10, CP61 and CP62 of the Wiltshire Core Strategy (2015).**
- 3. The application fails to set out a scheme that would ensure the delivery, at the appropriate time, of the necessary improvements to J17 of the M4 so as to render the Strategic Road Network safe. As**

such, the application would not meet the requirements of policies CP10, CP62 and CP66 of the Wiltshire Core Strategy (2015).

4. The proposal fails to provide a suitable bus strategy so as to demonstrate sustainable connections to Chippenham town, thereby failing to meet the requirements of policies CP61 of the Wiltshire Core Strategy (2015).
5. The proposal would have an unacceptable impact upon the tranquil nature of this part of the countryside, the setting of listed buildings at Maud Heath Causeway as well as its relationship to the nearby villages of Langley Burrell and Kington Langley. The proposal is therefore contrary to the provisions of policies CP10, CP51, CP52 and CP58 of the Wiltshire Core Strategy 2015, the NPPF as well as section 16(2) and 72(1) of the Planning (Listed Building and Conservation Area) Act 1990.
6. The proposed development fails to provide and/or secure adequate provision for necessary on-site and, where appropriate, off-site infrastructure. Such infrastructure shall include (but not be limited to) affordable housing, educational facilities, public open space, play equipment and footpath connections to the town, public transport provision and directly related junction improvements, waste collection, additional woodland planting and measures for its future maintenance. The application is therefore contrary to Core Policy 3 of the Wiltshire Core Strategy (2015).

8 **15/02026/OUT - Land west of Salisbury Road, Marlborough, Wiltshire - Outline application for up to 175 dwellings (Use Class C3), hotel (C1), new access from Salisbury Road, open space, landscaping, ecological mitigation, drainage works and ancillary works**

**The following people spoke against the application:**

Mr Peter Ridal, a local resident  
Ms Rebecca Davies, Planning Advisor, North Wessex Downs Area of Outstanding Natural Beauty  
Mr Chris Cooper, a local resident  
Cllr Mervyn Hall, Vice-Chair, Planning Committee, Marlborough Town Council

**The following people spoke in support of the application:**

Mr Ian Mellor, a local resident  
Mr Alexander Kirk Wilson, a local resident  
Mr Neil Hall, representing the applicant

The Committee received a presentation from the Case Officer which set out the main issues in respect of the application, with a recommendation that a decision to grant outline planning permission be delegated to the Area Development Manager, subject to the prior completion of a Section 106 legal agreement to secure the required level of affordable housing, financial contributions towards public open space, education facilities, healthcare facilities, waste/recycling facilities, improvements to on and off site highway infrastructure, and a programme for the management and maintenance of the surface water scheme, and subject to the planning conditions.

Members had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

Members then heard the views of Cllr Nick Fogg, the local Member, who expressed some misgivings particularly with regard to the traffic issues that were likely to arise on the Salisbury Road following the development. However, he acknowledged the need for additional housing in Marlborough and also the great need for an hotel to cater for the needs of the number of tourists visiting the Marlborough area.

Cllr Stewart Dobson, the other Wiltshire Councillor for Marlborough, acknowledged the need for further affordable housing in the area. However, he did express concerns regarding the traffic problems that were likely to arise particularly on the Salisbury Road following the development, the effect of the development on the air quality in the area and also the impact of the development on the surrounding area should building be permitted up to the 160 foot contour line. On balance, he couldn't support the application as submitted.

After discussion,

**Resolved:**

**To delegate to the Area Development Manager, the decision to grant planning permission subject to the prior completion of a S106 agreement to cover the following matters:-**

- **Affordable housing**
- **Recreation provision**
- **Education provision**
- **Transportation provision**
- **Waste management facilities**
- **Healthcare facilities**
- **The maintenance and management of the surface water drainage system**

**and subject to the imposition of the following conditions:**

- 1** The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

**REASON:** To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2** No development shall commence on the residential or hotel parts of the site, other than works to complete the approved site access, until details of the following matters for that part of the site (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The scale of the development;
- (b) The layout of the development;
- (c) The external appearance of the development;
- (d) The landscaping of the site;

The development shall be carried out in accordance with the approved details.

**REASON:** The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Drawing no.31115-Lea149.dwg identifies the residential and hotel parts of the site.

- 3** Applications for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

**REASON:** To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

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

- Drawing reference.31115-Lea120a.dwg, Drawing title: Figure 1 Site Location Plan;
- Drawing reference.31115-LEA121a.dwg, Drawing title: Figure 2 Outline Planning Application Site Boundary;

- Drawing reference.31115-LEA148revB.dwg, Drawing title: Figure 4 Site Access Proposal;
- Drawing reference.31115-LEA135.dwg, Drawing title: Figure 6 Ecological Mitigation and Enhancement Plan;
- Drawing reference.31115-LEA150.dwg, Drawing title: Figure 7 Horizontal and Vertical Parameters Plan;
- Drawing reference.31115-Lea149.dwg, Drawing title: Figure 8 Land Use and Building Height Parameter Plan.

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

- 5** Any application for approval of Reserved Matters shall be designed in accordance with the details and parameters set out on the Land Use and Building Height Parameters Plan (drawing reference.31115-LEA150.dwg) and Horizontal and Vertical Parameters Plan (drawing reference 31115-LEA149.dwg).

**REASON:** In order to ensure that the environmental impact of the development does not exceed that which has been assessed in consideration of the application and the Environmental Statement, and to ensure that a satisfactory form of development is achieved without generating harm to wider landscape and visual interests.

**Note:** The parameter plans listed above clearly identify:

- The different areas of land use and structural open spaces i.e. areas of residential development, the hotel development and open spaces including landscaping, planting and recreational areas;
- The position and extent of the new woodland belt on existing contours (thus limiting the southern extent of any cut or fill); and
- That no built development should exceed the 160m AOD contour line.

- 6** Any application for approval of Reserved Matters shall be designed in accordance with the details and parameters set out on the Ecological Mitigation and Enhancement Plan (drawing reference.31115-LEA135.dwg) or any variation thereto which is approved in writing by the local planning authority.

**REASON:** In order to establish ecological parameters for the site within which no development can take place and to secure mitigation measures to ensure the site is developed in such a way as to avoid adverse impact to protected habitats and species.

**Note: No trees, shrubs or hedges that are part of the ecological buffers shall be contained within any domestic gardens in order to prevent their removal by householders, thereby preventing the diminution of the area or effectiveness of the ecological buffers.**

- 7 No above ground development shall commence on the residential or hotel parts of the site, other than works to complete the approved site access, until the exact details and samples of the materials to be used for the external walls and roofs for that part of the site have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

**REASON: 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. Drawing no.31115-Lea149.dwg identifies the residential and hotel parts of the site.**

- 8 No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.**

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

- 9 No above ground development shall commence on the residential or hotel parts of the site, other than works to complete the approved site access, until a scheme of hard and soft landscaping for that part of the site has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-**

- location and current canopy spread of all existing trees and hedgerows on the land;**
- full details of any to be retained, together with measures for their protection in the course of development;**
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;**
- finished levels and contours;**
- car park layouts;**

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

All soft landscaping comprised in the approved details shall be carried out in accordance with the programme of implementation; 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 the approved programme of implementation.

**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 landscape features. Drawing no.31115-Lea149.dwg identifies the residential and hotel parts of the site.

- 10 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:** 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.

- 11 No development shall commence on the residential or hotel parts of the site until details of all earthworks for that part of the

site have been submitted to and approved in writing by the Local Planning Authority. These details shall include existing and proposed cross-sections and contour plans of the proposed land areas which will accommodate the development, and the nature and source of the material, showing the relationship of proposed mounding to existing vegetation and surrounding landform. The development shall be carried out in accordance with the details approved under this condition.

**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 layout, design and a landscaped setting for the development. Drawing no.31115-Lea149.dwg identifies the residential and hotel parts of the site.

- 12** No development shall commence on the residential or hotel parts of the site, other than works to complete the approved site access, until details of the proposed ground floor slab levels for that part of the site have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels 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, in the interests of visual amenity. Drawing no.31115-Lea149.dwg identifies the residential and hotel parts of the site.

- 13** No development shall commence on the residential or hotel parts of the site until an Ecological Management Plan (EMP) for that part of the site has been submitted to, and approved in writing by, the Local Planning Authority. The content of the EMP shall include, but not necessarily be limited to, the following information:

- a) Description and evaluation of features to be managed, including those detailed on drawing no.3115-LEA135.dwg;
- b) Landscape and ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over an 5 year period;
- g) Details of the body or organisation responsible for implementation of the plan;
- h) Ongoing monitoring and remedial measures;

**i) Details of how the aims and objectives of the EMP will be communicated to future occupiers of the development.**

**The EMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery.**

**The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the EMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented. Drawing no.31115-Lea149.dwg identifies the residential and hotel parts of the site.**

**The EMP shall be implemented in full 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 ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.**

- 14 No external lighting shall be installed on the residential or hotel parts of the 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 set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)" for that part of the site, have been submitted to and approved in writing by the Local Planning Authority.**

**The lighting plan shall also establish lighting thresholds to minimise light spill at features on the site used by bats as commuting corridors and foraging habitats (namely the proposed woodland buffer strip and ecological mitigation area both shown on drawing no.31115-LEA135.dwg and existing hedgerows) which are not to be exceeded.**

**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 order to minimise unnecessary light spillage above and outside the development site in the interests of the amenities of the area, the setting of the AONB and the Grade II\* registered park and garden of Tottenham House and Savernake Forest, and to mitigate against the loss of existing biodiversity**

and nature habitats.

**NOTE:** The Council's Ecologists advises that the lighting plan should demonstrate that a level of no more than 1 lux is achieved at all hedgerows, tree lines or other features designed to enhance biodiversity.

**15** No development shall commence on the residential or hotel parts of the site until:

a) A written programme of archaeological investigation for that part of the site, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and

b) The approved programme of archaeological work for that part of the site 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. Drawing no.31115-Lea149.dwg identifies the residential and hotel parts of the site.

**16** No development shall commence on the residential or hotel parts of the site, until full details of the access to Salisbury Road, as shown on drawing no.31115-LEA148revB.drg, and details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture for those parts of the site, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. Each part of the development shall not be first occupied until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture for that part of the development have all been constructed and laid 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 ensure that the roads are laid out and constructed in a satisfactory manner. Drawing no.31115-Lea149.dwg identifies the residential and hotel parts of the site.

- 17 No part of the development hereby permitted shall be occupied until the access to Salisbury Road, as shown on drawing no.31115-LEA148revB.drg, has been constructed in accordance with the approved details and made available for use.

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

- 18 Prior to occupation of the 100th dwelling full details of the emergency access to Salisbury Road, as shown in outline on drawing no. 31115-LEA148revB.dwg, shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the provision of visibility splays at a height not exceeding 600mm above carriageway level from a point 2.4 metres back along the centre line of the emergency access to points on the nearside carriageway edge 120 metres to the south-west and 45 metres to the north, and the lowering of the existing high kerbs at the access position.

The emergency access shall be provided in accordance with the approved details prior to the occupation of the 100th dwelling and shall thereafter be maintained in perpetuity.

**REASON:** In the interests of safe and convenient access to the development in the event of an emergency.

- 19 The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

**REASON:** To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.

- 20 The hotel element of the development hereby approved shall achieve the BREEAM's 'Very Good' Standard, and within 3 months of being first occupied or brought into use, a post construction stage certificate certifying that the 'Very Good' standard has been achieved shall be issued and submitted to

the local planning authority for its written approval.

**REASON:** To ensure that the objectives of sustainable development set out policy CP41 of the Wiltshire Core Strategy are achieved.

- 21 No development shall commence on site until a Noise Impact Assessment and Mitigation Scheme in order to protect the amenities of the future residents of the development against noise from the A346 Salisbury Road has been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in full before the use commences and maintained at all times thereafter.

**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 future residents of the development.

**Note:** The Noise Impact Assessment and Mitigation Scheme should be carried out in accordance with BS8233: 2014 and demonstrate that internal and external noise levels will not exceed the guideline noise levels contained in Section 7.7 of BS8233:2014. The report should also demonstrate that internal maximum noise levels in bedrooms will not normally exceed 45dB LAmax between the hours of 23:00 and 07:00.

- 22 No development shall commence on the residential or hotel parts of the site until a Construction Environmental Management Plan (CEMP) for that part of the site has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP 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) measures for the protection of the Source Protection Zone to prevent pollution of groundwater and public water supply;
- j) hours of construction, including deliveries;
- k) Noise control measures.

The CEMP 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 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 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. Drawing no.31115-Lea149.dwg identifies the residential and hotel parts of the site.

- 23 No development shall commence on the residential or hotel parts of the site until a scheme for the discharge of surface water from that part of the site, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until surface water drainage has been constructed in accordance with the approved scheme.

**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 that the development can be adequately drained. Drawing no.31115-Lea149.dwg identifies the residential and hotel parts of the site.

**Note:** Infiltration drainage in this area of anything but clean roof water is not recommended given that the site lies within an inner groundwater source protection zone. As such, infiltration of surface water drainage into the ground shall only be permitted for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

- 24 No development shall commence on the residential or hotel parts of the site until details of any on and/or off site drainage works for the disposal of sewerage for that part of the site, including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed in accordance with the approved plans.

**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 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.

- 25** No development shall commence on the residential development until a Residential Waste Minimisation and Waste Management Plan for that part of the site has been submitted to and approved in writing by the Local Planning Authority. The Residential Waste Minimisation and Waste Management Plan shall include details of the volume and type of waste to be generated; re-use of materials and proposals for on and off site recycling; storage of re-cycling and waste collection facilities; proposals for and implementation of waste reduction; and proposals for the review and updating of the Residential Waste Management Plan.

**REASON:** In the interests of sustainable development.

- 26** No development shall commence on the residential or hotel parts of the site until a detailed design of building and road foundations for that part of the site has been submitted to and approved by the local planning authority in consultation with Thames Water and the Environment Agency. The development shall be carried out in accordance with the approved details.

**REASON:** In order to ensure the protection of groundwater and its abstraction for potable water supply as the site lies within an inner source protection zone of a public water supply and has oil supply pipelines running through the site. Drawing no.31115-Lea149.dwg identifies the residential and hotel parts of the site.

**Note:** Foundation designs using penetrative methods have the potential to cause pollution pathways and will not be permitted unless it has been demonstrated that there is no resultant unacceptable risk to groundwater.

- 27** No development shall commence on site until a groundwater quality monitoring and maintenance plan including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to and approved in writing by the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved

in writing by the Local Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

**REASON:** In order to establish baseline water quality information in case contamination of the public water supply occurs, and if appropriate a suitable remediation strategy, as the site lies within an inner source protection zone of a public water supply.

- 28 If, during development the residential or hotel parts of the site, contamination not previously identified is found to be present at the site then no further development on that part of the site shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

**REASON:** In order to ensure the protection of groundwater and its abstraction for potable water supply as the site lies within an inner source protection zone of a public water supply as the disturbance of the ground for development has the potential to cause pollution pathways. Drawing no.31115-Lea149.dwg identifies the residential and hotel parts of the site.

- 29 No development shall commence on site until details for the provision of a water supply and fire hydrants necessary to meet the fire-fighting needs of the development (including the installation arrangements and the timing of such an installation) have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full accordance with the agreed details.

**REASON:** To ensure that adequate measures for fire-fighting can be incorporated into the development, including the construction phase

- 30 **INFORMATIVE TO APPLICANT:**  
The attention of the applicant is drawn to advice and guidance provided by the Environment Agency within their letter dated 9th April which can be viewed on the Council's website ([www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)).

- 31**      **INFORMATIVE TO APPLICANT:**  
The attention of the applicant is drawn to the contents of the letters from The Wiltshire Fire & Rescue Service, dated 25 March 2015 & 23 October 2015, which can be viewed on the Council's website ([www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)).
- 32**      **INFORMATIVE TO APPLICANT:**  
The attention of the applicant is drawn to the contents of the letter from Fisher German, dated 5 June 2015, which can be viewed on the Council's website ([www.wiltshire.gov.uk](http://www.wiltshire.gov.uk))
- 33**      **INFORMATIVE TO APPLICANT:**  
The attention of the applicant is drawn to the contents of the letter from Wales & West Utilities, dated 17 March 2015, which can be viewed on the Council's website ([www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)).
- 34**      **INFORMATIVE TO APPLICANT:**  
The attention of the applicant is drawn to the guidance contained within the consultation response from the Council's Urban Design Officer, dated 23 November 2015, which can be viewed on the Council's website ([www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)).
- 35**      **INFORMATIVE TO APPLICANT:**  
The attention of the applicant is drawn to guidance provided within the consultation response from the Council's Waste and Environment Service department dated the 30th July 2015 which can be viewed on the Council's website at [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk) . It is recommended that any reserved matters application is designed in accordance with the guidance to ensure the layout is acceptable to the waste management services team.
- 36**      **INFORMATIVE TO APPLICANT:**  
Thames Water advised:  
A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).
- 37**      **INFORMATIVE TO APPLICANT:**

The attention of the applicant is drawn to the requirements of the Highway Authority:

- Any application for the approval of reserved matters should include a suitable area in the site convenient to the path to St John's School for parents to pick up and set down children including a vehicle circulatory turning area.
- Any application for the approval of reserved matters should include for the making up to a 2 metre wide surfaced route of the MARL 30 footpath through the site.

**38      INFORMATIVE TO APPLICANT**

The applicant should contact Thames Water to discuss their proposed development in more detail as Thames Water will seek assurances that they will be able to retain 24 hour access to their assets within the site during the construction and operational phases of the development.

The applicant is also advised to contact Thames Water to discuss their plans for the installation of permanent discharge facilities to enable the flushing of its boreholes. This is likely to run from within the 'pumping station' compound to a suitable location within the local environment across the site of the proposed development. It is recommended that any application for approval of reserved matters addresses this issue.

All enquiries from developers in relation to proposed developments should be made to Thames Waters Developer Services team. Their contact details are as follows:

Thames Water Developer Services, Reading Mail Room, Rose Kiln Court,  
Rose Kiln Lane, Reading, RG2 0BY, Tel: 0800 009 3921, Email:  
[developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)

**39      INFORMATIVE TO APPLICANT:**

The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

**40      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.

- 41 The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website

[www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy)

- 42 **INFORMATIVE TO APPLICANT:**  
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].

- 9 **14/06938/OUT & 14/10461/OUT - Land east of Spa Road, Melksham - Outline application for up to 450 dwellings with associated access and engineering operations, land for extension of medical facilities or community facility, and extension to Eastern Relief Road from Thyme Road to The Spa - Snowberry Lane (amended)**

**The following people spoke against the applications:**

Ms Mareile Feldman, a local resident  
Mr Bryan Clover, a local resident  
Mr Andrew Butterworth, a local resident

**The following person spoke in support of the applications:**

Mr Andy Birch, representing the applicants

The Committee received a presentation from the Case Officer which set out the main issues in respect of the applications. Members were informed that there were two planning applications with identical proposals for the same site by the same developer because it provided the applicant with an opportunity to appeal one application to the Planning Inspectorate for non-determination of the application, whilst still negotiating on the other application with the Planning Authority. In this case application 14/10461/OUT was still before the Authority

for determination by this Council, whilst application 14/06938/OUT had been appealed.

The Council had to advise the Planning Inspectorate by 19 February 2016 of its stance on the appealed application whilst, at the same time, it was considered appropriate to bring application 14/10461/OUT before this Committee for determination. If the decision was made to grant planning permission, then it was unlikely that the appeal, which was scheduled to be heard at a public inquiry in late summer, would be necessary.

Members had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning applications.

Members heard the views of Cllr Jon Hubbard, the local Member, whilst generally in support of the development, did express some concerns. He drew attention to the boundary wall of 3 Farmhouse Court which was listed and should be protected. He also referred to the plan to construct an additional roundabout near the junction of Spa Road and Snowberry Lane and considered that traffic lights should be installed instead in the interests of road safety. He felt that the Eastern Relief Road should be built before commencement of building the houses rather than occupation which could then be used by the construction traffic.

Cllr Roy While, an adjoining local Member, spoke in favour of the development.

After discussion,

**Resolved:**

**(1) In relation to application 14/06938/OUT, the Council advise the Planning Inspectorate that provided the matters set out in (2) below are satisfactorily provided through a legal agreement(s), and subject to the conditions also set out in (2) below, the Council supports the grant of planning permission;**

**(2) In relation to application 14/10461/OUT, that the grant of planning permission be delegated to the Area Development Manager, subject to the prior completion of a legal agreement(s) to cover the following matters:-**

- **Affordable housing**
- **Education**
- **Ecology**
- **Open space and play provision**
- **Highways**
- **Refuse**
- **Village Hall**

**and subject to the conditions set out below:-**

- 1        **The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.**

**REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

- 2        **No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:**

- (a) The scale of the development;**
- (b) The layout of the development;**
- (c) The external appearance of the development;**
- (d) The landscaping of the site;**
- (e) The internal access arrangements**
- (f) The mix and type of housing**

**The development shall be carried out in accordance with the approved details.**

**REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.**

- 3        **An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.**

**REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.**

- 4        **No development above ground level shall commence on site until the details of the materials to be used for the external walls and roofs (including samples if necessary) 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.**

- 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 showing all plant species, supply and planting sizes and planting densities;**
  - \*        proposed seed mix for the neutral grassland areas**
  - \*        finished levels and contours;**
  - \*        means of enclosure;**
  - \*        boundary treatments;**
  - \*        car park layouts;**
  - \*        other vehicle and pedestrian access and circulation areas;**
  - \*        all hard and soft surfacing materials;**
  - \*        minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);**
  - \*        proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);**
  - \*        retained historic landscape features and proposed restoration, where relevant.**
  - \*        arboricultural method statement**
- 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 a satisfactory landscaped setting for the development and the protection of existing important 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 development shall commence on site until a landscape environmental 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 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.

- 8 No development shall commence on site until details of the estate roads, footways, footpaths, cycle tracks, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, and a timetable for implementation and provision of such works has been submitted to and approved in writing by the Local Planning Authority. The development shall then 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 and to ensure that the roads are laid out and constructed in a satisfactory manner.

- 9 No development shall commence on site until a written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority. The approved programme of archaeological work shall then 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, to enable the recording of any matters of archaeological interest.

- 10** No development shall commence on site until a Construction Traffic Management Plan (CTMO) which shall include inter alia, proposals for the phasing of the development, and how this might influence construction traffic routeing, and proposals to ensure that the adjacent highway is kept clear of site detritus has been submitted to and approved in writing by the Local Planning Authority. The development shall then 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 and to ensure that the amenity of the local highway network is adequately protected.

- 11** No development shall commence on site until a dust suppression scheme has been submitted to and approved in writing by the Local Planning authority. This shall be designed to minimise windblown dust from affecting adjoining neighbouring properties. This scheme should cover all the phases of the construction site, including earth works, spoil heap storage, vehicle movements and cutting of materials. The development shall be carried out in accordance with the approved scheme.

**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.

- 12** No development shall commence on site until a noise impact assessment and a scheme for protecting the proposed dwellings and their curtilages from road 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 occupation of any approved residential dwelling.**

**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 protect the amenity of future residents.**

- 13 No development shall commence on site until details of a foul drainage disposal scheme has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details prior to the occupation of any approved building.**

**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.**

- 14 No development shall commence on site until details of a storm drainage disposal scheme has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details prior to the occupation of any approved building.**

**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.**

- 15 No development shall commence on site until details of a surface water management scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The submitted details shall clarify the intended future ownership and maintenance provision for all drainage works serving the site. The scheme shall subsequently be implemented 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 prevent the increased risk of flooding, and ensure future maintenance of the surface water drainage system.**

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

**REASON: 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 and to prevent the increased risk of flooding, and ensure future maintenance of the surface water drainage system.**

- 17 No development shall commence on site until a Landscape and Ecological Management Plan (LEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The development hereby approved shall then be carried out in accordance with the approved details. The content of the LEMP shall include, but not necessarily be limited to, the following information:**

- a) Full specification of habitats to be created, including locally native species of local provenance and locally characteristic species;**
- b) Description and evaluation of features to be managed; including location(s) shown on a site map;**
- c) Landscape and ecological trends and constraints on site that might influence management;**
- d) Aims and objectives of management;**
- e) Appropriate management options for achieving aims and objectives;**
- f) Prescriptions for management actions;**
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-10 year period);**
- h) Details of the body or organisation responsible for implementation of the plan;**
- i) Ongoing monitoring and remedial measures;**
- j) Timeframe for reviewing the plan; and**
- k) Details of how the aims and objectives of the LEMP will be communicated to the occupiers of the development.**

**The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the**

plan will be secured by the developer with the management body (ies) responsible for its delivery.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented.

The LEMP shall be implemented in full 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 to ensure the long-term management of protected and priority habitats and other landscape and ecological features, and to maintain and enhance these habitats and features in perpetuity.

- 18** No development shall commence on site until a habitat creation plan has been submitted to and approved in writing by the Local Planning Authority. The development shall then 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.

- 19** No development shall commence on the relief road until details of how the relief road will be designed to avoid impact on amphibians.

**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 and in the interest of biodiversity

- 20** The construction of dwellings hereby permitted shall not commence on site until details of the storage of refuse, including details of location, size, means of enclosure and materials have been submitted to and approved in writing by the Local Planning Authority. A dwelling shall not be first occupied until the approved refuse storage for that dwelling has been completed and made available for use in accordance with the approved details and it shall be retained in accordance with the

approved details thereafter.

**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

**Reason:** In the interests of public health and safety

- 21 No development shall commence on site until a waste audit regarding the construction of the site (part a-g) of Policy WCS6 of the Waste Core Strategy) has been submitted to and approved in writing by the Local Planning Authority. The development shall then 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

- 22 No external lighting shall be installed on the site until plans showing the type of light appliance, the height direction and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)" and areas to be maintained as dark corridors (including green corridor along the relief road around the southern and eastern sides of the site) 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 including towards designated and non designated heritage assets and to protected ecological species.

- 23 Prior to the occupation of the first dwelling on the site, details of a local signing scheme, in conformity with the Wiltshire Council Wayfinding Strategy, together with a programme for implementation shall be submitted to and approved by the local planning authority. The development shall then be carried out in accordance with the approved details.

**REASON:** In order to encourage sustainable travel in and around the development.

- 24 Prior to the occupation of each dwelling, the roads including footpaths and turning spaces shall be constructed with a

properly consolidated and surfaced to at least binder course level between the dwelling and the existing adopted highway.  
**REASON:** To ensure that the development is served by an adequate means of access

- 25** No dwelling hereby approved shall be occupied until a public art scheme for the site and a timetable for installation has been submitted to and approved in writing by the Local Planning Authority. The development shall then 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, to ensure the proposal complies with the relevant public art policies.
- 26** Demolition or construction works on the site hereby approved shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:30 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.  
**REASON:** In the interest of protecting the amenity of nearby residential properties.
- 27** The dwellings hereby permitted shall meet the relevant requirements of energy performance equivalent to Level 4 of the Code for Sustainable Homes. The development shall not be occupied until a final Code Certificate has been issued for it certifying that Code Level 4 or its equivalent has been achieved.  
**REASON:** To comply with Core Policy 41 of the Wiltshire Core Strategy 2015.
- 28** The development hereby permitted shall be carried out in accordance with the following approved plans:  
4769: L-03 C received on 16th January 2015  
4769: L-04 E, L-05 D, L-06E, L-07 E, L-08 C received on 8th December 2015  
10154-HL-07 D received on 15th January 2016  
10154-HL-04 C received on 18th January 2016  
10154-HL-03B, 10154-HL-05B received on 26th January 2016  
**REASON:** For the avoidance of doubt and in the interests of proper planning.

- 1 **INFORMATIVE:** 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 ??
  
- 2 **INFORMATIVE:** In order to discharge the surface water management scheme the Environment Agency would expect to see the inclusion of the following:
  - A clearly labelled drainage layout plan showing the pipe networks and (where appropriate) any attenuation ponds, soakaways and drainage storage tanks. This plan should show any pipe node numbers referred to in the drainage calculations and the invert and cover levels of manholes;
  - A manhole schedule;
  - Model runs to demonstrate that the critical storm duration is being used;
  - Confirmation of the appropriate discharge rates and volumes, with any flow control devices indicated on the plan with the rate of discharge stated; It is noted that discharge is to be to a single ditch. This ditch must currently receive flows from this site and the post development discharge rate and volume into that ditch must not exceed the existing rate and volume of discharge into the ditch. A 'site-wide' catchment analysis will be required to verify how much of the site currently flows into the ditch and hence to determine the acceptable flows.
  - Calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 critical duration storm event;
  - Exceedence flow can occur during short but very intense rain storms, or if system lockage occurs etc. The large volume of runoff generated from impermeable surfaces during such events may not all be captured by the drainage system and unless otherwise intercepted a proportion would flow downslope possibly onto land under other ownership. For surcharge / flooding from the system, overland flood flow routes and "collection" areas on site (e.g. car parks, landscaping) must be shown on a drawing. CIRIA good practice guide for designing for exceedance in urban drainage (C635) should be used. The run-off from the site during a 1 in 100 year storm plus an allowance for climate change must be contained within the site and must not reach unsafe depths on site;
  - A 30% allowance for climate change should be incorporated into the scheme in accordance with PPS25;
  - Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.
  - Specification of how the scheme will be maintained and

managed after completion.

- 3 **INFORMATIVE:** The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website  
[www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy)
- 4 **INFORMATIVE:** The applicant is advised that the reserved matters application should include low-rise development to ensure no harm is raised to the significance of the existing built historic environment.
- 5 **INFORMATIVE:** 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.
- 6 **INFORMATIVE:** Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. 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 and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at:  
<https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>
- 7 **INFORMATIVE:** It is important for the applicant to note that the reserved matters application should respect the setting of the listed buildings and listed walls and should include details of how they will be protected.
- 8 **INFORMATIVE:** The Strategic Planning Committee welcomes the fact that the Developer has agreed to form a Neighbourhood Liaison Group

10 **Date of the Next Meeting**

**Resolved:**

**To note that the next scheduled meeting of the Committee is due to be held on Wednesday 9 March 2016, at County Hall, Trowbridge, starting at 10.30am.**

11 **Urgent Items**

There were no items of urgent business.

(Duration of meeting: 10.30 am - 2.35 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic & Members' Services, direct line 01225 713035, e-mail [roger.bishton@wiltshire.gov.uk](mailto:roger.bishton@wiltshire.gov.uk)

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

## **NORTHERN AREA PLANNING COMMITTEE**

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### **MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 17 FEBRUARY 2016 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.**

#### **Present:**

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice-Chairman), Cllr Christine Crisp, Cllr Chris Hurst, Cllr Mark Packard, Cllr Sheila Parker, Cllr Toby Sturgis, Cllr Chuck Berry, Cllr Howard Greenman, Cllr Howard Marshall, Cllr Philip Whalley (Substitute)

#### **Also Present:**

Cllr Alan Hill, Mark Staincliffe (Planning Officer), Mathew Pearson (Planning Officer), Will Oulton (Senior Democratic Services Officer), Natalie Heritage (Democratic Services Officer)

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#### **9 Apologies**

Apologies were received from Cllr Mollie Groom, who was substituted at the meeting by Cllr Philip Whalley.

Apologies were also received from Cllr Terry Chivers and Cllr Glenis Ansell

#### **10 Minutes of the previous Meeting**

The minutes of the meeting held on 27 January 2016 were presented.

#### **Resolved:**

**To approve as a true and correct record and sign the minutes.**

#### **11 Declarations of Interest**

Cllr Whalley declared an interest in agenda item no.18, because he sat on the Corsham Town Council. He declared that he would participate in the debate and vote for each item with an open mind.

Cllr Mashall declared an interest in agenda items 16 and 17 because he sat on the Calne Town Council. He declared that he would participate in the debate and vote for each item with an open mind.

12 **Chairman's Announcements**

The Chairman drew the meeting's attention to the following matters: The evacuation procedures; the procedure for public participation; and the policy on recording and broadcasting of meetings.

13 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation and that there were no questions submitted.

14 **Planning Appeals**

The Committee noted the contents of the appeals update and the Chairman noted that such reports would be provided at each meeting of the Committee.

15 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and published online under agenda supplement 1, in respect of applications **Marden Farm, Calne** and **Land at Bradford Road, Corsham** as listed in the agenda pack.

16 **15/10682/FUL Marden Farm, Calne**

Anne Henshaw and Sue Baker spoke against the application.

Andy Cockett spoke in support of the application.

Kate Moorly (Calne Without Parish Council) spoke against the application.

The planning officer, Mark Staincliffe, introduced the report which recommended to delegate authority to the Area Development Manager to grant planning permission, subject to the signing of a Section 106 agreement within 6 months of the date of the resolution of this Committee and the conditions and informatives, as amended by the late observations, outlined in the report. In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe, to then delegate authority to the Area Development Manager to REFUSE planning permission for the reasons set out in the report. The application was for the development of 56 residential dwellings, open space, landscaping, sustainable urban drainage, vehicular access and associated infrastructure and engineering works; plans and maps relating to the proposal and the previously permitted application were shown. It was highlighted that an application had been granted for the entirety of the site at appeal.

The officer explained that an 85 bedroom dementia care home had been previously consented, however, the applicant had been unable to secure an

operator and the application now sought permission to construct 56 residential units in lieu of the care home. It was outlined that the parking requirements met the Council's plans and consultations had been favourable subject to the planning application. The officer further stated that the dementia care home had the benefit of full planning permission and could be implemented immediately, subject to discharging any pre-commencement conditions. The principle of built development in this location had therefore been established; furthermore, there were no requirements for the dementia care home to be built within the newly proposed residential area in policy terms or by way of legal agreement.

The officer drew attention to the late observations for the item and highlighted that outside of the red outline on the map, access had already been constructed and granted planning permission and hence, the fact that condition 6 be deleted was noted in the late observation.

The Committee was then invited to ask technical questions, for which there were none.

Members of the public were then invited to speak, as detailed above.

The division member for Calne South, Cllr Hill, was permitted to speak and several raised concerns, such as:

Wiltshire required a dementia care home and thus, this should be delivered; a dementia care home, as opposed to the proposed residential site, would provide additional employment opportunities to the immediate Calne area; the site had only been marketed for 1 year for someone to agree to build the care home and this was not sufficient; the site had been established as intended for business and the Council should safeguard this; the core strategy stated that housing growth must be carefully balanced with job creation; attention and due respect ought to have been given to the later stages of the neighbourhood plan.

Local member, Cllr Crisp, noted that she shared Cllr Hill's concerns and raised further concerns such as: there would be 120 employment opportunities once the care home was built in comparison to 39 construction employment opportunities per year, yet for the construction side, this would only be whilst the proposed site was being erected; the site was situated on a greenfield site; demonstrable harm could occur, due to the increased traffic flow upon those who lived in close proximity to the site.

