

# Minutes Book

Tuesday 12 July 2016

Council Chamber - County Hall, Trowbridge BA14 8JN



## Minutes of Cabinet and Committees

### May to July 2016

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Health and Wellbeing Board

14 April 2016

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Baroness Scott

Councillors wishing to ask a question on the Fire Authority minutes are required to give written notice no later than five clear days before the council meeting - 5pm on 4 July 2016 - please contact Yamina Rhouati, 01225 718024, [yamina.rhouati@wiltshire.gov.uk](mailto:yamina.rhouati@wiltshire.gov.uk)

Dorset and Wiltshire Fire Authority

1 April 2016

341 - 348

Rebecca Knox  
(Dorset)

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

## CABINET

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DRAFT MINUTES of a MEETING held in THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN on Tuesday, 17 May 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 Richard Clewer, Cllr Anna Cuthbert, Cllr Richard Gamble, Cllr Alan Hill, Cllr Jon Hubbard, Cllr David Jenkins, Cllr Simon Killane, Cllr Gordon King, Cllr Bill Moss, Cllr Horace Prickett 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 

### 57 **Apologies**

All members were present.

### 58 **Minutes of the previous meeting**

The minutes of the meeting held on 19 April 2016 were presented.

### **Resolved**

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

**59 Declarations of Interest**

There were no declarations of interest.

**60 Leader's announcements**

The Leader stated that she had asked Democratic Services to co-ordinate any donations made in memory of former Wiltshire Councillor Jeff Osborn as discussed with Cllr Glenis Ansell before the meeting.

**61 Public participation and Questions from Councillors**

The Leader drew the meeting's attention to the questions and responses circulated in the agenda supplement, and invited those who had submitted questions to address the committee.

(a) Question from Councillor Jon Hubbard – Five Year Land Supply

In response to a supplementary question from Councillor Hubbard, Councillor Sturgis stated that although the 5 year land supply situation can change quite rapidly, the response given in writing was correct. He did, however, explain that the final sentence in the response should be corrected to read: 'In these circumstances, the benefits should significantly and demonstrably outweigh the adverse impacts.'

Councillor Sturgis went on to state that housing numbers designated to individual communities were indicative required, and that whilst local plans, neighbourhood plans and the core strategy were important documents for communities to shape their local areas, the Secretary of State's and Inspector's decisions show that speculative developments still had to be judged on their own merits to determine whether they promote sustainable development.

(b) Question from Adrienne Westbrook - Multi Use Games Area in King George V Park

In response to a supplementary question from Councillor Westbrook, Councillor Sturgis stated that the planning application stage gave the opportunity for the Town Council to make comments. The Council had spoken to Fields in Trust prior to the application as their prior consent was required.

Furthermore, the Leader added that she would ask officers to investigate what communication was undertaken with the Local Member with a view to seeing if processes could be improved.

## 62 **Re-commissioning Child and Adolescent Mental Health Services (CAMHS)**

**Key** Councillor Laura Mayes, Cabinet Member for Children's Services, presented the report which sought approval to work with Wiltshire CCG to recommission

a new integrated service delivery model for primary and specialist CAMHS in order to meet the changing needs of children and young people. A number of options for commissioning this service were set out in the report and a recommendation provided on the best option to secure the service required.

Issues highlighted in the course of the presentation and discussion included: that Mental health had been identified as a top priority by representatives from the local Youth Parliament; how the proposed procurement process differed from the previous model; the limited number of suppliers in the market; how procurement specialists in the CCG and the Council were working together; the opportunity to provide an holistic service for children and young people; and the increase in demand for services and the changing needs of children and young people;.

In response to a request from the Leader, it was agreed to amend recommendation ii) so that officers be asked to investigate the possibility of Wiltshire Council taking a joint-lead procurer role for the new service.

Following concerns raised by Councillor Glenis Ansell, Carolyn Godfrey clarified that the preferred bidder model proposed was a commonly used procurement process and would still allow for the appropriate due diligence activity to be undertaken.

### **Resolved**

- i. To agree that the Council should work with the Wiltshire CCG to recommission a new integrated service delivery model for primary and specialist CAMHS to meet the needs of children and young people. To include aligning Wiltshire Council funding for Primary CAMHS with Wiltshire CCG funding for specialist CAMHS;**
- ii. That officers be asked to investigate whether it would be practicable for Wiltshire Council to become a joint lead commissioner for the new service;**
- iii. To approve the commissioning approach already agreed by the Wiltshire CCG Governing Body to test the market to establish if undertaking a most capable provider process is the appropriate route to secure the service required (option 3). To include authorisation from Cabinet to undertake a tender process if required, in accordance with the 'light touch' regime as detailed within the Public Contract Regulations (option 2). This shall be led by the Wiltshire CCG with the Council as an associate; and**

- iv. **To delegate approval of the procurement process, including the development a revised service specification and decision on award of contract to the Corporate Director in consultation with the Cabinet Member for Children’s Services in consultation with the Cabinet Member for Finance, Cabinet Member for Public Health and the Solicitor of the Council.**

*Reason for Decision:*

*The local CCG transformation plan for children and young people’s mental health and wellbeing sets out the overall joint strategic direction, clear vision and principles for delivering a child and youth mental health system that can meet the changing needs of children and young people in Wiltshire, for example, the increase in eating disorders and self-harming behaviour. The plan has been developed in partnership with a range of stakeholders from across education, health and social care and reflects the needs and views of children, young people and parents/carers.*

*In order to deliver the plan effectively (which has been agreed by the Health and Wellbeing Board) and ensure the continued provision of a safe and effective Child and Adolescent Mental Health Service, the Council needs to work together with Wiltshire CCG to set out a new service delivery model. This requires the Council to align its resources with the CCG and the transformation plan’s strategic objectives.*

*This report evaluates options for commissioning a new integrated primary and specialist Child and Adolescent Mental Health Service. In doing so, it recommends that the Council approves the decision already made by the Wiltshire CCG to test the market to establish if undertaking a most capable provider process is the appropriate route. The key argument in favour of this option is that the market for the provision of CAMHS is understood to be limited regionally.*

## 63 **School Loans**

 Councillor Laura Mayes, Cabinet Member for Children’s Services, presented a report which provided an update on the progress of maintained schools converting to academies and the potential role of the Local Authority in converting a current budget deficit into a formal loan to a maintained school, to facilitate their transition to become an academy.

Issues highlighted in the course of the presentation and discussion included: that the proposed approach sought to reduce the financial risks to the authority; how the Council would assure itself that academies were able to meet the requirements of a loan; that the proposals should be cost-neutral for the Council; and that the proposals could encourage better financial management amongst relevant schools.

## **Resolved**

- 1. To note the current position of Wiltshire schools converting to academies**
- 2. To delegate powers to the Associate Director, Finance to consider awarding loans to maintained schools to facilitate their conversion to become an academy.**
- 3. To authorise the Associate Director, Finance, to enter into appropriate formal arrangements for the award of a loan, where the maintained school currently is in a financial deficit position with the Local Authority and has an agreed recovery plan that extends beyond the standard 3-5 year recovery period. In all cases, loans will only be made following consultation with the Cabinet Member for Children's Services, Cabinet Member for Finance, Associate Director Law and Governance, Associate Director Commissioning Performance and School Effectiveness and in accordance with the requirements of the Local Government Act 1972.**

### *Reason for Decision:*

*Due to Wiltshire being a poorly funded authority for school funding, combined with the impact of the current demographics, a small number of Wiltshire schools are in a financial budget deficit position. All deficits are being managed in conjunction with the LA.*

*Budget deficits have proved a barrier to those schools converting to become an academy, and leave the financial risk of the deficit with the local authority. The purpose of this report is to provide members with background information and seek a decision regarding the conversion of these budget deficits into a formal loan.*

## **64 Business Continuity Plan**

Councillor Keith Humphries, Cabinet Member for Public Protection, presented a report which provided Cabinet with feedback on progress with the business continuity programme, and asked for the measures outlined in the report to be approved.

Issues highlighted in the course of the presentation and discussion included: how the programme would be progressed; how any disruptions would be managed; the support and advice available to businesses; that, on average, a fifth of businesses would suffer major disruptions in any year; the impact of disruptions on future trading; and the work undertaken with partners in the local resilience forum.

## **Resolved**

- 1. To note the report.**
- 2. That the measures being taken to ensure effective business continuity as outlined in the report be approved.**

*Reason for Decision:*

*To keep the Cabinet apprised of plans.*

## **65 Urgent Items**

There were no urgent items.

(Duration of meeting: 9.30 - 10.31 am)

These decisions were published on the 19 May 2016 and will come into force on 27 May 2016
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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, 14 June 2016.

Cllr Baroness Scott of Bybrook OBE	Leader of the Council
Cllr John Thomson	Deputy Leader and Cabinet Member for Communities, Campuses, Area Boards and Broadband
Cllr Fleur de Rhé-Philipe	Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property
Cllr Keith Humphries	Cabinet Member for Health (including Public Health) and Adult Social Care
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 Dick Tonge	Cabinet Member for Finance
Cllr Philip Whitehead	Cabinet Member for Highways and Transport
Also in Attendance:	Cllr Anna Cuthbert, Cllr Jon Hubbard, Cllr Richard Gamble Cllr Allison Bucknell, Cllr Glenis Ansell, Liberal Democrat Group Cllr Peter Evans, Cllr Alan Hill, Cllr David Jenkins, Cllr Bob Jones MBE, Cllr Simon Killane, Cllr Magnus Macdonald Cllr Bill Moss, Cllr Stephen Oldrieve, Cllr Sheila Parker Cllr Horace Prickett, Cllr Bridget Wayman

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

### 66 **Apologies**

Apologies were received from Councillors Laura Mayes and Stuart Wheeler.