Following the statements, the planning officer advised that the planning inspector had established the principle of built development for the site and that the applicant had voluntarily sought to locate a new provider for the dementia care home. Indeed, he stressed that it had not been a requirement for the applicant to locate a new provider for the previously proposed care home. The officer then outlined that the 1 year marketing exercise was deemed as

acceptable, as government guidance, such as paragraph 22 of the NPPF, discourages the retention of undeliverable sites & appeal decisions have confirmed that a 6 month marketing exercise is acceptable. He also advised that there were no protection policies for sites, such as the one in question and that the Calne neighbourhood plan was not sufficiently advanced to have been given significant weighting in the decision making process. It was stated that to regard the Calne neighbourhood plan as significantly advanced could lead to an error in law. The officer highlighted that there had been no conclusions of adverse impacts on the surrounding area.

The Chairman raised the issue of separation distances between the proposed site and the current residential dwellings in the area. The officer advised that houses in the Knowle were more likely to be affected than houses in the Fairway, however, it was advised that additional landscaping could not be provided as this could compromise the proposed access road to the Bowood Estate and was not necessary; as the separation distance was adequate to ensure that there would be no significant adverse impact on adjoining properties.

In the debate that followed several issues were raised, such as the following: the harm to the local area would be greater if the proposed residential dwellings were to be built, as opposed to the dementia care home; housing growth ought to be delivered at an appropriate rate as per Core Policy 8; that certain Core Policies were not applicable to this site and thus, it would be prudent for members to only quote and refer to applicable policies in relation to this application; as the council do not currently have a 5 year housing land supply of deliverable housing site, paragraph 49 of the NPPF is engaged and there is no reason to withhold permission and deliver further housing at this site.

Cllr Crisp, seconded by Cllr Marshall, proposed that the application be refused. The motion was put to the vote and failed.

The Committee shared the local community's desire for a new care home, yet noted that Core Policy 46 was not applicable, nor was policy Core Policy 35, as the consented use did not fall into us class B1, B2 or B8.

Cllr Hutton, seconded by Cllr Sturgis, moved the officer's recommendation. The motion was put to the vote and passed.

**Resolved:**

**That authority is delegated to the Area Development Manager to GRANT planning permission, subject to conditions listed below and completion of a S106 legal agreement within six months of the date of the resolution of this Committee.**

**In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the**

**Area Development Manager to REFUSE planning 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; Air Quality Management and is therefore contrary to Policies CP3 & CP43 of the Wiltshire Core Strategy adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.**

**CONDITIONS AND INFORMATIVES:**

- 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:**

**D29 16 P4 Rev A - Tree Protection Plan  
Received 11 November 2015  
MARD-15-04-01 rev A - Site Location Plan  
MARD-15-04-02 rev B - Planning Layout  
MARD-15-04-03 rev C - Proposed Materials Layout  
MARD-15-04-04 rev B - Enclosures Layout  
MARD-15-04-05 rev B - Storey Heights Layout  
MARD-15-04-06 rev B - Adoption Layout  
394-CH-010 rev D - Drainage Strategy  
RED20064-11B Sheet 1 - Landscape Proposals rev B  
RED20064-11B Sheet 2 - Landscape Proposals rev B  
RED20064-11B Sheet 3 - Landscape Proposals rev B  
RED20064-11B Sheet 4 - Landscape Proposals rev B  
RED20064-11B Sheet 5 - Landscape Proposals rev B  
Received 25 January 2016  
House Types Booklet rev C  
Received 26 January 2016**

**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. 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 buildings 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.

5. No development shall commence on site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The development shall not be first occupied until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture have all been constructed and laid 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, to ensure that the roads are laid out and constructed in a satisfactory manner.

6. 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 be maintained free of obstruction at all times thereafter.

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

7. 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 garages hereby permitted shall not be converted to habitable accommodation.

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

8. No construction works shall take place anywhere on the site outside the hours of 0730 and 1800 on Mondays-Fridays and 0800 and 1300 on Saturdays. Works shall not take place at any time on Sundays and Bank or Public Holidays. No burning of waste or other materials shall take place anywhere on the site at any time.

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

9. 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 and information regarding existing ordinary watercourses within the site (as well as pollution protection to the proposed attenuation pond), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

**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 that the development can be adequately drained.

10. No development shall commence on site until a scheme for the discharge of foul water from the site, including full details of pumping station/finishes/fencing/prevention measure to prevent pollution of proposed adjacent attenuation pond and other SUDS

features, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

**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 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.

**11.** No development shall commence on site (other than that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition), until steps (i) to (iii) below have been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until step (iv) has been complied with in full in relation to that contamination. Step (i) Site Characterisation: An investigation and risk assessment must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority. The report of the findings must include: - A survey of the extent, nature and scale of contamination on site; - The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages; - If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants; - An assessment of the potential risks to - human health, - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, - adjoining land, - groundwater and surface waters, - ecological systems, - archaeological sites and ancient monuments. This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance. Step (ii) Submission of Remediation Scheme: If any unacceptable risks are identified as a result of the investigation and assessment referred to in step (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This

should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures. Step (iii) Implementation of Approved Remediation Scheme: The approved remediation scheme under step (ii) must be carried out in accordance with its requirements. The Local Planning Authority must be given at least two weeks written notification of commencement of the remediation scheme works. Step (iv) Reporting of Unexpected Contamination: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment should be undertaken in accordance with the requirements of step (i) above and where remediation is necessary, a remediation scheme should be prepared in accordance with the requirements of step (ii) and submitted to and approved in writing by the Local Planning Authority. Step (v) Verification of remedial works: Following completion of measures identified in the approved remediation scheme a verification report (referred to in PPS23 as a validation report) must be produced. The report should demonstrate the effectiveness of the remedial works. A statement should also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the approved scheme have been carried out (The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage (ii) above). The verification report and signed statement should be submitted to and approved in writing of the Local Planning Authority. Step (vi) Long Term Monitoring and Maintenance: If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in the scheme approved pursuant to step (ii) above, until all the remediation objectives in that scheme have been achieved. All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

**REASON:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

**12. No development shall commence until a Landscape, Ecological and Arboricultural Management Plan (LEAMP) has been submitted to and approved in writing by the Local Planning Authority. The submitted LEAMP shall have particular regard to the measures secured under Condition 21 of the permission N/12/04038/FUL and the addendum to the Ecological Impact Assessment (dated 20th October, 2015) so as to support and enhance the ecological mitigation measures previously agreed. All capital works shall be carried out to the approved timescales and all areas identified in the LEAMP shall be managed in accordance with the approved prescriptions in perpetuity. All monitoring reports shall be submitted in writing to the local planning authority.**

**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 adequate protection, mitigation and compensation for protected species, priority species and habitats.

**13. No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following: a) the parking of vehicles of site operatives and visitors; b) loading and unloading of plant and materials; c) storage of plant and materials used in constructing the development; d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; e) wheel washing facilities; f) measures to control the emission of dust and dirt during construction; g) a scheme for recycling/disposing of waste resulting from demolition and construction works; h) measures for the protection of the natural environment; 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:** 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 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.

**14. 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.

**15. INFORMATIVE TO APPLICANT:**

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].

**16. INFORMATIVE TO APPLICANT:**

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.

**17. 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.

**18. INFORMATIVE TO APPLICANT:**

The applicant should note that any works on, over or near (within 8m of top of bank) an ordinary water course will require a separate formal Land Drainage Consent application and approval, as will any new proposed connection.

**19. 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.

**20. INFORMATIVE TO APPLICANT:**

The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website [www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communit yinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communit yinfrastructurelevy)

17 **15/11230/OUT Land East of Oxford Road, Calne**

Anne Henshaw spoke against the application.

The planning officer, Mathew Pearson, introduced the report which recommended that authority be delegated to the Area Development Manager to grant planning permission, subject to the completion of a Section 106 legal agreement within 6 months of the resolution of this Committee and the conditions and informatives listed in the report. In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe, to then delegate authority to the Area Development Manager to REFUSE planning permission for the reasons set out in the report. The application was for the construction of 42 homes and associated landscaping; photographs and a map of the site were shown. It was highlighted that the site was on agricultural land; which was outside of the settlement boundary, however, due to the 5 year land supply, Core Policy 2 was not considered up to date and thus, the application would be judged against the NPPF; specifically paragraphs 14-49, which advised that permission should be given unless adverse impacts would significantly and demonstrably outweigh the benefits. The officer noted that national policy regarded housing as a significant benefit and therefore, recommended that the Committee approve the application with regard to the position the Council found itself in, in terms of national policy. The officer outlined that to the North of the proposed application site, an application would be going to a planning appeal for 41 units, as opposed to the proposed 42 units on the proposed application site.

The Committee was then invited to ask technical questions and it was confirmed that there had been an approved planning application for the construction of the supermarket store 'Tesco's' and that this application was still live, it was noted that the proposed 'Tesco's', along with a couple of already established residential dwellings, would be on the opposite side of the road to the proposed development. It was highlighted that the lead time in appeals was 10 months. Concern was raised by members that the proposed land had been allocated for joint industrial and residential use and, therefore, if the erection of the 42 dwellings was to be permitted, there would be a minimal amount of the land left for industrial use. The officer explained that the site to the North of the proposed site was the site allocated for employment and not the site being subjected to permission at the meeting.

Members of the public were then invited to speak, as detailed above.

Cllr Ansell had sent her apologies for her absence at the meeting and thus, as Cllr Hill's ward was adjacent to Cllr Ansell's ward, the Chairman permitted Cllr Hill to speak on Cllr Ansell's behalf.

Cllr Hutton sought clarification on conditions that referred to public protection and archaeology. The officer confirmed that contamination and archaeology conditions were included in the list of conditions.

Cllr Sturgis, seconded by Cllr Hutton, moved the officer's recommendation as outlined in the report. The motion was put to the vote and passed.

**Resolved:**

**That authority is delegated to the Area Development Manager to GRANT planning permission, subject to conditions listed below and completion of a S106 legal agreement within six months of the date of the resolution of this Committee.**

**In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Area Development Manager to REFUSE planning 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; Air Quality Management 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.**

**CONDITIONS AND INFORMATIVES:**

**1 No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:**

- (a) The scale of the development;**
- (b) The layout of the development;**
- (c) The external appearance of the development; and**
- (d) The landscaping of the site.**

**The development shall be carried out in accordance with the approved details.**

**REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.**

**2** An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

**REASON:** To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

**3** The reserved matters to be submitted pursuant to Condition 1 above shall relate to a scheme comprising up to 42no. dwellings and no more, together with associated landscaping including on-site public open space and play provision.

**REASON:** In order to secure an appropriate quantum of development for the application site.

**4** The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan: 01112/02 - Topographical Survey; 1097-F01 - Proposed Site Access Junction Received 13 November 2015

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

**5** The development hereby permitted shall not be first occupied until the access to the site has been laid out and properly consolidated as detailed on plan number Drawing 1097-F01 'Proposed Site Access Junction' Rev -, dated July 2015.

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

**6** No dwelling shall be occupied until the access to the development has been provided with visibility splays with nothing to exceed the height of 600mm above carriageway level from a point 2.4 metres back along the centre line of the access to points on the nearside carriageway edge 160 metres to the north, and 160 metres to the south. The visibility so provided shall thereafter be maintained in accordance with drawing 1097-F01 'Proposed junction analysis'. Any vegetation/ hedgeline shall set back at least 1m from the visibility splay and maintained as such thereafter, in perpetuity.

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

**7** No part of the development shall be brought into occupied until a 2m - 2.5m wide footway/shared use path has been provided over the entire site frontage in accordance with details to be first submitted to and approved by the Local Planning Authority. The details to be submitted

shall include for the relocation of the existing lighting columns to the rear of the new footway and proposals for hedgeline / vegetation to the rear of the new footway.

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

**8** No part of the development shall be occupied until a 2m - 2.5 metres wide footway/shared use path including new roadside kerbs has been provided on the highway verge on the western side of the C394 road, between the end of the existing footway near 249 Oxford Road and the end of the shared use cycleway just north of the access to New Cottages, in accordance with details to be first submitted to and approved by the Local Planning Authority. The details to be submitted shall include for the relocation of the existing lighting columns and proposals for hedgeline / vegetation to the rear of the new footway.

**REASON:** in the interests of safe and convenient pedestrian access to the development.

**9** No dwelling shall be occupied until a pedestrian crossing / refuge has been provided over the C394 in accordance with details to be first submitted to and approved by the Local Planning Authority.

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

**10** No development shall take place until a Residential Travel Plan has been submitted and approved in writing by the Local Planning Authority. The Residential Travel Plan shall be actioned in accordance with details approved by the Local Planning Authority prior to first occupation.

**REASON:** In the interests of road safety and reducing vehicular traffic to the development.

**11** No development shall commence on site until details of refuse and recycling facilities (including location and range of facilities and their means of operation) have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall not be first occupied until the approved recycling facilities have been completed and made available for use in accordance with the approved details. The approved recycling storage shall thereafter be maintained in accordance with the approved details.

**REASON:** In the interests of public health and safety.

**12** No development shall commence on site until a scheme for the discharge of stormwater water from the site, including any required off

site capacity improvements required to receive flows together with a connection point agreed with the sewerage undertaker and timetable, has been submitted to and approved in writing by the Local Planning Authority.

The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme, including any required off site works/improvements within the agreed timetable.

**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 that the development can be adequately drained.

**13** No development shall commence on site until a scheme for the discharge of foul water from the site, including any required off site capacity improvements required to receive flows together with a connection point agreed with the sewerage undertaker and timetable, has been submitted to and approved in writing by the Local Planning Authority.

The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme, including any required off site works/improvements within the agreed timetable.

**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 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.

**14** No development shall commence on site (other than that required to be carried out as part of a scheme of remediation approved by the Local Planning Authority under this condition), until steps (i) to (iii) below have been fully complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until step (iv) has been complied with in full in relation to that contamination.

**Step (i) Site Characterisation:**

An investigation and risk assessment must be completed to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings

submitted to and approved in writing by the Local Planning Authority. The report of the findings must include:

- A survey of the extent, nature and scale of contamination on site;
- The collection and interpretation of relevant information to form a conceptual model of the site, and a preliminary risk assessment of all the likely pollutant linkages;
- If the preliminary risk assessment identifies any potentially significant pollutant linkages a ground investigation shall be carried out, to provide further information on the location, type and concentration of contaminants in the soil and groundwater and other characteristics that can influence the behaviour of the contaminants;
- An assessment of the potential risks to
  - o human health,
  - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
  - o adjoining land,
  - o groundwater and surface waters,
  - o ecological systems,
  - o archaeological sites and ancient monuments;

This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

**Step (ii) Submission of Remediation Scheme:**

If any unacceptable risks are identified as a result of the investigation and assessment referred to in step (i) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

**Step (iii) Implementation of Approved Remediation Scheme:**

The approved remediation scheme under step (ii) must be carried out in accordance with its requirements. The Local Planning Authority must be given at least two weeks written notification of commencement of the remediation scheme works.

**Step (iv) Reporting of Unexpected Contamination:**

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment should be undertaken in accordance with the requirements of step (i) above and where remediation is necessary, a remediation scheme should be prepared in accordance with the requirements of step (ii) and submitted to and approved in writing by the Local Planning Authority.

**Step (v) Verification of remedial works:**

Following completion of measures identified in the approved remediation scheme a verification report (referred to in PPS23 as a validation report)

must be produced. The report should demonstrate the effectiveness of the remedial works.

A statement should also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the approved scheme have been carried out (The Local Planning Authority can provide a draft Remediation Certificate when the details of the remediation scheme have been approved at stage

(ii) above). The verification report and signed statement should be submitted to and approved in writing of the Local Planning Authority.

**Step (vi) Long Term Monitoring and Maintenance:**

If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in the scheme approved pursuant to step (ii) above, until all the remediation objectives in that scheme have been achieved. All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

**REASON:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

15 The mitigation measures detailed in the approved Ecological Assessment (Resource & Environmental Consultants Ltd, April 2014 and October 2015), together with a timetable for implementation and measures to secure sensitive retention of mature and over mature trees within the development layout and a buffer of public open space / landscaping between the residential units and the wetland area to the south of the site, to be first agreed in writing by the Local Planning Authority, shall be carried out in full prior to the first occupation of the development hereby approved.

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

16 No development shall commence on site until:

a) A written programme of archaeological investigation, which should include on- site work and off-site work such as the analysis, publishing and archiving of the results, 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, the results and recommendations recorded and submitted to and approved in writing by the Local Planning Authority.

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

**17 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.

**18 INFORMATIVE TO APPLICANT:**

The applicant is reminded of the need to obtain separate Land Drainage Consent in respect of any alterations to existing watercourses, or works within 8m of the top of any bank thereto.

**19 INFORMATIVE TO APPLICANT:**

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].

**20 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.

**21 INFORMATIVE TO APPLICANT:**

The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority.

Should you require further information with regards to CIL please refer to the Council's Website

[www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrasturcturelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrasturcturelevy)

**18 15/10519/OUT - Land at Bradford Road, Corsham**

Paul Turner, David Taylor and Tony Clarke spoke against the application.

Dan Washington spoke in support of the application.

Peter Pearson (Corsham Town Council) spoke against the application.

The planning officer, Mark Staincliffe, introduced the report which recommended to delegate authority to the Area Development Manager to grant planning permission subject to the signing of a Section 106 agreement within 6 months of the date of the resolution of this Committee and the conditions and informatives, as amended by the late observations, outlined in the report. In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe, to then delegate authority to the Area Development Manager to REFUSE planning permission for the reasons set out in the report. The application was for the development of 170 dwellings, including a medical centre/community hall; photographs and a map were shown. It was highlighted that the proposed application was a resubmission of application 14/04179/OUT, that had been dismissed at a planning appeal. The officer explained that 2 days prior to the item being heard previously, serious concern had been raised by ecologists and Natural England that surveys on bats had not been undertaken and thus, the reason for refusal of the application had been based on ecological grounds. It was confirmed that this was then appealed and that the planning inspector had purely refused the application on ecological grounds and had not cited any additional reasons for refusal, for which he had been at liberty to do.

The officer then drew the meeting's attention to the late items included in the agenda supplement and stated that Natural England had not raised any objections to the granting of planning permission to the proposed site. It was confirmed that both ecologists and Natural England were satisfied that work could be carried out, without endangering any protected species.

The officer explained that Core Policy 2 was no longer engaged, as there was no ability to demonstrate a 5 year land housing supply. It was noted that central government outlined that planning should be granted, where there was not a 5 year housing supply, unless any adverse impacts significantly and demonstrably outweighed the benefits.

The Committee was then invited to ask technical questions and it was confirmed that the maintenance of the public open spaces in the proposed application would be controlled by a management company, of which the owners of the proposed properties would pay for. Also, that to develop on the area marked within the blue line on the map would require additional planning permission. Further, that conditions 17 and 18 listed in the report denoted that there would be 2 refuge points on either side of the road; that pedestrians would be able to cross the road from the proposed site and that the additional noted 4 cars on the road related to the number of additional queuing vehicles on the road; which is how the Local Authority determined additional road users. It was then confirmed that the proposed site layout was only an indicative map and that there was likely to be onsite flood mitigation features to ensure that the

development would not contribute to an increase in flooding, but this would be resolved by way of planning condition and further information. The officer remarked that there was a mistake in the report and that there had been no objection from any drainage comments.

The officer also confirmed that education contributions would be made if the proposed application was to be accepted and that the Corsham schools would be expanded to provide additional pupil places, as a result of the proposed development. Indeed, there was an excess of £1 million to ensure there would be sufficient capacity at the Corsham schools.

Members of the public were then invited to speak, as detailed above.

Cllr Trotman raised objections on behalf of the local member, Cllr Tonge.

Following the statements, concern was raised by members over the lack of a 5 year housing supply and thus, how it was a greater challenge for them to exercise their decision making powers. Concern was also raised about how Corsham had surpassed the Core Strategy target for 2026 and it was expressed that such a development could endanger the quality of life in Corsham and could be deemed as environmentally unsustainable for the area. The officer advised that an environmental statement would require months of work and that, as it had been stated that one was not needed when a screening opinion was carried out, it was unlikely that the applicants would submit one given. It would be likely that the applicants would appeal for non-determination of the application if committee deferred on this basis. An environmental statement was not submitted or requested when considering the previous application or appeal.

Cllr Whalley, seconded by Cllr Greenman, moved to defer the application until the cumulative impact on Corsham through a full environmental impact assessment had been conducted. The motion was put to the vote and failed.

Cllr Trotman, seconded by Cllr Hutton, moved the officer's recommendation to grant planning permission, subject to the late representations and that heads of terms of agreement were to be replaced by conditions. The motion was put to the vote and passed.

**Resolved:**

**That authority is delegated to the Area Development Manager to GRANT planning permission, subject to conditions listed below and completion of a S106 legal agreement within six months of the date of the resolution of this Committee.**

**In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the**

**Area Development Manager to REFUSE planning 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; Air Quality Management 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.**

**1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.**

**REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

**2 No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority: (a) The scale of the development; (b) The layout of the development; (c) The external appearance of the development; (d) The landscaping of the site. The development shall be carried out in accordance with the approved details.**

**REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.**

**3 An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.**

**REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.**

**4 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 buildings 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.

**5** If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

**REASON:** To protect controlled waters from pollution.

**6** No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following: a) the parking of vehicles of site operatives and visitors; b) loading and unloading of plant and materials; c) storage of plant and materials used in constructing the development; d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; e) wheel washing facilities; f) measures to control the emission of dust and dirt during construction; g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and h) measures for the protection of the natural environment; i) hours of construction, including deliveries; has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

**REASON:** 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 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.

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

**3657/203**

**12731-500-001 Sheet 1,2 & 3**

**FIGURE 4.1**

**FIGURE 4.2**

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

**8** No more than 170 dwellings shall be developed on the application site edged red on the submitted Site Plan.

**REASON:** For the avoidance and in the interest of proper planning

**9** The development hereby approved shall not commence 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:** There is limited capacity within the downstream sewerage system to accommodate the predicted foul flow from the proposed development. Network modelling of the foul sewerage system is required to ascertain the nature and extent of capacity improvements. The condition will 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 properties.

**10** Details submitted as part of any reserved matters application for the site shall be in accordance with the mitigation measures set out in the submitted document 'Land at Bradford Road, Corsham: Summary of Results and Proposed Mitigation' (Engain, 2015) and the Council's appropriate assessment for this application (dated 27/12/15).

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

**11** Prior to the commencement of development, an Ecological Management and Monitoring Plan shall be submitted to and approved in writing by the Local Planning Authority. The Ecological Management and Monitoring Plan shall be in general accordance with the measures set out in the submitted 'Land at Bradford Road, Corsham: Summary of Results and Proposed Mitigation' document, and provide full details for the establishment and long-term management of semi-natural features within the site, including:

- " Translocation of sections of the existing hedgerow along Bradford Road "
- " Establishment of all new areas of planting / landscaping "
- " Establishment of wildflower grassland "
- " Establishment of wetland habitats within the SUDs "

" Long-term management of all hedgerows, woodland, grassland and wetland habitat features

" A schedule for monitoring of the condition of newly established habitat features, and post-development bat activity at the site.

The site shall be maintained in accordance with the long-term management measures set out in the Ecological Management and Monitoring Plan unless otherwise agreed in writing by the Local Planning Authority. Results of ecological monitoring shall be submitted to the Local Planning Authority in accordance with the monitoring schedule.

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

12 Any reserved matters application shall be accompanied by a lighting scheme for that part of the site, including a lux plot clearly demonstrating that dark corridors (<1 lux) will be retained in accordance with the submitted 'Land at Bradford Road, Corsham: Summary of Results and Proposed Mitigation' document, and the Council's appropriate assessment of this application (dated 27/12/15).

**REASON:** To ensure that the proposed lighting doesn't have a detrimental impact on protected species..

13 No part of the development hereby approved shall be commenced until details of refuse and recycling facilities (including location and range of facilities and their means of operation) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter retained.

**REASON:** In the interest of the visual amenity of the area and in the interests of public safety.

14 No development shall commence on site until a scheme for the discharge of stormwater water from the site, including any required on site or off site capacity improvements required to receive flows together with a connection point agreed with the sewerage undertaker and timetable, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme, including any required off site works/improvements within the agreed timetable.

**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 that the development can be adequately drained.

**15** No development shall commence until a foul and surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The scheme shall include details of how the scheme shall be maintained and managed after completion. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

**REASON:** To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

**16** Prior to the first occupation of any dwelling the pedestrian visibility splays and the footway alterations on drawing Transport Assessment Figure 4.4 SK03 shall be provided and thereafter permanently retained.

**REASON:** In the interest of highway and pedestrian safety.

**17** Prior to the first occupation of any dwelling the pedestrian refuge, visibility splays and bus layby on drawing Transport Assessment Figure 4.5 SK05 shall be provided and thereafter permanently retained

**REASON:** In the interest of highway and pedestrian safety.

**18** Prior to the first occupation of any dwelling the pedestrian refuge and visibility splays on drawing Transport Assessment Figure 4.6 SK06 shall be provided and thereafter permanently retained.

**REASON:** In the interest of highway and pedestrian safety.

**19** Prior to the first occupation of any dwelling the visibility splays at the Park Lane access of 2.4 x 120 metres in each direction at a height not exceeding 600mm above carriageway level shall be provided and thereafter permanently retained.

**REASON:** In the interest of highway and pedestrian safety.

**20** Prior to the first occupation of any dwelling the visibility splays at the Bradford Road access of 2.4 x 160 metres in each direction at a height

not exceeding 600mm above carriageway level shall be provided and thereafter permanently retained.

**REASON:** In the interest of highway and pedestrian safety.

**21** Prior to the first occupation of any dwelling the pedestrian refuge and visibility splays on drawing Transport Assessment Figure 4.7 SK07 shall be provided and thereafter permanently retained.

**REASON:** In the interest of highway and pedestrian safety.

**22.** Prior to the occupation of the 50<sup>th</sup> dwelling on site full details of the improvement scheme at A4 / B3109 shall have been submitted to and approved in writing by the local planning authority and implemented as approved and permanently maintained in operation thereafter unless the roundabout secured at appeal under application 13/05188/OUT is implemented first. Should the roundabout secured under application 13/05188/OUT be implemented after the works approved and implemented by this condition there will be no requirement for the works approved by this condition to be permanently maintained.

**23.** No building hereby approved shall be occupied before a travel plan has been submitted to and approved in writing by the local planning authority. The travel plan shall be implemented as approved and permanently maintained in operation thereafter

**24.** No building hereby approved shall be occupied before a travel plan has been submitted to and approved in writing by the local planning authority. The travel plan shall be implemented as approved and permanently maintained in operation thereafter.

**25.** No building hereby approved shall be occupied before a scheme for the right turning lane at the access from Bradford Road including resurfacing and visibility splays has been implemented in accordance with details which shall first have been submitted to and approved in writing by the local planning authority.

**26.** No building hereby approved shall be occupied before a scheme for the right turning lane at the access from Park Lane including resurfacing and visibility splays has been implemented in accordance with details which shall first have been submitted to and approved in writing by the local planning authority.

**27.** No building hereby approved shall be occupied before a scheme for street lighting improvements over the Park Lane frontage of the site and a scheme for street lighting improvements of Bradford Road over the site frontage and as far as Toghill Crescent has been implemented

in accordance with details which shall first have been submitted to and approved in writing by the local planning authority.

28. No building hereby approved shall be occupied before a scheme for the Widening and resurfacing of the footway between the Bradford Road site access and the Toghill Crescent area (as shown on TA drawing Figure 4.1) has been implemented in accordance with details which shall first have been submitted to and approved in writing by the local planning authority. The scheme shall make provision for the relocation of any lighting columns and electricity or telephone poles within the footway.

29. No building hereby approved shall be occupied before a scheme for the proposed minor highway improvement at the A4 / B3353 mini roundabout and minor highway improvement at the A4 Bath Road / Park Lane mini roundabout has been implemented in accordance with details which shall first have been submitted to and approved in writing by the local planning authority.

**INFORMATIVE TO APPLICANT:**

Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses the site. You are advised to contact the PROW officer on [INSERT]

**INFORMATIVE TO APPLICANT:**

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.

**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.

**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.

**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.**

**INFORMATIVE TO APPLICANT:**

**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].**

19 **Urgent Items**

There were no urgent items.

(Duration of meeting: 15:00-18:02)

The Officer who has produced these minutes is Natalie Heritage, of Democratic Services, direct line 01225 718062, e-mail [natalie.heritage@wiltshire.gov.uk](mailto:natalie.heritage@wiltshire.gov.uk)

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## **NORTHERN AREA PLANNING COMMITTEE**

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### **MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 9 MARCH 2016 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.**

#### **Present:**

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice Chairman), Cllr Mollie Groom, Cllr Mark Packard, Cllr Sheila Parker, Cllr Toby Sturgis, Cllr Chuck Berry, Cllr Terry Chivers, Cllr Howard Greenman and Cllr Jacqui Lay (Substitute)

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#### 20 **Apologies**

Apologies were received from Cllr Crisp.

Cllr Crisp was substituted by Cllr Lay.

#### 21 **Minutes of the Previous Meeting**

The minutes of the meeting held on 17 February 2016 were presented.

#### **Resolved:**

**To approve as a true and correct record and sign the minutes.**

#### 22 **Declarations of Interest**

There were no declarations of interest.

#### 23 **Chairman's Announcements**

The Chairman drew the meeting's attention to the following matters: The evacuation procedures; the procedure for public participation; and the policy on recording and broadcasting of meetings.

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

The Committee noted the rules on public participation and that there were no questions submitted.

25 **Planning Appeals**

The Committee noted the contents of the returned planning appeals update report.

26 **Planning Applications**

27 **15/12096/FUL - 3 Witts Lane, Purton, Wiltshire, SN5 4ER**

Robert Owen spoke against the application.

Mark Camble spoke in support of the application.

Cllr Geoff Greenaway (Purton Parish Council) spoke against the application.

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 application was for the demolition of an existing derelict cottage and the erection of 4 residential dwellings; photographs of the area, a map, a block plan and blueprints were shown. Planning permission for the demolition of the existing dwelling and the erection of four dwellings had previously been permitted, this application was a revision of the previous permission in respect of a 1.3m increase in the overall roof height of the new dwellings, inclusion of dormer windows to the rear elevations; erection of car ports instead of the previously approved attached garages and slightly varied mix of materials.

The officer explained that a new topographical survey had been conducted for the site; a slight reduction in surface level on parts of the site from the previous survey had been identified, however there was a variation in height across the site. It was outlined that there was no set vernacular or design character for the area and thus, the different design of the proposed buildings was not considered by officers to be out of character to the area. The officer informed those present that highways officers were satisfied that there would be sufficient off-street parking for the proposed dwellings, and no objections had been raised by design officers. The increase of 1.3 metres in roof height was not deemed significant enough to warrant refusal of the application, neither did officers consider the fence height to be overbearing. It was confirmed that ground floor slab levels would be a conditional requirement for permission.

Neither drainage engineers nor Thames Water had raised any concerns with the proposal. Members of the public had questioned the longer term maintenance of the proposed underground storage tank for water; the officer informed that the maintenance of the tank could either be through offer of adoption to the statutory undertaker (Thames Water) or to a management

company for the joint responsibility of future occupants of the proposed 4 dwellings.

The Committee was then invited to ask technical questions. The officer confirmed that site levels were indicated on the layout plan and were the same levels as the approved site layout plan and the topographical survey showed that there was a variation in height across the site. The officer explained that this site, as a corner plot, had been designed according to its prominent location. It was confirmed that the proposed 1.8 metre high fence had not been deemed high enough by the planning officers to warrant the application's refusal, nor had the proposed dwellings' height increase of 1.3 metres.

In response to concerns of traffic movement through Witts Lane, the officer confirmed that a Construction Method Statement could be conditioned. A condition on landscaping could also be added, if considered necessary by the Committee. The officer outlined the main advantages of car ports, as opposed to garages and explained that should an individual wish to convert their car port to habitable accommodation involving external alterations, they would need to seek planning permission but without any external alterations consent was not required unless conditions restricted such alterations.

Members of the public were then invited to speak, as detailed above.

The division member, Cllr Lay, supported the principle of development on the site; however, she raised concerns in respect of drainage, parking and roof height. The councillor considered the design was not in keeping with the local, rural area and the increased roof height would dominate neighbouring properties. The councillor also considered the need for conditions on a retaining wall and double yellow lines and hoped the application would be deferred to permit exploration of these issues. The planning officer advised that there were no planning reasons for deferral or refusal of the application.

In the debate that followed, members discussed that the management of the attenuation tank could be agreed following planning permission. Some members of the Committee considered the proposed parking to be insufficient in proportion to the bedroom numbers in the dwellings and felt the development to be too dense and overbearing in this locality. The Committee agreed that, should permission be granted it was important that the ground floor level of the development be established at the lowest height possible. It was acknowledged that ground levels, and therefore ridge height levels, varied in the locality. It was agreed that informatives could be added in respect of floor height, and to refer the consideration of double yellow lines to the Community Area Transport Group (CATG). The Committee considered that an informative to the applicant in respect of construction traffic on Witts Lane could address some concerns of the local member instead of a condition requiring approval of a construction method statement and agreed necessary conditions on landscaping.

Cllr Sturgis, seconded by Cllr Hutton, moved the officer's recommendation with the addition of standard conditions on landscaping and informatives that the lowest height of roof pitch be sought via use of floor slab levels, that Witts Lane is unsuitable as a through route for construction traffic and that need for waiting restrictions may be referred to the Community Area Transport Group as appropriate. The motion was put to the vote and passed.

**Resolved:**

**That planning permission be granted subject to the following conditions:**

**1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

**REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

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

**Revised Site Plan 15/39:01 Rev B received 18.02.16**

**Plot 1 Floor Plans 15/39:02 and Elevations 15/39:03 received 04.12.15**

**Plot 2 Floor Plans 15/39:04 and Elevations 15/39:05 received 04.12.15**

**Plot 3 Floor Plans 15/39:06 and Elevations 15/39:07 received 04.12.15**

**Plot 4 Floor Plans 15/39:08 and Elevations 15/39:09 received 04.12.15**

**Location & Site Plan 15/39:00 received 04.12.15**

**Drainage Foul 15/39:14 received 04.12.15**

**Drainage Storm 15/39:15 received 04.12.15**

**Landscaping Plan 15/39:20 received 04.12.15**

**Bin Store 15/39:21 received 04.12.15**

**Finishes Schedule 15/39:10 received 04.12.15**

**Fences 15/39:22 received 04.12.15**

**Topographical Survey 16625-200-01T received 15.02.16**

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

**3 No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans and has been consolidated and surfaced (not loose stone or gravel). The areas shall be maintained for those purposes at all times thereafter.**

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

**4 With regard to Plot 4, No development shall commence on site until visibility splays have been provided between the edge of the carriageway**

and a line extending from a point 2m metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 33metres to the east and 20metres to the west from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 0.6m above the level of the adjacent carriageway.