### 67 **Minutes of the previous meeting**

The minutes of the meeting held on 17 May 2016 were presented.

#### **Resolved:**

**To approve as a correct record and sign the minutes of the meeting held on 17 May 2016.**

**68 Minutes - Capital Assets Committee**

The minutes of the meeting held on 17 May 2016 were presented.

**Resolved:**

**To receive and note the minutes of the meeting held on 17 May 2016.**

**69 Declarations of Interest**

There were no declarations of interest.

**70 Leader's announcements**

The Leader made the following announcements:

That 19 more individuals and families had recently been welcomed to Wiltshire as part of the Government Syrian Refugees scheme, and that plans to accept unaccompanied minors were being progressed on a regional basis.

The Leader outlined plans for Thursday afternoon's Queens 90<sup>th</sup> Birthday Party celebrations at County Hall.

**71 Public participation and Questions from Councillors**

There were no public questions or statements.

**72 Performance Management and Risk Outturn Report: Q4 2015/16**

Councillor Dick Tonge presented the report which provided a quarter four 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.

**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 Decisions*

*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.*

### 73 **Revenue Outturns 2015/2016**

Councillor Dick Tonge presented the report which advised Cabinet of the (unaudited) General Revenue Fund and Housing Revenue Account outturn positions for financial year 2015/2016. Cabinet also noted the draft Statement of Accounts.

Issues highlighted in the course of the presentation and discussion included: the input of Scrutiny, including the Financial Planning Task Group; the actions taken to address overspends; the process by which the Statement of Accounts would be adopted; and that the Council was earlier than the vast majority of Councils in preparing their accounts for audit.

#### **Resolved**

**That Cabinet note the report showing an outturn for the General Revenue Fund (GRF) and Housing Revenue Account (HRA), subject to external audit, of an underspend of £0.066 million and an underspend of £0.820 million, GRF and HRA respectively. That Cabinet note appropriate transfers to the GRF and Earmarked reserves as set out in Sections 22-25 of the report presented, and return to HRA reserves. Cabinet note the draft Statement of Accounts as presented.**

*Reason for Decision:*

*As part of its role in ensuring sound financial management and financial soundness, Cabinet are required to assess and approve the final revenue outturns for 2015/2016.*

### 74 **Capital Monitoring Outturn 2015/2016**

Councillor Dick Tonge presented the report which informed Cabinet on the final position of the 2015/2016 Capital Programme, including highlighting budget changes.

#### **Resolved**

- 1. To note the budget movements undertaken to the capital programme (shown in appendices A and B of the report presented) and the final outturn position of the Capital Programme shown in appendix A 2015/2016 as presented.**

- 2. To also note the reprogramming of £7.395 million between 2015/2016 and 2016/2017.**

*Reasons for Decision:*

*To inform Cabinet of the position of the 2015/2016 capital programme as at Outturn (31 March 2016), including highlighting any budget changes.*

**75 Annual Report on Treasury Management 2015-16**

Councillor Dick Tonge presented the report which summarised the annual performance against the agreed Treasury Management Strategy. In giving his presentation, Councillor Tonge highlighted the limited exposure of the Council to LOBO loans; and that the Council had made some loans to other local authorities.

In response to a question from Councillor Jon Hubbard, it was confirmed that there had been a delay in some housing works that had led to a delay in drawing down £2m of capital funding.

**Resolved**

**To consider and note:**

- a) The Prudential Indicators, Treasury Indicators and other treasury management strategies set for 2015-16 against actual positions resulting from actions within the year as detailed in Appendix A of the report presented; and**
- b) The investments during the year in the context of the Annual Investment Strategy as detailed in Appendix B of the report presented.**

*Reason for Decision*

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

*This report is required by the Prudential Code for Capital Finance in Local Authorities and the CIPFA Code of Practice for Treasury Management in the Public Services*

**76 Passenger Transport Review**

Councillor Philip Whitehead presented the report which updated members on the results of the public consultation on supported bus service savings options as part of the

review of the Wiltshire Local Transport Plan (LTP) 2011-2026 Public Transport Strategy review.

Issues highlighted in the course of the presentation and discussion included: the remit of the review; the methodology used and the large response; that whilst the review would be considering whether certain services were sustainable, no decision has been made as to a financial savings target; that the consultation sought to measure the impact of possible service changes on the public; the role of scrutiny, and how the conduct of the consultation had been viewed by various third parties; and that it was hoped to bring the final report back to Cabinet in September.

In response to a question from Councillor Jon Hubbard, Councillor Whitehead stated that he would explore the possibility of cashless technology as a way of saving money and assisting passengers.

In response to a question from the Leader, Councillor Whitehead stated that he hoped to publish information about the results in an accessible format as soon as possible.

In response to a question from the Leader, Councillor Whitehead explained that whilst the draft Bus Services Bill would be taken into account, he would not want to delay the review from its stated timetable.

#### **Resolved**

- (i) Notes the results of the public consultation on supported bus service savings options as part of the review of the Wiltshire Local Transport Plan (LTP) 2011-2026 Public Transport Strategy review.**
- (ii) Notes that a report on a proposed way forward for public transport in Wiltshire will be presented to Cabinet at a future meeting.**
- (iii) Notes that over 11,000 individuals and organisations responded to, and took part in, the public consultation.**
- (iv) Notes that due to the volume of consultation responses received only the majority or main consultation points have been outlined at this time; the analysis and consideration of more detailed points will be undertaken if and when changes to individual supported bus services are proposed and consulted upon**
- (v) Note that the Bus Services Bill being considered by Parliament would be taken into account in the review.**

*Reason for Decision:*

*To provide Environment Select Committee and Cabinet with early visibility of the results of the public consultation on supported bus service savings options. A further paper outlining options will be presented to Cabinet in the future.*

## 77 **'Help to Live at Home' service commissioning**

 Councillor Keith Humphries presented the report which provided an update regarding the outcome of the recent 'Help to Live at Home' (HTLAH) tender process; requested approval to award to the preferred provider(s); and sought authorisation to extend two contract lots with an incumbent Provider.

Issues highlighted in the course of the presentation and discussion included: the input of scrutiny members in the overview of the HTLAH service; how local councillors could be appropriately kept informed where a service needed improving; the actions that could be, appropriately taken by the Council where required and the important role of the voluntary sector.

In response to issues raised by Brian Warwick, the Leader asked that officers arrange to meet to discuss the issues raised by Mr Warwick.

As stated in the report, in view of the urgency involved in determining this, it was agreed that it would not be subject to the call-in process. This process had been instigated in accordance with the constitution and following agreement with the Chairman of Council (Part 8 of the Constitution – Overview and Scrutiny Procedure Rules - paragraph 41). It was noted that there had been prior scrutiny engagement on this as referred to in the report. The reason for urgency was to enable the Council to complete the formal award process and allow the preferred provider(s) the maximum transition period for implementation of the contract.

### **Resolved**

- 1. That the contracts with Somerset Care Ltd are extended for the full extension available, West 2 until September 2018 and North 2 until April 2019**
- 2. That following the recent tender process that the contracts currently held by Mihomecare and Leonard Cheshire for HTLAH are awarded to the preferred provider(s) identified through the current tender process.**
- 3. That authority is delegated to the Corporate Director and Associate Director for Adult Services, in consultation with the Cabinet Member for Health (including Public Health and Adult Social Care), to finalise the terms of the contracts and to agree the extension with Somerset Care Ltd.**

*Reasons for Decisions*

*(a) To ensure continued service delivery by Somerset Care within the West 2 and North 2 areas.*

*(b) To progress with awarding the tenders to the preferred provider(s) within the North 1, East 2 and West 1 areas.*

## **78 Actions to recruit and retain social workers - progress update**

Councillor Keith Humphries presented the report which provided a further update on actions carried out during 2015/16 following the Cabinet report on the 21 April 2015 in respect of recruiting and retaining social workers. The report also detailed the significant progress made from the campaign start (August 2014) until March 2016 and identified actions for 2016/2017 to sustain the improvements made. In making his presentation, Councillor Humphries acknowledged that the issues were jointly the responsibility of Councillor Laura Mayes and Councillor Stuart Wheeler.

Issues highlighted in the course of the presentation and discussion included: the involvement of the Staffing Policy Committee in the development of the proposals the progress that had been made in reducing the vacancy rate; the success of using social media in recruitment; how actions, including identifying training and career progression pathways had been taken to attract and retain staff; that the actions taken had reduced the potential additional costs to the council by £600k; that the aim was to have zero staff agency costs within three years; and that the project had been a successful example of cross-departmental working.

### **Resolved**

- 1. To note the progress of the recruitment campaign to recruit social workers and support the further actions being taken and planned to recruit and retain social workers.**
- 2. That the officers involved be congratulated for their continued efforts in making the campaign a success.**

### *Reason for Decisions*

*To improve the recruitment and retention of experienced social workers and social work managers.*

## **79 Military Civilian Integration Update Report**

The Leader presented the report which provided an update of the Military Civilian Integration (MCI) Partnership's work and sought Cabinet's continued support for the partnership and its programme of work. In giving her presentation, the Leader asked Cabinet members to provide further detail about specific projects.

Issues highlighted in the course of the presentation and discussion included: that the last update report had been made to Cabinet in October 2013; the key aspects of the ongoing work, and how Wiltshire Council was working together with MOD (particularly SW Region Brigade, the Defence Infrastructure Organisation - DIO) and partners in bringing forward the Partnership's workstreams; the aims of the MCI Partnership, a key element in the Council's Business Plan; the additional funding that had been secured as part of the funding; how the Council and partners were liaising with families to ensure a smooth transition to Wiltshire from overseas bases; and that a further update should be given to Cabinet in 2-3 years' time following the rebasing programme.

### **Resolved**

- (i) To confirm its support for the MCI Programme, and to endorse the approach being taken to delivering the MCI Workstreams set out by the MCI Board.**
- (ii) To, in particular, note:**
  - a) The progress and way forward on the Army Basing Programme.**
  - b) The Wiltshire's Armed Forces Community Covenant (agreed in August 2011) and the success in drawing down significant grant funding to support local integration projects.**
  - c) The completion of the Defence College of Technical Training at Lyneham.**
  - d) The continued co-operation with the MOD in identifying and progressing the opportunities that military presence can bring to boost the economy of Wiltshire.**

### *Reason for Decision*

*The Military has a significant presence in Wiltshire, and the nature of this presence will change dramatically over the coming years. It is important that the Council recognises the impacts that military presence will have on Wiltshire, both in terms of the opportunities that this will offer for economic growth, and the preparations that the Council is required to make to ensure that the needs of everyone in Wiltshire are met. Cabinet is invited to recognise the achievements that have already been made with the support of the MCI Partnership, such as the progress on a Defence College of Technical Training at the former RAF*

*Lyneham Site, the Army Basing programme and establishment of the Higher Futures programme, while acknowledging that there will be further challenges ahead, whose successful resolution will require the support of the Council working closely with the Ministry of Defence (MOD) and other partners.*

80 **Urgent Items**

There were no urgent items.

81 **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*

82 **'Help to Live at Home' service commissioning - Part ii Appendix**

The meeting considered the information in the appendix made exempt from publication and in so doing, confirmed the resolutions agreed under minute number 77 above.

(Duration of meeting: 9.30 - 11.41 am)

These decisions were published on the 21 June 2016 and will come into force on 29 June 2016.
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## **CABINET CAPITAL ASSETS COMMITTEE**

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DRAFT MINUTES of a MEETING held in THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN on Tuesday, 17 May 2016.

Cllr Fleur de Rhé-Philipe	Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property
Cllr Baroness Scott of Bybrook OBE	Leader of the Council
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

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

### **26 Apologies and Substitutions**

All members were present..

### **27 Minutes of the previous meeting**

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

#### **Resolved**

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

### **28 Leader's Announcements**

There were no leaders announcements.

### **29 Declarations of interest**

Councillor Fleur de Rhé-Philipe declared a non-prejudicial interest in agenda item 6 as a member of the Canal Trust.

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

It was noted that no requests for public participation had been received, and that there were no members of the public present.

**31 Transfer of land to the Wiltshire and Berkshire Canal Trust.**

Councillor Toby Sturgis, Cabinet Member for Operational Property, presented a report which sought authorisation for the transfer, by way of long lease or freehold (as appropriate), of 6 areas of land in Wiltshire to the Wilts & Berks Canal Trust (WBCT) to enable it to fulfil its aim of re-creating a navigable canal route linking the Kennet & Avon Canal at Semington.

**Resolved**

- 1. That Committee is asked to support the Wilts & Berks Canal Trust by agreeing to the principle of transferring the assets listed in this report.**
- 2. That Committee delegates authority to the Associate Director for People & Business, the Associate Director for Finance and the Associate Director for legal and governance in consultation with Cabinet Member for Economic Development, Skills, Strategic Transport and Strategic Property, Cllr Fleur de Rhé-Philippe the basis of transfer (freehold or long leasehold) and the detailed terms of each transfer/lease.**
- 3. That Committee confirms at this time that its intentions are limited to transferring the assets only and they do not extend to seeking compulsory purchase powers on behalf of the Wilts & Berks Canal Trust.**

*Reason for Decision:*

*To support the aspirations of the Council's business plan, the Wilts & Berks Canal Trust's aims, the Council's Core strategy and to reduce the Council's liabilities associated with those pieces of land already restored.*

**32 Urgent items**

There were no urgent items.

(Duration of meeting: 11.30 - 11.45 am)

These decisions were published on the 19 May 2016 and will come into force on 27 May 2016
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## **OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE**

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**MINUTES OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETING HELD ON 24 MAY 2016 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

**Present:**

Cllr Simon Killane (Chairman), Cllr Alan Hill (Vice Chairman), Cllr Chuck Berry, Cllr Christine Crisp, Cllr Stewart Dobson, Cllr Howard Greenman, Cllr Jon Hubbard, Cllr Gordon King, Cllr Jacqui Lay, Cllr Stephen Oldrieve, Cllr Tony Trotman, Cllr John Walsh, Cllr Bridget Wayman and Cllr David Jenkins (Substitute)

**Also Present:**

Cllr Andrew Davis, Cllr Laura Mayes, Cllr Baroness Scott of Bybrook OBE, Cllr John Thomson and Cllr Philip Whitehead

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40 **Election of Chairman 2016/17**

**Resolved:**

**To elect Councillor Simon Killane as Chairman for the following year.**

41 **Election of Vice-Chairman 2016/17**

**Resolved:**

**To elect Councillor Alan Hill as Vice-Chairman for the following year.**

42 **Membership and Apologies**

Following the Annual Meeting of Council it was confirmed Councillor George Jeans had been appointed as a Member of the Committee, in the place of the late Councillor Jeff Osborn.

Apologies were received from Councillor Glenis Ansell. Councillor Ansell was substituted by Councillor David Jenkins.

43 **Minutes of the Previous Meeting**

The minutes of the meeting held on 3 March 2016 were presented and it was,

**Resolved:**

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

44 **Declarations of Interest**

Councillor David Jenkins declared a non-pecuniary interest by virtue of being a member of 'Keep Wiltshire Frack Free'.

45 **Chairman's Announcements**

The Chairman announced he and the Vice-Chairman had met with the council's Head of System's Thinking to consider if the methods, resources or lessons of the service could aid the development of the Scrutiny function.

46 **Public Participation**

As detailed in agenda supplement 1 several questions had been received in relation to Minute no. 50 on the forthcoming members' briefing on Hydrocarbon Extraction.

As the briefing was still being developed, the formal response was provided to the questions as follows:

*The Committee is grateful for the questions received. Officers are preparing a technical briefing for members of the council on hydrocarbon extraction and ONS Management Committee will be asked for their views on the approach to the briefing. The questions submitted will help members in considering this.*

47 **Forward Work Programme**

Updates were received on the activity of the select committees including the following:

**Health Select Committee**

Details were provided on the work programme, including updates received in relation to the Good Neighbours Scheme, as well as meetings with the Cabinet Member emphasising the importance of communicating options to Area Boards in respect of Health and Wellbeing funding, and that the application of such be reviewed within 6 months. There would also be a future meeting with the Clinical Commissioning Group and Arriva regarding non-emergency medical transport.

**Environment Select Committee**

Details were provided on the work programme, including a presentation on leisure services in conjunction with the Health Select Committee, an update on the Library service and its budget for library stock, and the final report of the Resident Engagement Task Group.

#### Children's Select Committee

Details were provided on the work programme, including increased with the Wiltshire Assembly of Youth, a member of which attends meetings of the Committee and its briefings, and young people had been engaged to develop priorities in respect of bullying and other topics. The Obesity Task Group in conjunction with health had made initial observations, and the work of the Child Sexual Exploitation Task Group was ongoing. There was to be a special meeting on 21 June to look at government plans around academisation, and a briefing on Special Guardianship Orders.

#### 48 **Management Committee Task Group Updates**

Updates were received as detailed in the agenda and as follows:

##### Military Civilian Integration Partnership Task Group

Due to turnover in roles in the army there had been some delays, and a meeting with army and police representatives to discuss continued issues was forthcoming.

##### Swindon and Wiltshire Local Enterprise Partnership Task Group

The Task Group had completed its initial pieces of work as detailed in previous updates, and was moving forward with further scrutiny.

#### 49 **Review of the Budget Scrutiny Process**

The Financial Planning Task Group leads on member scrutiny of the council's draft Financial Plan on behalf of the Management Committee. It also makes recommendations to the Management Committee regarding arrangements for effective scrutiny input into the budget process.

Councillor George Jeans, on behalf of the Financial Planning Task Group, presented a report on a review of the scrutiny of the budget process for the 2016/17 budget. Scrutiny and Finance officers were thanked for their assistance in compiling the report.

The report considered the overall process had been robust and constructive, and made a series of recommendations to maintain or where possible improve the process further.

The Committee discussed the report, noting the importance of select committees sharing information with and utilising the resources of the Financial Planning Task Group, although it was also felt that it was important select committees assist with scrutiny of specific topics in relation to the budgets affecting their areas throughout the year.

At the conclusion of discussion it was,

**Resolved:**

**That the Overview and Scrutiny Management Committee:**

- 1) Agrees that overall the budget scrutiny process for 2016/17 was robust and constructive and can be repeated without significant adjustment in 2017/18;**
- 2) Repeats its invitation to all opposition groups to bring budget proposals to the Management Committee for discussion prior to Full Council in 2017/18;**
- 3) Endorses the task group's suggestion of greater select committee engagement in the budget scrutiny process so that their knowledge of specific services and issues can be brought to bear. This to include meetings between the chairmen of the task group and select committees to discuss the relevant key savings and investments, both in terms of financial monitoring and service impact.**

**50 Appointment to the Constitution Focus Group**

The Constitution Focus Group is a cross party working group established through the Standards Committee to lead on the review and assessment of the council's Constitution and make recommendations to Standards. As detailed in the terms of reference included with the agenda, the Overview and Scrutiny Management Committee has a representative on the Focus Group, and this had been Councillor Jeff Osborn.