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

**5** No part of the development hereby permitted shall be first brought into use until the 2m wide footway across the frontage of Plots 1, 2, and 3 has been provided and resurfaced in accordance with the details shown on the approved plans and a lowered kerb provided adjacent to Plot 3 (to cross Witts Lane). Full details shall have been submitted to and approved in writing by the Local Planning Authority prior to the works taking place.

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

**6** With regard to Plots 1 and 2 no external alterations (including doors) shall be made to the car ports approved here in without formal approval of the Local Planning Authority via a planning application.

**REASON:** To ensure car ports remain open and available for car parking

**7** No construction activities shall be carried out within the curtilage of the site before 0730hrs in the morning on Mondays to Saturdays, nor after 1800hrs in the evening on Mondays to Fridays and 1400hrs in the afternoon on Saturdays, nor at any time on Sundays and Bank or Public Holidays. In addition there shall be no burning of waste on site at any time

**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** No development shall commence on site until the proposed ground floor slab levels of the development hereby permitted have been submitted to and agreed in writing by the Local Planning Authority prior to the works taking place.

**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.

**9 The dwellings hereby approved shall achieve Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate for it has been issued and submitted to, and approved in writing by, the local planning authority certifying that Code Level 4 has been achieved.**

**REASON: To ensure that the objectives of sustainable development set out Policy CP41 of the Wiltshire Core Strategy are achieved.**

**10 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-**

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- all hard and soft surfacing materials;
- 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: 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 a satisfactory landscaped setting for the development and the protection of existing important landscape features.**

**11 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.**

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

**12 INFORMATIVE TO APPLICANT:**

The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website [www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy)

**13 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.

**14 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.

**15 INFORMATIVE TO APPLICANT:**

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.

**16 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.

**17 INFORMATIVE TO APPLICANT:**

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

**18 INFORMATIVE TO APPLICANT:**

The applicant is advised that in seeking to discharge conditions in respect of ground floor slab levels to seek to achieve the lowest height at roof pitch level that is possible and as closely reflective of neighbouring properties as possible.

**19 INFORMATIVE TO APPLICANT:**

The applicant is advised that Witts Lane is unsuitable as a through route for construction traffic and it is recommended that contractors are advised of this and encouraged to use alternate routes.

**20 INFORMATIVE FOR APPLICANT:**

The applicant and future occupants of the dwellings hereby approved are advised that local road conditions are constrained and consideration as to any potential need for waiting restrictions (yellow lines) may be considered and addressed at the local Community Area Transport Group in due course.

28 **Malmesbury St Paul Without 13, 16, 17 and Lea Cleverton 1A Diversion Order and Malmesbury St Paul Without 15 Extinguishment Order**

Alistair Millington spoke in support of the application on behalf of Malmesbury St Paul Without Parish Council and on behalf of Sustrans.

The case officer, Michael Crook, introduced the report which recommended that “The Wiltshire Council Malmesbury St Paul Without 13 (part), 16 (part), 17 (part) and Lea and Cleverton 1A (part) diversion order and definitive map and statement modification order 2015” and “The Wiltshire Council Malmesbury Without 15 Extinguishment and Definitive Map and Statement Modification Order 2015” be forwarded to the Secretary of State for Environment, Food and Rural Affairs with a recommendation from Wiltshire Council that the Orders be confirmed without modification.

A map of the current Rights of Way and proposed routes were shown. The officer explained that the current landowner wanted to change the RoW on his land; in exchange he would provide a license for the public to use a route along the disused railway track. Wiltshire Council wanted the disused railway line to be used as a pedestrian-cycle route and it was noted that the Council had taken a contribution from the nearby housing development at Cowbridge to achieve this. Sustrans was also supportive of this proposal. The officer informed those present that the diversion of the public right of way would remove access right next to the landowner’s farm and would divert 2 rights of way to the edge of one field. The proposed diversion would also correct an anomaly where the line of the right of way across the river was following the line of the old bridge rather than the new bridge, which is in a different location. It was stated that although some objections had been raised by the public, no issues had been identified that would challenge the legal tests of the proposed diversion order.

The committee were then invited to ask technical questions. The officer confirmed that the PROW would be diverted, but that the diversions were relatively small.

Members of the public were invited to speak, as detailed above.

Cllr Sturgis spoke on behalf of the local member, Cllr John Thomson, and commented that the proposed route was generally supported by the local community.

In the debate that followed members supported the proposals, however, they encouraged the landowner to seek guidance from officers to try to avoid additional rights of way being claimed at some point in the future.

Cllr Sturgis, seconded by Cllr Chivers, moved the officer's proposal. The motion was put to the vote and passed.

**Resolved:**

**That "The Wiltshire Council Malmesbury St Paul Without 13 (part), 16 (part), 17 (part) and Lea and Cleverton 1A (part) diversion order and definitive map and statement modification order 2015" and "The Wiltshire Council Malmesbury Without 15 Extinguishment and Definitive Map and Statement Modification Order 2015" be forwarded to the Secretary of State for Environment, Food and Rural Affairs with a recommendation from Wiltshire Council that the Orders be confirmed without modification.**

29 **Urgent Items**

There were no urgent items.

(Duration of meeting: 15:00-16:23)

The Officer who has produced these minutes is Natalie Heritage, of Democratic Services, direct line 01225 718062, e-mail [natalie.heritage@wiltshire.gov.uk](mailto:natalie.heritage@wiltshire.gov.uk)

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## NORTHERN AREA PLANNING COMMITTEE

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### **DRAFT 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

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## NORTHERN AREA PLANNING COMMITTEE

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### **DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 20 APRIL 2016 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.**

#### **Present:**

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice Chairman), Cllr Christine Crisp, Cllr Sheila Parker, Cllr Toby Sturgis, Cllr Chuck Berry, Cllr Terry Chivers, Cllr Howard Greenman, Cllr Howard Marshall and Cllr Chris Hurst (Substitute)

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#### **42 Apologies**

Apologies were received from Cllr Groom and Cllr Packard.

Cllr Packard was substituted by Cllr Hurst.

#### **43 Minutes of the Previous Meeting**

The minutes of the meeting held on 30 March 2016 were presented.

#### **Resolved:**

**To approve as a true and correct record and sign the minutes.**

#### **44 Declarations of Interest**

There were no declarations of interest.

#### **45 Chairman's Announcements**

The Chairman drew the meeting's attention to the following matters: The evacuation procedures; the procedure for public participation; and the policy on recording and broadcasting of meetings.

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

The Committee noted the rules on public participation and that no questions had been submitted.

47 **Planning Appeals**

The Committee noted the contents of the appeals update. It was stated that application number '14/09744/WCM' held an error and should read approve under the Officer's recommendation, as opposed to refuse.

48 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications 15/07244/FUL - Land at Moor Lane Farm, Minety, Wiltshire and 15/10457/OUT - Land at Former Blounts Court Nursery, Studley Lane, Studley, Calne, Wiltshire, SN11 9NQ, as listed in the agenda pack.

**48a 15/07244/FUL - Land At Moor Lane Farm, Minety, Wiltshire**

The planning officer, Mathew Pearson, introduced the report and outlined that the application was for the proposed construction of a Solar Farm, comprising Solar Arrays, Inverters, Transformers, Equipment Housing, Security Fencing, CCTV Cameras, Internal Tracks and Ancillary Equipment. He explained that the proposed construction was for a 4.5 megawatt solar farm on 2 fields, measuring approximately 9.2 hectares. It was noted that the PROW would be retained on its current line. Photographs, a map of the area, as well as a map of the proposed cable routings were shown. It was highlighted that National Policy fundamentally supported renewable energy projects and that the proposed site for the solar farm had not been deemed the most versatile or highest quality agricultural land. Mr Pearson noted that the public benefit to the solar farm, as well as the national policy directive, outweighed the loss of the agricultural land and the less than substantial harm to the setting of the adjacent listed building.

Attention was drawn to the late list of observations provided with the agenda supplement. Mr Pearson detailed that Wiltshire Council was not aware of any brownfield land that would be suitable for the development and that the neighbour notification process for the Planning Application went over and above that required by the Town and Country Planning Act.

In response to technical questions, it was confirmed that the solar farm would be in operation for 30 years and, once this period expired, it would be returned to its former state. Some members raised concern about the agreement of a Construction Management Plan and a Traffic Management Plan. Mr Pearson drew attention to condition 13 of the application and advised that point 5 of condition 13 could be amended to request that a compound for construction vehicles be used and noted that development of the site would be unable to commence, until both a Construction Traffic Management Plan and a means of access had been finalised. It was highlighted that Highways Officers had stated that any damage that may be

caused to Minety's roads as a result of the development, would have to be repaired.

Nicola Dow spoke against the application. James Wallwork spoke in support of the application.

Cllr Cook (Minety Parish Council) spoke against the application.

Cllr Berry spoke in his capacity as the local division member.

In the debate that followed, several points were raised, which included: that the proposed development site was renowned for flooding; that the proposed construction plan could be further improved; that there was an over provision of solar energy in the UK; that the highway network in Minety was not deemed suitable for HGVs; that the proposed cabling route was not deemed feasible; that the safety of the public needed to be determined, if members of the public were to access the PROW within the field.

Cllr Sturgis proposed, seconded by Cllr Chivers, that the application be deferred and brought back to the Committee as soon as reasonably possible, once additional information relating to the following issues had been explored and submitted to the Council for consideration:

1. Flooding – further information required on working of swales and land drainage issues upon decommission. Specifically the effect of piling to erect the panels and method of repairing underground drainage system on decommissioning.
2. Detail access drawings showing visibility splays and treatment of the brook and details of any culvert.
3. Full Construction Management Transport Plan including details of delivery procedures and any compounds on the site (to include details of permanent and temporary tracks with quantities of materials).
4. Details of realistic proposed routes for cable and connection to national grid.
5. Confirmation that there will be no raising of ground level within the site
6. Further details that the right of way will be retained and safe access will be provided for the public.

The motion was put to the vote and passed.

**Resolved:**

**That the application be deferred and brought back to the Committee as soon as reasonably possible, once the following additional information has been submitted to the Council and considered by officers and local residents:**

1. Flooding – further information required on working of swales and land drainage issues upon decommission. Specifically the effect of piling to erect the panels and method of repairing underground drainage system on decommissioning.
2. Detail access drawings showing visibility splays and treatment of the brook and details of any culvert.
3. Full Construction Management Transport Plan including details of delivery procedures and any compounds on the site (to include details of permanent and temporary tracks with quantities of materials).
4. Details of realistic proposed routes for cable and connection to national grid.
5. Confirmation that there will be no raising of ground level within the site
6. Further details that the right of way will be retained and safe access will be provided for the public.

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:

**Plans**

Location Plan Drawing No: D03 (July 2015)

Array Cross Section Plan Drawing No: D04 (July 2015)

Prefabricated Housing DNO Switchgear Plan Drawing No: D05 (July 2015)

CCTV Pole Elevation Plan Drawing No: D06 (July 2015)

Fence 7 Gate Elevation Plan Drawing No: D07 (July 2015)

Inverter & Transformer Elevation Plan Drawing No: D08 (July 2015)

Substation Elevation Plan Drawing No: D09 (July 2015)

Satellite Pole Elevation plan Drawing No: D10 (July 2015)

Storage Container Elevation Plan Drawing No: D11 (July 2015)

Cable Route Plan Drawing No: D12 (July 2015)

**Reports**

Habitat and Species Report by Windrush Ecology Nov 2015

Planning Statement by DLP Planning July 2015

Flood Risk Assessment by H2O July 2015

Landscape and Visual Impact Assessment by Sightline Landscape July 2015

Design and Access Statement By DLP Planning July 2015

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

**3** 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 artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

**REASON:** 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 landscape features.

**4** All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the commencement of development; 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.

**5** The mitigation measures of SUDs and a Scrape detailed in the

approved Flood Risk Assessment (FRA) [July 2015 / J-5489-CFM / H2OK] shall be carried out in full prior to the first bringing into use of the development in accordance with the approved timetable detailed in the FRA.

**REASON:** In the interests of flood prevention.

6 The mitigation measures in accordance with the recommendations of the submitted Habitat and Species Assessment (November 2015/ Windrush Ecology 2015) shall be carried out in full prior to the first bringing into use of the development in accordance with the approved timetable detailed in the Ecological Assessment.

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

7 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before commencement of the development. The content of the LEMP shall include, but not necessarily be limited to, the following information:

- a) Description and evaluation of features to be managed;
- b) Landscape and ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over an 30 year period;
- g) Details of the body or organisation responsible for implementation of the plan;
- h) Ongoing monitoring and remedial measures;
- i) Details of how the aims and objectives of the LEMP will be communicated to future occupiers of the development.

The LEMP shall also include details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery.

The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented.

The LEMP shall be implemented in full 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 ensure adequate protection, mitigation and compensation for protected species, priority

8 No development shall commence on site (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:

- a) Risk assessment of potentially damaging construction activities
- b) Identification of 'biodiversity protection zones'
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- d) The location and timing of sensitive works to avoid harm to biodiversity features including
  - " Protection measures for hedgerow, woodland and other habitat features
  - " Methods to avoid and minimise impacts on retained grassland;
  - " A Precautionary Method of Working for the protection of great crested newts/amphibians, including timing of construction works (November-March inclusive);
  - " Prevention of pollution to watercourses;
  - " Pre-commencement bat surveys of the mature willow tree
  - " Measures to avoid impacts upon breeding birds and their nests
- e) The times during construction when specialists ecologists need to be present on site to oversee works
- f) Responsible persons and lines of communication
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s)
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

A report prepared by a competent person(s), certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, shall be submitted to the Local Planning Authority within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner.

**REASON:** To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

**9** No development shall commence on site until details of the external finish and colour, including any paint to be used externally on the Fencing, Security Cameras, Inverter Substation, DNO Connection Substation, Auxiliary Transformer and Connection Substation have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being first brought into use.

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

**10** No development shall commence on site until full details of the proposed cable route have been submitted and approved in writing by the Local Planning Authority. This will include any details of access and works to third party/public land. The permitted development will only provide a single access route as identified in the scheme.

**REASON:** In the interests of amenity and to protect from unnecessary noise and disturbance from the site.

**11** No development shall commence on site until details of demonstrating visibility splays of 2.4m by 43m in both directions have been provided. Such splays shall thereafter be permanently maintained free from obstruction to vision.

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

**12** A condition survey of the highway network relating to the access routes to the site (between the B4969 at its junction with the Ashton Road and Ashton Road and Sawyers Hill at its junction with B4040) shall be carried out prior to the commencement of the works, the survey shall be carried out by the applicant in conjunction with the highway authority, in compliance with Section 59 of the Highways Act, to ensure that as a result of the proposal the existing condition of the highway network is maintained. This shall be submitted to an approved in writing by the local planning authority prior to the commencement of development. If as a result of the construction phase damage to the highway network has been identified, within 3 months of the identification of the damage, the works shall be remedied.

**REASON:** In the interests of maintaining the existing condition of the highway network

**13** A 'Construction Traffic Management Plan' shall be submitted and approved in writing by the LPA prior to commencement of development. The details shall include:

**1.** Deliveries from HGVs shall take place between the hours of

**10am-3.30pm. To avoid the peak hour traffic conditions on the A3102 in this location.**

**2. Wheel washing facilities and measures to prevent mud and other debris entering highway.**

**3. Signage / traffic management in relation to construction of the access.**

**4. Details of banksman to manage all HGV deliveries.**

**5. A programme shall for all HGV deliveries to ensure that there is no stacking on the highway or adjacent network.**

**Development shall be carried out in accordance with the approved details prior to the development being first brought into use.**

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

**14 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.**

**REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.**

**15 The detailed landscaping plans to be submitted pursuant to condition no. 3 shall include a plan at not less than 1:200 scale, showing the position of any trees proposed to be retained and the positions and routes of all proposed and existing pipes, drains, sewers, and public services, including gas, electricity, telephone and water. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or of any Order revoking and re-enacting or amending that Order with or without modification), no services shall be dug or laid into the ground other than in accordance with the approved details.**

**REASON: To ensure the retention of trees on the site in the interests of visual amenity.**

**16 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]**

**17 Following completion of Construction no materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site.**

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

**18 The Local Planning Authority shall be notified in writing within one month of the event that the solar array hereby approved has started to feed electricity to the Grid. The installation hereby approved shall be permanently removed from the site and the surface reinstated within 31 years and six months of the date of notification and the local planning authority shall be notified in writing of that removal within one month of the event.**

**REASON: In the interests of amenity and the finite operation of this type of development.**

**19 Within six months of the commencement on site, a scheme for**

**the decommissioning and restoration of the development shall have been submitted to and approved by the Local Planning Authority, the details of which shall include how the land will be restored back to fully agricultural use upon the development no longer being in operation or upon the expiry date of 30 years from the date of the development starting to feed electricity to the Grid, whichever is sooner. The Decommissioning and Restoration scheme of this development shall be carried out in accordance with the scheme so agreed.**

**REASON: To ensure upon the development no longer being in use, the complete removal of all development allowed under this permission and the restoration of the land to its former condition**

**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.**

**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.**

**48b 15/10457/OUT - Land at Former Blounts Court Nursery, Studley Lane, Studley, Calne, Wiltshire, SN11 9NQ**

The planning officer, Mark Staincliffe, introduced the report and outlined that the application was an outline planning application for the development of 53 residential dwellings, including access, car parking, landscaping and associated infrastructure. He explained that, should planning permission be granted, it would extinguish the extant planning permission for a garden centre on site.

It was highlighted that the application was for a change to a previously submitted and approved application; the application under consideration was for a larger site that had previously been granted permission. It was explained that the application now under consideration was a mix of previously developed land and greenfield land, whereas the smaller site was classified as previously developed land. Mr Staincliffe explained that, as

planning permission had previously been consented for the smaller site; construction could commence on the section of the site that had obtained planning permission. A site location plan and indicative layout for the previously approved scheme were shown.

It was detailed that the site was adjacent to the Vastern Timber Mill and that an acoustic fence had been built to minimise any detrimental noise impact. Mr Staincliffe highlighted that the subsequent measurements of the noise impact from the sawmill had been classed as better than required by the planning condition attached to the original consent; the Council's public protection team identified that the only noise disruption was from the main adjacent A4 road. Mr Staincliffe informed the meeting of the fact that the application was recommended to be delegated to the Area Development Manager, subject to the signing of a Section 106 agreement, which had to be signed within 6 months; otherwise the application would be refused.

Attention was drawn to the late list of observations provided with the agenda supplement. It was outlined that a toucan crossing had been proposed across the A4 road, to link the proposed development to the adjacent Derry Hill residential site. It was explained that, in principle, Highways officers had had no objection to the toucan crossing; however, it was not the responsibility of the Committee to decide upon whether such a crossing was deemed appropriate in the location shown on the indicative plans, in addition, the precise location would be controlled by planning condition, once the position had been agreed with the Council's Highway department.

In response to technical questions from the Committee, Mr Staincliffe confirmed that the speed limit of the A4 road could be reduced to 50 mph, as well as the provision of the toucan crossing across the road.

Ioan Rees, Janet Robbins and Peter Barnes spoke in objection to the application.

Peter Lawson spoke in support of the application.

Cllr French (Calne Without Parish Council) also spoke in objection to the application.

Cllr Crisp spoke in her capacity as the local division member.

In the debate that followed several points were raised, such as the following: that as the Chippenham DPD Sites had been suspended, Wiltshire was currently unable to demonstrate a 5 year housing land supply; that for the previous 20 years, both the Parish Council and the local division member had been trying to regulate a speed restriction for the A4 road; should the application be granted, a huge improvement to road safety would be provided for the area; the potential of a greater buffer zone between the

Vastern Timber Mill and the proposed residential dwellings, 10 metres was the distance suggested.

The Officer confirmed that, as the planning application was an outline and, therefore, the master plan submitted with the application was indicative, the 3 houses proposed in the top left-hand corner of the indicative layout plan could be altered and placed in the bottom left-hand corner; this would allow a greater gap between the sawmill and the residential dwellings and could be conditioned as such. Those present were further informed that the toucan crossing and the reduction of the speed limit would be a head of term with the Section 106 agreement; however, this could also be included as a condition, for added benefit to members.

Cllr Crisp proposed that, with an added condition of a secure crossing being established across the A4 and a further condition that noted the inclusion of a 10 metre buffer of public open space between the sawmill and residential dwellings, that the application be granted planning permission subject to conditions and the signing of a Section 106 agreement. Cllr Marshall seconded Cllr Crisp's proposal.

The motion was put to the vote and passed.

**Resolved:**

**To grant planning permission, subject to the following conditions; (including the addition of 2 conditions stating that, notwithstanding the details shown on the indicative layout, no dwelling or its curtilage shall be within 10 metres of the Northern site boundary of the site (Boundary adjacent to Vastern Timber) and prior to the occupation of the first dwelling on the site, a controlled pedestrian crossing and a 2 metre wide footway shall have been provided on the A4 - in accordance with details which shall first have been submitted to and agreed by the local planning authority), and completion of a S106 legal agreement within six months of the date of the resolution of this Committee.**

**The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.**

**REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

**2 No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved)**

have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The scale of the development;
- (b) The layout of the development;
- (c) The external appearance of the development;
- (d) The landscaping of the site;

The development shall be carried out in accordance with the approved details.

**REASON:** The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**3** An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

**REASON:** To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

**4** No more than 53 dwellings shall be developed on the application site edged red on the submitted Site Plan.

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

**5** 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.

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission.

**6** No development shall commence on site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The development shall not be first occupied until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture have all been constructed and laid out in accordance with the approved details, unless an alternative timetable is agreed in the approved details.

**REASON:** To ensure that the roads are laid out and constructed in a satisfactory manner.

**7** 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 public highway.

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

**8** Prior to first occupation of any of the dwellings hereby approved, the noise mitigation measures set out in 'Emtec Noise Level Survey and Noise Control Measures'- Issue 18 July 2014 shall have been implemented & 'Emtec Noise Level Survey and Noise Control Measures Addendum'- Issue 06 August 2015 in full. Once the works are complete and before the first occupation of any of the dwellings hereby approved a Noise Level Survey in accordance with

**BS4142:1997 shall have been submitted to and approved in writing by the Local planning authority demonstrating that the noise levels from the sawmill have been suppressed so as to achieve a Rating Level of 35dB(BS4142:1997) at 1m from the nearest noise sensitive properties. This noise mitigation shall thereafter be permanently retained.**

**REASON: To ensure adequate residential amenities of future residents.**

**9 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.**

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

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

**has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period.**

**The development shall not be carried out otherwise than in accordance with the approved construction method statement.**

**REASON:** To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

**11** The development hereby permitted shall be carried out in accordance with the following approved plans:  
Site Location Plan- Received 20 October 2015  
Emtec noise survey dated 18 July 2014  
Emtec noise survey dated 06 August 2015  
Arboricultural Report dated 07 October 2015  
Flood Risk Assessment Craddy's Document Reference: 10318w0001  
Planning Statement  
Ecological Assessment

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

**12** 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

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

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

**14** No development shall commence on site until details of the pedestrian links from the development hereby approved to Footpath CALW65 and pedestrian links from the development to A4 have been submitted to and approved in writing by the local planning authority. Prior to the occupation of the 20th unit the approved details shall be provided.

**REASON:** To allow connectivity between the application site and Derry

Hill and to ensure that the development is sustainable.

**15** 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. 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

**16** No dwelling built on the site shall be occupied until it has have been provided with car parking spaces in accordance with the minimum standards as required by the Wiltshire LTP 2011-2026 Car Parking Strategy. Any garage counted as a parking space shall have an internal dimension of at least 3m by 6m per space

**REASON:** To ensure adequate parking space is provided on site clear of the highway

**17** No dwelling shall be occupied before the 20th dwelling hereby permitted is occupied, until:

a) A scheme for the laying out and equipping of the play area shown on the submitted plan, to include landscaping, boundary treatment and provision for future maintenance and safety checks of the equipment has been submitted to and approved in writing by the Local Planning Authority and;

b) The play area has been laid out and equipped in accordance with the approved scheme.

**REASON:** To ensure that the play area is provided in a timely manner in the interests of the amenity of future residents.

**18** Prior to the commencement of the development Studley Lane shall be widened and improved in accordance with details which shall first have been submitted to and approved by the local planning authority. The details of the widening shall include the provision of a footway of minimum width 2 metres on the development side of the widened lane, and the provision of a bellmouth junction to the site, which shall include visibility splays for the access, and improvements, by way of forming a footway crossing, to the access retained for car parking for the adjacent sawmills site.

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

**19 Notwithstanding the details shown on the indicative layout, no dwelling or its curtilage shall be within 10m of the Northern site boundary of the site (Boundary adjacent to Vastern Timber).**

**REASON: In the interests of the residential amenities of future occupiers.**

**20 Prior to the occupation of the first dwelling on the site, a controlled pedestrian crossing and a 2 metre wide footway shall have been provided on the A4 in accordance with details which shall first have been submitted to and agreed by the local planning authority.**

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

**INFORMATIVE TO APPLICANT:**

**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].**

**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.**

**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.**

**INFORMATIVE TO APPLICANT:**

**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.**

**INFORMATIVE TO APPLICANT:**

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  
[www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy).

49 **Urgent Items**

There were no urgent items.

(Duration of meeting: 15:00-16:53)

The Officer who has produced these minutes is Natalie Heritage, of Democratic Services, direct line 01225 718062, e-mail [natalie.heritage@wiltshire.gov.uk](mailto:natalie.heritage@wiltshire.gov.uk)

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## **EASTERN AREA PLANNING COMMITTEE**

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**DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING  
HELD ON 10 MARCH 2016 AT WESSEX ROOM - THE CORN EXCHANGE,  
MARKET PLACE, DEVIZES, SN10 1HS.**

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**Present:**

Cllr Charles Howard (Chairman), Cllr Mark Connolly (Vice Chairman),  
Cllr Stewart Dobson, Cllr Nick Fogg MBE, Cllr Richard Gamble, Cllr Paul Oatway,  
Cllr James Sheppard (Substitute) and Cllr Christopher Williams (Substitute).

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**8. Apologies for Absence**

Apologies were received from Cllr Peter Evans who was substituted at the meeting by Cllr Chris Williams, and from Cllr Jerry Kunkler who was substituted at the meeting by Cllr James Sheppard.

**9. Minutes of the Previous Meeting**

**Resolved**

**To approve and sign the minutes of the meeting held on 28 January 2016 as a true and accurate record.**

**10. Declarations of Interest**

There were no Declarations of Interest received.

**11. Chairman's Announcements**

There were no Chairman's Announcements.

**12. Public Participation and Councillors' Questions**

The Chairman noted the rules on public participation and that there were no questions submitted.

13. **Rights of Way - Highways Act 1980 and Wildlife and Countryside Act 1981 - The Wiltshire Council Baydon 2 (Part) and 11 (Part) Diversion Order and Definitive Map and Statement Modification Order 2015**

**The following person spoke against the proposal**

Mr Gallagher of The Ramblers Association

**The following people spoke in support of the proposal**

Mrs Sally Johnson, the applicant.

Mr Michael Wood, the agent.

Mr Tony Prior, a local resident.

Cllr Andy Knowles, Chairman Baydon Parish Council.

The Rights of Way Officer introduced the report which recommended that the Order be forwarded to the Secretary of State for Environment, Food and Rural Affairs for determination.

The Rights of Way Officer referred Members to the Diversion Route map as detailed on page 59 of the agenda pack, and it was explained that the existing route was unavailable for use as it was obstructed by garden fencing and hedging. It was further explained that the alternate route shown as 'Y-X' on the diversion route map was initially proposed, but was not taken forward as the land owners' were not in agreement.

The Officer advised that the proposed 'E-F-G' route satisfied the legal tests for the making of a Diversion Order under Section 119 of the Highways Act 1980, and there had been no new evidence submitted during the formal objection period that would lead Wiltshire Council to no longer support the making of the Order.

The Committee was then invited to ask technical questions, for which there were none.

Members of the public were then invited to speak, as detailed above.

Within debate the views of local residents, as detailed by the Parish Council, were noted and it was encouraging that the applicants had considered the views and opinions of local residents.

**Resolved**

**To forward "The Wiltshire Council Baydon 2 (part) and 11 (part) Diversion Order and Definitive Map and Statement Modification Order 2015 to the**

**Secretary of State for the Environment, Food and Rural Affairs for determination, with a recommendation from Wiltshire Council that the Order be confirmed with a modification to the statement for Baydon 11 to replace text missing in Part 3. After "...at its junction with Baydon 30" add "where BRIDLEWAY leading south for approximately 60 metres to its junction with Baydon path no. 2."**

14. **Planning Appeals**

The Committee received a report which set out details of completed and pending appeals. The Chairman drew attention to the proceedings relating to application no. E/2013/0083/OUT, Land at Coate Bridge adjacent to Windsor Drive which was due to commence on 5 April 2016.

**Resolved**

**To note the contents of the report.**

15. **Planning Applications**

**15.1 15/12705/FUL - Land at West View House, St Johns Court, Devizes, Wiltshire, SN10 1BU - Proposed new dwelling (new design to replace previously approved)**

**The following people spoke in support of the application**

Mr Howard Waters, the agent.

Mr Richard Jackson, the applicant.

The Senior Planning Officer presented the application and noted that a letter and accompanying photograph had been presented to members of the Committee by the applicant since the agenda pack had been published.

It was explained that the proposal was to replace a previously approved permission with a larger scale dwelling. It was noted that the Highways Officer had expressed concern with regard to adequate parking at the site, and had raised an objection to the application on that basis. The officer's report concluded that the application should be refused on the basis that the height, mass, bulk and design would have an adverse impact on both the setting of nearby listed buildings and the conservation area; and would be in contrary to Sections 7 and 12 of the NPPF and policies CP57 and CP58 of the Wiltshire Core Strategy.

The Committee was then invited to ask technical questions, for which there were none.

Members of the public were then invited to speak, as detailed above.

The Divisional Member, Cllr Sue Evans, spoke in support of the application and explained that the application had received full support at a recent Town Council meeting in preference to the previous application. The Town Council were satisfied that the new proposal would not impact on the views of the Church or Castle, and that the quality of the building would reflect its surroundings. Cllr Evans advised that the proposed dwelling mirrored that of buildings in the town centre, and therefore fitted in with the imposing structure. Cllr Evans noted that the Highways Officer objected to the proposal on the grounds of parking, but this issue could be resolved and should not be a reason for refusal.

The Officer responded that the proposal, within the context of the surrounding buildings, would look out of character, and the previously approved design of a smaller scale building would be better suited and more appropriate within its surroundings.

During debate, it was noted that the previous design was a compromise, and that a lot of care and attention had been put into the new design in terms of fitting into the historic surrounding area. A concern was raised with regard to parking and vehicle access, and it was suggested a condition be included within the recommendation on that basis. It was also noted that the views of the Town Council should be taken on board in that they had a good understanding on what they believed to be suitable for their town.

It was also noted that the design was too grand for its setting and that the new design may look incongruous in context of the smaller bungalows surrounding it. Concern was also raised that the proposal did not meet CP57 in that it did not fit into the locality and was beyond what was appropriate for the location.

## **Resolved**

**To approve the application subject to the conditions set out 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 Application form, the "Design and Access Statement and Heritage Statement" dated 14/12/2015 and the following approved plans: Site location and block plans, dwg no. 1268.08; Site layout and section, dwg no. 1268.09; Plans and elevations, dwg no. 1268.10-B; Existing and Proposed views, dwg no. 1268.12**

**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 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 All new brickwork shall be constructed using a Flemish bond.**

**Reason:** To secure harmonious architectural treatment.

- 5 No development shall commence on site until architectural details of all eaves, verges, rainwater goods, chimneys, dormers and canopies 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 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 Conservation Area and the setting of the Listed Building.

- 6 No works shall commence on site until details of all new external window and door joinery have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:10 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2. The works shall be carried out in accordance with the approved details and maintained as such thereafter.**

**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 the interests of preserving the character and appearance of the setting of the listed building and of the setting of the Conservation Area.

- 7 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.**

**REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.**

- 8 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:-**

- \* a detailed planting specification showing all plant species, supply and planting sizes and planting densities;**
- \* means of enclosure, including any screening, hedgerow, walls, fences and repairs to existing;**
- \* all hard and soft surfacing materials;**
- \* retained historic landscape features and proposed restoration, where relevant.**

**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 landscape features.**

- 9 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.

- 10** The dwelling hereby approved shall not be occupied until sufficient space for the parking of 3 vehicles together with a vehicular access and turning area thereto has been provided in accordance with details submitted to and approved in writing by the Local Planning Authority. The said space shall not be used other than for the parking of vehicles or for the purpose of access.

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

- 11** 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 garage hereby permitted shall not be converted to habitable accommodation.

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

- 12** The tree on the site which is protected by a Tree Preservation Order shall, before any work commences, be enclosed in accordance with British Standard 5837 (2005) Trees in Relation to Construction by braced Heras fencing (or other type of fencing to be agreed in writing by the local planning authority). Before the fence is erected its position shall be agreed with the local planning authority and after it has been erected, it shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including stacking of soil, shall be allowed within it.

**REASON:** To enable the local planning authority to ensure the retention of an important tree on the site in the interests of visual amenity.

- 13** The development hereby approved shall be carried out in accordance with the "Written Scheme of Investigation for an Archaeological Watching Brief" dated June 2013 and the "Interim Statement on an Archaeological Watching Brief" dated 19/02/14.

**REASON:** To safeguard the sites archaeological interest.

- 14** Construction work on the site shall only take place between the hours of 08:00 and 17:30 on weekdays, between 08:00 and midday on Saturdays, with no work taking place on Sundays or Bank Holidays.

**REASON:** In the interests of protecting the reasonable living conditions of the occupants of the neighbouring properties.

- 15** 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), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted unless planning consent is granted by the Local Planning Authority.

**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.

- 16** 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 buildings or structures, or gate, wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans unless planning consent is granted by the Local Planning Authority.

**REASON:** To safeguard the character and appearance 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 that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in any of the roofslopes of the development hereby permitted unless planning consent is granted by the Local Planning Authority.

**REASON:** In the interests of residential amenity and privacy and in the interests of the character of the dwelling and that of the area.

- 18** 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 television / radio aerial / satellite dish or other form of antenna shall be installed / affixed on the exterior of any building forming part of the development hereby permitted unless planning consent is granted by the Local Planning Authority.