**Resolved:**

**To appoint Councillor Jon Hubbard to the Constitution Focus Group.**

**51 Motion No. 31 - Referral from Full Council - Academisation**

On 10 May 2016 Council received a Motion from Councillors Jon Hubbard and Glenis Ansell entitled 'Forced Academisation of Schools', and which was included with the agenda. As a result of recent announcements from central government on planned academisation, the motion was replaced with the following referral:

*To refer the motion to Scrutiny, to suggest a working group investigate with the executive on options for Wiltshire Council to explore what routes are available to continue to support schools, such as county wide multi academy trusts or other options.*

The Cabinet Member for Children's Services, Councillor Laura Mayes, stated she welcomed further input, as there were critical changes to children's education being decided within the next few years which needed discussion.

**Resolved:**

**To formally refer the motion to the Children's Select Committee for further discussion and scoping of future work.**

52 **Members' Briefing on Hydrocarbon Extraction**

At its meeting on 1 March 2016 the Committee received a motion, originally submitted to Council on 23 February 2016, on hydrocarbon extraction, following the granting of Petroleum Exploration and Development Licences (PEDL) in the county. After discussion the Committee requested officers undertake an investigation into hydrocarbon extraction, to include technical explanations, local and national policies and what functions are devolved to local authorities, for a briefing for all members.

A presentation was received from Alistair Cunningham, Associate Director, Economic Development and Planning, on the current progress in preparing the briefing, as well as a summary of some of the basic details in advance of that briefing.

It was noted that although a PEDL licence had been granted, no application had yet been received to begin exploration, although analysis would have been undertaken prior to applying for the licence. Details were provided on the areas covered by the licence, the phases of exploration, appraisal, development and restoration that the process entailed and that planning applications and public consultations would be required for most actions. In response to queries it was stated pre-application consultation would be encouraged, and that the lack of it would be a relevant consideration to some extent. It was also highlighted that there was a presumption in favour of development from central government.

Members discussed the update, seeking additional details on policies and processes in the council. It was confirmed any applications would be considered by the Strategic Planning Committee, and that there was no specific policy on hydrocarbon extraction in place. It was stated it would need to be assessed whether the current policies such as on mineral extraction, were suitable.

At the conclusions of discussion, it was,

**Resolved:**

**To note the information on hydrocarbon extraction provided and the progress to date in producing the requested Members' Briefing.**

## 53 **Wiltshire Online Project Update**

The 'Wiltshire Online' project for superfast Broadband rollout across Wiltshire was designed to deliver fibre broadband to the county. A Wiltshire Council Project Board has responsibility for overseeing the rollout under the direction of the responsible Cabinet Member, Councillor John Thomson, and assistance and monitoring had been provided by a scrutiny representative on the Board, Councillor George Jeans. The last update was received on 7 July 2015, when the Committee received updates from Directors of British Telecom(BT).

Councillor Jeans informed the Committee of the quarterly meetings of the Project Board which included officers from Wiltshire and South Gloucestershire, the Cabinet Member and managers from BT, and that BT were continually challenged to prove that milestones were being met with the monies provided, and that an assurance review had stated the Board had been achieving its aims well. Councillor Jeans thanked the officers supporting the Board for their efforts.

Councillor Thomson then provided further updates to the Committee on the status of the rollout, with over 80000 homes connected and 400 structures built. There was a focus not just on delivery of broadband across the county but ensuring satisfactory speed of that broadband, which could be challenging particularly in rural areas, but the project remained on time and on budget, with final signoff to be in December 2017. There had also been £2 million secured for Ultrafast broadband, aimed at businesses, with more funding being sought from the Local Enterprise Partnership, along with efforts to secure further wireless solutions to those not yet covered under the first two phases.

The Committee discussed the updates received, with some concerns expressed that large urban estates in some areas were currently missing out due to being listed as being in commercially viable zones not covered by the scheme, but being told by providers it was not commercially viable. It was stated there had been some problems with areas with exchange only liens, but that providers were being contacted on their current plans at a postcode level, so that solutions could be investigated. There were also questions on whether parish councils could aid solutions financially or not and how to improve take up of the broadband.

### **Resolved:**

**To note the update.**

## 54 **My Wiltshire System Update**

Following a request from the Environment Select Committee on 27 October 2015, on 5 January 2016 the Management Committee received a presentation on development of the MyWiltshire system, a system which enables the public and officers to remotely report a range of issues to be resolved, and which had primarily been utilised to date on highways matters such as reporting potholes

and flytipping. The Committee had suggested a Task Group be formed looking at the wider Digitisation programme, but it was not felt at this stage that the programme was in a position where a Task Group could operate.

A further presentation of development of the MyWiltshire system was therefore received to determine if a more focused examination of the system, its processes and its promotion could be improved through scrutiny involvement.

Details were provided on a new communications plan to increase the profile of the system, and in particular the awareness that all items were logged onto it, not just those people using the smartphone app. New layouts and functionality were being added, such as the ability to report bins being missed on collection rounds, and potentially reporting of Child Sexual Exploitation concerns. A business case was being prepared for a retender of the system as the current provider contract would end in 2017, and it was being seen if it could be managed in-house by the council. It was highlighted that increased reporting via the internet was a priority, being both more efficient and inexpensive.

The Committee discussed the update. Members continued to encourage that methods be explored for local members to access logs of issues raised in their area, and it was stated it remained an ultimate goal, with efforts at this stage to transfer issues from the area board reporting system to the app and provide Community Engagement Managers with such access. It was also confirmed in response to queries that issues submitted always received assessment by an officer, that they were not automatically assessed by the system. The Committee also discussed other functionality they felt would be suitable for use on the system.

At the conclusion of discussion, it was,

**Resolved:**

**To seek expressions of interest for a Task Group on the MyWiltshire system, and delegate to the Chairman and Vice-Chairman to agree the membership.**

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

Details were provided on the ongoing 4-year Scrutiny Councillors' Learning and Development Programme, including a recent workshop on clarifying the role, interface and partnership of scrutiny members with the Executive.

**Resolved:**

**To note the update.**

56 **Overview and Scrutiny Member Remuneration 2015/16**

The Committee received a report on the Overview and Scrutiny Member Remuneration Scheme for 2015/16, which remained unchanged in its application from 2014/15.

**Resolved:**

**To note the allocation of the fund for 2015/16 as detailed in the appendix of the report.**

57 **Date of Next Meeting**

The date of the next meeting was confirmed as 5 July 2016.

58 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 am - 1.15 pm)

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# Hydrocarbon Extraction

Overview and Scrutiny Committee

24<sup>th</sup> May 2016

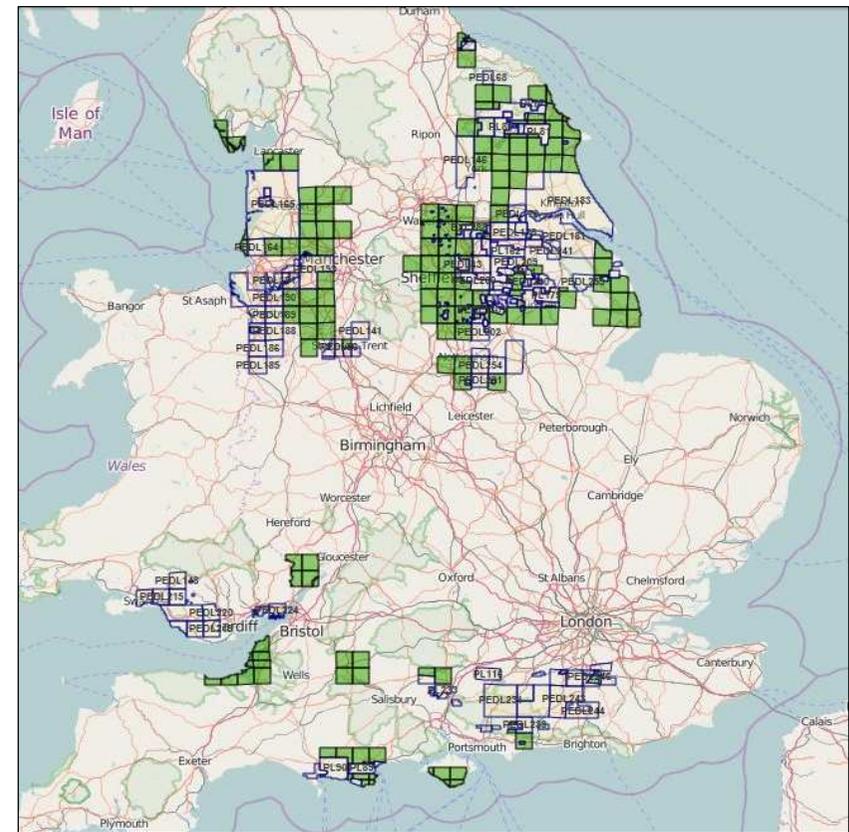
## **Two stage approach:**

May- Presentation: Explanation of the process, current national policy, process of decision making at both national and local level.

July- Report: Appraisal of policies that are in place in Wiltshire.