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

- 19** Before the development hereby permitted is first occupied the bathroom windows in the north and south elevations shall be glazed with obscure glass only, to an obscurity level of no less than level 4 and the windows shall be maintained with obscure glazing in perpetuity.

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

- 20** The dwelling hereby approved shall achieve a level of energy performance equivalent to Level 4 of the Code for Sustainable Homes. The dwelling shall not be occupied until evidence has been submitted to and confirmed in writing by the local planning authority certifying that this level or equivalent has been achieved.

**REASON:** In the interests of creating a sustainable form of development in accordance with Policy CP41 of the Wiltshire Core Strategy.

- 21** **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.

- 22** **INFORMATIVE TO APPLICANT:** 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 [www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy).

**15.2 15/12362/FUL - The Drummer Boy, Church Street, Market Lavington, Wiltshire, SN10 4DU - Change of use and conversion of existing Public House to two 3 bed dwellings, and erection of 1 two bed dwelling to rear of site, with associated amenity space and parking**

**The following people spoke against the application**

Mrs Ann Earley, local resident.

Mr Bob Gordon, local resident.

Cllr Teresa Steele, Market Lavington Parish Council.

**The following person spoke in support of the application**

Mr Phil Easton, Architect.

The Senior Planning Officer presented the application for the change of use and conversion of an existing Public House to two 3 bed dwellings, and the erection of one 2 bed dwelling to the rear side, with associated amenity space and parking.

The officer explained that there would be no adverse impact in terms of design or the impact on the conservation area, but it was noted that concerns had been raised with regard to access and as to whether the proposal would make a significant difference in terms of additional vehicle movements. The planning officer concluded that the scheme was considered to be of an acceptable design, having no adverse impact upon reasonable living conditions of the occupiers of adjoining residential properties. The officer's report recommended that approval be granted with conditions, including that of a condition for a construction management plan to be submitted and approved by the Local Planning Authority before development could commence.

The Committee was then invited to ask technical questions, for which there were none.

Members of the public were then invited to speak, as detailed above.

Cllr Gamble, Divisional Member, noted that the proposal would bring an old building back into use and the design was of an acceptable standard, but the one fundamental issue of access for vehicles was unsatisfactory and dangerous. Cllr Gamble advised that the proposal did not meet CP61 of the Wiltshire Core Strategy, and would have a severe impact upon the safety of road users and pedestrians.

During debate, it was noted that a decision to encourage additional vehicle movement would be unwise, and that the height of the dwelling was a potential over development which could have an adverse impact on neighbours.

After discussion,

## **Resolved**

### **To refuse the application for the following reasons:**

**The access by reason of its restricted width, height and inadequate visibility is such that it makes manoeuvring into and out of the site difficult and dangerous having a severe impact upon the safety of road users and pedestrians on Church Street. The proposed development is therefore not capable of being served by a safe access to the highway network contrary to Core Policy 61 of the Wiltshire Core Strategy 2015 and to Paragraph 32 of the National Planning Policy Framework 2012.**

**15.3 15/12652/FUL - Woodlands Farm, Witcha, Ramsbury, Wiltshire, SN8 2HQ - Demolition of existing bungalow, and erection of replacement dwelling with associated garaging, turning, landscaping, private amenity space, and creation of a new vehicular access point.**

### **The following person spoke against the application**

Mr Stephen Martin, local resident.

### **The following person spoke in support of the application**

Mr Mark Pettitt, representing the planning agent.

The Senior Planning Officer presented the application and reported that he had received a communication from the County Ecologist withdrawing objections to the proposal since publication of the agenda.

The officer explained that the proposed dwelling would increase the floor space by 190% compared to the original area, which would be in contrary to Policy HC25 of the Kennet Local Plan listed in Annex D of the Wiltshire Core Strategy. It was explained that the proposed dwelling would be detrimental to the landscape as its height, size and positioning would impact on the scenic quality of the Area of Outstanding Natural Beauty (AONB), and would conflict with CP51 and CP57 of the Wiltshire Core Strategy. The officer's report therefore recommended that the application be refused.

The Committee was then invited to ask technical questions, for which there were none.

Members of the public were then invited to speak, as detailed above.

During debate it was noted that members of the committee were in agreement to the planning officer's recommendation in that the proposal was not suitable

for its setting and would have a detrimental impact on the AONB, and the proposed increase of 190% to the floor space was in conflict with the policies of the development plan.

After discussion,

### **Resolved**

**To refuse planning permission for the following reasons:**

- 1 The scale of the replacement dwelling and garage is significantly larger than the original structure. As such, it does not comply with the terms of saved Policy HC25 of the Kennet Local Plan listed in Annex D of the Wiltshire Core Strategy 2015.**
- 2 By reason of its height, size, scale and positioning in the open landscape the proposed dwelling would have a detrimental impact upon the landscape character and scenic quality of the area and the North Wessex Downs AONB. There are no material circumstances sufficient to justify approval that outweigh the conflict with Core Policies 51 and 57 of the Wiltshire Core Strategy 2015, to Supplementary Planning Guidance contained within the Wiltshire Landscape Character Assessment (2005) and with central government policy contained within Section 11 of the NPPF.**

16. **Urgent items**

There were no urgent items.

(Duration of meeting: 6.00 - 8.15 pm)

The Officer who has produced these minutes is Jade Urbanski, of Democratic & Members' Services, direct line 01225 718038, e-mail [adam.brown@wiltshire.gov.uk](mailto:adam.brown@wiltshire.gov.uk)

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## EASTERN AREA PLANNING COMMITTEE

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**MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 21 APRIL 2016 AT WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.**

**Present:**

Cllr Charles Howard (Chairman), Cllr Stewart Dobson, Cllr Peter Evans, Cllr Richard Gamble, Cllr Jerry Kunkler, Cllr Anna Cuthbert (Substitute), Cllr Dennis Drewett (Substitute) and Cllr James Sheppard (Substitute)

**Also Present:**

Cllr Jemima Milton

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17. **Apologies for Absence**

Apologies were received from Councillors Nick Fogg MBE, Mark Connolly and Paul Oatway QPM.

Councillor Fogg was substituted by Councillor Dennis Drewett.

Councillor Connolly was substituted by Councillor James Sheppard.

Councillor Oatway was substituted by Councillor Anna Cuthbert.

18. **Minutes of the Previous Meeting**

The minutes of the meeting held on 10 March 2016 were presented for consideration, and it was,

**Resolved:**

**To APPROVE and sign as a true and correct record.**

19. **Declarations of Interest**

During application 16/00736/FUL - The Coach House, High Street, Avebury, Wiltshire, SN8 1 RF - Councillor Drewett declared that on 20 April 2016 he had sat on a Licensing Sub-Committee considering licensing applications from the National Trust. Councillor Drewett also declared he was a member of the National Trust, a nationwide organisation with many members, and his wife had done some volunteer work for the Trust in the past.

20. **Chairman's Announcements**

There were no announcements.

21. **Public Participation and Councillors' Questions**

The procedure on public speaking was noted.

22. **Planning Appeals**

No update was received.

23. **Planning Applications**

24. **15/08373/FUL - Land at Lady Godley Close, Tidworth, Wiltshire**

Public Speaking

Mr Peter Casson-Crook spoke in objection to the application.

Mr Tim Willis spoke in objection to the application.

Mr Richard Cosker, agent, spoke in support of the application.

The Area Development Manager presented the report which recommended that permission be granted for the demolition of the existing garage block to be replaced by two pairs of semi-detached dwellings. Key issues included parking, impact upon amenity and design.

The Committee then had the opportunity to ask technical questions of the officers. Details were sought on drainage issues, ecology and access. In response to queries it was clarified there were too few dwellings proposed to require affordable housing provision, and that no official footpath existed on the site

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

The Committee then debated the application, discussing the extent of ecology assessment for the application, along with the increased parking provision resulting from the replacement of mostly unused garages with new spaces elsewhere. The impact upon amenity was noted in respect of the rear wall of the garages currently forming the back wall of several gardens, and members sought details of the scale and nature of any replacement boundary.

At the conclusion of debate, it was,

**Resolved:**

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

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

**REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

- 2 Notwithstanding the details shown on the plans submitted 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 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.**

- 3 Before development (including demolition) commences, details of the boundary treatment of the curtilage of the properties, including where the two garage blocks are being demolished, shall be submitted to and approved in writing by the local planning authority. The details shall, where possible, include the retention of the existing rear walls of the garages. If this is not possible, the replacement boundary features for the rear garage walls shall include the replacement of the rear wall of the smaller garage block with a new wall, the height of which shall be agreed in the details to be submitted, but which shall in any event be no less than 2 metres above ground level. Similarly, any replacement boundary treatment for the rear wall of the larger garage block if this cannot be retained shall be of a minimum height of 2 metres. The approved boundary treatment for the areas where the rear walls of the garages are located shall be provided before the erection of the dwellings is commenced and the remaining boundary treatments shall be erected in accordance with the approved details before any of the dwellings are first occupied.**

**REASON: To protect the amenity of residents of adjoining properties and to protect the appearance of the area.**

- 4 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-**

- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

**REASON:** 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 landscape features.

- 5** All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the buildings or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

- 6** No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plan, reference P1-1552 Plan2.dwg. The areas shall be maintained for those purposes at all times thereafter.

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

- 7** 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), there shall be no additions to, or extensions or enlargements of 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 enlargements.

- 8** No development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels 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, in the interests of visual amenity.

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

Block Plan P2 - 1552 plan 2.dwg dated 25/2/16; Location Plan LOC\_A-1552 Plan 2.dwg dated 17/8/15; Floor plans and elevations P1\_B-1552 Plan 2.dwg dated 9/9/15; Site sections P1\_A-1552 Plan 2.dwg; Supporting statement received 21/8/15.

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

- 10 No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

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

- 11 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. 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.

- 12 Prior to commencement of the development of lots 3 and 4 details of the proposed ramp shown at the western end of the site shall be submitted to and approved in writing. The development shall be carried out in accordance with the details submitted and plots 3 and 4 shall not be occupied until completion of the ramp has taken place.

**REASON:** In the interests of visual amenity.

- 13 Prior to first occupation of any of the houses on the development, details shall be submitted to and agreed in writing by the local planning authority of the method for marking out the five additional parking spaces in Avon Road; the one additional space at the southern end of Lady Godley Road and the four parking spaces and one visitors space at the northern end of Lady Godley Road for use by residents and visitors. The spaces shall then be marked out in accordance with the agreed details prior to first occupation of any of the houses on the development and shall be maintained as such thereafter.

**REASON:** In the interests of providing adequate parking spaces for the

proposed development.

- 14 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) 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:** 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 minimise detrimental effects to the amenities of neighbouring properties, during the construction phase.

25. **16/00736/FUL - The Coach House, High Street, Avebury, Wiltshire, SN8 1RF**

Public Speaking

Christopher Spratt spoke in objection to the application.

Dianne Reynell spoke in objection to the application.

Mary Beale spoke in objection to the application.

Janet Tomlin for the applicants spoke in support of the application.

Eva Stuetzenberger for the applicants spoke in support of the application.

Cllr Andrew Williamson, Chairman of Avebury Parish Council, spoke in objection to the application.

The Area Development Manager presented a report which recommended permission be granted for proposed outdoor seating for use by a food outlet, extended opening hours and erection of a screened refuse area. It was highlighted that the food outlet already had planning permission to operate at the site 365 days a year, and that it had been determined additional signage applied for did not require planning consent from the Committee.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought about the refuse area proposed for the site.

The Local Unitary Member, Councillor Jemima Milton then spoke in objection to the application, noting concerns raised by members of the community, in particular around the use of parasols, littering, the need to preserve the world heritage site, and extent of consultation.

The Committee then debated the application, discussing the existing permission on the site and the additional impact of the application upon the character and appearance of the area of the new application.

At the conclusion of debate, it was,

**Resolved:**

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

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

**REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

- 2 The development hereby permitted shall be carried out in accordance with the application form and the following approved plans and documents:  
Design and access statement, statement of operation, PA1-205-2 Rev A "Proposed cafe outlet external seating elevations" received on 3 March 2016 PA1-205-1 Rev C "Proposed cafe outlet external seating" received on 14 March 2016**

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

- 3 The opening hours shall be no earlier than 10 am in the morning and the sale of food from the premises shall end no later than 5pm in the evening.**

**REASON: To protect the amenity of nearby residents.**

- 4 The seating hereby approved shall only be located in the areas indicated on the approved plan PA1-205-1 Rev B and not within the grassed area and orchard to the rear.**

**REASON: To preserve the amenities of the surrounding neighbours.**

**26. Urgent items**

There were no urgent items.

(Duration of meeting: 6.00 - 7.30 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic & Members' Services, direct line 01225 718038, e-mail [adam.brown@wiltshire.gov.uk](mailto:adam.brown@wiltshire.gov.uk)

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



## **SOUTHERN AREA PLANNING COMMITTEE**

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**MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 25 FEBRUARY 2016 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.**

**Present:**

Cllr Fred Westmoreland (Chairman), Cllr Christopher Devine (Vice Chairman), Cllr Richard Britton, Cllr Richard Clewer, Cllr Brian Dalton, Cllr Jose Green, Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian McLennan, Cllr Ian Tomes and Cllr Ian West

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9 **Minutes**

The minutes of the meeting held on Thursday 14 January 2016 were presented.

**Resolved:**

**To approve as a correct record and sign the minutes of the 14 January 2016, subject to:**

- **Cllr Dalton to be recorded as 'also in attendance' as he was there to speak on one item, as the Unitary Division Member.**

10 **Declarations of Interest**

11 **Chairman's Announcements**

The Chairman explained the meeting procedure to the members of the public.

12 **Public Participation and Councillors' Questions**

The committee noted the rules on public participation.

13 **Planning Appeals**

The committee received details of the appeal decisions as detailed in the agenda.

14 **Planning Applications**

15 **15/10963/FUL: Land at Bourne Close and High Street Corner, Porton, SP4 OLL**

Members of the public registered to speak on this application were:

Mrs Valarie Creswell in objection to the application.

Dr A Appleyard in objection to the application.

Mr Wesley Bright in objection to the application

Mr Roly Grimshaw in Support of the application

Rita Pope (Agent) in support of the application

Mr Wayne Maher in support of the application

The Senior Planning Officer drew attention to the late correspondence circulated at the meeting and introduced the application for a Proposed bungalow (resubmission of 15/04079/FUL). The application was recommended for refusal. The site was located within a Conservation Area, a Special Landscape Area and was immediately adjacent to a grade II listed property to the east of the site. Conservation had noted that the proposed dwelling on the site would remove an open space from the middle of the conservation area and affect the setting of the adjacent listed building.

Rights of Way (RoW) were in objection to the application, as the council had received an application for a Definitive Map Modification Order (DMMO) to record a public footpath along the east boundary of the proposed site, the application being supported by evidence that a public footpath exists, and that evidence was still being considered by RoW. They had recommended that the application for the development was either refused or a decision deferred until such time as the outcome of the DMMO application was known.

Cllr Hewitt had requested additional plans to be shown, detailing Box Hedge Cottage and new dwelling to the south of the proposed site.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that RoW was still considering the evidence and it could be several months before a decision was expected. As the applicant had requested the application be put forward for consideration, despite there being no decision from the RoW Officer. The Legal Officer explained that this application must be refused or deferred for legal/technical reasons until after a decision had been made by RoW. To approve an application on a site with a registered footpath running through was contrary to law.

The Chairman stated that the Committee would hear from the public registered to speak, once the RoW issue had been resolved, and the application returned to the Committee to consider the merits of the development at a future date.

Members of the Public were not invited to present their views at this time.

The Unitary Division Member, Councillor Hewitt asked for the application to be deferred until the RoW decision had been received.

A motion for refusal in accordance with Officer's recommendation had already been passed by Cllr Ian McLennan, and seconded, the Committee then voted.

Cllr Richard Clewer abstained from voting on this application.

### **Decision**

**The planning permission be REFUSED for the following reasons:**

**(1) Wiltshire Council has a duty under Section 130 of the Highways Act 1980 to protect and assert the rights of the public to the use and enjoyment of any highway for which it is the highway authority. The council is also required to prevent, as far as possible, the stopping up or obstruction of (a) the highways for which they are the highway authority, and (b) any highway for which they are not the highway authority, if, in its opinion, the stopping up or obstruction of that highway would be prejudicial to the interests of its area.**

**Public footpaths are highways, and the duty is therefore clear where the Definitive Map and Statement (the conclusive legal record of public rights of way) shows a footpath, bridleway, restricted byway or byway open to all traffic. However, if a highway authority is aware of a public right of way that is not shown in the Definitive Map and Statement (DMS), the authority still has the duty to protect it in the ways described above.**

**Core Policy 52 also seeks to protect and enhance the green infrastructure network (which includes pedestrian paths and rights of way) in Wiltshire. The policy requires development to make provision for the retention and enhancement of Wiltshire's Green Infrastructure network, and ensure that suitable links to the network are provided and maintained.**

**The council has received an application for a Definitive Map Modification Order (DMMO) to record a public footpath along the east boundary of the proposed site, the application being supported by evidence that a public footpath exists, and that evidence is still being considered by Rights of Way (ROW).**

**The footpath width of 1.54m is the used width of the claimed route, although the ROW officer has advised that additional width evidence may be brought to the attention of the Council as the claim is processed and the width of the footpath may increase.**

**If the claimed route were a footpath already recorded on the definitive map, then ROW would object to the planning application on the grounds that the development would obstruct the footpath; although based on the evidence before them at the moment (21 user evidence forms) and until their investigations are completed they are treating the claimed route as if it were already recorded.**

**The block plan proposes the dwelling to be sited 0.7m from the east boundary of the site and the proposed dwelling would therefore obstruct the claimed right of way for the public on foot along the east boundary of**

the site, contrary to policy 52 of the Wiltshire Core Strategy and section 130 of the Highways Act 1980.

(2) The Planning (Listed Building and Conservation Areas) Act 1990 (sections 16 & 66) places a statutory duty on the local planning authority for '*special regard*' to be given to the desirability of preserving the special interest of listed buildings and their settings. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 also places a statutory duty on the local planning authority that '*special attention*' shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The conservation officer has advised that the scale of the development would sit more comfortably with neighbouring properties (compared to the earlier withdrawn schemes) but the scheme stills remove an open space from the middle of the conservation area and will affect the setting of the adjacent listed building. The character of the High St is primarily one of two-storeyed houses and one-and-a-half storeyed thatched cottages; the proposed bungalow bears no reflection of the character of the Conservation Area and would appear cramped against the boundary with Rose Cottage, intruding into all views of the latter.

The proposal will have an adverse setting on the listed building (Rose Cottage) and the character and appearance of the conservation area with no public benefits arising from the proposal which outweigh this harm (including that as the Council also has a supply of specific deliverable sites sufficient to provide five years' worth of housing against the housing requirements; the provision of housing is not a material consideration which outweighs the adverse impact to the setting of the listed building and character and appearance of the conservation area). It is considered that the proposal is contrary to sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, section 12 of the NPPF (paragraph 134 in particular), policies 57 and 58 of the Wiltshire Core Strategy and Objective 16 of the Council's Design Guide 'Creating Places'.

16 **15/08510/OUT: Scotts House, Salisbury Road, Downton, Salisbury, SP5 3HZ**

Public Participation

Mr Tony Allen (Agent) spoke in Support of the application.

Cllr David Mace spoke in Support of the application on behalf of Downton Parish Council.

The Area Development Manager introduced Outline Planning Application for residential development with all matters reserved except for means of access (17 dwellings). The site was just outside the settlement boundary for Downton.

The application was recommended for approval subject to Downton Primary School gaining planning approval for its proposed extension and the satisfactory completion of a Section 106 Agreement, and conditions. It was noted that the School had since gained planning approval, so the only outstanding condition was that of a 106 Agreement.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that the existing building on the site 'Scott's House' would be demolished as part of the development. Although there was no continuous pathway from the site to the local shops, the inclusion of a pedestrian refuge as part of the proposal would enable pedestrians to cross over to the pavement on the other side of the A338.

There were concerns relating to the route the site traffic would take on entering and exiting the site. It was explained that site vehicles would be guided by the Environmental Management Plan as set out in condition 13 of the report.

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

The Unitary Division Member Cllr Julian Johnson then spoke in support of the application, with Officers conditions, noting that as the development would become the new gateway to Downton, it was important that the design and layout took note of that. He also pointed out that the development would bring Downton up to the required 190 new dwellings for the area as stated in the Core Strategy.

The Committee discussed the application, where there was disappointment that a left turn only sign was not part of the conditions for traffic leaving the site, as it was felt that this section of the road was already congested and any further vehicles leaving the site may turn right across the highway, to avoid queuing around the roundabout in the opposite direction.

The option of having 6 or more of the 17 dwellings listed as affordable homes was discussed, however the Committee was advised that this would go against policy CP43 of the Wiltshire Core Strategy.

### **Resolved**

**That the Area Development Manager (South) be given delegated authority to grant planning permission provided –**

- 1) All interested parties enter into a 'Section 106 agreement' under the Town and Country Planning Act 1990 to deliver the following –**

- **30% affordable housing provision on-site in accordance with demonstrated size/mix requirements;**
- **A financial contribution towards the provision of primary education facilities at Downton CE Primary School;**
- **A financial contribution towards 'Early Years' education facilities in Downton;**
- **A financial contribution towards community facilities in Downton;**
- **A financial contribution towards refuse/recycling collection 'bins';**
- **A financial contribution towards measures to safeguard the New Forest Special Protection Area;**
- **A financial contribution towards off-site adult and youth recreation facilities;**
- **A financial contribution towards the provision and maintenance of on-site open space / play equipment, if necessary.**

**And subject to the following planning conditions –**

- 1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.**

**REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

- 2 No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:**
  - (a)The scale of the development;**
  - (b)The layout of the development;**
  - (c)The external appearance of the development;**
  - (d)The landscaping of the site;****The development shall be carried out in accordance with the approved details.**

**REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.**

- 3 An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.**

**REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.**
- 4 The 'layout' shall make provision for open space in accordance with saved Policy R2 of the Salisbury District Local Plan and its**

associated 'Standards for the Provision of Public Open Space in Association with New Residential Development' and no more than 17 dwellings.

**REASON:** To clarify the terms of the planning permission and to accord with saved Policy R2 of the Salisbury District Local Plan which seeks adequate infrastructure in new developments.

- 5 Prior to the commencement of the development hereby approved a programme for the delivery of the highways works (comprising the vehicular and pedestrian accesses to the site, the frontage 'footway' (pavement) and the pedestrian refuge island, and the stopping-up of the existing northern access to Scott's House) (all as shown on drawing no. 020.0111.100-P5 dated 21/08/15) shall be submitted to the local planning authority for approval in writing. The highways works shall be completed in accordance with the approved programme.

**REASON:** To ensure the highways works are completed in accordance with the approved 'access' details.

- 6 No dwelling hereby approved shall be occupied until the visibility splays shown on the approved plan no. 020.0111.100-P5 dated 21/08/15 have been provided with no obstruction to visibility at or above a height of 600mm 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

- 7 No dwelling on the development hereby approved shall be occupied until sufficient space for the parking of vehicles in accordance with adopted standards together with a vehicular access thereto has been provided in accordance with details submitted to and approved in writing by the Local Planning Authority. The said spaces shall not be used other than for the parking of vehicles or for the purpose of access.

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

- 8 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.

- 9 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.

- 10 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.

- 11 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].

**REASON:** To safeguard the amenities of the area.

- 12 No development shall commence on site (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:
- a) Risk assessment of potentially damaging construction activities
  - b) Identification of 'biodiversity protection zones'
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
  - d) The location and timing of sensitive works to avoid harm to biodiversity features
  - e) The times during construction when specialists ecologists need to be present on site to oversee works
  - f) Responsible persons and lines of communication
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s)
  - h) Use of protective fences, exclusion barriers and warning signs.
  - i) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

A report prepared by a competent person(s), certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, shall be submitted to the Local Planning Authority within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner.

**REASON:** To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

- 13 No development shall commence until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:
- i. The movement of construction vehicles;
  - ii. The cutting or other processing of building materials on site;
  - iii. Wheel washing and vehicle wash down facilities;
  - iv. The transportation and storage of waste and building materials;
  - v. The recycling of waste materials (if any)
  - vi. The loading and unloading of equipment and materials

vii. The location and use of generators and temporary site accommodation

viii. Pile driving (If it is to be within 200m of residential properties)  
The construction/demolition phase of the development will be carried out fully in accordance with the construction management plan at all times.

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

14 No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment has been carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

**REASON:** The application contained insufficient information to enable this matter to be considered at this stage.

15 Prior to commencement of the development hereby approved a surface water 'drainage strategy' shall be submitted to the local planning authority for approval in writing. The drainage strategy shall provide details of the depth of the water table beneath the site based on site specific survey data. The drainage strategy shall additionally provide a detailed scheme for the drainage of surface water, informed by the water table data and ensuring a separation of at least 1m between the water table at its highest

level and any soakaway systems proposed in the scheme. The drainage strategy will specify ground level changes made necessary to accommodate the scheme. The development shall be carried out strictly in accordance with the approved scheme and shall be completed prior to the first occupation of any dwelling on the site or in accordance with a programme to be first approved in writing by the local planning authority.

**REASON:** To ensure satisfactory surface water drainage from the site.

- 16 No development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and drainage.

- 17 There shall be no surface water drainage connections to the existing foul water drainage system.

**REASON:** To avoid overloading of the foul water drainage system in an area where flooding and surcharging has previously occurred.

- 18 No development shall commence on site until a scheme for the discharge of foul water from the site, including any improvements on or off site required to provide capacity in the public sewerage system to enable the site to be served, has been submitted to and approved in writing by the Local Planning

- 19 Authority. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme, including any required improvements to the public system.

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

No development shall commence on site until a scheme for protecting the future occupants at the proposed houses against noise from road traffic and the nearby commercial/industrial businesses has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the any house is first occupied and maintained at all times thereafter.

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

**INFORMATIVE:** In discharging this condition the applicant should engage an acoustic consultant. The consultant should carry out a background noise survey and noise assessment according to BS8233:2014 and BS4142:2014. They should then demonstrate that internal and external noise levels will not

- exceed the guideline noise levels contained in Section 7.7 of BS8233:2014. The report should also demonstrate that internal maximum noise levels in bedrooms will not normally exceed 45dB LAmax between the hours of 23.00 and 07.00. For the BS4142:2014 assessment the rating level should not exceed the existing background levels. The applicant should then specify what construction/glazing/ventilation requirements will be needed to achieve the appropriate levels. Additionally, the noise impact assessment should demonstrate that appropriate noise levels can be achieved for external amenity spaces. The noise assessment should inform the design of the layout and houses.
- 20 No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.  
REASON: In the interests of residential amenity.
- 21 The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.  
REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.
- 22 The development shall be carried out strictly in accordance with the discussions and recommendations set out in the Preliminary Ecological Appraisal Survey Report (August 2015) and Bat Survey Report (September 2015) by Wessex Ecology.  
REASONS: To ensure wildlife is safeguarded.
- 23 The development hereby permitted shall be carried out in accordance with the following approved plans:  
Red-edged site plan;  
Drawing no. 020.0111.100-P5 dated 21/08/15.  
REASON: For the avoidance of doubt and in the interests of proper planning.
- 23 INFORMATIVE: The application is accompanied by an illustrative layout plan which shows an unacceptable layout. This is because it presents in some areas houses too close to the boundaries of the site, too close to mature trees and with substandard gardens. It also presents a play area of inadequate size. In preparing a final layout the applicant is advised to have regard to these points; the applicant is also advised to ensure the final layout is informed by the drainage strategy and noise impact assessment required by conditions set out above.
- 24 INFORMATIVE: The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further

information with regards to CIL please refer to the Council's Website

[www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy)

17 **15/11589/FUL: Mobile Home Site at Lime Kiln Farm, Dinton, Wiltshire**

Public Participation

Mr Tony Allen (Agent) spoke in Support of the application.

Cllr Justin Fry spoke in Objection to the application on behalf of Dinton Parish Council.

The Area Development Manager introduced the application for full planning permission for the demolition of the existing mobile home style dwelling that currently sits on the site and the replacement with a new two storey 3 bedroomed dwelling incorporating a tiled/slate roof with wood clad walls and a brick base. This was a small site just off the C road that runs between the villages of Dinton and Wylde in the Cranbourne Chase Area of Outstanding Natural Beauty. The application was recommended for approval.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that there was no requirement to tie the development to the farm.

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

After declaring an interest as a member of the AONB Partnership Panel, The Unitary Division Member, Councillor Bridget Wayman then spoke in objection to the application, noting the scale of the development was seven times larger than the existing dwelling. Cllr Wayman asked the Committee to give consideration to the conservation and enhancement of the natural surroundings, within the AONB. Highlighting that one end of the dwelling would virtually be completely made of glass. The light spillage from that glass would cause light pollution in a rural dark landscape. Cllr Wayman urged the Committee to refuse the application, however if the Committee was mindful to approve it, then she asked for an additional condition to be included which would not permit any external lighting on the property, and for condition 4 to be adapted to require the hedgerow to be retained.

The Committee discussed the application noting that other areas such as the Brecon Beacons had planning policy in place which protected areas with dark

skies; it was suggested that Wiltshire should have something similar. The proposed development was significantly larger than the existing dwelling, and building something of such a massive scale in an area which was never meant to receive it would be in conflict with H30.

### **Resolved**

**The application be REFUSED for the following reasons:**

**The application site lies within the countryside and an Area of Outstanding Natural Beauty. Within the countryside saved Policy HC30 of the Salisbury District Local Plan allows replacement dwellings provided that they are not significantly larger than the dwelling they are to replace, and Policy CP51 of the Wiltshire Core Strategy requires new development to protect, conserve and, where possible, enhance the character of the landscape, particularly within the Areas of Outstanding Natural Beauty.**

**In this case the proposal is to demolish the existing modest single storey dwelling on the site and erect a significantly larger two storey house – over seven times larger in terms of its floor area. An increase of this magnitude is not considered to amount to ‘replacement’ in terms of Policy HC30, and so the proposal conflicts with this policy per se. And additionally as a consequence of the size increase (in terms of both the floor area and height) and resulting prominence in views, the proposed new house would have a harmful impact on the character and appearance of the landscape in the area. This would be to the detriment of the landscape in the wider area, neither conserving nor enhancing its status as an Area of Outstanding Natural Beauty, contrary to Policy CP51.**

18 **Apologies for Absence**

There were no apologies.

19 **Urgent Items**

There were no urgent items

(Duration of meeting: 6.30pm – 8.18pm)

The Officer who has produced these minutes is Lisa Moore, of Democratic & Members' Services, direct line (01722) 434560, e-mail [lisa.moore@wiltshire.gov.uk](mailto:lisa.moore@wiltshire.gov.uk)

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

## **SOUTHERN AREA PLANNING COMMITTEE**

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**DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING  
HELD ON 7 APRIL 2016 AT CORONERS COURT, 26 ENDLESS ST, SALISBURY  
SP1 1DR.**

**Present:**

Cllr Fred Westmoreland (Chairman), Cllr Christopher Devine (Vice Chairman),  
Cllr Richard Britton, Cllr Richard Clewer, Cllr Brian Dalton, Cllr Jose Green, Cllr Mike Hewitt,  
Cllr George Jeans, Cllr Ian McLennan, Cllr Ian Tomes and Cllr Ian West

**Also Present:**

Cllr Graham Wright, Cllr Bill Moss

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**20 Apologies for Absence**

There were none.

**21 Minutes**

The minutes of the meeting held on 25 February 2016 were presented.

**Resolved:**

**To approve as a correct record and sign the minutes.**

**22 Declarations of Interest**

The following declarations of interest were received:

Cllr Britton noted that one of the applications referred to Selwood Housing, of which he was the Director. This was a personal interest and not a pecuniary.

Cllr Clewer noted that he had previously pushed hard for the Council to develop the Old Manor site as social housing; he would look at this application with a clear mind.

## 23 **Chairman's Announcements**

The Chairman explained the meeting procedure to the members of the public.

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

The committee noted the rules on public participation.

## 25 **Planning Appeals**

The committee received details of the appeal decisions as detailed in the agenda.

## 26 **Planning Applications**

### 26a **15/09465/FUL: Land Adjoining the Old Manor Hospital, Wilton Road, Salisbury, SP2 7EP**

#### Public Participation

Mr Sam Hobson (Architect) spoke in support of the application

Mr Steve Godwin (Salisbury BID) spoke in support of the application

Mr Robert Sykes (Local Resident) spoke in support of the application

Cllr's John Lindley and Matthew Dean spoke in support of the application, on behalf of Salisbury City Council

The Senior Planning Officer drew attention to late correspondence, from Highways England, which was circulated at the meeting and introduced the application to demolish the existing extensions to listed building Finch House and remove the existing detached buildings in the vicinity (including Foxley Green previously occupied by the NHS Mental Health Partnership), and construct 71 assisted living extra care units. The scheme would also include associated landscaping, ancillary buildings and uses such as a cafe and communal uses and rooms, including a new convenience store of 422sqm.

This proposal included works to alter the existing vehicular access onto the adjacent A36, which would involve works to the existing boundary walling, including stopping up the existing access, creating a new vehicular access, and creating a pedestrian access.

At this time, it was intended that this proposal would form Phase 1 of part of a much larger development of the surrounding Old Manor site (a total of 5 Phases), including future works to the adjacent Finch House itself (Phase 2). As currently indicated by the suggested masterplan and phasing, Phase 5 would facilitate the creation of a cycle and pedestrian route with the adjacent Windsor Road.

The application was recommended for approval. It was noted that this was a phased development, with phases 1 and 2 for consideration at present.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that by nature of virtue the tunnel attached to Finch House was also listed, however it did not form part of the planning application.

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

The Unitary Division Member, Councillor Clewer then spoke on the application, adding that the local community supported the development of this site. With a low stock of accommodation in Wiltshire, a development of this type would free up many family sized homes across the county. Although he would have liked to see some affordable housing on the site, as this was not possible, the solution of an offsite contribution had been agreed.

The listed buildings on the site were now in such a state of disrepair that if something was not done soon, then they may well fall down. An extra care housing development for this site was fitting due to the medical centre which was already there.

The Committee discussed the application, noting that there had been over 800 letters of support received for this development. Although some mature trees would be removed as part of the development, a vibrant set of buildings would be built in their place. The phased approach to development of the site raised concerns over whether all of the phases would come to fruition.

It was desired that the offsite contribution agreed by the developer should be used to support separate extra care housing in Salisbury and not outside the city in greater Wiltshire. It was suggested that a future proposed extra care housing schemes in the City could benefit from these funds.

It was noted that if during development works the pavement surfacing could be renewed, from the site on Wilton Road down to Fisherton Street, it would be beneficial.

Cllr Clewer moved the Officer's recommendation to approve the application, seconded by Cllr Westmoreland.

**Resolved**

**That subject to a suitable legal agreement being completed, and adjustment to condition 13 of the report to reflect Highways England comments, the application be APPROVED subject to conditions:**

**SUBJECT TO A SUITABLE S106 LEGAL AGREEMENT WHICH SECURES THE FOLLOWING:**

- I) Financial contribution towards the off site provision of affordable housing**
- II) Financial contribution towards waste and recycling provision on site**
- III) Financial contribution towards air quality management in Wilton Road area**
- IV) Financial contribution and provision towards public art on the site**
- V) Submission of a scheme including timing and phasing, for the future enhancement of both listed buildings (Finch House and Avon House) as part of the wider development of the site.**
- vi) Restrict the occupation of the development to assisted living extra care apartments/residential units as defined in the application details,**
- vii) Restrict the operation of the communal facilities on site (excluding the retail shop) so that they are not operated independently from the residential use of the site**

**THEN THE SCHEME BE APPROVED BY THE AREA DEVELOPMENT MANAGER, subject to the following conditions:**

**01 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.**

**02 Before development commences, full large scale details and samples of the materials to be used for the development, including walls, roofing, architectural details, doors and windows, chimneys, boundary treatments, and hardsurfacing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be built out in accordance with the approved details.**

**REASON: To ensure that the scheme preserves and enhances the Conservation Area and the adjacent heritage assets**

**03 The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.**

**REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.**

## **PLANS**

**04 The development shall be carried out in accordance with the following plans:**

**Existing Location Plan 883-100  
Existing Topographical Survey 883-101  
Existing Site Sections (Sheet 1) 883-102  
Existing Site Sections (Sheet 2) 883-103  
Existing Photomontage (Phase 1 Areas) 883-104  
Proposed Demolition Plan 883-300A  
Proposed Location Plan 883-301A  
Proposed Landscape Plan 883-302B  
Detailed Demolition Plan 883-303  
Detailed Demolition Plan 883-304  
Detailed Demolition Plan 883-305  
Detailed Demolition Plan 883-306  
Detailed Demolition Plan 883-307  
Boundary Wall Demolition Plan 883-308  
Proposed Ground Floor Plan 883-400A  
Proposed First Floor Plan 883-401A  
Proposed Second Floor Plan 883-402A  
Proposed Third Floor Plan 883-403A  
Proposed Roof Plan 883-404A  
Proposed Site Section (Sheet 1) 883-500  
Proposed site Section (Sheet 2) 883-501  
Proposed North and East Elevations (Block A&B) 883-502A  
Proposed South and West Elevations (Block A&B) 883-503A  
Proposed Sections B-B & C-C (Block A&B) 883-504A  
Proposed Sections A-A (Block A&B) 883-505A  
Proposed Elevations (Block C) 883-506A  
Proposed Elevations (Block D) 883-507A  
Proposed Elevations (Block C&D) 883-508A  
Proposed Façade Details (Block A&B) 883-509A  
Proposed Façade Details (Block C) 883-510A  
Proposed Façade Details (Block D) 883-511A  
Block C and Finch House Junction 883-512A  
Existing Finch House Floor Plan 883-600  
Existing Finch House Elevations 883-601  
Proposed Foul Drainage Strategy 883-700  
Proposed Surface Water Drainage 883-706  
Proposed entrance gateway adjacent Finch House 883-801  
General arrangement Right Turn Lane 4676/001 Rev G  
Visibility splay extent – boundary wall demolition - 883-702  
REASON: For the avoidance of doubt  
Planting/landscaping**

**05 The new landscaping/planting scheme shall be in accordance with the approved planting/landscaping plan 'Proposed Landscape Plan' 883-302B (listed above) and all the planting shall be carried out and completed within 2 years of the commencement of the**

**development, unless otherwise agreed in writing by the Local Planning Authority.**

**Any trees that are subsequently removed or die within ten years of the date of planting shall be replaced by trees of a species and size indicated on the approved plan, or to as otherwise agreed as part of a replacement planting scheme in writing with the Local Planning Authority.**

**REASON: To ensure that replacement planting occurs with a suitable timescale in order to soften this and any other development on this site and enhance the wider Conservation Area.**

**Retention and protection of Finch House during construction**  
**06 Before any demolition works commence, a detailed scheme of how the remaining part of Finch House is to be retained and protected and made structural stable/secure during and following demolition and construction works, shall be submitted to and approved in writing by the Local Planning Authority. Demolition and construction works, and the agreed remedial works to the remainder of Finch House shall be carried out in accordance with the agreed scheme.**

**REASON: To ensure that the historic asset is protected during and after demolition and construction works**

**Drainage**

**07 Before the development hereby approved in occupied, the foul/storm drainage as shown on the approved plans 883-706 Rev A & 883-700 Rev B shall be constructed and made available for use, and an ownership and maintenance regime for the drainage shall be submitted to and approved in writing by the Local Planning Authority.**

**REASON: To ensure the development has suitable drainage facilities**

**CEMP**

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

**REASON: To prevent pollution of the water environment**  
**Transport/Highways**

**09. Before development commences, a scheme for the works within the A36T highway system, including traffic management measures within the vicinity of the site and the location and extent of parking restrictions related to the proposed new access and Fountain Way,**

shall be submitted to the Local Planning Authority (and Highways England). The development shall not be occupied or brought into use until the submitted scheme has been agreed in writing by the Local Planning Authority in consultation with Highways England, and has been implemented in full.

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

**10.** Prior to the commencement of the development (excluding demolition works), details of the internal access road and associated paths including its connection with the existing Fountain Way shall be submitted to and approved in writing by the Local Planning Authority, and the road shall be constructed in accordance with those details.

**REASON:** To ensure that the access road is constructed in a manner consistent with its future use by other parts of the Old manor Hospital complex.

**11.** Before the dwellings hereby approved are first occupied, all the associated vehicular parking and turning areas, and bicycle storage/parking areas shall be made available for use, and such facilities shall be retained for those purposes in perpetuity.

**REASON:** To ensure there is sufficient on site residential parking facilities and cycle storage facilities to encourage sustainable travel, and to limit the impact of traffic on the adjacent A36 highway system.

**Works to boundary wall and new vehicular access**

**12.** Notwithstanding the details shown on the approved plans, and prior to the commencement of any works on site in respect of the new vehicular access adjacent Porters Lodge, and the proposed pedestrian access in the boundary walling adjacent Finch House, a construction method statement for the demolition and reconstruction of the site boundary wall and new access and visibility splays and associated works, together with tree protection works, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details.

**Reason:** In interest of the safe operation of the A36 road system and the character of the conservation area and the integrity of the heritage asset.

**13.** Before the development is first brought into use, the visibility splay as shown on drawing reference 4676/001 G (measured from a point 4.5m back from the carriageway edge along the site access road centreline and 90m to the west A36T carriageway centreline and 90m to the east carriageway nearside edge) shall be cleared of

obstruction to visibility at and above a height of 0.6m above the nearside carriageway level, and thereafter maintained free of obstruction at all times.

**Reason:** To ensure the safe and efficient operation of the A36T. Stopping up of existing vehicular access onto A36

**14.**The proposed development shall not be brought into use until the existing vehicular access adjacent Porters Lodge has been stopped up and its use permanently abandoned, and the footway crossing reinstated, in accordance with a detailed scheme to be agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed scheme.

**REASON:** In the interest of the heritage asset and character of area, and in the interest of highway safety

#### **CMP FOR COMPOUND**

**15.**No development, including site preparation works, shall commence on site, until a construction traffic management plan has been submitted to and agreed in writing by the Local Planning Authority to include the provision of a temporary site access and compound, to provide a parking area for site operatives and construction traffic and for the storage of plant, equipment and materials to be used in the development hereby permitted. Such temporary access and site compound shall be provided on site in strict accordance with the approved details and shall thereafter be maintained during the course of the development, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure the safe operation of the A36 road network and to protect surrounding amenity and the heritage assets on the site Linkage with Windsor Road

**16.**Within 3 months of the first occupation of any of the residential units forming part of this development, a scheme for the provision and timing of a pedestrian and cycle linkage with Windsor Road along the eastern boundary of the wider Old Manor site, as indicative by the adopted Development Brief via the planned Phase 5 development site (known as the old laundry) shall have been submitted to the Local Planning Authority. A link as approved in writing by the Local Planning Authority shall thereafter be provided and maintained in accordance with the agreed scheme and timing.

**REASON:** In order to enhance the sustainability of the approved scheme and any subsequent development, and to allow access to the facilities on the Old Manor site to adjacent residents, in accordance with the adopted Development Brief.

#### **Retail shop and associated parking**

**17.**The retail use hereby permitted (the convenience store) shall

only take place (open for trading to the public) between the hours of 0700hrs and 2200hrs. No deliveries shall be made to, or collections made from, the retail unit hereby approved except between the hours of 0730hrs and 1800hrs Monday to Saturdays, with no deliveries or collections on Sundays or Bank/ Public Holidays.

**REASON:** In the interest of amenity

18. Before the retail use hereby approved first comes into operation (opens to the public), all the associated vehicular parking and turning areas, and bicycle storage/parking areas shall be made available for use, and such facilities shall be retained for those purposes in perpetuity.

**REASON:** The retail element of the development will increase demand for car parking in the vicinity of the main vehicular access serving the development site. Without adequate controls to prevent inappropriate parking on the A36T, the safe and efficient movement of goods and people along the Strategic Road Network would be compromised.

19. No development shall commence on site until a scheme of acoustic insulation and noise and odour/fume control has been submitted to and approved in writing by the Local Planning Authority. The scheme should specify the acoustic insulation and other measures to be put in place to prevent and control the emission of noise and odour/fumes from the development including noise from ventilation/ extract fans/ refrigeration units/ generators/ deliveries to or from commercial units or communal uses. The approved scheme shall be implemented in full before the development is occupied and maintained at all times thereafter.

**REASON:** In the interest of amenity

**Construction impacts on amenity**

20. Notwithstanding the hours stated in the submitted Noise Survey and the submitted Construction Management Plan, no construction or demolition work shall take place on Sundays or Public/ Bank Holidays or outside the hours of 0730hrs to 1800hrs Monday to Friday and 0800hrs to 1300hrs on Saturdays. No burning of waste or other materials shall take place on the development site during the demolition/construction phase of the development.

**REASON: In the interest of amenity**

**21.No development approved by this permission shall be commenced until an additional Construction Management Plan, which limits the impact of construction works on the operations of surrounding uses including the adjacent Magistrate/Crown Court use on Wilton Road, has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.**

**REASON: To limit the impact of construction works on an adjacent use.**

**22.Unless otherwise agreed as part of the measures to be agreed as part of the Additional Construction Management Plan, dust management shall be carried out fully in accordance with the submitted Construction Management Plan submitted to the Local Planning Authority on 2<sup>nd</sup> November 2015.**

**REASON: In the interest of amenity**

**Protection of dwellings adjacent main road**

**23.The development shall not be first brought into use until a scheme for the mechanical ventilation and extraction for residential properties within 15m from the edge of the A36 carriageway has been submitted to and approved in writing by the Local Planning Authority. The ventilation and extraction equipment shall thereafter be maintained in accordance with the approved details. No changes to the ventilation and extraction equipment and flue(s) shall take place, and no other ventilation or extraction equipment shall be installed, without prior written approval from the Planning Authority.**

**REASON: In order to limit the impact of pollutants from the adjacent A36 road, in the interest of residential amenity**

**General protection of dwellings**

**24. Before occupation of the residential accommodation hereby approved, the noise attenuation measures as detailed in Section 5 (Mitigation) of the submitted Hayes McKenzie Partnership Noise Survey dated 26<sup>th</sup> August 2015 shall be implemented in full.**

**REASON: In the interest of amenity**

## **Contaminated Land**

**25.No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:**

**Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.**

**Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.**

**Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.**

**REASON: To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.**

## **INFORMATIVES**

**Highways matters**

**The developer should note that the details pursuant to a number of the above conditions will be discussed with Highways England.**

**Notwithstanding and in addition to this consent, the proposed development will require separate Highway England approval for the construction of the proposed vehicular access and lining and signing on Highways England highway land and the reinstatement of footway which will be subject to entering in to the relevant legal agreement with Highways England. The Applicant is required to obtain this approval before works commence and is therefore recommended to contact Highways England in this respect as soon as possible.**

**Notwithstanding all other restrictions or regulations, Highways England has indicated that any construction related traffic or works no site works shall avoid the hours of 07:30-09:00 and 16:30-18:00 which corresponds with peak traffic times along the A36. The submission of further details pursuant to the above conditions should therefore reflect this request.**

#### **Environmental health matters**

**With regards the above conditions, the applicant should engage an Acoustic Consultant. The consultant should carry out a thorough background noise survey and noise assessment in accordance with BS4142:2014 (or any subsequent version) and demonstrate that the rating noise level is at least 5dB below the background noise level. All building services plant associated with the development (including air conditioning units, ventilation grilles, extraction systems or other air handling plant etc) shall be so sited and designed in order to achieve a Rating Level (BS4142:2014) of -5dB below the lowest measured 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.**

**We recommend the applicant ensures that the ventilation system discharges vertically at a height of at least 1m above the height of any nearby sensitive buildings or uses and not less than 1m**

above the eaves. We recommend the applicant consults the Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (DEFRA 2005.)

**26b 15/09519/LBC: Land Adjoining the Old Manor Hospital, Wilton Road, Salisbury, SP2 7EP**

Information on this application was included in the previous presentation for 15/09465/FUL.

Cllr Clewer moved the Officer's recommendation for approval, seconded by Cllr Westmoreland.

**Resolved:**

**The application be APPROVED subject to conditions:**

**01 The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.**

**REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

**PLANS**

**02 The development shall be carried out in accordance with the following plans:**

**Existing Location Plan 883-100**

**Existing Topographical Survey 883-101**

**Existing Site Sections (Sheet 1) 883-102**

**Existing Site Sections (Sheet 2) 883-103**

**Proposed Demolition Plan 883-300A**

**Proposed Location Plan 883-301A**

**Detailed Demolition Plan 883-303**

**Detailed Demolition Plan 883-304**

**Detailed Demolition Plan 883-305**

**Detailed Demolition Plan 883-306**

**Detailed Demolition Plan 883-307**

**Boundary Wall Demolition Plan 883-308**

**Proposed entrance gateway adjacent Finch House 883-801**

**REASON: For the avoidance of doubt**

**Retention and protection of Finch House during construction**

**03 Before any demolition works commence, a detailed scheme of how the remaining part of Finch House is to be retained and protected and made structural stable/secure during and following demolition and construction works, shall be submitted to and approved in writing by the Local Planning Authority. Demolition and construction works, and the agreed**

remedial works to the remainder of Finch House shall be carried out in accordance with the agreed scheme.

**REASON:** To ensure that the historic asset is protected during and after demolition and construction works

**Works to boundary wall and access points**

**04** Before any works associated with the matters listed below are commenced, large scale details and details of the materials and works associated with the matters shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed details:

a) the removal of part of the boundary walling to create the new vehicular access adjacent Porters Lodge, and

b) the works associated with the proposed pedestrian access in the boundary walling adjacent Finch House, and

c) the stopping up of the existing vehicular access adjacent the Porters Lodge

**Reason:** In interest of the character of the conservation area and the integrity of the heritage asset.

**05** No works authorised by this consent shall commence until planning permission for the redevelopment scheme subject of planning application 15/09465/ful has been formally approved and formally commenced.

**REASON:** The works subject of this listed building consent are also integral to the redevelopment scheme subject of a separate planning application, and as part of this separate process, the large scale of the demolition works would have wider highway, environmental health, environmental, and heritage impacts, and may therefore require mitigation before development commences.

## **INFORMATIVES**

### **Separate Highways and planning consent matters**

Notwithstanding and in addition to this LBC consent, the proposed redevelopment of the wider site will require planning permission and the separate Highway England approval for the construction of the proposed vehicular access and lining and signing on Highways England highway land and the reinstatement of footway which will be subject to entering in to the relevant legal agreement with Highways England.

The Applicant is required to obtain these approvals before works commence and is therefore recommended to contact Highways England in this respect as soon as possible.

**26c 16/00831/FUL: Paddock View, The Street, Teffont, Wiltshire, SP3 5QP**

Public Participation

Lisa Witcher spoke in objection to the application

Mr T Pegrum spoke in objection to the application

Mr Nicholson spoke in objection to the application

David Wood spoke on behalf of Teffont Parish Council

The Senior Planning Officer introduced the application for the demolition of an existing bungalow and construction of a replacement dwelling with associated works, at Paddock View. The application was recommended for approval. It was noted that the site was accessed via a shared driveway leading from the street, and a public footpath also extends along the shared driveway along the northern boundary. The site was within the Cranborne Chase AONB and Conservation Area.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that whilst the dormer windows faced north, it was considered that the replacement dwelling would not unduly impact upon residential amenity.

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

A representative from Teffont Parish Council spoke in objection to the application, due to the size, style and height. However the parish council noted that it did not object to principle development of the site, but did not support this application and would like to see a like for like bungalow in its place.

The Unitary Division Member, Councillor Wayman then spoke on the application, adding that what was once a 1930's bungalow would now be a two storey house, sitting higher on the hillside. No consideration had been given to the Village Design Statement where it was specific on the design of dormer windows. New buildings should be complimentary to existing character of the village.

The Committee discussed the application, noting that the design matched an already approved development in the village. It was sympathetic that site traffic would need to use the shared driveway, which may cause further damage to fencing and obstructions during deliveries for the neighbouring residents. The application would need to adhere to standard hours as part of the loading and unloading of materials in the conditions, and damage to neighbouring property would be a civil matter.

**Resolved**

**The application be APPROVED subject to conditions:**

**1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

**REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

**2) 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.**

**3) No development shall commence 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.**

**4) No development shall commence on site (including any works of demolition) until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The statement shall include details of 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;**
- i) hours of construction, including deliveries**

**The approved Statement shall be adhered to throughout the construction period.**

**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.

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:-

" a detailed planting specification showing all plant species, supply and planting sizes and planting densities;

" all hard and soft surfacing materials

**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 to ensure a satisfactory landscaped setting for the development, in the interests of visual amenity and the character and appearance of the area.

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 development shall commence until large scale detailed elevation and section plans of the dormer windows 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, to ensure that the development is appropriately detailed due to its location within the conservation area.

8) All windows shall be of timber. No paint or stain finish shall be

applied to external timber until details of the paint or stain to be applied have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being first occupied. All windows shall remain as timber in perpetuity.

**REASON:** In the interests of visual amenity and the character and appearance of the area, to ensure that the development is appropriately detailed due to its location within the conservation area.

9) 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 to, or extensions or enlargements of 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 enlargements.

10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the roofslopes or gable ends of the development hereby permitted.

**REASON:** To safeguard the character and appearance of the area and in the interests of residential amenity.

11) The dwelling hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. The dwelling shall not be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

**REASON:** To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.

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

Plan Ref: CHP/01 1:1250 Site Location Plan, received by this office 10/02/2016

Plan Ref: CHP/14 Site & Roof Plan, received by this office 10/02/2016

Plan Ref: CHP/15 North & West Elevation, received by this office

**10/02/2016**

**Plan Ref: CHP/16 Side & Rear elevations, Ground floor and first floor plan, received by this office 27/01/2016**

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

**INFORMATIVE: 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.**

**INFORMATIVE: External lighting**

**In considering any proposed external lighting, the applicants should comply with the Cranborne Chase and West Wiltshire Downs AONB position statement on Light Pollution available from:  
[http://www.ccwwdaonb.org.uk/projects/pub\\_other.htm](http://www.ccwwdaonb.org.uk/projects/pub_other.htm)**

**INFORMATIVE: Public right of Way**

**A public footpath (TEFF7) runs along the access road and past the front of the property. This has a definitive width of up to 2 metres and all public rights must be safeguarded. The footpath should be kept clear and accessible to members of the public at all times during and after development.**

**INFORMATIVE: Wiltshire Fire & Rescue**

**The applicant should be made aware of the letter received from Wiltshire Fire & Rescue Service regarding advice on fire safety measures. This letter can be found on the application file which can be viewed on the council's website against the relevant application record.**

**INFORMATIVE: CIL**

**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**  
**[www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy)**.

**26d 15/11244/FUL: Local Centre, Old Sarum, Salisbury, SP4 6BY**

Public Participation

Mr Ronnie Hutchinson spoke in objection to the application

Penny Joyce (Old Sarum Community Coordinator) spoke in objection to the application

Sharon Burgess (Salisbury Medical Practice) spoke in support of the application

Mr David Burton spoke in objection on behalf of Laverstock & Ford parish council

The Senior Planning Officer introduced the application for the erection of three storey building comprising of 21 affordable housing apartments with parking, bin & cycle stores, associated infrastructure (alterations to S/2012/1829). The application was recommended for approval. It was noted that the community space which originally included a Doctors surgery was now proposed to be replaced by affordable housing.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was clarified that affordable housing could not be considered 'community use' and therefore could not replace a doctors surgery or other deemed suitable 'community use' alternatives if there had been insufficient marketing of the vacant space, as 'community use'.

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

A representative Laverstock & Ford Parish Council spoke in objection to the application on the grounds that there had been no attempt to market the space as a doctor's surgery to other interested parties. It was felt that there was massive interest in having a community facility in the space rather than housing. There was huge objection from local residents and parish councils to the proposals.

The Unitary Division Member, Councillor McLennan then spoke on the application, adding that in the beginning there was a local plan where 630 houses were welcomed. Councillors agreed to the master plan and Persimmon's agreed that a doctor's surgery would be included. He had been in discussions with another surgery in the city which had expressed interest in the site. There was huge public need for a doctor's surgery as the amount of people living in the community now equated for 3 doctors.

The Committee discussed the application, noting that the site was always intended for community use, specifically as a doctor's surgery. It was felt that the correct process should be followed and the site should be marketed as so, to give the community time to find an alternative.

Cllr McLennan moved for refusal against the officer's recommendation, this was seconded by Cllr Tomes.

### **Resolved**

**The application be REFUSED for the following reasons:**

**The wider Old Sarum development was permitted on the basis that it would be served by a number of community facilities, including a doctor's surgery. The S106 legal Agreement associated with the development requires a suitable scheme of marketing in respect of a doctor's surgery use and an alternative community use, prior to a scheme being submitted for a residential or other non-community use. Adopted Wiltshire Core Strategy (WCS) policy CP49 indicates that proposal's involving the loss of community uses will only be permitted as a last resort where it has been proven that the community use is no longer economically viable and where all other options have been exhausted.**

**Whilst some marketing appears to have been undertaken in relation to a doctor's surgery use, no alternative marketing scheme has been formally submitted relating to the use of the space for an alternative community use. It is not clear whether the ground floor space has been marketed in a flexible and open manner, or at an appropriate price which reflects the desire for a community use of the space, and which takes account of the likely future demand for a community uses as a result of a growing population in the Old Sarum area. Furthermore, the evidence submitted and the public consultation process has been challenged by several third parties and local Parish Councils, and hence, the robustness of the applicant's evidence is unclear at this time.**

**Whilst the provision of affordable housing is supported by policy CP43 of the WCS, the additional seven housing units being proposed are not considered to be a suitable replacement for a community facility, particularly as the additional housing will create a need and demand for additional facilities, whilst reducing the available space for any such community uses to be provided within the growing community.**

**The Local Planning Authority therefore remains to be convinced that the aims of the associated S106 Agreement have been fully complied with or that the requirements of policy CP49 in relation to the**

submission of a comprehensive marketing plan have been fully addressed. Consequently, the current proposal is considered to be contrary to the aims and criteria of the original housing allocation and saved policy H2D, the associated S106 Agreement, and contrary to policy CP49 of the WCS, and the aims of the NPPF to promote the retention and development of community facilities.

**26e 15/10727/FUL: Emmotts Farm, Grimstead Road, West Grimstead, SP5 3RQ**

Public Participation

Mr Eric Daffern spoke in support on behalf of Grimstead parish council

The Senior Planning Officer introduced the application for alterations, extensions, and conversion of existing Staddle Stone barn and attached stable to form three bedroom dwelling with creation of associated garden. Alterations and extension of Victorian barn to create stables, garaging and workshop. Associated works including removal of lean-to structures within yard area. The application was recommended for approval. It was noted that a restricted occupancy condition was contained in the report.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that the use of the stables was tied to the dwelling.

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

A representative from Grimstead Parish Council spoke in support of the application.

The Unitary Division Member, Councillor Britton moved Officer's recommendation for approval, seconded by Councillor Westmoreland.

**Resolved**

**The application be APPROVED subject to conditions:**

**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.**

**The equestrian and agricultural farm yard and buildings as shown on plan 784-20-21 (and hatched in red) shall not be occupied at any time other than for purposes ancillary to the residential use of the main**

dwelling hereby approved, known as the Staddle Stone Barn, Emmotts Farm, Grimstead Road, West Grimstead SP5 3RQ. There shall be no subdivision of the planning unit.

Reason: To ensure that the residential property known as the Staddle Stone Barn is not occupied by anyone who is not associated with the existing farm and equestrian use at Emmotts Farm, in the interests of future amenities.

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

Planning Statement October 2015, Pegasus Group, received 28/10/15  
Design and Access Statement, Favonius Architects, received 28/10/15  
Heritage Statement August 2015, Elaine Milton, received 28/10/15  
Structural Viability Report 7463:01 14/4/15 received 28/10/15  
Chalkhill Environmental Consultants, Bat Survey 578-15 15/16 July 2015, received 28/10/15  
Response from Jan Freeborn, Project Ecologist, Chalkhill Environmental Consultants, received 11/1/16  
Photos of Victorian Barn (stables) roof received 11/2/16 from Mr. S Lock  
Site Plan, 784-20-05 Jul 2015, received 28/10/15  
Block Plan, 784-20-07 Jul 2015, received 28/10/15  
Location Plan, 784-20-06A Jul 2015, received 3/11/15  
Drainage Plan, 784-20-19 Aug 2015, received 28/10/15  
Ground Floor Plan, 784-20-01A July 2015, received 9/2/16  
First Floor Plan and Roof Plan, 784-20-02 Jul 2015, received 28/10/15  
Sketch Sections, 784-20-08 July 2015, received 28/10/15  
Sketch Section C-C, 784-20-22 Feb 16, received 2/2/16  
Typical Window Detail and Rooflight Detail, 784-20-11A, received 2/2/16  
Stable Elevations, 784-20-04B Jul 15, received 14/3/16  
Proposed Elevations, 784-20-03 Jul 2015, received 28/10/15  
Door Details Utility Door D04, 784-20-09 Jul 2015, received 28/10/15  
Door Details D05, D06, 784-20-14 Jul 2015, received 28/10/15  
Door Details Breakfast Room French Door D03, 784-20-10 Jul 15, received 28/10/15  
Door Details D01, 784-20-13 Jul 15, received 28/10/15  
Door Details D02, 784-20-12 Jul 15, received 28/10/15  
Stable Doors, 784-20-15 Jul 2015, received 28/10/15  
Staddle Stone Barn and Extent of Associated Equestrian/Farm Yard, Buildings and Garden Area, 784-20-21 Dec 2015, received 3/12/15

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

No construction or demolition work shall take place on Sundays or

**Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays**

**Reason: In the interests of neighbouring amenities**

**No development shall commence within the area indicated (proposed development site) until:**

**A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and**

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

**REASON: To enable the recording of any matters of archaeological interest.**

**The development hereby approved shall be carried out in accordance with the recommendations made in section 7 of the Bat Survey report dated 15/16 July 2015 prepared by Chalkhill Environmental Consultants, as already submitted with the planning application and agreed in principle with the local planning authority before determination.**

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

**Only low-height, downward directional and passive infrared sensor lights shall be used on the east elevation of the barn conversion (Staddle Stone Barn) and the western elevation of the converted stables/garades/workshop building (Victorian Barn) and no external lighting shall be installed to the southern elevation of the adjacent Hay Barn, unless otherwise agreed in writing with the local planning authority. No other external lighting shall be installed on these elevations without the prior approval of the Council's Ecologist.**

**REASON: To maintain the farmyard as a dark corridor for foraging/commuting Natterer's and Common pipistrelle bats using the Hay Barn, and to limit the amount of light spillage into the site that may affect other foraging/commuting bats using the site, including Brown long-eared bats.**

**Before development takes place, details of the provision of bat**

roosting features into the converted buildings shall be submitted to the local planning authority for approval, including a plan showing the locations and types of features. The approved details shall be implemented before the dwelling hereby approved is first occupied.

**REASON:** To provide additional roosting for bats as a biodiversity enhancement, in accordance with paragraph 118 of the National Planning Policy Framework.

The development hereby approved shall be carried out in accordance with the designs for swallows depicted in the drawing 784-20-04B Stable Elevations and the photograph submitted on 11<sup>th</sup> February 2016 by Mr. S Lock showing that swallows would continue to be able to access the roof space in the converted barn.

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

**INFORMATIVES:**

Archaeological work should be conducted by a professionally recognised archaeological contractor in accordance with a written scheme of investigation approved by this office and there will be a financial implication for the applicant.

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 [www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy).

**Please note that this consent does not override the statutory protection afforded to any protected species. All British bat species are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not. If bats are discovered, all works should stop immediately and a licensed bat worker should be contacted for advice on any special precautions before continuing (including the need for a derogation licence from Natural England). Please also be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the Council Ecologists.**

**The applicant's attention is drawn to the comments on the website made by the drainage officer regarding foul and surface water drainage and the use of the treatment plant.**

**Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way in the vicinity of the site Macks Lane (GRIM21) forms the east boundary to the site.**

**The property would be accessed by a public footpath known as Macks Lane (GRIM21). This is not recorded as a public vehicular highway. The only recorded public rights along it are on foot. In order to drive a vehicle along Macks Lane, the new householder would need to have a demonstrable private right of vehicular access and it is an offence to drive along a public footpath without lawful authority. Vehicular users are warned that they do so at their own risk and should be aware that if they do not have a vehicular right there is no guarantee that they will be able to continually access the property with vehicles.**

**The developer would be strongly encouraged to ensure that the converted buildings meet either the "very good" BREEAM standard or any such equivalent national measure of sustainable building which replaces that scheme. Please refer to Core Policy 41.**

**26f 15/11944/FUL: Co-op Food, 65 Bulford Road, Durrington, SP4 8DL**

Public Participation

John Mills spoke on behalf of Durrington parish council

The Senior Planning Officer introduced the application for the installation of an Automatic Teller Machine (ATM) on the front elevation of the building facing onto Bulford Road. Permission was previously granted in 2004 but the works have not been implemented. The proposal also incorporates advertisements associated with the ATM which are subject to an accompanying Advertisement Consent Application (15/12231/ADV). The application was recommended for approval.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that the applicant had been approached to see if it was viable for the machine to be situated on the other side of the shop facing New Road, but had advised that they did not have the time to carry out the survey needed prior to the committee meeting, and so wished to proceed.

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

A representative from Durrington Parish Council spoke on the application, noting that they wished for the machine to be located on the New Road side of the shop to alleviate traffic stopping near the crossing, on Bulford road to use the machine, as it was felt that people would then park in the car park which could be entered from New Road.

The Unitary Division Member, Councillor Graham Wright, had been in attendance at the start of the meeting, had been given the opportunity to address the Committee before he had to leave to attend a meeting elsewhere. He was opposed to the position of the cash machine, which was proposed for installation directly opposite the crossing on Bulford Road side of the Coop, due to safety issues associated with vehicles parking on double yellow lines to use the machine. He asked that the applicant install the ATM on the New Road side of the building instead.

The Committee discussed the application, noting that the ATM would be better positioned on the New Road side of the building to alleviate parking on the roadside.

**Resolved**

**The application be REFUSED for the following reasons:**

**By virtue of the positioning of the ATM directly opposite a main road with crossing point and parking restrictions, the proposal may result in dangerous parking in association with use of the ATM that would result in significant detriment to highway safety and amenity of the area, the proposal is contrary to the guidance contained within Core Policy 57 of**

the Wiltshire Core Strategy and the National Planning Policy Framework.

**26g 15/10868/LBC: Emmotts Farm, Grimstead Road, West Grimstead, SP5 3RQ**

The Senior Planning Officer had addressed this application for LBC in her earlier presentation; to alter, extend and convert the existing Staddle Stone barn and attached stable to form a three bedroom dwelling with a garden area. The Victorian barn would also be altered and extended to create stables, garaging and a workshop, as part of the new residential curtilage. Associated works include removal of modern lean to structures in the yard. Access to the dwelling would be from the existing farm access, which has been used to access the farm for more than 20 years. Foul drainage would be to a package treatment plant, as the levels on the site require pumps and a pump chamber. The application was recommended for approval.

**Resolved**

**The application be APPROVED subject to conditions:**

**The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.**

**REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

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

**Planning Statement October 2015, Pegasus Group, received 28/10/15  
Design and Access Statement, Favonius Architects, received 28/10/15  
Heritage Statement August 2015, Elaine Milton, received 28/10/15  
Structural Viability Report 7463:01 14/4/15 received 28/10/15  
Chalkhill Environmental Consultants, Bat Survey 578-15 15/16 July 2015, received 28/10/15  
Response from Jan Freeborn, Project Ecologist, Chalkhill Environmental Consultants, received 11/1/16  
Photos of Victorian Barn (stables) roof received 11/2/16 from Mr. S Lock  
Site Plan, 784-20-05 Jul 2015, received 28/10/15  
Block Plan, 784-20-07 Jul 2015, received 28/10/15  
Location Plan, 784-20-06A Jul 2015, received 3/11/15  
Drainage Plan, 784-20-19 Aug 2015, received 28/10/15  
Ground Floor Plan, 784-20-01A July 2015, received 9/2/16  
First Floor Plan and Roof Plan, 784-20-02 Jul 2015, received 28/10/15**

Sketch Sections, 784-20-08 July 2015, received 28/10/15  
Sketch Section C-C, 784-20-22 Feb 16, received 2/2/16  
Typical Window Detail and Rooflight Detail, 784-20-11A, received 2/2/16  
Stable Elevations, 784-20-04B Jul 15, received 14/3/16  
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Door Details D05, D06, 784-20-14 Jul 2015, received 28/10/15  
Door Details Breakfast Room French Door D03, 784-20-10 Jul 15,  
received 28/10/15  
Door Details D01, 784-20-13 Jul 15, received 28/10/15  
Door Details D02, 784-20-12 Jul 15, received 28/10/15  
Stable Doors, 784-20-15 Jul 2015, received 28/10/15  
Staddle Stone Barn and Extent of Associated Equestrian/Farm Yard,  
Buildings and Garden Area, 784-20-21 Dec 2015, received 3/12/15

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

Notwithstanding the approved drawings, the building shall be stripped back to its frame and the roof tiles and weatherboarding shall be removed. No further works shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority:

- (i) A full photographic survey including analysis and photographic record of the existing frame (in situ and unrepaired) and floor and an accompanying schedule of works identifying those timbers to be either repaired, removed or scarfed. Evidence of overriding structural reasons will be required in the schedule to justify removal of historic timbers.
- (ii) A site visit with the Conservation officer shall be arranged, to agree the schedule of works, before any further works take place. The works shall then be carried out in accordance with the details and schedule of works to be approved in writing.