# 14<sup>th</sup> Onshore Oil and Gas Licensing Round

- Oil and Gas Authority (OGA) awarded 159 blocks to companies in December 2015
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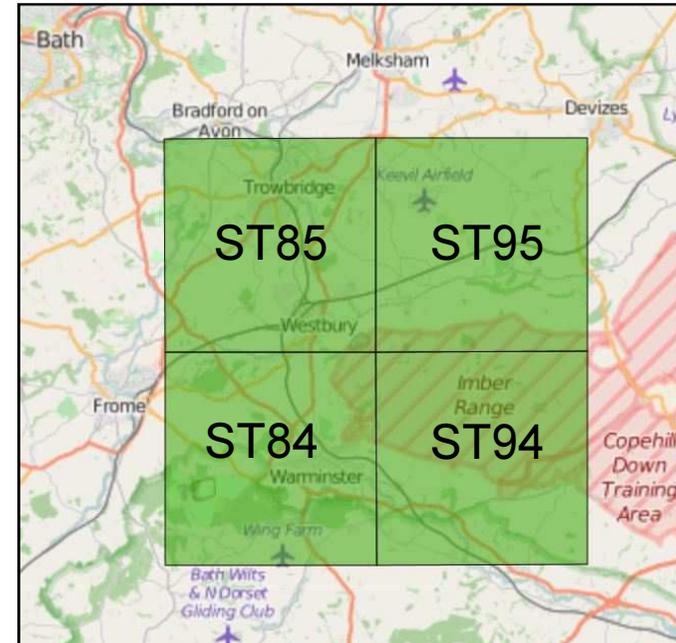


DECC - Licences OGA - 14th Round Blocks Offered For Award



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# Phases of Oil and Gas Development

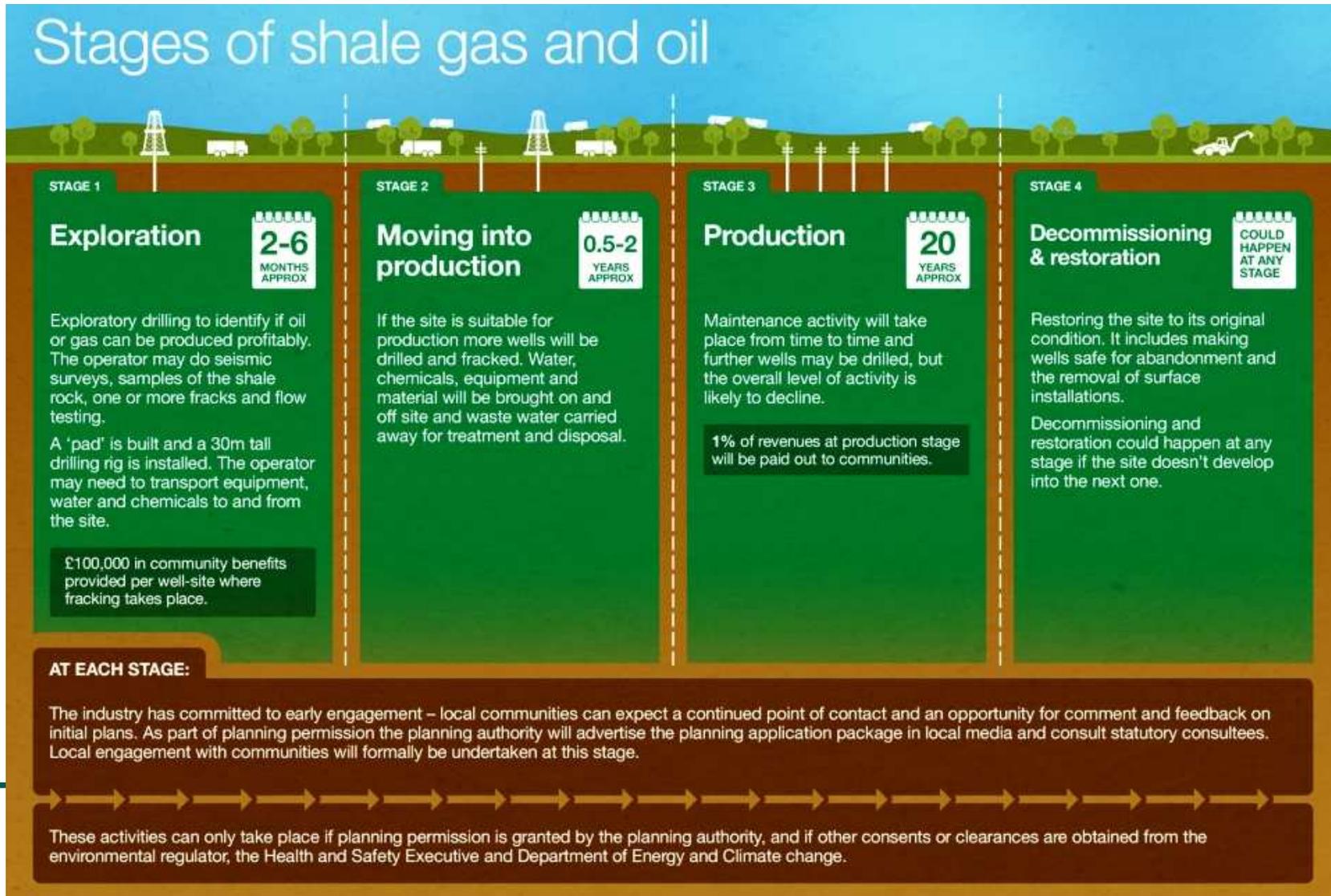
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# Process



# How is Coal Bed Methane extracted?

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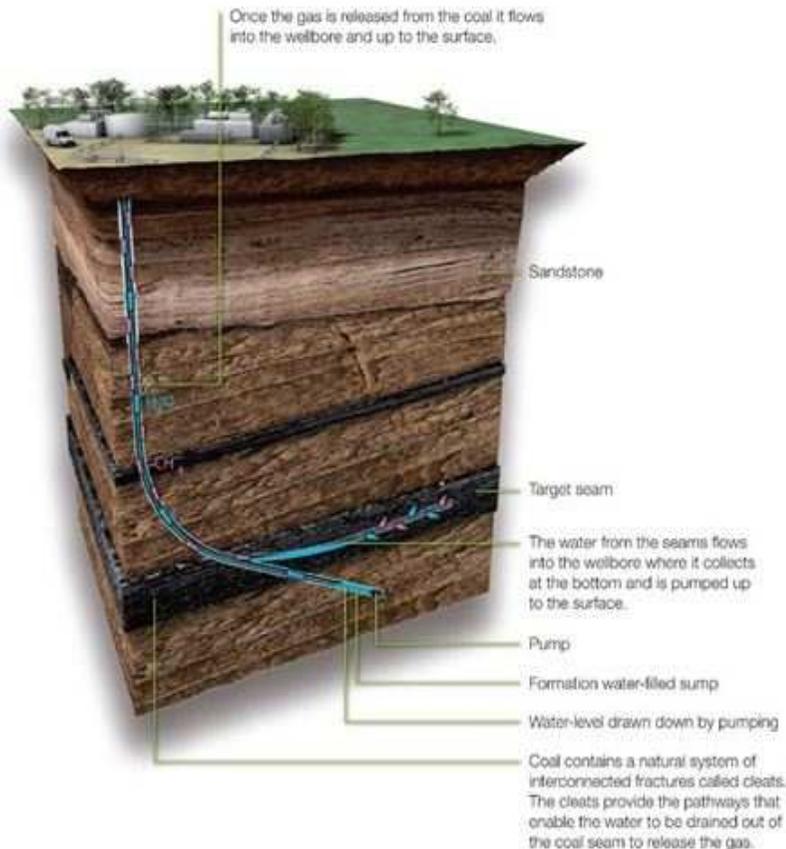
It is an unconventional resource.

Its extraction involves drilling down vertically and then horizontally in the coal seam.

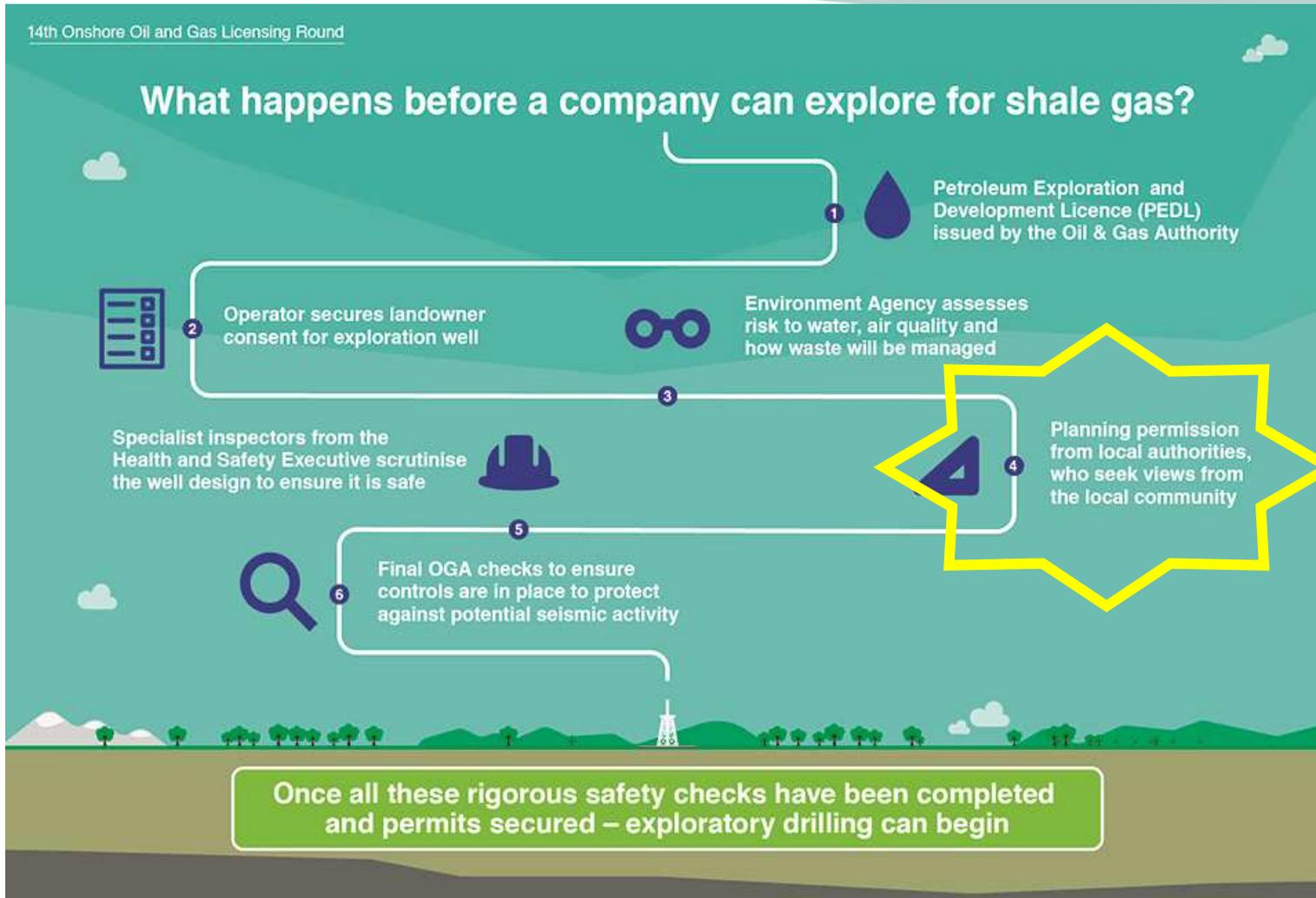
Wells are drilled into the coal seams, and the water is removed to reduce the pressure on the coal so the gas can be collected.

The majority of the same regulations and controls that apply to shale gas and shale oil also apply to CBM, particularly if hydraulic fracturing is involved.

Extraction is likely to be achievable between 200 and 1500 metres, depending on the coal permeability and other issues.



# Awards and Consent Process



# Public Consultation

- Public consultation is required at each stage of exploration, appraisal and production
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1,520,000

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# National Policy and Guidance

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# Next Steps..

- Monitoring activity of other MPA's  
Learning from examples including:
  - Lancashire CC: recent applications at Roseacre Wood and Preston New Road (Exploration including hydraulic fracturing)
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- Provide dedicated web pages on Wiltshire Council website with information on Hydrocarbon Extraction, to include FAQs and sign posts to information from: Planning Advisory Service (PAS), regulatory bodies, Government, DECC etc.

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- Explore potential to secure additional government resources for MPAs (£1.2m DCLG fund was made available for 2015/16 ). No announcement yet about 2016/17.
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# Questions?

# Useful links

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# Hydrocarbon Extraction

Overview and Scrutiny Committee

24<sup>th</sup> May 2016

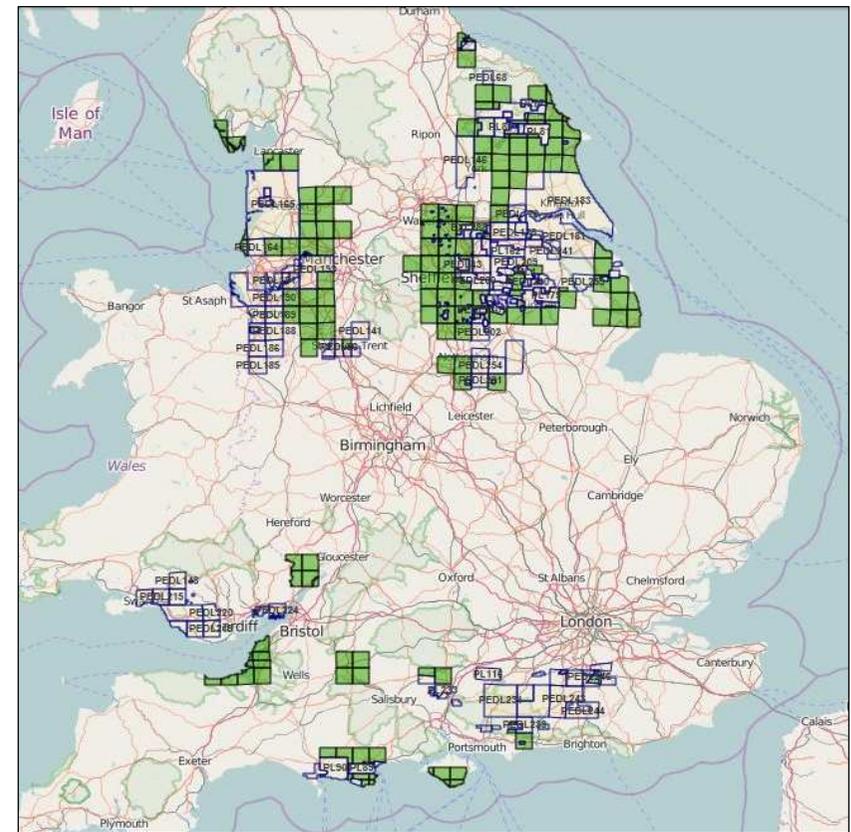
## **Two stage approach:**

May- Presentation: Explanation of the process, current national policy, process of decision making at both national and local level.

July- Report: Appraisal of policies that are in place in Wiltshire.

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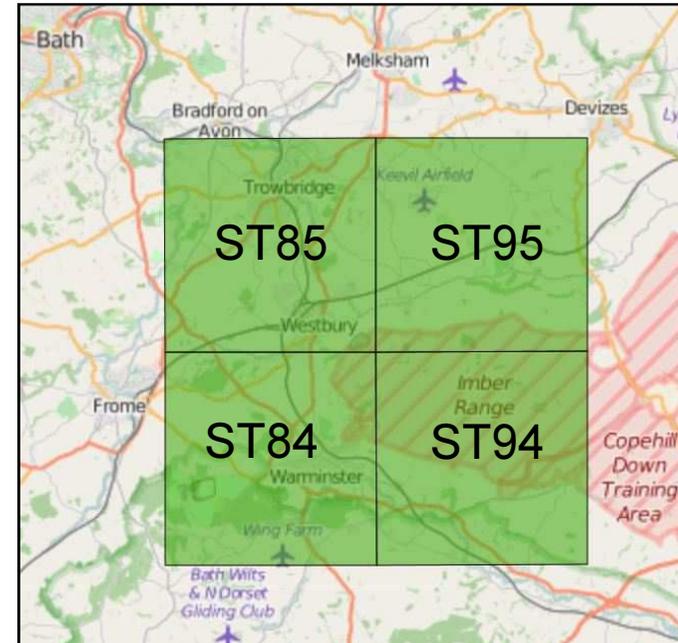