**REASON:** The timber frame and floor is of historic interest in its own right. Their retention is in the interest of preserving the character and appearance of the listed building.

Notwithstanding the approved drawings, no works (including deconstruction) shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:

- i) Full details and samples of external materials including samples of the plain clay roof tiles, natural slate, handmade bricks and details of the timber cladding (including treatment) for the walls.

- ii) Full details of the glazed balustrades for the south and west elevations
- iii) A section through the eaves to show the gutters and eaves detailing (1:10 section)

The works shall be carried out in accordance with the approved details.

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

No walls shall be constructed on site, until a sample wall panel, not less than 1 metre square, has been constructed on site showing the brick type and mortar joint, 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 of the listed building.

All new windows and doors hereby approved shall be timber, in accordance with the approved plans and details. Any rooflights shall be conservation style rooflights.

**REASON:** in the interests of visual amenity and the character of the listed building.

**INFORMATIVES:**

Please note that this consent does not override the statutory protection afforded to any protected species. All British bat species are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not. If bats are discovered, all works should stop immediately and a licensed bat worker should be contacted for advice on any special precautions before continuing (including the need for a derogation licence from Natural England). Please also be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the

**Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the Council Ecologists.**

**26h 15/12231/ADV: Co-op Food, 65 Bulford Road, Durrington, SP4 8DL**

The Senior Planning Officer had covered this application for ADV in his earlier presentation.

**Resolved**

**The application be REFUSED for the following reasons:**

**The advert subject of this application relates to an ATM (cash machine), which was itself subject of a separate planning application ref 15/11944/FUL, which has been refused on highway safety grounds by the LPA. As a result, the proposed advert would not be required or necessary, and it would therefore be contrary to the aims of Core Policy 57 of the Wiltshire Core Strategy and the National Planning Policy Framework.**

**27 Urgent Items**

There were no urgent items

(Duration of meeting: Times Not Specified)

The Officer who has produced these minutes is Lisa Moore, of Democratic Services, direct line (01722) 434560, e-mail [lisa.moore@wiltshire.gov.uk](mailto:lisa.moore@wiltshire.gov.uk)

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## WESTERN AREA PLANNING COMMITTEE

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### DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 16 MARCH 2016 IN THE COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

#### **Present:**

Cllr Christopher Newbury (Chairman), Cllr John Knight (Vice Chairman),  
Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Dennis Drewett,  
Cllr Magnus Macdonald, Cllr Pip Ridout, Cllr Jonathon Seed, Cllr Roy While and  
Cllr Jerry Wickham (Substitute)

#### **Also Present:**

Cllr Pat Aves

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#### 11 **Apologies for Absence**

An apology for absence was received from Cllr Graham Payne (substituted by  
Cllr Jerry Wickham).

#### 12 **Minutes of the Previous Meeting**

The minutes of the meeting held on 3 February 2016 were presented.

#### **Resolved:**

**To approve as a correct record and sign the minutes of the meeting held  
on 3 February 2016.**

#### 13 **Chairman's Announcements**

The Chairman reported a permanent change of committee membership as  
agreed at the last Council meeting on 23 February 2016 whereby Cllr Horace  
Prickett had been replaced by Cllr Graham Payne.

#### 14 **Declarations of Interest**

There were no declarations of interest.

**15 Public Participation and Councillors' Questions**

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

No formal questions had been received for this meeting.

**16 Planning Applications**

The Committee considered the following applications:

**15/08809/FUL : Roundponds Farm Shurnhold Melksham Wiltshire**

**15/12584/FUL - Land adjacent to 9 Clay Close, Dilton Marsh**

**17 15/08809/FUL : Roundponds Farm Shurnhold Melksham Wiltshire**

The Senior Planning Officer outlined the report that recommended that the application be approved with conditions.

Mr. Clive Taylor and Mr. Mark Sullivan spoke in objection to the application; and Mr. Jake Stentiford spoke in support of the application.

In the absence of the local members, Cllr Jonathon Seed began the debate.

Issues discussed in the course of the presentation and debate included: the use of the land in the context of the site history; the potential visual impact upon the surrounding area; the highway and access considerations and potential impact on amenity. Also discussed were solar farms, the use of the generators and the need to separate the purpose of operation of the two; the frequency of use of the generator; the environmental impact on the surrounding area and emissions from the generator which could be the equivalence of 500 diesel cars running;

Cllr Jonathon Seed proposed, subsequently seconded by Cllr Roy While that the Committee should approve the application as per the officer's recommendations detailed in the report.

In questioning the Senior Planning Officer, the Committee sought clarity on Core Policy 48/58/51 and its relevance and compliance with the application before the Committee, health concerns and the assessment of air quality, why the application was not considered as a Schedule 1 EIA Development, the heat generating capacity in relation to the

established threshold of 300 megawatts, quality of input from Highways and vehicular movement for the delivering of fuel to power the generator

In response to the above, the Senior Planning Officer reiterated that the sole purpose of the generator was to provide backup power to the National Grid in periods of high demand. He explained that the application was not Schedule 1 EIA Development applicable because it did not involve a thermal power station and the associated combustion.

The generating power of the generator was confirmed as 10 megawatts with the delivery of fuel for powering the generator estimated as once a month.

**Resolved to grant permission subject to the following conditions:**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The existing hedgerow (and hedgerow trees) along the northern boundary of the site as shown on the Landscape Proposals plan YOR\_2567\_03 Rev-F shall be protected during construction in accordance with BS 5837:2012 and shall not be removed without the prior written approval of the Local Planning Authority.

REASON: In the interests of biodiversity and landscape.

- 3 The hedgerows to be planted on the southern and western boundaries of the site, as shown on the Landscape Proposals plan YOR\_2567\_03 Rev-F, shall be planted in accordance with a schedule to be submitted and approved by the Local Planning Authority and shall be protected and maintained in accordance with the specification provided on the said plan for a period of no less than 30 years.

REASON: In the interests of biodiversity and landscape. To ensure the newly planted hedgerows are protected and maintained for a period of at least 30 years, after which they would be protected by the Hedgerow Regulations 1997.

- 4 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 have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development.

- 5 The development shall not be first brought into use until plans showing any bunding required within the compound to accord with legislation in respect of pollution control have been submitted to and approved in writing by the Local Planning authority, and such facilities have been constructed and completed in accordance with plans.

REASON: To prevent pollution of the water environment,

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

Location Plan received on 24 September 2015  
449-03-A received on 18 January 2016  
449-04 received on 24 September 2015  
449-05 received on 24 September 2015  
449-06 received on 24 September 2015  
449-07 received on 24 September 2015  
449-08 received on 24 September 2015  
YOR,2567\_03 received on 18 January 2016

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

- 7 INFORMATIVES:

The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) 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 visit the following websites for more information:

<http://www.wiltshire.gov.uk/planninganddevelopment/biodiversityanddevelopment.htm>

<https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

The Environment Agency invites the applicants' attention to the following link for further advice/information on oil storage regulations:

<https://www.gov.uk/oil-storage-regulations-and-safety/overview>

### **Recorded Vote**

The above decision was the subject of a recorded vote, recorded as follows:

#### For the decision (5):

Councillors Andrew Davis, Dennis Drewett, Cllr Pip Ridout, Cllr Jonathon Seed and Cllr Roy While.

#### Against the decision (4):

Councillors Trevor Carbin, Ernie Clark, John Knight and Magnus Macdonald.

#### Abstention (2):

Councillors Christopher Newbury and Jerry Wickham.

## **18 15/12584/FUL - Land adjacent to 9 Clay Close, Dilton Marsh**

The Planning Officer presented the report which recommended that the application be approved with conditions.

Cllr Alison Irving, Dilton Marsh Parish Council spoke in objection to the application.

Cllr Jerry Wickham spoke as the local member.

Issues discussed in the course of the presentation and debate included: the Highway, environmental issues and reasons for which the application was previously rejected; safety concerns in relation to the volume of traffic in the area.

Cllr Jerry Wickham proposed, subsequently seconded by Cllr Pip Ridout that the application be refused.

In questioning the Planning Officer, the Committee sought clarity on the ownership of the land, whether the appropriate procedure had been followed in notifying the owners of 7 Clay Close and how the application now satisfied Highways concerns originally raised.

The Area Team Leader informed members regarding ownership that an applicant for planning permission did not need to be the owner of the land subject of a planning application and the consent of a person who has an interest in the land was not required. For planning permission though applicants were legally obliged to notify, under Section 66 of the Act and this had been confirmed by the applicant by means of certificate B submitted which was signed on 20 November 2015 as the notice being served on 7 Clay Close.

In response to the Highway query from members, the Area Team Leader explained that plans submitted along with applications were sufficient for the Highways Officer to comment on and as such the Highways Officer recommended no objection as the reasons for initial refusal had now been overcome.

Members were also informed by the Chairman that the Highways officer was present to take any questions

On the suggestion that a site visit should be undertaken, it was confirmed that all Members bar one had visited the area in question at least once within the last twelve months and were therefore sufficiently familiar with the site.

Having been put to the vote, the meeting:

**Resolved to refuse permission based on the following reasons:**

1. Vehicles resulting from the proposed development by entering, leaving and standing within B3099 (a Class B road) and the High Street, at a point where visibility from and of such vehicles would be restricted, would impede, endanger and inconvenience other road users to the detriment of highway safety. The proposed access lies in close proximity to the railway bridge and the visibility of a vehicle exiting the proposed site would be impeded by traffic coming from under the bridge. The exiting from the access is not a suitable connection to the highway which is safe for all road users. The proposal would therefore be contrary to Core Policy CP61 of the adopted Wiltshire Core Strategy 2015 and the NPPF.
2. The proposed new dwelling through its position, mass, height, scale and design being sited within close proximity of neighbouring garden and dwelling of 7 Clay Close would result in an unacceptable form of development due to its domineering and intrusive impact and overshadowing effect upon the occupiers on the neighbouring property

which would adversely effect the enjoyment of their amenity area and dwelling. It is also considered to appear at odds with the existing character and appearance of the area. The development would be contrary to CP57 of the Wiltshire Core Strategy (2015) and the National Planning Policy Framework.

## 19 Planning Appeals Update Report

A report was presented which updated the Committee on appeal decisions and appeals pending since the last report to Committee.

### Resolved:

1. To receive and note the Planning Appeals Update Report.
2. That further information be presented in the next appeals update report regarding the appeal decisions on the following applications:

<u>Application No.</u>	<u>Address</u>
14/10213/CLP	Sandridge Park House Sandridge Hill Sandridge Common Melksham Wiltshire SN12 7QU
15/01975/PNCOU	Tiled Barn Haygrove Farm & Nurseries 44 Lower Westwood Bradford On Avon Wiltshire BA15 2AR
15/03555/PNCOU	Oakley Farm Lower Woodrow Forest Melksham Wiltshire SN12 7RB
15/03564/PNCOU	The Store Conkwell Winsley Bradford on Avon Wiltshire

20 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 3.00 - 4.50 p.m.)

The Officer who has produced these minutes is Shirley Agyeman, of Democratic Services, direct line 01225 718089, e-mail [Shirley.Agyeman@wiltshire.gov.uk](mailto:Shirley.Agyeman@wiltshire.gov.uk)

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## WESTERN AREA PLANNING COMMITTEE

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### **DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 6 APRIL 2016 IN THE COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

Cllr Christopher Newbury (Chairman), Cllr John Knight (Vice Chairman), Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Dennis Drewett, Cllr Pip Ridout, Cllr Jonathon Seed, Cllr Roy While, Cllr Gordon King (Substitute) and Cllr Graham Payne

#### **Also Present:**

Cllr Fleur de Rhé-Philippe

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#### **21 Apologies for Absence**

An apology was received from Councillor Magnus Macdonald substituted at the meeting by Cllr Gordon King.

#### **22 Minutes of the Previous Meeting**

The minutes of the meeting held on 16 March 2016 were presented.

#### **Resolved:**

**To approve as a correct record and sign the minutes of the meeting held on 16 March 2016.**

#### **23 Chairman's Announcements**

The Chairman informed the meeting about the passing of Councillor Jeff Osborne who was a member of the committee. A moment of silence was observed in respect of his memory.

The Chairman also read out a statement informing the meeting about the circumstances surrounding application **13/06782/OUT - Land North West Of Boreham Mill, Bishopstrow Road, Warminster**. He noted that as a result of a legal challenge by a third party, the High Court had quashed the original

decision and the planning application was effectively reinstated as undetermined and to be determined again by the Council as the local planning authority. He reminded members to keep an open mind and only make a final decision after all the evidence and arguments had been seen and heard; he reiterated that the decision had to be made in the context of the development plan, national planning guidance and advice and other material considerations as they currently exist and not as they were in 2014.

The Chairman gave details of the exits to be used in the event of an emergency.

#### 24 **Declarations of Interest**

Cllr Andrew Davis declared that he was a member of the Warminster Town Council that was against application **13/06782/OUT - Land North West Of Boreham Mill, Bishopstrow Road, Warminster**. He noted that he was on the Warminster Town Council in an advisory capacity and would participate in the Committee's deliberations for the day with an open mind and solely on the information submitted.

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

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

Questions had been received from Mr Alistair Wright and Cllr Ernie Clark.

##### **Question from Mr Alistair Wright**

What is the step by step process sites go through to prove they are not in flood effected areas ( from all source) and that they will not increase risk to others now or in the future, how is this information used in the sequential and exception test to ensure that the least flood effected areas are used first and that flood prone areas and the floodplain are protected from development by the LPA and how would the council react if sequential tests were not done or pertinent information was not supplied to it? If additional information has been requested but not supplied what is the council's policy for dealing with lacking or missing data?

##### **Response**

Government advice, as set out in the National Planning Policy Framework (NPPF), supplemented by the Technical Guidance on Flood Risk is that development should be directed away from areas at highest risk. These are defined as Flood Zones 2 and 3; or land within flood Zone 1 which has critical drainage problems and which has been notified to the local planning authority

by the Environment Agency. Where development within these zones is necessary, it should be made safe without increasing flood risk elsewhere. The Government advice is to steer new development to areas with Flood Zone 1. If a developer can demonstrate that a proposed site is within this flood zone, no sequential or exceptional test is required. The advice on the application of the sequential test in zones 2 and 3 is set out in the Technical Guidance. Proposals for major developments and developments within Flood Zones 2 and 3 should be accompanied by a flood risk assessment. When the Council receives a major development accompanied by a Flood Risk Assessment, it seeks the views of the Environment Agency to inform the decision making process. In this way, the Council and the Environment Agency work together to protect vulnerable flood zone areas. Where the Environment Agency considers that they require additional information to prepare their response on a planning application, the Council requests that this be supplied by the applicant.

#### **Question from Councillor Ernie Clark, Hilperton Division**

I am advised that it is now the policy of WC planning, that all applications for 200+ houses will go to the Strategic Planning Committee irrespective of the officer recommendation and whether or not the local member has called the application in. Is this correct? If it is, when, and by whom, was this decision made as I do not think that it complies with the agreed protocol on planning matters.

#### **Response**

The Scheme of Delegation requires that 'large scale major developments (in housing terms this is defined as 200 or more houses) which by their nature have wider strategic implications and raise issues of more than local importance shall be dealt with by the Strategic committee.'

Not every housing scheme for 200 or more houses will have 'wider strategic implications' and raise issues of 'more than local importance' – for example, approval of reserved matters on a site already granted outline planning permission. However, where a site of this scale lies outside of the existing limits of development for a settlement, then it will almost invariably have wider strategic implications as the decision may be cited by other developers of large scale schemes in the same housing market area, thereby raising issues of more than local importance. Furthermore, schemes of this size may well have

implications for the housing land supply across the relevant housing market area, and/or may affect more than one parish.

## 26 **Planning Appeals Update Report**

Mr. Morland read a statement regarding the Planning Appeals Update Report drawing attention to Minutes Item 19. in which further information was to be presented in the next appeals update report regarding the appeal decisions on the applications:

14/10213/CLP- Sandridge Park House, Sandridge Hill, Melksham  
15/01975/PNCOU - Tiled Barn, Bradford-on-Avon  
15/03555/PNCOU - Oakley Farm, Lower Woodrow, Melksham  
15/03564/PNCOU – The Store, Winsley, Bradford-on Avon.

Mr. Wilmott gave a verbal update on Minute item 19.

Cllr Trevor Carbin questioned why so many planning application appeals were being lost.

Mr. Wilmott responded that there were no endemic problems involved and it was purely a case of the nature of the particular planning applications concerned.

The Planning Appeals Update Report for forthcoming hearings and public inquiries between 21/03/2016 and 30/09/2016 was received.

### **Resolved:**

**To note the Planning Appeals Update Report for forthcoming hearings and public inquiries between 21/03/2016 and 30/09/2016.**

## 27 **Planning Applications**

The Committee considered the following applications:

**13/06782/OUT - Land North West Of Boreham Mill, Bishopstrow Road, Warminster**

**15/11030/FUL - 10 Warren Road, Staverton, Trowbridge, Wiltshire, BA14 8UZ**

**16-00563-FUL - 118 Silver Street Lane, Trowbridge, BA14 0JR**

**28 13/06782/OUT - Land North West Of Boreham Mill, Bishopstrow Road, Warminster**

The Area Development Manager outlined the report that recommended that the application be approved with conditions.

Mr. Nick Parker, Mr. Alistair Wright, Mr. Paul McDonald and Mr. Jeremy Kelton, Bishopstrow Parish Meeting, spoke in objection to the application; Mr. Chris Beaver, agent of the applicant and Mr. Holdoway, the applicant, spoke in support of the application.

Cllr. Andrew Davis spoke as the local member.

Issues discussed in the course of the presentation and debate included: The location of the site, the limits of development, issues relating to the five year land supply, the highway safety, flood risk, ecology, conservation, neighbouring impacts and general feeling among the local residents. The listed building consent proposal covered by the application for which approval was granted in 2014 and which was not legally challenged was also discussed.

Cllr. Andrew Davis proposed, subsequently seconded by Cllr Christopher Newbury that the Committee should refuse the application.

In questioning the Area Development Manager, the Committee sought clarity on what constitutes a self-build or custom-build development, the areas within the policy limits, the current status of HAB as an applicant, the 5 year housing land supply policy, the application of CP2 and whether there was any provision in the local area for custom-build housing.

In response to the above, the Area Development Manager explained that a custom-build development is where a person enters into partnership with a developer and has a comprehensive involvement in the design and outcome of the building. He pointed out that who the developer was did not constitute a planning matter and the reference to HAB Housing Limited as the applicant though currently alleged to have withdrawn from the development was not an issue under consideration. HPH Ltd & HAB Housing Limited was the original name used for the application and would continue to be used unless formerly withdrawn or changed.

Core Policy 2 (CP2) sets out the delivery strategy and advises that within the limits of development, as defined on the policies map, there is a presumption in

favour of sustainable development at Market Towns. The Planning Policy Framework (NPPF) seeks to ensure that the Council demonstrates a five year housing supply for the north and west housing market area that includes Warminster.

The Area Development Manager noted that in applying CP2 the proposal was not in accordance with the development plan, in that it lies outside of the limits of development for Warminster and was in conflict as the site had not been brought forward through the plan led process identified in policy CP2. He emphasised that he was not challenging a judicial ruling but there was a need to consider whether there were adverse impacts that would demonstrably outweigh the benefits of the scheme in light of the current situation concerning 5 year land supply in the north and west housing market area. He informed the members that he was unaware of any sites in the local area that had permission for custom-build housing.

The legal representative present added that Government policy is material in any consideration and would have weight in any application. The meeting was informed that there were 19 people on the register for self-build and custom-build housing.

**Resolved to refuse planning permission for the following reasons:**

- 1. The site lies outside of the limits of development defined for Warminster in the Wiltshire Core Strategy. In this location, the proposed development for residential purposes would conflict with Core Policy 2 of the Wiltshire Core Strategy which only allows residential development beyond these limits through a plan led process of a Site Allocations Development Plan and/or a Neighbourhood Plan. The proposal has not been brought forward through either of these means and therefore conflicts with the delivery strategy of the Wiltshire Core Strategy.*
- 2. Furthermore, the proposal would result in the development of a site that is currently undeveloped countryside that forms part of the gap between the built-up area of Warminster and the nearby village of Bishopstrow. The Council consider it important to maintain this gap of undeveloped countryside to prevent the coalescence of the town with Bishopstrow, which was one of the objectives behind the setting of the town limits in this location when they were originally defined. The significant alteration in the character and appearance of this area of open countryside through the construction of this unplanned urban development would seriously erode the remaining gap between the town and village and would have an adverse impact on the character and appearance of the area. This would conflict with Core Policy 51 of the Wiltshire Core Strategy that seeks to maintain the separate identity of settlements. The Council considers that the adverse impact of the loss of a significant part of this gap and the change in the character and appearance of the area that*

*would result from the development of this site significantly and demonstrably outweighs the benefits of the proposal.*

29 **15/11030/FUL - 10 Warren Road, Staverton, Trowbridge, Wiltshire, BA14 8UZ**

The Planning Officer outlined the report that recommended that the application be approved with conditions.

Cllr. Trevor Carbin spoke as the local member noting that the initial strong objection to the application by the parish council had over the course of time been overcome by the amended plans.

Issues discussed in the course of the presentation and debate included: Visual impact upon the surrounding area, relationship to adjoining properties, impact on parking, ownership of parking and highways.

Cllr. Trevor Carbin proposed, subsequently seconded by Cllr Ernie Clark that the Committee should approve the application as per the officer's recommendations detailed in the report.

In questioning the Planning Officer, the Committee sought clarity on ownership of parking spaces and the impact on the spaces.

In response to the above, the Planning Officer informed the meeting that there would be 3 parking spaces which would meet the requirements for parking.

**Resolved to grant permission subject to the following conditions:**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

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

- 3 The development hereby permitted shall not be used at any time other than for purposes ancillary to the residential use of the main dwelling, known as 10 Warren Road.

REASON: The development is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit alternative uses.

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

Drg. 222/1 Plans, elevation as existing and site and location plans received 5/11/2015. Site plan existing received 5/11/2015. Amended plan - car parking and wall received 10/3/2016. Drg. No. 222/2 Plans and elevations proposed received 5/11/2015

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

30 **16-00563-FUL - 118 Silver Street Lane, Trowbridge, BA14 0JR**

The Planning Officer outlined the report that recommended that the application be refused.

Mr. Adrian Belcher spoke in objection to the application.

Cllr. Graham Payne spoke as the local member.

Issues discussed in the course of the presentation and debate included:  
The scale of the development, the visual impact on the surrounding area, the relationship to adjoining properties, Design – bulk and general appearance.

Cllr. Graham Payne proposed, subsequently seconded by Cllr John Knight that the Committee should refuse the application as per the officer's recommendations detailed in the report.

**Resolved to refuse planning permission for the following reason:**

1. The proposed development by reason of the increase in height, together with its form, mass and scale in this prominent location would appear incongruous and overly dominant within the street scene and as such would have a detrimental impact on the spatial form and character of the vicinity, contrary to Core Policy 57 of the Wiltshire Core Strategy.

**31 Urgent Items**

There were no Urgent Items.

(Duration of meeting: 3.00 - 5.05 p.m.)

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## STANDARDS COMMITTEE

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### MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 16 SEPTEMBER 2015 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

#### Present:

Cllr Julian Johnson (Chairman), Cllr Paul Oatway (Vice Chairman), Cllr Desna Allen, Cllr Allison Bucknell, Cllr Rosemary Brown, Cllr Trevor Carbin, Cllr Sheila Parker, Cllr Jerry Wickham, Mr Philip Gill MBE JP, Mr John Scragg and Miss Pam Turner

#### Also Present:

Mrs Caroline Baynes (Independent Person), Cllr Tony Deane, Stuart Middleton (Independent Person) and Cllr Christopher Newbury

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#### 23 **Apologies**

Apologies were received from Mr Paul Neale and Councillors Terry Chivers and Howard Greenman.

#### 24 **Minutes**

The minutes of the Standards Committee meeting held on 24 July 2015, and the Standards Review Sub-Committee meetings held on 8 July, 9 July and 24 August 2015 were presented for consideration.

#### Resolved:

**To APPROVE and sign the minutes of the meeting held on 24 July 2015 as a true and correct record. And;**

**To receive the minutes of the Review Sub-Committee meetings held on 8 July, 9 July and 24 August 2015.**

#### 25 **Declarations of Interest**

There were no declarations.

## 26 Chairman's Announcements

Through the Chairman, the Committee endorsed the following announcement::

*Nina Wilton, Head of Governance and Deputy Monitoring Officer left the council in August having decided she wishes to spend time pursuing her academic interests. Nina worked as Head of Governance from the creation of the unitary council in 2009 and previously worked for Wiltshire County Council in various roles from 2000. During this time Nina was involved in many aspects of the council's business ensuring that the council's governance arrangements are sound, including overseeing the implementation of the corporate complaints process, information legislation and the standards regime for councillors. Nina was closely involved in the work of the Standards Committee.*

*I am sure you will wish to join me in thanking Nina for her valuable contribution to the work of the Committee and to the Council and to wish her every success in the future.*

## 27 Public Participation and Questions

There were no questions submitted.

A statement from Mr Francis Morland in relation to Minute no.29 was received under that item.

## 28 Status Report on Complaints

The Monitoring Officer presented an update on the status of Code of Conduct complaints received under the arrangements provided in the council's constitution, as well as a summary of the types of complaints that had been received, and how many had been dismissed, investigated, withdrawn or concluded due to alternate resolutions.

It was noted that the council was on course to receive significantly fewer complaints against unitary, town and parish councillors than the previous year, and it was stated a partial explanation was that a high number had been submitted from multiple individuals in relation to a single or a few incidents, which may have inflated the figures, although the number for the current year was still above the years preceding 2014.

### **Resolved:**

**To note the update.**

## 29 **Review of Part 13 of the Constitution: Code of Conduct**

### Public Participation

Councillors Christopher Newbury and Tony Deane and Mr Francis Morland addressed the Committee regarding the proposed potential Code of Conduct changes.

### Background

The Chairman and the Monitoring Officer introduced a report on the review of Part 13 of the Constitution: Code of Conduct for Members. It was detailed that the new standards regime as required under the Localism Act 2011, including the current Code of Conduct, had been approved by Council on 26 June 2012. On 24 April 2014 and following more than 18 months of the new procedure and Code being in operation, the Committee received an update on the arrangements and operation since the beginning of the new regime and resolved:

*To arrange a seminar as soon as possible for Members of the Committee and any other Wiltshire Councillors who wish to attend, together with the council's three Independent Persons and Mr Paul Hoey of Hoey Ainscough Associates Ltd. to review the operation and effectiveness of the standards regime and consider whether any changes to the current system are appropriate.*

That seminar, open to all Members, was held on 23 July 2014. At the following meeting on 8 October 2014 the Committee received a further update and resolved:

*To task the Monitoring Officer with investigating the effectiveness of the Code of Conduct Complaints Procedure by collecting and analysing evidence on complaints received by Wiltshire Council, and to examine the Codes and procedures at other local authorities, and to bring a set of recommendations on any proposed changes to the Committee at its meeting on 21 January 2015.*

On 21 January 2015 the Committee received that report reviewing the effectiveness of the Council's Code of Conduct, determining that improvements could be made to address concerns as detailed in that report, and it was resolved:

*That the Monitoring Officer: 1) Draft proposals to strengthen the Code of Conduct, 2) Draft proposals for enabling the recording of gifts and hospitality at an appropriate level, and 3) Continue efforts to work with other Authorities to lobby central government to increase the level of sanctions available to councils, as soon as appropriate.*

Prior to the consideration by the Standards Committee the potential amendments to the Code had been assessed by the Constitution Focus Group at its meeting on 2 September 2015, with its comments included with the agenda papers.

### General Debate

Before discussing the specific potential amendments referred on by the Constitution Focus Group for further debate and determination, the Committee discussed the present Code and complaints procedure and assessed whether they considered changes proposed to be necessary to improve its effectiveness, where points including the following were raised:

- Members discussed the previous standards regime which had been abolished by the Coalition government, and the stated intentions of the new regime which included a recommended 'light-touch' Code which after consideration Wiltshire Council had adopted. It was stated most authorities had since adopted variations of different levels of detail from that Code, and the Committee considered whether they felt the evidence in Wiltshire was that adoption of similar additional provisions, some of which had been included under previous Codes, would enhance the current regime as they had requested at the meeting on 21 January 2015.
- Dissatisfaction with the old standards regime was raised by some Members in relation to bureaucratic delays and perceived lack of fairness toward subject Members, as well as a perceived excess of trivial complaints being referred for investigation not being in the public interest.

It was debated whether the new procedure for processing complaints, as detailed in [Protocol 12 of the Constitution](#), was sufficient in preventing trivial, or vexatious complaints from proceeding to costly investigations not in the public interest, such that even were additional provisions in the Code utilized for trivial matters, they would not cause any significant burden on resources of officers or Members.

- The language of the potential amendments was considered, and if compared to the current Code they offered further clarity and definition of behaviours that should be regarded as unacceptable.
- It was discussed if the perception of councillors being appropriately held to account for unacceptable behaviour would be improved by the potential amendments, and if so if they would be actually effective in moderating inappropriate behaviour.

The Committee also received comments on the current procedure and Code from two of the council's Independent Persons.

### Consideration of potential amendments

After general discussion on whether there would be a benefit to amending the Code, as detailed above, the Committee went through each potential amendment in turn as follows:

- *You must treat others with respect*

The Committee considered that as respect for other was fundamental to the role of being an elected representative, the specific provision requiring Members must treat others with respect should be included within the Code.

- *You must not:*(a) do anything which may cause your authority to breach the Equality Act 2010 or other relevant equality enactments. (b) bully or intimidate any person; (c) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of your authority.

In relation to point (a) above, the Committee determined that as it was already a legislative requirement to take account of relevant Equalities enactments, there was no further benefit to be obtained by including the requirement within the Code.

In relation to point (b) above, the Committee discussed if the provision on respect was sufficient to also cover allegations of bullying and intimidation, the definition of bullying in respect of complaints against councillors given the often robust nature of political debate and representative work, and at the conclusion of debate determined the provision should be included within the Code.

In relation to point (c) above, the Committee discussed the circumstances in which a Member might be regarded as compromising the impartiality of someone working for or on behalf of their authority, and if other provisions were sufficient to cover such behaviour, or if the inclusion might discourage Members from appropriate communications of their views and those of their electors to an officer. After debate, the Committee determined the provision should be included within the Code.

- *You must not:*

*(a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:*

*(i) you have the consent of a person authorised to give it;*

*(ii) you are required by law to do so;*

*(iii) the disclosure is:*

*(aa) reasonable and in the public interest; and  
(bb) made in good faith and in compliance with the reasonable requirements of your authority.*

*(b) prevent another person from gaining access to information to which that person is entitled by law.*

The Committee discussed whether it was necessary to include the provisions on breach of confidentiality, and determined that they should be included within the Code.

- *You must not conduct yourself in a manner which may reasonably be regarded as bringing your office or authority into disrepute.*

The Committee determined that the wording of the potential amendment was overly vague and open to misuse and that including provisions on bullying, intimidation, financial impropriety and more sufficiently defined specific behaviours to regulate Members to not bring their office or authority into disrepute. They therefore did not recommend the provision be included within the Code.

- *In addition, you must, within 28 days of taking office as a Member or co-opted Member, notify your authority's monitoring officer of any disclosable pecuniary or non-pecuniary interests which your authority has decided should be included in the register, including:*
  - (a) any body of which you are a Member or in a position of general control or management and to which you are appointed or nominated by the authority;*
  - (b) any body exercising functions of a public nature of which you are a Member or in a position of general control or management;*
  - (c) any body directed to charitable purposes of which you are a Member or in a position of general control or management;*
  - (d) any body one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a Member or in a position of general control or management.*

The Committee discussed at length whether additional non-pecuniary interests should be required to be included on a Members' Register of Interests, taking account that the Localism Act 2011 had defined specific pecuniary interests and no interests as statutorily necessary to be declared, which had been approved by Council when adopting the new regime in 2012.

It was also noted, however, that the Act had allowed discretion to Authorities to include non-pecuniary interests they felt should be required to be registered. A debate arose regarding on whether the current simple encouragement of Members to declare relevant non-pecuniary interests was, after several years of operation, seen as adequate, and whether it

would protect Members and their authority if further interests were required to be included on a register of interests form.

Members debated whether simple membership of a charitable organisation should be required to be declared, and if this would be considered onerous in particular to any Town or Parish Councils that might consider adopting Wiltshire's Code.

Members also discussed how new interests not present when a Member first took office needed to be registered, and emphasised the requirements of paragraph 11 of the Code, to declare any relevant pecuniary or non-pecuniary private interest that related to their public duties, and strongly felt that even where an interest was included on their register of interests, a Member should publicly declare that interest at a meeting if relevant to the business to be determined to be open, transparent, and protect the Member and Authority from any allegations or challenges.

At the conclusion of debate the Committee determined that the provisions above should be included within the Code.

- *You must within 28 days of receipt, notify the monitoring officer in writing of any gift, benefit or hospitality with a value in excess of £50 which you have accepted as a Member from any person or body other than the authority. The monitoring officer will record your notification on your register of interests*

The Committee, having determined at its 21 January 2015 meeting to reintroduce a requirement to register gifts and hospitality, accepted the proposed wording with the removal of the final sentence as an administrative detail not a Member Code of Conduct matter.

Following final consideration of the proposed changes, it was stated that although there would not be a full consultation, the proposed amendments would be circulated to all Town and Parish Councils in Wiltshire for their attention, should they wish to comment or consider adopting the proposed revised Code themselves.

**Resolved:**

**To recommend at its meeting on 24 November 2015 that Council approve the amendments to the Code of Conduct for Members as detailed above and attached to these minutes.**

*Mr John Scragg left the meeting at 1505.*

30 **Forward Plan**

The Forward Work Programme was presented for consideration

**Resolved:**

**To approve the Forward Work Programme subject to the addition of items in relation to the Annual Letter on Complaints from the Local Government Ombudsman, and Review of the Council's Whistleblowing Policy.**

31 **Urgent Items**

There were no urgent items.