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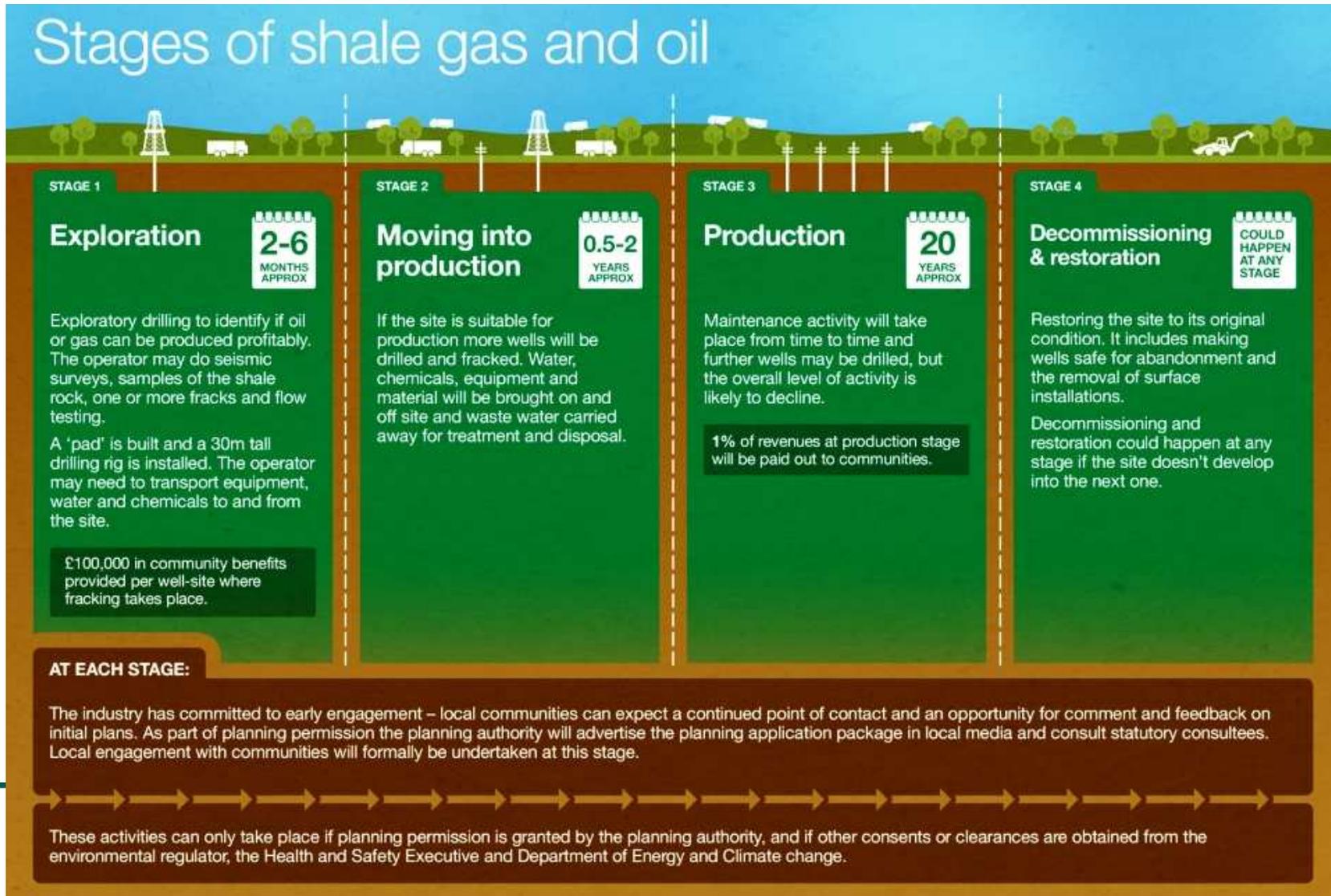
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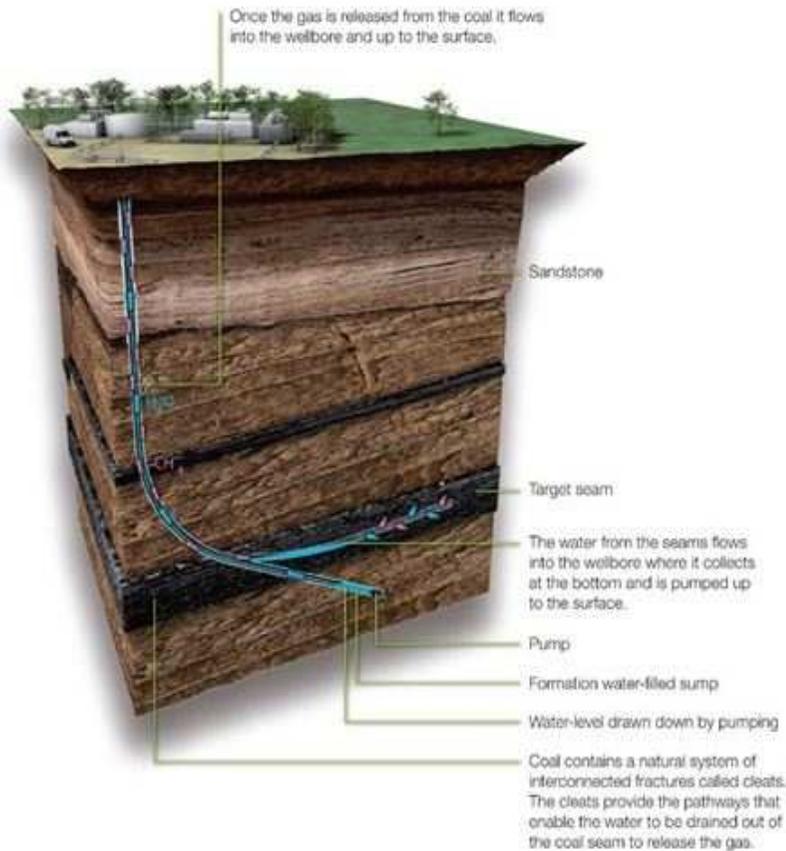
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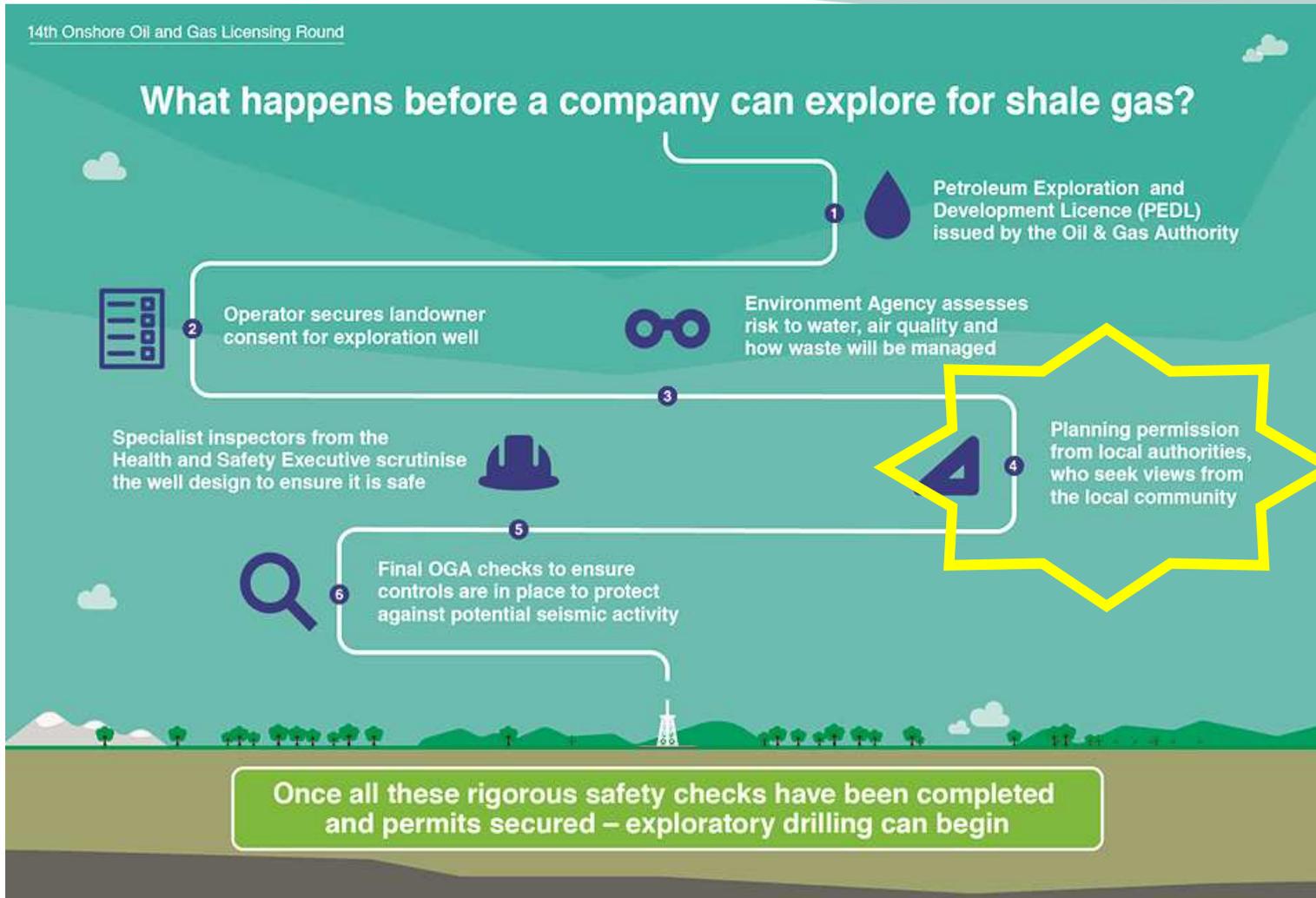
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## **OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE**

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**MINUTES OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETING HELD ON 21 JUNE 2016 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

**Present:**

Cllr Simon Killane (Chairman), Cllr Alan Hill (Vice Chairman), Cllr Glenis Ansell, Cllr Chuck Berry, Cllr Christine Crisp, Cllr Howard Greenman, Cllr Jon Hubbard, Cllr George Jeans, Cllr Gordon King, Cllr Jacqui Lay, Cllr Bridget Wayman, Cllr Peter Edge (Substitute) and Cllr Paul Oatway (Substitute)

**Also Present:**

Cllr Chris Caswill, Cllr Bill Moss, Cllr Toby Sturgis, Cllr Philip Whitehead, Cllr Jerry Wickham and Cllr Graham Wright

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59 **Apologies**

Apologies were received from Councillors Stewart Dobson, Stephen Oldrieve, Tony Trotman and John Walsh.

Councillor Dobson was substituted by Councillor Paul Oatway QPM.

Councillor Oldrieve was substituted by Councillor Peter Edge.

60 **Declarations of Interest**

There were no declarations.

61 **Chairman's Announcements**

There were no announcements.

62 **Public Participation**

The rules on public participation were noted.

63 **Call-in of Cabinet Member Decision SDSPW-03-16: Cessation of 3rd Sector Policy Subsidy - VCSE Permits for Household Recycling Centres**

On 14 June 2016 the Designated Scrutiny Officer and Head of Democracy and Performance received a request from the requisite number of non-executive members that they wished to call-in Cabinet Member Decision SDSPW-03-16: Cessation of 3<sup>rd</sup> Sector Policy Subsidy – VCSE Permits for Household Recycling Centres.

An officer report had been on the procedure to be followed in assessing the call-in, along with a copy of the decision, its supporting information, and the call-in request itself. In particular it was emphasised that the call-in was to determine if the correct process had been followed in taking the decision, and whether everything that was required to be taken into account had been, not on whether the Committee agreed with the decision itself.

The decision taken under delegated authority by the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Operational Property and Waste involved the introduction of charges for Voluntary, Community and Social Enterprise (VCSE) sector organisations to continue disposing of waste at Household Recycling Centres (HRC).

Prior to presentation and debate, a statement was received from Mr Matt Kelcher from the Charity Retail Association on behalf of their members in Wiltshire. The benefits of the decision were questioned, along with confusion over the aims of the decision.

The lead signatory of the Call-in, Councillor Chris Caswill, then outlined why he considered that the Decision had not been made in accordance with the principles of decision making as detailed in Article 15.3 of Part 2 of the Constitution and as listed in the covering report.

Councillor Caswill pointed to the fact 18 other councillors of cross party background had signed his call-in request, indicating how important a decision it had been. He explained that the aims of the call-in were unclear on whether its primary aim was to reduce queues at HRCs or save money, and in any case had provided no evidence in its report that VCSEs and schools had contributed to those queues. It was also unclear that it would be effective in achieving either of those aims, and even if it did, the action that would be taken was disproportionate.

It was also stated the decision would lead to inefficiencies, with schools being provided financial support on one hand but then charged for disposing of waste. The decision did not serve communities or demonstrate there had been working in partnership with VCSEs and others, and would not promote wellbeing as it would discourage the recycling of materials if people worried by donating to charities, who would not be able to dispose of that which could not be sold, would face charges for doing so. As such it was also against the council's environmental objectives.

The Cabinet Member, Councillor Toby Sturgis, then responded to the points raised and described how he believed he had followed the necessary processes and principles of decision making, supported by Councillor Jerry Wickham, Portfolio Holder for Waste.