(Duration of meeting: 2.00 - 4.15 pm)

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## **STANDARDS COMMITTEE**

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### **MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 27 APRIL 2016 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

**Present:**

Cllr Julian Johnson (Chairman), Cllr Paul Oatway (Vice Chairman),  
Cllr Rosemary Brown, Cllr Trevor Carbin, Cllr Howard Greenman, Cllr Sheila Parker,  
Cllr Jerry Wickham and Mr John Scragg

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1 **Apologies**

Apologies were received from Councillors Desna Allen and Allison Bucknell, and from Mr Paul Neale, Miss Pam Turner and Mr Philip Gill MBE JP.

2 **Minutes**

The minutes of the meeting held on 16 September 2015 were presented for consideration. It was noted the proposed changes to the Code of Conduct in the constitution agreed at that meeting would be considered by Council on 10 May 2016, with a briefing for all councillors to be held on 4 May 2016, to include discussion of a possible alternative approach.

The minutes of the Standards Review Sub-Committee held on 18 February 2016 were also presented.

**Resolved:**

**To APPROVE the minutes of the meeting held on 16 September 2015 and receive the minutes of the Review Sub-Committee held on 18 February 2016.**

3 **Declarations of Interest**

There were no declarations of interest.

4 **Chairman's Announcements**

The Chairman noted the recent passing of Councillor Jeff Osborn, and the Committee paid tribute to his extensive work as a member of the Constitution Focus Group.

5 **Public Participation and Questions**

There were no statements or questions submitted.

## 6 **Status Report on Complaints**

The Monitoring Officer presented a report on the current status of Code of Conduct complaints, together with a summary of the number and outcome of complaints for every year since the new Standards Regime came into force on 26 June 2012. The report also included a description of the type of complaints received during the last two years.

The Committee were advised on the number of investigations that had been decided on assessment or review, and discussed trends in respect of reasons for complaints. They, noted the robust procedure for assessment of complaints which prevented trivial complaints from proceeding further.

In response to queries it was confirmed in the case of complaints referred to the police in relation to potential criminal offences under the statutory requirements for registration and disclosure of interests, officers were working to develop a protocol with the police to assist in the processing of such matters.

### **Resolved:**

**To note the update.**

## 7 **Appointment of Co-Opted Non-Voting Members of the Standards Committee**

The Monitoring Officer presented a report recommending the Committee to recommend Council to confirm the appointment of the existing four co-opted non-voting members of the Committee, for the reasons as set out in the report. This would take the term of the existing members up to the May 2017 local elections.

It was also agreed that the number, role and arrangements for appointment of the non-voting co-opted members should be reviewed, with recommendations to be made at the Annual Meeting of Council in May 2017.

### **Resolved:**

**To recommend Council:**

- 1) confirm the appointment of the four current co-opted non-voting members of the Standards Committee at its Annual General Meeting on 10 May 2016 for their remaining term of office until the unitary and parish elections in May 2017. The members are as follows:**

**Mr Paul Neale  
Miss Pam Turner  
Mr John Scragg  
Mr Philip Gill MBE JP**

- 2) **That the Standards Committee review the role, number and arrangements for appointment of non-voting co-opted members to the Committee and make recommendations to the new council in the light of the review at its Annual General Meeting in May 2017.**

## 8 **Extension of Term of Appointment of Independent Persons**

The Monitoring Officer presented a report recommending that the Committee extend the term of appointment of the three Independent Persons until May 2017, for the reasons set out in the report.

The excellent work undertaken by the Independent Persons in fulfilling their statutory responsibilities was noted. It was therefore:

### **Resolved**

**To recommend Council to extend the term of appointment of the three current Independent Persons for a further year until the Annual General Meeting of the new Council in May 2017 and to note that a recruitment process will be undertaken in advance of that date to recommend appointments to these positions.**

## 9 **Recommendations from the Constitution Focus Group**

The Monitoring Officer presented two reports on proposed changes to the constitution following a meeting of the Constitution Focus Group, in respect of Part 12 of the Constitution - Roles and Responsibilities of Councillors - and Part 4 - Council Rules of Procedure.

The changes in respect of Part 12 related to the corporate parenting responsibilities of all councillors, and included a Corporate Parenting Strategy, with revised terms of reference for the Panel. The changes had been proposed by the Corporate Parenting Panel following an Ofsted inspection, in order to strengthen the council's priorities and processes.

The Committee then discussed the proposals. A concern was raised about the inclusion of a strategy within the constitution, which was not the Council's normal practice and which would clutter up the constitution unnecessarily. However, it was considered that the intention of including it was to raise the profile and importance of the corporate parenting responsibilities for all councillors.

As the constitution is now contained and accessed electronically, and by specific section, it was also considered there was less direct impact of including these additional details in this instance.

The detail of the strategy was debated, and whether the proposed changes to the structure of Panel meetings was appropriate. Queries were also raised on

how often the strategy would need to be updated and thus necessitating amendment of the constitution, and it was confirmed that as the strategy, which was for 2016-2018, is a policy framework document, it would in any case need consideration and approval by council in 2018, and so there would be no significant additional work.

In respect of the changes to Part 4 of the Constitution, as detailed in the report it was explained that the proposed changes were intended to make it easier for members of the public to register questions at council and committees, and to facilitate fully informed debate and decision making on motions at full council.

**Resolved:**

**To recommend Council to adopt the proposed changes to Part 12 and Part 4 of the Constitution.**

10 **Forward Plan**

The Committee considered the Forward Work Programme as detailed in the agenda, noting further constitutional changes were being proposed in relation to Finance and Procurement Regulations, aiming for approval at the July meeting of Council.

**Resolved:**

**To approve the forward plan.**

11 **Urgent Items**

There were no urgent items.

(Duration of meeting: 2.00 - 2.55 pm)

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## AUDIT

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### **DRAFT MINUTES OF THE AUDIT MEETING HELD ON 26 JANUARY 2016 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

Cllr Tony Deane (Chairman), Cllr Richard Britton (Vice Chairman), Cllr Rosemary Brown, Cllr Tony Deane (Chairman), Cllr Stewart Dobson, Cllr Mike Hewitt (Substitute), Cllr Julian Johnson, Cllr Stephen Oldrieve, Cllr Jeff Osborn, Cllr David Pollitt, Cllr James Sheppard and Cllr Dick Tonge

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#### **1 Apologies and Membership Changes**

Apologies were received from Cllr Jane Scott, (replaced by Cllr Dick Tongie), Dr Carlton Brand and Michael Hudson.

#### **2 Chairman's Announcements**

Cllr Helen Osborn, Audit Committee substitute to the Constitution Focus Group has stepped down from her role. An Audit representative on the Focus Group is therefore required.

#### **3 Minutes of the Previous Meeting**

The minutes of the meeting held on 27 October 2015 were presented.

#### **Resolved:**

**To approve as a correct record and sign the minutes of the meeting held on 27 October 2015.**

#### **4 Members' Interests**

There were no declarations of interest made.

5 **Public Participation and Committee Members' Questions**

There were no questions from the public or members of the Committee under this item.

6 **KPMG - Annual Audit Letter 2014/15**

Darren Gilbert, Director of KPMG, presented the detail of the Annual Audit Letter 2014/15.

In the course of the presentation and the discussion, the issues discussed included: that an unqualified opinion had been issued on the Authority's financial statements and the external auditors believed that the financial statements gave a true and fair view of the financial position of the Authority and of its expenditure and income for the year. This unqualified opinion also covered the pension fund financial statements considered as part of the certification process.

In response to a question from the Chairman, Ian Gibbons assured the meeting that all legal requirements in relation to the Annual Audit letter 2014/15 had been met.

**Resolved**

**That the Audit Committee notes the contents of the Annual Audit Letter 2014/15**

7 **KPMG - Annual Report on grants and returns work 2014/15**

Darren Gilbert, Director of KPMG, presented the detail of this report.

In the course of the presentation and the discussion, the issues discussed included: that the Council's Housing Benefit Subsidy claim was subject to a qualification letter mainly due to the identification of a number of errors and inaccuracies in relation to classification of overpayments and the recoding of income. The Teacher's Pension Contributions and Pooling of Housing Capital Receipts received minor adjustments and an unqualified audit certification.

Members expressed concern at the level of errors reported and Darren Gilbert sought to reassure the meeting that it was common to find this level of error rate with the sample under analysis and plans to get a further analysis of the qualified item were underway. It was emphasised that there was a need to find out what had triggered these errors and to establish whether these were training issues or system related.

In response to a question on whether the Internal Auditors picked on these errors, Jenny Strahan, Assistant Director – SWAP, informed the meeting that

the housing benefits claims were a part of the key control work area and SWAP was at the stage of scheduling field work and would be reporting on this at the next meeting. Given the level of errors discovered a question was posed on whether the sample base used for the analysis needed to be widened and Darren Gilbert explained that the sample was subject to a host of tests and analysis adhering to a strict methodology. If further work was required due to the opinion issued, that could be commissioned separately.

### **Resolved**

- 1. That the Audit Committee notes the contents of the report with concern about the errors discovered.**
- 2. That the Finance department and Internal Auditors comment on the level of error findings in the Council's Housing Benefit Subsidy claims.**

## **8 KPMG - External Audit Progress Report and Technical Update**

Darren Gilbert, Director of KPMG, presented the detail of this report

In the course of the presentation and the discussion, the issues discussed included: that KPMG was adding value to their service by producing yearly updates on any new financial regulations, and giving guidance on the practical level of impact of such regulations and how assets could be protected . Concerns were expressed about the level of expenditure in the portfolio of assets and whether there was really any need for this. An example cited was the revaluation of roads on the balance sheet and the perceived minimal impact on the Authority's borrowing capacity in real terms. It was explained that the accounting principle of fair value required this.

Members sought reassurance that the Finance department was up to speed with all required changes in processes and procedures arising from recommendations made by the financial regulator, CIPFA. Mathew Tiller, Chief Accountant, affirmed that the Finance department was on track to implementing these recommendations.

### **Resolved**

- 1) That the Audit Committee notes the contents of the report and queries whether the Authority has the resources to undertake the exercise of revaluing assets.**
- 2) That no work should be done on the revaluation of the Highways until a Report has been submitted to the Audit Committee**

**explaining the need for the audit and the resources (including cost) of the revaluation.**

**9 Internal Audit 2015/16 Third Quarter Update Report**

Jenny Strahan, Assistant Director – SWAP presented the detailed findings of this report.

In the course of the presentation and the discussion, the issues discussed included: that the reported performance of schools was of particular concern. There was comment about the specific role of the Council and the value it adds to schools not being clearly defined. David Hill, Director of Planning - SWAP, explained that more schools had been earmarked for financial health visits with a view to taking a more themed approach for better engagement. It was noted that the low performance of schools appeared to be a rising trend and Members requested for an interim report on what was being done about this.

Cllr Richard Britton commented on apparent errors with dates and the tracking of the traffic lighting system used to categorise control assurance issues. In response to questions raised on the required variance for changing the status of an issue, David Hill responded that the standard period was 4 weeks noting that the errors in the report were not due to software problems but were typo errors which still needed to be taken seriously.

SWAP undertook to clarify dates shown in their reports as the Chairman could not understand how if an intermediate date slipped the final date remained the same.

In order to assure themselves as a Committee on the detail behind the findings on the various issues identified, a request was made about the possibility of Committee members having access to the SWAP web portal to enable members to drill further down into accounts to ascertain underlying records and transactions. Michael Tiller confirmed that this was possible and would arrange for the facility to be in place.

Members noted that there appeared to be a disconnect between signing reports and noting how recommendations had been implemented. There was concern over the risk of wasting resources with recommendations being accepted and not implemented and the role of management in ensuring this was emphasised.

The Chairman requested that a member of the Corporate Leadership Team is invited to the next Audit meeting to explain how audit recommendations are dealt with & tracked.

Michael Tiller informed the meeting that a report on how recommendations were being implemented would be circulated at the next scheduled meeting.

## **Resolved**

- 1. That the Audit Committee notes the contents of the report and requests an interim report from the internal auditors on measures being taken to improve school audit performance.**
- 2. That Members would be given access to the SWAP web portal in order to drill down into records for more detail behind reports presented.**
- 3. That the Finance department produces regular reports showing the progress on how recommendations made are being implemented.**

## 10 **Information Governance**

Ian Gibbons, Associate Director for Legal & Governance Services, presented the report.

In the course of the presentation and the discussion, the issues discussed included: that practical training needs relevant to specific areas had been identified for action. That in rationalising documents the importance of having an overarching management strategy could not be overemphasised in ensuring that documents that were discarded were done in an orderly manner.

In response to a question from the Chairman regarding security in place for scanning devices being used for information storage, Mr. Gibbons assured the meeting that there was careful review of security with daily checks and supervision by Facilities Management and no security breach had been reported so far.

He also informed the meeting that he had been in touch with the Information Commission Office regarding the findings identified by the ICO audit report and would report at the next meeting.

## **Resolved**

- 1. That the Audit Committee notes the contents of the report and that it was satisfied with the progress of the improvement programme.**

## 11 **Date of next meeting**

The meeting noted that the next regular meeting of the Committee would be held on 8 March 2016. *(Members should note that the March date has been cancelled and we apologise for the error).*

The next meeting will be at 10:30 on Tuesday 26<sup>th</sup> April in the Kennett Room

12 **Urgent Items**

There were no urgent items.

(Duration of meeting: 14.00 – 15:00 p.m.)

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## LOCAL PENSION BOARD

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### **MINUTES OF THE LOCAL PENSION BOARD MEETING HELD ON 7 APRIL 2016 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

David Bowater, Lynda Croft, Sarah Holbrook, Mike Pankiewicz and Howard Pearce (Chairman)

#### **Also Present:**

David Anthony, Luke Webster, Zoe Stannard and Richard Warden.

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#### **25 Membership**

The Chairman welcomed Sarah Holbrook, Finance Operations Manager, to the Office of the Police and Crime Commissioner, who had been appointed as an Employer Member Representative to the Board following the resignation of Kirsty Cole.

#### **Resolved:**

**To note the changes to the membership and welcome Sarah Holbrook to the Board.**

#### **26 Attendance of non-members of the Board**

Luke Webster (Fund Administrator), Zoe Stannard (Fund Communications Manager) and Richard Warden (Hymans Robertson) were in attendance.

#### **27 Apologies**

Apologies for absence were received from Michael Hudson (Treasurer to the Wiltshire Pension Fund) and Barry Reed (Scheme Member Representative).

#### **28 Minutes**

Members considered the minutes of the previous meeting held on 14 January 2016 and the Board's action log.

It was noted that an action from October 2015 for all members to complete a Register of Interest form was coded amber as one form was still outstanding; a review of timescales for measures to reduce risks had also not been finalised and members asked that it be coded accordingly. In respect of actions relating to audit arrangements, the Head of Pensions updated that the Treasurer to the Fund was in discussions on reviewing audit arrangements and a meeting had been arranged with the South West Audit Partnership on the potential for undertaking a review. The Head of Pensions advised that he had benchmarked the Fund's charge-out rate, which was in the mid-range in comparison to other funds, the figures would be circulated to members. The Chairman requested that the benchmarking exercise be undertaken annually.

In relation to ongoing actions in the log, it was confirmed that the Board members handbook was currently being collated and the implications of the Public Sector Exit Cap were not yet known but would be communicated to members once available.

**Resolved:**

**To confirm the minutes of the meeting held on 14 January 2016.**

**To note the action log for the Board and to update the colour-coding of the action on a review of timescales for measures to mitigate risks.**

**To add an annual benchmarking of charge-out rates to the work plan.**

**29 Declarations of Interest**

Members were reminded to regularly review their Register of Interest which were available on the Wiltshire Council website.

There were no declarations of interest.

**30 Chairman's Announcements**

The agenda pack indicated that Sarah Holbrook's professional biography was available on the Wiltshire Council and Wiltshire Pension Fund website and members of the Board introduced themselves.

The Chairman updated that the National Scheme Advisory Board had appointed a Chairperson and that the Pensions Regulator had updated its training resources; members were encouraged to undertake training and attend the conferences advertised by officers. Members also heard that a complaint had been made by the Salisbury Green Party against the Unison nominated members of the Board, and this was currently being investigated.

### 31 **Public Participation and Councillors Questions**

There was no public participation.

### 32 **Minutes and Key Decisions of the Wiltshire Pension Fund Committee and Investment Sub-Committee**

The Board considered the Part 1 (public) minutes of the meetings of the Wiltshire Pension Fund Committee held on 1 February and 10 March 2016 and the meeting of the Investment Sub-Committee held on 25 February 2016. It was acknowledged that the Committee had agreed the Board's proposed budget at its last meeting. A question was raised on the Fund's request for a reply to its submission to the Government on the changes to Investment Regulations consultation by 1 April, it was confirmed that no such reply had been received.

#### **Resolved:**

**To note the minutes and key decisions of the Wiltshire Pension Fund Committee meetings held on 1 February and 10 March 2016 and Investment Sub-Committee held on 25 February 2016.**

### 33 **Scheme, Legal, Regulatory and Fund update**

The Head of Pensions updated that the Fund had submitted high-level proposals for pooling with other funds in the South West ('Project Brunel') in February and was awaiting a response to this submission. Officers considered that the size and scale of the proposed pool would be acceptable, however it remained to be seen whether a Joint Committee Approach would be accepted as the Government preferred an Authorised Contractual Scheme for pooling arrangements.

Wiltshire Pension Fund was working with the other South West funds to finalise the details of the proposals and had appointed an interim project manager to oversee the arrangements. A Shadow Operations Board (for the Chairmen of funds) and Shadow Operational Board (for officers supporting funds) had been established. The Chairman questioned the transparency of the oversight board and was advised that this was a priority and officers would be discussing this since they were conscious that transparency was needed to ensure the Local Pension Board has a role as a stakeholder.

The Board also heard that the Fund's Governance Compliance statement would need updating in response to the new arrangements and the Fund was waiting to hear back about changes in the Investment Regulations. Members were advised that a recent Counsel view on the legal status of Local Pension Boards had indicated that the Board was not a Committee of the Council, this had insurance indemnity implications and a report would be brought to the next meeting.

**Resolved:**

**To note the updates from the Head of Pensions.**

**To request that a report on insurance cover for the Local Pension Board be brought to the next meeting.**

**34 Training Item- Triennial Valuation 2016**

A training session was presented by Hymans Robertson which outlined the purpose and process for the 2016 triennial valuation. The valuation was designed to set a credible funding plan for the Fund and was a central part of risk management. It was explained the actuary would make liability valuation assumptions using financial and demographic assumptions to help develop a funding plan; it was confirmed that 'length-of-life' assumptions were analysed at the individual member level. As of March 2016 the Fund had been preparing for the valuation, data was to be submitted in Quarter 2 2016, following which a report to the Scheme Advisory Board would be submitted in September 2016. In Quarter 4 the valuation results would be released and employers would be consulted on contribution rates, prior to the new rates being payable from April 2017. The Board discussed the member contribution rates and understood that, in some circumstances, employers could discuss phasing arrangement for any increases with the Fund.

The Board considered the value it could add to the valuation process and agreed it could question data quality, the assumption approach, compliance with the Chartered Institute of Public Finance and Accountancy (CIPFA) guidance and extent of employer consultation, meeting deadlines and negotiations with employers. The Chairman highlighted that the role of the Board was to review process and ensure transparency; he considered that the Board could also look at Scheme Advisory Board benchmarking.

**Resolved:**

**To thank Richard Warden for the informative presentation.**

**35 Wiltshire Pension Fund Risk Register**

A report presented the current Fund Risk Register for review. It was noted that an additional risk had been identified since the last report in December 2015 'PEN023: Resources of Officers and Members to Meet expansion of Business Items' which reflected the additional pressure faced from the current number of consultations, regulatory changes to the scheme, governance requirements and investment issues. Two risks had also moved from low to medium 'PEN006b Significant rises in employer contributions for non-secure employers due to increases in liabilities' and 'PEN007b Significant rises in employer contributions for non-secure employers due to poor/negative investment returns'. The escalation was to highlight the concern that current market conditions had

recently worsened as the Fund approached the Triennial Valuation on 31 March 2016.

Board members questioned whether the academisation of schools, announced in the 2016 Budget, would pose a risk to the Fund. Officers agreed that transition of all schools to academies would be an extra administration burden and cost on officer resource to the Fund. It was also acknowledged that there would be implications arising from changes in groups of employers and the Funds was looking at different investment strategies for them. It was agreed that this issue be added to the risk register.

**Resolved:**

**To note the Risk Register and measures being taken to mitigate risks.**

**To recommend that the Fund include the academisation of schools as a risk on the register.**

36 **High Level Assessment on Compliance with the Pension Regulator Code of Practice Code 14**

A report presented the officers' review of Wiltshire Pension Fund's compliance with the Regulators Code of Practice and the Chairman reminded members that this was a key responsibility of the Board. The Code set out the legal requirements and practical guidance in relation to the governance and administration of public service pension schemes in four key areas: Governance, Managing Risks, Administration and Resolving Issues. Officers considered that the Fund was compliant in most areas and actions were in place for areas of partial compliance. Key areas highlighted by the review were scheme record keeping and the provision of information to scheme members. Actions identified and anticipated timeframes were detailed in the appendix and officers planned to review the implementation of the required changes at the end of 2016. It was noted that the Fund had previously reported to the Committee and this Board that Annual Benefit Statements had been distributed 4 days after the 31 August deadline in 2015 due to a printing problem and this was the highest priority for 2016.

Following questions from members it was confirmed that employers within the Fund could find details of its current priorities and forthcoming priorities in its technical newsletter.

**Resolved:**

**To note the outcome from the review of the tPRs Code of Practice No. 14 and recommend the implementation of the proposed actions to the Pension Fund Committee to ensure the Fund secures full compliance with this guidance.**

### 37 **Review of the Wiltshire Pension Fund Governance Compliance Statement**

The Board was presented with the Wiltshire Pension Fund Governance Compliance Statement for review. Following suggestions from the Board it was agreed that the Fund should give further consideration to Item F in the report, on the subject of involvement of lay members, as part of the compliance assessment and that voting rights be reviewed following proposed asset pooling with other Funds.

#### **Resolved:**

**To endorse the statement and recommend that lay membership and voting rights be reviewed following the proposed asset pooling as part of the compliance process and pooling arrangements.**

### 38 **Internal and External Audit Plans for 2016**

A report outlined the Fund's audit plans for 2016 for review; the Fund was subject to an internal audit by the South West Audit Partnership and external audit by KPMG as part of its governance assurance responsibilities. The internal audit would examine the Fund from a management perspective examining procedures and processes to ensure they were robust. The implementation of actions arising from the 2015 audit would be reviewed and the audit would and focus on compliance with the Pensions Regulator Code of Practice. KPMG was drafting the audit plan for 2015-16 and, once finalised, this would be brought to the Board for review. The report of the internal audit would be presented to the Wiltshire Pension Fund Committee in June 2016.

The Chairman encouraged that the Fund be prepared and audited against the 2014 LGPS regulations, Pensions Statement of Recommended Practice (SORP 2014 edition), CIPFA 2014 guidance on LGPS funds annual reports, and LGPS funds 2015/16 accounting disclosures. Members commented they would wish to meet with the auditors should any material issues arise from this years' reports.

#### **Resolved:**

**To note the audit process and proposed plans for 2016.**

**To recommend that the Fund be prepared and audited against the 2014 LGPS regulations, Pensions Statement of Recommended Practice (SORP 2014 edition), CIPFA 2014 guidance on LGPS funds annual reports, and LGPS funds 2015/16 accounting disclosures**

### 39 **Review of the Wiltshire Pension Fund Communications Strategy**

The agenda pack contained the Fund's Communications Strategy which was reviewed every three years and Zoe Stannard, Communication Manager,

introduced members to the Fund's website. Members agreed that the Fund's website contained useful information and encouraged officers to keep it up to date with the latest news. It was recommended that the description of the Board on the website reflect that it was an oversight body.

Following questions from members it was explained that there had been little take-up of electronic communications by members of the Fund and employer member representatives on the Board could encourage this were possible amongst their employees. It was intended that self-service of pensions information would be available online in the future. The Chairman suggested that electronic copies of the Annual Benefit Statement could help to make efficiencies compared to hard copies.

### **Resolved**

**To note the Communications Strategy and thank Zoe Stannard for the informative presentation.**

#### **40 Assessing the Impact of the Local Pension Board**

A report from the Chairman outlined potential performance indicators that could be used to measure the impact and performance of the Board. Following further discussion, and comparison to other Boards, the proposals would be refined for consideration at the next Board meeting.

Members agreed that the proposals were a sound basis for evaluating the Board and considered it pertinent that it be assessed whether the Board's recommendations were useful and practical for the Fund to implement. It was suggested that, where possible, the Board's annual report be combined with the Fund's report. Members considered it essential that the Board be evaluated in terms of value for money, by identifying how much it cost the Fund. It was suggested that further work be undertaken to identify the level of engagement the Board achieved and to refine the measure of effectiveness of communications.

### **Resolved:**

**To agree the initial proposals for Key Performance Indicators and request that these be further refined, in particular that further consideration be given to the measures of engagement and communications and cost-effectiveness, and reported to the next meeting.**

**To recommend that the Board's annual statutory report be included as an annex to the Fund's annual report.**

#### **41 Local Pension Board Annual Report Draft Structure**

A report outlined the proposed contents for an Annual report for the Board to consider. The Board was required to publish an annual report on its work to be included in the Fund's own annual report, the report would cover the last 12 months activity and look forward to the work plans for the forthcoming year. Members recommended that their attendance at meetings also be included in the report.

**Resolved:**

**To agree the proposed approach for the Local Pension Board Annual Report with the addition of members' attendance statistics.**

**42 How did the Board do?**

Members considered that the Board now had an established work plan and that reporting from officers had been of a very high standard. It was agreed that training sessions at the meetings were very beneficial.

**43 Urgent items**

There were no urgent items.

**44 Date of next meeting and Forward Plan**

The next meeting of the Board was to be held on 20 July 2016. The Chairman advised that the Forward Plan would be updated following assessment of the Fund's compliance with the Pensions Regulator Code of Practice. It was noted that members hoped to discuss Key Performance Indicators at the next meeting and officers expected to bring an update on implications of the Public Sector Exit Cap to the October 2016 meeting. It was agreed that it would be preferable for the Board's Annual Report to include details of activities since inception in 2015.

**Resolved:**

**To note the Board's current Forward Work Plan and that an updated Work Plan would be brought to the next meeting.**

**45 Exclusion of the Public**

**Resolved:**

**That in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Minutes number 46 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 12A to the Act and the public**

**interest in withholding the information outweighs the public interest in disclosing the information to the public.**

**46 Minutes and Key Decisions of the Wiltshire Pension Fund Committee and Investment Sub-Committee**

The Board considered the Part 2 (confidential) minutes of the meetings of the Wiltshire Pension Fund Committee held on 1 February and 10 March 2016 and the meeting of the Investment Sub-Committee held on 25 February 2016.

**Resolved:**

**To note the minutes and key decisions of the Wiltshire Pension Fund Committee meetings held on 1 February and 10 March 2016 and Investment Sub-Committee held on 25 February 2016.**

(Duration of meeting: 10.30 am - 12.45 pm)

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

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## WILTSHIRE POLICE AND CRIME PANEL

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**DRAFT MINUTES OF THE WILTSHIRE POLICE AND CRIME PANEL MEETING  
HELD ON 4 FEBRUARY 2016 AT KENNET ROOM - COUNTY HALL,  
TROWBRIDGE BA14 8JN.**

**Present:**

**Cllr Abdul Amin, Cllr Andrew Bennett, Alan Bishop, Cllr Richard Britton  
(Chairman), Cllr Trevor Carbin, Cindy Creasy, Chris Henwood,  
Cllr Charles Howard, Cllr Peter Hutton, Cllr Julian Johnson and Cllr Jeff Osborn  
(Substitute)**

**Also Present:**

**Angus Macpherson – Police & Crime Commissioner  
Kieran Kilgallen – OPCC  
Clive Barker – OPCC  
Carolyn Filmore - OPCC  
Emily Higson – Wiltshire Council  
Kevin Fielding – Wiltshire Council**

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**1 Apologies for Absence**

Apologies were received from Cllr Chris Caswill. Cllr Jeff Osborn attended the meeting as substitute for Cllr Caswill.

**2 Minutes and matters arising**

**Decision:**

- **The minutes of the meetings held on Wednesday 2 December 2015 and Wednesday 13 January 2016 were signed as the correct records.**

### 3 **Declarations of interest**

There were no declarations of interest.

### 4 **Chairman's Announcements**

That the Panel would take agenda item No.12 - Review of PCP Good Practice as a separate item of business after the meeting had closed.

### 5 **Public Participation**

There was no public participation.

### 6 **Formal consideration of the proposed PCC precept for 2016-17**

The Commissioner gave the Panel a brief update on his precept consultation. The Panel were then given the opportunity to vote on the Commissioner's proposed Council Tax precept for the year 2016-17.

Points made by the Commissioner included:

- That in January 2016 the Panel received a paper which disclosed the thinking surrounding the 2016-17 budget. This paper, which also included a copy of his Medium Term Financial Strategy (MTFS), reported that the Commissioner was minded to increase the Police part of the Band D Precept by 1.9% to £167.10, a £3.12 increase from the 2015-16 Police part of the Council Tax of £163.98.
- At the January meeting the Panel was also informed of a presentation that the Commissioner and representatives of the OPCC would be giving to area boards and locality meetings, which would be part of the consultation strategy. This disclosed that initially savings of between £2m and £3m would still be required in 2016-17 with the increase.

#### Consultation

The profile of the decision was raised by having a consultation strategy. The strategy was to involve as much of the community as possible. The strategy included;

- Press releases identifying the proposal and highlighting to the public how they can make their views heard via the PCC's website.

- Contacting Councillors and MP's asking for their views on behalf of the people they serve.
- Writing to the Business Community, via a number of forums, to obtain views.
- Presenting the proposal to Area Boards and Locality meetings.

#### Recommendation

After carrying out the necessary consultation the Commissioner was minded to set a precept of £41.160m. This would require council tax to be set on all property bands based on £167.10 for a Band D property. This represents a £3.12 (1.9%) increase on the 2015-16 level.

Questions raised included:

Had the Commissioner had any discussions with Wiltshire Council and Swindon Borough Council members about the proposed precept increase?

*a. Yes, at both Area Board and Locality meetings.*

Had the Commissioner had any discussions with interested parties in the voluntary sector?

*a. Yes, many discussions had taken place.*

#### Decision

- **That the Wiltshire Police and Crime Panel agrees that the Wiltshire Police and Crime Commissioner sets a precept of £41.160m.**
- **That this would require council tax to be set on all property bands based on £167.10 for a Band D property.**
- **That this represents a £3.12 (1.9%) increase on the 2015-16 level.**

The Chairman thanked the Commissioner for his presentation and report.

#### 7 Hate Crime

Kieran Kilgallen outlined a report which sought to provide the Police and Crime Panel with insight into the 47% increase in racially/religiously aggravated offences that were reported in the quarter two performance report.

The report looked to address whether the increase is a concern and if so what action was being take to address it and secondly, was there a specific issue in respect of Islamophobia.

Points made included:

- The increase in the volume of racially/religiously aggravated offences was statistically significant and the causation factor behind this is the improvement in recording processes.
- As the parent groups of VAP and Public Order increase, in the proportions of which are racially/religiously aggravated had increased with the same proportion.
- The increase was predominantly driven by an increase in occurrences of public fear, alarm and distress, which accounts for two thirds of this crime group and is in line with the overall increase seen in Public Order offences.
- Harassment had a lesser part to play in the increase and was reflective of increases seen in harassment which sat within the violence without injury crime group; however volumes for this crime type are small (13 offences between Oct 14 and Sept 15).
- Racially/religiously aggravated criminal damage offences had increased from 22 to 46; however this was attributed to a series of graffiti tagging in one sector area which solely accounts for this increase.

Islamophobia

- The number of incidences reported to police across England and Wales had increased by nearly a fifth. There were 52,528 such offences in 2014/15 – an increase of 18% compared with the previous year.
- More than 80% were classed as race hate crimes.
- Analysis of the Crime survey indicated that Muslims were more likely than people from other faith groups to be targeted in religiously motivated crime.
- There was a spike in Islamophobic hate crime following the terrorist attack in Paris in November.
- Most victims of the UK hate crimes were Muslim girls and women aged from 14 to 45 in traditional Islamic dress (tell mama helpline).

- Government had promised more would be done to tackle Islamophobic crime, announcing in the autumn that such crimes were to be recorded as a separate category for the first time.
- The force records 11 racially/religiously aggravated offences per week on average. The volume of islamophobia offences reported in the last year was minimal.
- There have been no spikes following the events in Paris on 13<sup>th</sup> November 2015.
- That Wiltshire Police takes the issues of Hate Crime and Islamophobia very seriously.
- The need to make the point to the Muslim community that the Police are on their side.

The Chairman thanked Kieran Kilgallen for the report.

## 8 **Victim Support Service (Horizon)**

Pam Gough - Policy & Community Area/Locality Lead, OPCC gave an update on Horizon, the Police-led victim and witness care unit.

The Horizon Victim and Witness Care unit was jointly funded by the PCC and Wiltshire Police. Horizon supports the local delivery of the National Code of Practice for Victims of Crime (VCOP) which was updated in November 2015.

Points made by Pam Gough included:

- Referrals into Horizon from May – October 2015 were 1053. This equates to an average of 175 each month. During the same time period there were 13,161 personal crimes recorded in Wiltshire. This equates to 8% of personal crime referred to Horizon. This is considerably lower than the estimated 25%-30% projection during the planning phase.
- One of the reasons for the lower numbers is because it was decided that Horizon would not initially contact victims of domestic abuse because of the complex risk factors involved in those cases. This has now been reviewed.
- Team members have found that the majority of victims appreciate being contacted by the team and need no additional support beyond the first or a follow up 'phone call.

- In the 6 month period, Horizon referred 186 victims to Victim Support, equating to approximately 5-8 referrals per week. Victim Support can provide practical and emotional support to victims, and visit them at home if necessary. Victim support staff sit within the Horizon unit on a rota basis to enable closer working relationships.
- Horizon also works alongside officers to keep victims updated on the progress of their case, and can task neighbourhood policing teams to re-visit vulnerable victims.
- Horizon coordinate victims and witnesses on approximately 850-900 court cases at all times. This involved between 9000-10000 non-civilian/civilian victims and witnesses.
- Support for victims and witnesses was essential in helping individuals to cope with, and recover from the impact of crime, and in helping them to take part in criminal justice processes.
- Horizon was currently funded by both the OPCC and Wiltshire Police. The Police Witness Care budget was retained within the unit. Additional cost is met by the Police £100k and the OPCC £125k per year.
- A workshop led by Business Improvement was held in December to identify the performance reports required to evidence what the team is achieving.
- The process for referring victims of sexual offences to the Sexual Assault Referral Centre (SARC) has improved. Prior to Horizon, not all sexual offence victims were informed and given the opportunity of support from the SARC.
- Horizon now ensures every victim of any sexual offence was given the opportunity to be referred to the SARC. This was one of the most significant impacts Horizon had made on the quality of service provided to victims.

### **Next Steps**

- Continue to provide the *new* Horizon staff with experience on the coordination and needs of court victims and witnesses, especially on large/complex cases, and align expertise with former WCU colleagues.
- Report on the number of referrals from Horizon to SARC. There appears to be peaks/troughs in cases.

- Continue to research support services available to victims with specialised needs.
- Continue to gather feedback from victims on their experience of support provided.
- From January 2016 standard risk domestic abuse victims in Wiltshire are being contacted by Horizon. A process had been designed in consultation with Wiltshire Council, Wiltshire Police and the specialist DA support service SPLITZ. Victims are contacted to raise awareness of support available and individuals can be referred to SPLITZ with their consent. This process would be regularly reviewed and results shared with partners in Swindon.
- We are currently reviewing support for victims of Fraud and working with the national Action Fraud team and local officers to see how Horizon can best support local victims.
- Prior to April 2015 a high proportion of victims referred to victim support were victims of Burglary. Burglary was not a crime included in the VCOP 'enhanced services' category. We are reviewing whether all victims of burglary should be referred to Horizon.
- It is recognised that some of the most vulnerable victims reporting to the Police are victims of anti-social behaviour. Further work was required to understand how Horizon could support ASB victims.
- We are reviewing how the Horizon unit will support the delivery of the STOP project in local community support for victims.
- The Strategic Alliance with Avon and Somerset (ASC) was playing a key role in shaping the way in which the Force would operate in future. ASC's 'Lighthouse' is similar to Horizon and staff have met with their counterparts in Lighthouse to understand what work they do and join up on processes.
- Review the imminent Niche upgrade and identify whether this improves the way in which the data could be analysed in relation to VCOP and Horizon performance.
- Positive feedback had been received from users.

The Chairman thanked Pam Gough for her update.

## 9 **Strategic Alliance with Avon & Somerset**

Kieran Kilgallen gave a brief verbal update on progress made since the previous PCP meeting on the 13 January 2016.

Points made included:

- That there had been little movement to report due to the Christmas and New Year break.
- That a date had now been set for the Panel to start discussions with Julian Moss.
- That the Chief Constable of Wiltshire Police would be attending the 3 March 2016 PCP meeting.

The Chairman thanked Kieran Kilgallen for his update.

## 10 **Task Group Updates**

### i. Strategic Alliance Task Group

- Formed in June, a suggested meeting date had now been received for the task group's first meeting with programme lead, Temporary ACC Julian Moss, and would confirm with task group members shortly.

### ii. PCC Commissioning Task Group

- The group had held its first meeting and was joined by Naji Darwish from the OPCC's office.

Key discussion points included:

Intentions of the Strategy:

- Some levers exist within the current arrangements to direct spend towards PC Plan priorities and hold deliverers to account, but the PCC would like more to be embedded in the new Commissioning Strategy.
- The Strategy was also intended as a tool through which the Commissioner could demonstrate the rationale applied to his commissioning decisions. It would also provide a framework against which such decisions should be taken.

- The Strategy was about making direct link with the Plan, providing performance monitoring arrangements and sanctions should objectives not be delivered.
- The Strategy potentially also forms part of a gradual, national shift towards Chief Constables being accountable democratically (via the Commissioner).
- VCS need a clear sense of the strategic direction locally, which involves the PCC, so they can direct their efforts appropriately.
- There was a PCC ambition to move away from grant funding everything and also annual funding/planning of initiatives to a more long-term approach.

#### **Members' comments:**

- Members suggested the Commissioning Strategy needs to:
  - capture the PCC's commissioning role in non-operational policing
  - help the shift towards the Commissioner commissioning the Chief Constable's policing service in a more itemised way.
- Question of whether the Strategy could effectively encompass the four different service areas outlined in the diagram (i.e. Efficient and effective police service for Wiltshire, Regional Collaborations, PCC Commissioning services, Support Services).
- Question of whether community policing should be commissioned entirely separately from the remainder of the Police Service, or merely itemised within the PCC's commissioning of the main Policing Service.
- Question of whether the Strategy would be of use to the Commissioner when deciding whether to sign up to regional collaborations.
- Potential characteristics of a Commissioning Strategy:
  - How does the service commissioned link to the PC Plan?
  - Can we set meaningful targets and monitor the delivery of that service?
  - Are there sanctions through which the deliverer can be held to account?
- Conclusion: The Strategy would include principles that initially would apply much more to things directly commissioned by the PCC alone, but may increasingly apply to other areas such as the Police Service.

**Next steps:**

- Naji Darwish would prepare a draft Strategy for circulation to the task group by email and discussion at a second meeting scheduled for 2 March.

**11 PCC Diary report**

The PCC Diary report was noted.

**12 Forward Work Plan**

The Forward Work Plan was noted.

**13 Future meeting dates**

Future meeting dates:

- Thursday 3 March 2016 – Corn Exchange, Devizes.
- Thursday 16 June 2016 - Corn Exchange, Devizes.
- Thursday 1 September 2016 – City Hall, Salisbury.

(Duration of meeting: 10:00 – 11:40am)

**14 Review of PCP Good Practice**

On the rising of the meeting the Panel considered a report from Emily Higson - Corporate Support Manager, Wiltshire Council.

This report set out a Review of Best Practice for Police and Crime Panels – a summary of recent research, consultation and publications.

That Police and Crime Panels (PCPs) had now been in existence for 3 years, since the creation of directly-elected Police and Crime Commissioners.

In that time, a reasonable body of evidence had built up, enabling an objective analysis of the new model for police accountability and how well the system was working.

There had been three reports published recently, which reviewed the current police accountability arrangements –

- In 2014, the Centre for Public scrutiny published its report: [“Police & Crime Panels, the first year”](#)
- The LGA published an updated [Good practice guide](#) for Police and Crime Panels on 2<sup>nd</sup> June 2015.
- The Committee on Standards in Public Life published its report– [“Tone from the top”](#) on June 29<sup>th</sup> 2015, following an extensive consultation and research exercise. (A sub-group of the Wiltshire PCP responded to the consultation in late 2014).

Between them, the publications made a number of recommendations for police and crime panels, to enable them to be as effective as possible in supporting and scrutinising the PCC.

The report presented to the Panel sought to summarise these collective findings and research, and to bring them together into one set of recommendations for the Wiltshire police and Crime Panel to consider.

## Recommendations

That the Wiltshire Police and Crime Panel consider:

1. Carrying out a review of the PCP/PCC joint working protocol, with the option of including guidelines on sharing information with the media.
2. Developing its public engagement in the following ways:
  - 2.1. To refresh the Wiltshire PCP web pages to be more user-friendly and include information on the work of the panel such as task group reports. [Hampshire PCP](#) provides a good example of something that could be achieved simply and quickly.
  - 2.2. Carrying out regular opinion surveys or research/consultation – providing evidence to support anecdotes.
  - 2.3. Inviting the public to be involved in task group work (as witnesses), where relevant.
3. Whether there are any areas of skills or knowledge that members feel they could benefit from developing, for example through a panel development session.

4. Whether its members would benefit from regional networking opportunities to discuss common issues and best practice.
5. Agreeing more formalised engagement with Wiltshire and Swindon's Community Safety Partnerships, and identifying any other partners who may add value to the work of the PCP.
6. In considering these recommendations, Panel members are asked to note the Home Office grant of £65,000 per year which is intended to be used to support panel activity. In addition to officer support time and logistics (venues, refreshments etc) the grant can be used to support the implementation of some of the above recommendations.

Points made by the panel members:

*That Street Pastors and other interested voluntary organisations could be included in the makeup of future Task Groups.*

*Was the work of the Panel enhanced with members of the public in attendance at meetings?*

*Consider setting up a skills matrix of all Panel members.*

*The lack of appetite of the Chairmen of the PCPs to get together on a regular basis to discuss good practice etc.*

*That the Panel was given more information on the Community Safety Partnerships.*

It was agreed that Emily Higson would report back to the Panel on the points made by the Panel.

The Chairman thanked Emily Higson for her report.

## WILTSHIRE POLICE AND CRIME PANEL

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### **DRAFT MINUTES OF THE WILTSHIRE POLICE AND CRIME PANEL MEETING HELD ON 3 MARCH 2016 AT WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.**

#### **Present:**

Cllr Abdul Amin, Alan Bishop, Cllr Richard Britton (Chairman), Cllr Trevor Carbin, Cllr Chris Caswill, Cindy Creasy, Cllr Charles Howard, Cllr Julian Johnson, Cllr Teresa Page and Cllr John Smale

#### **Also Present:**

Angus Macpherson – Police & Crime Commissioner  
Kieran Kilgallen – OPCC  
Chris McMullen – OPCC  
Carolyn Filmore - OPCC  
Emily Higson – Wiltshire Council  
Kevin Fielding – Wiltshire Council

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#### **1 Apologies for Absence**

Apologies were received from Cllr Andrew Bennett, Cllr Peter Hutton and Mr Chris Henwood.

#### **2 Minutes and matters arising**

##### **Decision:**

- **The minutes of the meeting held on Thursday 4 February 2016 were signed as the correct record.**
- **It was noted that Cllr Teresa Page had attended the meeting held on Thursday 4 February 2016.**

### 3 **Declarations of interest**

There were no declarations of interest.

### 4 **Chairman's Announcements**

The Chairman welcomed new panel Member Cllr John Smale, and Cllr Sue Evans who was attending the meeting as an observer.

### 5 **Public Participation**

There was no public participation.

### 6 **Quarterly data (Q3)- Risk / Performance / Finance / Complaints**

The Commissioner introduced a report setting out his quarterly performance data – Quarter Three 2015 - 16 (1 April to 31 December 2015).

Points made included:

- Recorded Crime - Within Wiltshire this had increased by 8.8%. This equated to 2,830 crimes with a total of 34,959 recorded.

The main volume driver behind the increase was violence against the person (VAP) which represents an increase of 1,841 crimes. This was explained by improved recording practices following the crime data integrity inspection by Her Majesty's Inspectorate of Constabulary (HMIC) of which the results are reflected in the national research commissioned by Chief Constable Habgood.

- Satisfaction with Visibility - Within the most recent survey, 51 per cent ( $\pm 2.1$  per cent) of respondents say they were satisfied with the level of police visibility. This proportion had been stable since autumn 2012. However the most recent wave saw a significant decrease in satisfaction with visibility.

Wiltshire police officers were now using shared offices more and more. The public do have a perception that they don't see the police on the streets anymore. More time than ever was in fact being spent on the beat.

- Outcome Rate - The outcome rate for the 12 months to December 2015 was 21.1 per cent. This remained significantly below the average of our peer group.

When comparing to other forces within the region, however, the outcome rate has a much closer distribution.

*Cllr Caswill made the point that it wasn't likely to improve with the news that Chippenham Magistrate's Court was to close. Members felt that the Panel should support keeping the Chippenham Magistrate's Court open until the courts at Swindon had been refurbished.*

Deep Dive - Putting victims and witnesses at the heart of everything we do

Naji Darwish presented the report.

The Panel requested that they receive an annual Horizon update report. It was agreed that would form part of the February 2017 agenda.

The Panel requested that they receive a report outlining Wiltshire Police's Stop & Search Scheme for the next PCP meeting.

The report was reviewed in detail and noted by the Panel.

*Note: Cllr Caswill did not wish to note the report due to his concerns about issues raised in it.*

Risk Register - The register was noted.

*Note: Cllr Britton raised his displeasure that the Community Policing update had been pulled from the agenda at the OPCCs request because evaluation was still pending whilst the risk register appeared to indicate that an evaluation had already been carried out.*

## **7 Strategic alliance with Avon & Somerset**

Kieran Kilgallen gave a brief verbal update on progress made since the previous PCP meeting on the 4 February 2016.

Points made included:

- That the new Chief Constable of Avon & Somerset was yet to meet representatives of Wiltshire at the Strategic Alliance Board.

The Chairman requested that the PCP were informed of any outcomes of meetings with new Chief Constable of Avon & Somerset and representatives of Wiltshire at the Strategic Alliance Board.

The Chairman thanked Kieran Kilgallen for his update.

## 8 **Task Group Updates**

Strategic Alliance Task Group – That Cllr Richard Britton and Cllr Julian Johnson were due to meet with Julian Moss to discuss the strategy. A third panel member was sought to sit on this task group.

PCC Commissioning Strategy Task Group – That Cllr Richard Britton and Cindy Creasy had met with Naji Darwish to discuss a first draft.

Call Centre Task Group – Following his meeting with WC's cabinet member and Swindon's Leader, Cllr Richard Britton discovered that Wiltshire Council had signed a contract some 18 months ago which would mean that there was little point in a task group working on this topic. It was AGREED not to take this further.

Special Constables Task Group - Cllr Richard Britton advised that he would like to revisit the first report on this topic. It was agreed that Cllr Britton and Cindy Creasy would look at this.

## 9 **PCC Diary report**

The PCC Diary report was noted.

## 10 **Forward Work Plan**

The Forward Work Plan was noted.

The Panel requested that a report on drug use and enforcement across the county form part of a future deep dive report in the quarterly reporting.

The Panel requested that the OPCC provide them with information re the Police Reform Bill. Kieran Kilgallen advised that briefing material was available on this topic, and that OPCC would ensure that the panel members received this.

## 11 **Future meeting dates**

Future meeting dates:

- Thursday 16 June 2016 - Corn Exchange, Devizes.
- Thursday 1 September 2016 – City Hall, Salisbury.
- Wednesday 30 November 2016 – Swindon Borough Council Offices.

(Duration of meeting: 10:00am – 12:20pm)

The Officer who has produced these minutes is Kevin Fielding, of Democratic Services, direct line 01249 706612, or e-mail [Kevin.fielding@wiltshire.gov.uk](mailto:Kevin.fielding@wiltshire.gov.uk)

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## **WILTSHIRE PENSION FUND COMMITTEE**

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### **PART 1 MINUTES OF THE WILTSHIRE PENSION FUND COMMITTEE MEETING HELD ON 1 FEBRUARY 2016 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

Cllr Tony Deane (Chairman), Diane Hall, Cllr Charles Howard (Vice Chairman),  
Cllr Mark Packard, Mike Pankiewicz, Cllr Sheila Parker, Cllr Roy While, Michael Hudson,  
Joanne Holden and Jim Edney.

#### **Also Present:**

Cllr Gordon King, Cllr Bill Moss and Barry Reed

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#### **1 Membership**

There were no changes to the membership of the Committee.

#### **2 Attendance of non-members of the Committee**

Barry Reed (Local Pension Board member) and substitute members of the  
Committee, Cllr Bill Moss and Cllr Gordon King were in attendance.

#### **3 Apologies for Absence**

Apologies for absence were received from Linda Stuart, Cllr Steve Weisinger,  
Cllr Steve Allsopp and Howard Pearce (Chairman of the Local Pension Board).

#### **4 Declarations of Interest**

There were no declarations of interest.

#### **5 Chairman's Announcements**

There were no Chairman's Announcements.

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

There was no public participation.

## 7 **Investment Regulations Consultation**

A report proposed a response from the Wiltshire Pension Fund to the Government's consultation on the amendments to the Local Government Pension Scheme (LGPS) Investment Regulations for consideration by the Committee.

The Chairman thanked Catherine Dix, Strategic Pension Manager, for the detailed and thorough response she had prepared to the consultation. It was noted that the proposed new Investment Regulations would give the Secretary of State the power to intervene in Funds to ensure they were pooling their assets.

On Question 1 in the response letter the Committee requested that it be highlighted in the response that the Fund did not wish to see an increased cost incurred from increased use of consultants arising from the deregulation. On Question 2, the Chairman was concerned as to whether the 'Myners principles' would be known to the Government officers, however officers reassured that this terminology would be known to them and offered to include a hyperlink to this term in the response if appropriate.

The Committee discussed Question 3, on whether six months was the appropriate period for the transitional arrangements to remain in place, and was reassured by officers that this should be sufficient time since the Investment Strategy Statement would contain similar information to the Fund's existing Statement of Investment Principles.

Members agreed that Question 4 on derivatives was a very pertinent question and the Fund's advisors agreed that clarification was needed on whether hedge funds would be a permitted investment under the new Regulations. Officers agreed to make this question explicit in their response letter. On the matter of evidence required for Secretary of State intervention discussed in Question 5, the Committee considered that an adverse report from the Pension Fund should be included in the list. On discussion of Question 6 the Committee requested that it be stressed that a timescale be included in the Regulations for Authorities to review their Investment Strategy Statement or to provide evidence following consultation by the Secretary of State (SoS) and that Wiltshire recommended a timescale of 2 months. Questions were raised over Question 7 and whether SoS intervention would be in line with the Fund's investment strategy or whether the Fund could be instructed to update its investment strategy at the request of the SoS. It was agreed that the proposed response addressed the fact that it was unclear what form intervention would look like. Members considered Question 8 and the suggested response that clear guidance was vital and agreed priority should be given to immediately preparing best practice guidance.

The conclusion to the response letter was debated and members asked that an amendment be made to reflect that the Fund expected a response to its

feedback and answers to questions raised by 1 April 2016, as a delayed response could affect the July deadline for detailed submissions on pooling.

**Resolved:**

**To agree the proposed consultation response subject to the following amendments:**

- **That under Q1, it be highlighted that the Fund does not expect to incur additional costs arising from the increased use of consultants as a result of deregulation;**
- **That under Q4, the question be explicitly asked as to whether hedge funds would be a permitted investment;**
- **That under Q5, an adverse report from the Pension Fund be a used as evidence of failure requiring Secretary of State intervention;**
- **That under Q6, it be stressed that a timescale be included in the Regulations for Authorities to review their Investment Strategy Statement or to provide evidence following consultation by the Secretary of State and that Wiltshire recommends a timescale of 2 months;**
- **That the conclusion includes a statement indicating that the Fund expects a response to its feedback and answers to questions raised by 1 April 2016 as failure to respond by such a deadline could impact upon the July deadline for details on the Fund's proposed approach to pooling.**

**8 Date of Next Meeting**

The next ordinary meeting of the Committee was to be held on 10 March 2016.

**9 Urgent Items**

There were no urgent items.

**10 Exclusion of the Public**

**Resolved:**

**To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Minute Number 11 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraphs 1 & 3 of Part I of Schedule 12A to the Act and the**

**public interest in withholding the information outweighs the public interest in disclosing the information to the public.**

11 **LGPS Investment Reform Criteria Consultation and Proposed Options for Pooling of Investment Assets**

A confidential report outlined the current options with regards to pooling of assets in the South West and proposed a draft response to the Government's consultation for Committee's consideration.

**Resolved:**

- a) to support the proposed submission to DCLG in response to the Government's LGPS Investment Reforms consultation as outlined in Appendix 1; and**
- b) to authorise the Chairman of the Pension Committee to sign the accompanying letter, as amended, on behalf of the Fund in support of the Project Brunel proposal.**

(Duration of meeting: 3.00 - 4.35 pm)

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

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## **WILTSHIRE PENSION FUND COMMITTEE**

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### **PART 1 MINUTES OF THE WILTSHIRE PENSION FUND COMMITTEE MEETING HELD ON 10 MARCH 2016 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

Cllr Steve Allsopp, Cllr Tony Deane (Chairman), Cllr Charles Howard (Vice Chairman), Cllr Gordon King (Substitute), Mike Pankiewicz, Cllr Sheila Parker, Linda Stuart and Cllr Roy While

#### **Also Present:**

Cllr Bill Moss, Jim Edney and Michael Hudson.

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#### **12 Membership**

There had been no changes to the membership of the Committee.

#### **13 Attendance of non-members of the Committee**

Catherine McFadyen (Hymans Robertson) was in attendance.

#### **14 Apologies for Absence**

Apologies for absence were received from Diane Hall, Tony Gravier, Cllr Steve Weisinger and Cllr Mark Packard who was substituted by Cllr Gordon King.

#### **15 Minutes**

##### **Resolved:**

**To confirm the Part 1 (public) minutes of the meetings held on 10 December 2015 and 1 February 2016.**

#### **16 Chairman's Announcements**

The Chairman drew Committee's attention to the South West Audit Partnership report and advised that the Fund had followed recommendations outlined in the report.

17 **Declarations of Interest**

There were no declarations of interest.

18 **Public Participation and Councillors' Questions**

There was no public participation.

19 **Treasury Management Strategy**

The Committee considered a report presenting an updated Treasury Management Strategy for 2016-17 which had been amended to reflect the need for compliance with the Local Government Pension Scheme (LGPS) 2016 Regulation on management and investment of Funds. It was confirmed that officers would continue to monitor the numbers of transfers out of the Fund resulting from the new freedoms in accessing Defined Contributions pension savings which had commenced in April 2015. Key points of the Treasury Management Strategy were outlined in the report. A question was raised as to whether the Strategy provided sufficient protection against changes in the banking sector; officers and advisors considered the protection to be sufficient and advised that the situation would continually be reviewed.

**Resolved:**

**To approve the Treasury Management Strategy for 2016-17.**

20 **Pension Fund Risk Register**

The Head of Pensions updated on the Wiltshire Pension Fund Risk Register which now included an additional risk 'PEN023 Resources of Officers and Members to Meet Expansion of Business Items'. The risk had been added in response to additional pressure faced from the current number of consultations, regulatory changes to the scheme, governance requirements and investment issues. In response to the new risk, officers were increasing the use of internet links in reports to reduce the volume of committee paperwork. 'PEN006b Significant rises in employer contributions for non-secure employers due to increases in liabilities' and 'PEN007b Significant rises in employer contributions for non-secure employers due to poor/negative investment returns' had been upgraded to a medium risk to highlight concern that current market conditions had worsened as the Fund approached the Triennial Valuation.

The Chairman acknowledged the increased pressure on officers arising from the Government's proposals for the pooling of assets and the financial cost of this scoping work. Officers advised that at this early stage the full costs and resource requirement of pooling were not known however this would be calculated for the July 2016 Government deadline for submissions.

**Resolved:**

**To note the attached Risk register and measures being taken to mitigate risks.**

21 **Triennial Valuation Update**

Catherine McFadyen, Fund Actuary, outlined the process for the 2016 Valuation and the proposed approach for reviewing employers. It was explained that the valuation was designed to ensure the Fund has sufficient cash available to pay pensions as they fell due. The valuation process has already begun by way of communications with employers and between April and June 2016 employers would be asked to submit their year-end data, the whole Fund valuation results would be available and reported to the Committee in September. The key performance indicators of the Fund would also be reported to the Scheme Advisory Board in September 2016.

At the 2016 valuation the Fund would determine employer contributions using a risk-based approach however, unlike previous valuations, for certain employers, in specific circumstances, a different investment strategy could be recommended as the whole fund strategy may not support their funding objectives. The Actuary considered that most employers within the Fund would follow the central strategy; however a handful of employers may follow a different strategy. The bespoke employer risk plans would be a result of their risk analysis, funding objective and contribution strategy.

Officers confirmed that the impact of the few bespoke plans would not be felt at full Fund level and would not impact upon the pooling with other funds. The approach would allow greater flexibility for employers, however the Fund would still hold the same assets. Members raised questions on the communication between the Fund and members and were advised that a newsletter had recently been issued and early warning report for the valuation would be sent to employers. It was confirmed that since an Employer Relations Manager had been appointed, meetings would be organised with employers to explain the valuation to them. The Chairman questioned how the Fund would develop bespoke strategies and was advised that this would be done with the assistance of its investment advisors and that employers needing similar strategies would be grouped. The Committee heard that the Actuary would provide guidance on guarantors for employers and would discuss with employers the risks they were running in following a central investment strategy. It was acknowledged that the 2016 Valuation would be challenging due to current market conditions.

**Resolved:**

**To note the proposed approach to the 2016 Valuation.**

22 **Employers Cessation Policy**

The Head of Pensions updated on the implementation of a revised Wiltshire Pension Fund Employer Cessation Policy which had originally been approved in 2010. The Fund was currently experiencing cessation situations frequently, with increasingly complexities of dealing with such events, officers suggested that an updated policy would assist in managing the risk to the Fund by allowing an element of flexibility to address different cessations whilst ensuring a consistent and fair approach to all employers. The framework would allow employers to plan cessation payments on a more flexible basis by spreading the costs.

It was explained that currently employers who could not afford to stay in the scheme may be in the situation where they could neither afford to leave the scheme due to the lump-sum payment required; the new policy would allow employers to spread the exit payments. In response to questions, it was confirmed that over the last 12 months approximately 4 employers had applied for cessation and officers would now be addressing the issue of affordability for employers in advance.

**Resolved:**

**To approve the Wiltshire Pension Fund Cessation Policy, to take effect from 1 April 2016.**

23 **Wiltshire Pension Fund Administration Budget Monitoring**

An update was provided on the current projected outturn of the Wiltshire Pension Fund budget and it was noted that the current Fund investment costs were close to budget.

**Resolved:**

**To note the update on Budget Monitoring.**

24 **Wiltshire Pension Fund Administration Budget 2016-19**

A report by the Head of Pensions outlined the proposed administration budget for 2016/17 and planned expenditure in 2017/18 and 2018/19. It was explained that the Fund's budget (excluding investment management fees) was projected to require £115,000 extra funding due to an increase in actuary fees for the 2016 Triennial Valuation, an increase in Pension Administration Recharge, additional salary costs and additional software costs. Furthermore, additional funding was required to support the Local Pension Board.

Following questions from the Committee, it was confirmed that costs arising from pooling funds would need to be detailed in submission to Government in July therefore the Committee would be informed prior to this date. The pooling of funds was not expected to have a significant impact on staffing however

additional support could be employed as and when required. The Treasurer to the Pension Fund advised that the budget was funded from member and employer contributions and investment returns; any reduction in staffing would primarily make savings for the Fund but have no direct impact on Wiltshire Council budgets.

**Resolved:**

**To approve the Pension Fund Administration Budget for 2016-17 shown in the Appendix totalling £10.201m.**

**To note the indicative budget allocations for 2017-18 and 2018-19.**

25 **Pension Website Demonstration**

The Chairman invited Zoe Stannard, the Fund's Communications Manager, to provide a tour of the website which included information to members, employers and other stakeholders. The officer advised that a future aspiration was for members to be able to access their statements online via this website.

The Committee acknowledged that many Pensioners in Wiltshire did not have access to the internet, but was reassured that correspondence to members would continue to be sent as a hard copy in the post in addition to information available online.

**Resolved:**

**To thank Zoe Stannard for the informative presentation.**

26 **Review of Actuarial, Benefits and Investment Advisers Contract**

A report by the Strategic Pension Manager outlined proposals for the extension of the call-off contract period for both Actuarial/Benefits Advisory Services and Investment Advisory Services. In 2011 the Fund had worked with six other South West funds to tender the contracts for actuarial, benefits and investment services, as a result of the process a framework had been established running for 7 years, covering two valuation cycles. Wiltshire Pension Fund had appointed Hymans Robertson for Lots 1 & 2 and Mercers for Lot 3. The call off-contracts were originally for a period of 4 years with an option to extend for a further period. The possible extension for Hymans Robertson was for 3 years, whereas the Mercers extension was for 3 years 11 months.

The Head of Pensions was pleased with the service provided by Hymans and Mercers and proposed that the contacts be extended. The Committee highlighted the importance that the Fund achieves value for money and questioned whether a discounted fee could be sought. Officers advised that a reasonable rate for services had been agreed at the time of the original tender due to the economies of scale involved and the framework was designed to

prevent the need for a re-tender process. Officers also expected to experience reduced fees as a result of pooling with other Funds. Members acknowledged that in the current climate, continuity was preferable however re-tendering should be undertaken when the contracts expired in 3 years time.

**Resolved:**

**To agree for the continuation of the call off contracts with Hymans Robertson as provider of Actuarial & benefits services and with Mercer as provider of Investment Services.**

27 **Update from the Local Pension Board**

The Committee considered the minutes and recommendations of the Local Pension Board meeting held on 14 January 2016 heard that Board members had undertaken training on the Pensions Regulator Code of Practice no.14. The Pensions Regulator Toolkit was also available to members of this Committee and provided training on the governance of Funds.

**Resolved:**

**To note the recommendations of the Local Pension Board.**

28 **Date of Next Meeting**

The next regular meeting of the Committee was to be held on 30 June 2016.

29 **Urgent Items**

There were no urgent items.

30 **Exclusion of the Public**

**Resolved:**

**To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in minute number 31-33 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraphs 3 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.**

31 **Minutes**

**Resolved:**

**To confirm the Part 2 minutes of the last ordinary meeting held on 10 December 2015 and extraordinary meeting held on 1 February 2016.**

**To note the minutes and key decisions of the Investment Sub-Committee meeting held on 25 February 2016.**

32 **Pooling of Investments & Consultation Update**

A verbal update was provided by the Treasurer to the Fund on the proposals for pooling in response to the Government consultation.

**Resolved:**

**To note the update on the pooling of investments and Government consultation.**

**To endorse the appointment of the Chairman of the Wiltshire Pension Fund Committee as the representative of the Fund at meetings of the Shadow Joint Committee Oversight Board and to agree that the Vice-Chairman or other members of the Committee may be called upon to act as a substitute or to accompany the Chairman as an additional attendee.**

33 **Investments Quarterly Progress Report**

Confidential reports updated the Committee on the performance of the Fund's investments as to the end of December 2015, these had previously been presented to the Investment Sub-Committee.

**Resolved:**

**To note the report on the performance of the Fund's investments.**

(Duration of meeting: 10.30 am - 12.45 pm)

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## STAFFING POLICY COMMITTEE

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### DRAFT MINUTES OF THE STAFFING POLICY COMMITTEE MEETING HELD ON 2 MARCH 2016 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

#### Present:

Cllr Allison Bucknell (Chair), Cllr John Smale (Vice Chairman), Cllr David Pollitt, Cllr David Jenkins, Cllr Mike Hewitt, Cllr Stuart Wheeler, Cllr Bill Moss (Substitute), Cllr Bob Jones MBE and Cllr Graham Wright

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#### 13 Apologies for absence

An apology for absence was received from Cllr Baroness Scott of Bybrook OBE, who was substituted by Cllr Bill Moss.

#### 14 Minutes of Previous Meeting

##### **Resolved:**

**To confirm and sign the minutes of the previous meeting held on 6 January 2016 as a true record.**

#### 15 Declarations of Interest

There were no declarations of interest.

#### 16 Chairman's Announcements

The Chairman made the following announcements:-

- **Departmental Reorganisation** The Human Resources (HR) and Organisation Development (OD) services had merged reducing two heads of service to one. A process to re-structure the new combined service was now planned and further information would be provided to Staffing Policy Committee once the restructure is complete.

Joanne Pitt was congratulated on her appointment as Head of the new HR & OD Unit.

- **Budget Savings** Ongoing negotiations were taking place with the trade unions on ways of achieving necessary savings to help balance the budget for the next financial year. It was hoped that agreement would be reached by the end of March 2016.

17 **Public Participation**

There were no members of the public present or councillors' questions.

18 **Update on the Grow Learning Management System**

The Committee received a presentation by Daniel Holmes, Strategic Project Officer in which he provided an update on the grow learning management system.

He explained that the purpose of grow was

- To carry out reviews – appraisals and 1-1's
- Objective setting
- Learning and development
- Social groups
- Career development

Members were informed that

- The grow system was launched May 2015
- Manager training sessions had taken place across hubs and depots, with 173 attendees to date
- Informal training sessions and drop-in's were offered
- A full suite of online guidance was available
- Corporate priority based on staff survey 2014
- 51% completed or in progress as at 16 Feb 2016
- Cycle runs until end of March 2016
- Support offered to services with lower completion rates
- Feedback sought and form reviewed for 2016/17 cycle which will launch April 2016
- Optional for services to set objectives in grow in 2015/16
- Corporate objectives were cascaded from the senior team to all managers and staff
- Good take-up rate across services - 3217 additional objectives set.
- 2016/17 focus will be on linking all staff objectives to business plan through grow
- Optional for services to set objectives in grow in 2015/16
- Corporate objectives were cascaded from the senior team to all managers and staff

- Good take-up rate across services - 3217 additional objectives set.
- 2016/17 focus will be on linking all staff objectives to business plan through grow
- Probationary reviews all conducted within grow – 90 complete and 21 in progress.
- 1-1 templates created, including bespoke templates for teams with particular requirements.
- ASYE (Assisted & Supported Year in Employment) programme for assessors and candidates delivered through grow.
- Learning history transferred from SAP.
- All internal course booking now completed within grow.
- Refreshed blended induction pushed out to new staff automatically.
- Will support external Learning in Wiltshire programme.
- 29 social learning groups created
- Social groups linked to courses to support blended learning approach
- Will enable knowledge sharing and collaboration within teams and specialisms

**Resolved:**

**(1) To thank Daniel Holmes for his interesting and informative presentation.**

**(2) To request a further update in due course.**

**19 Delivering the Business Plan - December 2015**

The Committee received a workforce report, excluding fire, police and school staff, for the quarter ended 31 December 2015, concerning:-

Staffing levels

Sickness absence

New health and safety RIDDOR related injuries

New disciplinary, grievance and absence cases

Voluntary staff turnover

Employee costs

Additional financial information

Employee diversity

It was noted that the headcount across Wiltshire Council had seen a decrease of 206 (4%) over the past rolling year with the greatest reduction being in Adult Care Commissioning and Housing Service (-18), followed by Commissioning Performance and Schools Effectiveness (-16).

Sickness rates had increased this quarter to 2.4 days lost per FTE, an increase of 0.5. This was 0.1 days per FTE below the benchmark for a local authority and was a seasonal increase in sickness absence.

**Resolved:**

**To note the contents of the report.**

20 **Date of Next Meeting**

**Resolved:**

**To note that the next scheduled meeting of the Committee was due to be held on Wednesday 4 May 2016, in the Kennet Room at County Hall, Trowbridge, starting at 10.30am.**

21 **Urgent Items**

There were no items of urgent business.

22 **Exclusion of the Press and Public**

**Resolved:**

**To agree that in accordance with section 100A (4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Minute No. 23 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.**

23 **Local Government Pension Scheme (LGPS) Employer Discretions - Payment of Deferred Benefits**

Consideration was given to a confidential report from the Associate Director, People & Business in which the Committee was asked to consider a request from a former employee for early release of deferred pension benefits held in the Local Government Pension Scheme on compassionate grounds.

After discussion,

**Resolved:**

**To agree to the early release of the former employee's deferred pension benefits, as set out in the report, on compassionate grounds.**

(Duration of meeting: 10.30 - 11.30 am)

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