The Cabinet Member stated the HRCs were designed solely for disposal of householder waste. From 2012 councils bordering Wiltshire had imposed discretionary charges for non-householders using such centres, and Wiltshire had been receiving large quantities of waste from out of county, with clear evidence of charities being responsible. The Cabinet Member recognised the excellent work of many charities, but much of the material deposited at landfill would be material unable to be sold at a charity's retail outlets, and as such would in any case go to landfill.

The aims of the decision had, in the view of the Cabinet Member, been clear. It was necessary to achieve savings in the current economic climate, and also address the issues of queueing at and misuse of HRCs. Very few schools had acquired passes to use HRCs, and only in small loads. There had been extensive consultation with partners, and some had accepted the level of charges suggested as reasonable. The sites were only intended for Wiltshire residents so there was no discrimination against them, and the decision promoted wellbeing by assisting in the council making its required savings in order to deliver its key services despite decreased funding and rising demand.

The Committee then discussed the case made for the call-in and the Cabinet Member's response and whether he had taken adequate account of the principles of decision making.

The Committee sought details of charities bringing in materials from outside Wiltshire and how the permits were presented monitored and enforced if this was proving ineffective, and any implications for the proposed new process.

Some members were concerned at the impact on VSCEs and their volunteers if the council were to bring in such charges for permits, particularly given increased reliance on 3<sup>rd</sup> sector organisations. They also questioned whether smaller groups in particular could bear the cost and if any reputational damage to the council would occur, and whether the decision was indeed proportionate to the desired aims.

In response to queries the Cabinet Member stated he had assessed many variations of the impact of the proposed charges, and considered the level of charge was not punitive and should not have a negative effect. Other members also felt that the cost for a permit was reasonable, and were used in other counties, and the Cabinet Member had demonstrated the impact would not be disproportionate to the aims as laid out.

Clarity was sought on whether a charity was restricted to purchase of a single permit, up to a maximum of 12 visits per month to a HRC, or could larger

charities purchase multiple permits to enable more visits. After discussion it was stated charities were restricted to a single permit.

To summarise, the Cabinet Member defended his decision stating it had been a difficult one but that he had followed the correct process and considered all relevant factors in making that decision.

Councillor Caswill as lead signatory of the Call-in summarised by stating the debate had reinforced the concerns about the processes being followed. There had been no mention of charities from out of county abusing their permits as the cause of problems and the decision's main aim being to prevent that. A blanket charge on all charities, large and small, was not proportionate, and a more efficient system could achieve the same aims. He did not feel evidence had been provided with the decision or at the meeting to justify the assertion due consideration had been given to relevant factors, and work with partners had not been at a suitable level.

At the conclusion of debate, it was,

**Resolved:**

**On balance of the written and oral evidence presented, to find that there were insufficient grounds to demonstrate that the principles of decision making had not been followed by the Cabinet Member in this case, and therefore the decision can be implemented with immediate effect.**

*A recorded vote having been requested by the necessary numbers of councillors, the vote was as follows:*

*For the motion*

*Councillor Chuck Berry, Councillor Christine Crisp, Councillor Howard Greenman, Councillor Alan Hill, Councillor Jacqui Lay, Councillor Paul Oatway QPM, Councillor Bridget Wayman.*

*Against the motion*

*Councillor Glenis Ansell, Councillor Peter Edge, Councillor Jon Hubbard, Councillor George Jeans, Councillor Simon Killane, Councillor Gordon King.*

64 **Date of Next Meeting**

The next meeting is scheduled for 5 July 2016.

(Duration of meeting: 12.30 - 2.00 pm)

The Officer who has produced these minutes is Kieran Elliott (Senior Democratic Services Officer), of Democratic & Members' Services, direct line (01225) 718504, e-mail [kieran.elliott@wiltshire.gov.uk](mailto:kieran.elliott@wiltshire.gov.uk)

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## HEALTH SELECT COMMITTEE

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### **DRAFT MINUTES OF THE HEALTH SELECT COMMITTEE MEETING HELD ON 19 APRIL 2016 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

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

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#### **29 Apologies**

Apologies were received from Cllr Mary Champion who was substituted at the meeting by Cllr Peter Evans.

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

##### **Resolved**

**To approve the minutes, subject to clarification of the wording of minute 20, to be confirmed at the next meeting.**

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

There were no declarations of interest.

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

##### **Short Breaks Service**

- Action: Members going along on the visit to the Short Breaks Service

Well done to the service for receiving a 'Good' from Ofsted

##### **CQC inspection of GWH, SDH and NUH**

- To include details of the Trusts' financial position
- To include consideration of the delivery of the Adult Community Health Care service (now delivered by the Acutes)
- To include details

#### **33 Public Participation**

There were no questions or statements from the public.

## 34 **Age UK Contracts - 2016 and Beyond**

James Cawley, Wiltshire Council, presented the report which set out the proposals, agreed by Cabinet on the 19 April, relating to the future funding of Age UK across Wiltshire is included in the agenda.

Issues highlighted during the course of the presentation and discussion included: that the new contract was an opportunity for the Council to discuss with Age UK what they felt the commissioned priorities or work would be; that similar conversations were ongoing with similar sized VCOs; that the financing of the Age UK would not increase under the contract, but that they would be expected to deliver more; the impact of stronger contractual relationships on the ability of VCOs to maintain their independence; the dangers of changing a VCO to fit a commissioner's agenda, thus losing what makes them special; and how the work of Age UK could fit with the Health work of Area Board.

In response to a question, Maggie Rae – Corporate Director, stated that the patients offered control over their own budget were only offered it was felt they were able to manage the process; it was rare that major mistakes were rare, but that having control over this aspect of their care can have a transformative impact on patients.

### **Resolved**

- 1. To note Cabinet decision to enter 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 note Cabinet decision to enter into a one year community services contract exempt from the procurement regulations;**
- 3. To ask Area Board chairmen, CEMs and Age UK to meet to discuss as soon as possible how local priorities will be delivered.**
- 4. To receive an update on implementation of the decision in 12 months' time.**

## 35 **New Charges for Care at Home**

James Cawley, Wiltshire Council, presented the report which outlined proposals to change to the council's care at home charging policy, pending consultation. It was noted that Cabinet had approved the proposals for consultation in January and it was scheduled to receive the consultation results on 19th July when it would take the final decision.

It was noted that the proposed changes included:

- a. That all of a person's disposable income to be taken into account when calculating contributions towards their care and support;
- b. That the actual rate of attendance allowance to be taken into account when calculating contributions; and
- c. That the range of costs incurred by people, called Disability Related Expenditure, that can be disregarded in a financial assessment will be updated.

In response to some concerns over the coverage of the consultation, it was confirmed: that over 3000 letters had been sent to relevant individuals who received care at home inviting them to comment, and that 42 responses had been received online; and that Healthwatch had been commissioned to organise consultation meetings, including in Salisbury, Trowbridge and Devizes.

The Chairman asked that copies of the consultation letter be sent to the Committee for their information.

### **Resolved**

- 1. To note the proposed changes to the council's charging policy for care at home currently out for consultation, with a final decision scheduled to be taken by cabinet on 19<sup>th</sup> July 2016.**
- 2. To note that the consultation is on the basis of establishing if there is reason to believe that people in Wiltshire would be impacted any differently to people in other areas where this approach is already in place.**
- 3. For the committee to receive the consultation letter sent to members of the public affected and for the committee to receive further details of the consultation response at the next meeting on 21 June.**

### **36 Good Neighbours Scheme**

The Chairman introduced the item noting that: on 12<sup>th</sup> February Overview & Scrutiny Management Committee agreed to the consideration of the implementation of the decision not to recommission the Good Neighbours service from Community First, and the devolution of the funding to area boards to enable them to support local health and wellbeing initiatives.

The Chairman went on to state that on 13<sup>th</sup> April he and Vice-chairman met with the relevant officers to discuss this area and will bring further information back to committee. Cllrs Glenis Ansel and Bob Jones also attended as the councillors who had originally raised the issue.

In summary, the following was discussed:

- When it was provided by Community First there had been inconsistencies in the performance of the Good Neighbours Scheme across different community areas. It had worked well in some areas, but wasn't demonstrating good value for money in others.
- Therefore the decision was taken to devolve the funding to Area Boards so they could identify the most important issues in their area and what model would work best for them. All Area Boards received £6,500 to spend on this.
- One option was for the Area Board to employ their community area's Good Neighbour on a self-employed basis. This was done in Malmesbury and the framework and job description for their Health & Wellbeing Champion is available to all CEMs.
- Issues around communication were raised as some Area Boards were not aware of the full range of models and options that they could spend the funding on. A presentation had been offered to all Area Boards to introduce them to the options available, but not all had accepted.
- It was resolved to submit the recommendations to Health Select Committee for agreement.

### **Resolved**

- 1. To emphasise the importance of communicating what options Area Boards have in terms of how they spend their Health and Wellbeing funding.**
- 2. To receive an update on how Area Boards have used their Health and Wellbeing funding in six months' time.**

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

Frances Chinemana, Wiltshire Council, and Councillor Sheila Parker for Mental Health, Portfolio Holder, presented the report which provided an update on progress with the Mental Health and Wellbeing Strategy Implementation Plan. The implementation plan was considered by Cabinet on 15<sup>th</sup> March 2016.

Issues highlighted during the course of the presentation and discussion included: that the Committee had previously agreed Raising Awareness about Mental Health as one of its key work priorities; that the Strategy had been agreed in 2015, and the update focused in the implementation plan; that the Strategy was focused on adults, but that it was cognisant of the Children's and Learning Difficulties Strategies; that a multi-agency board would monitor the implementation, and agree targets for delivery; that this board included user representation; that the Committee would like to see more information on self-

harming, and data on early mortality rates; the services that are provided through GP surgeries, including non-medical services such as exercise on prescription; and that the AWP would be attending in June to allow the Select Committee to consider the results of the CQC inspection of the Trust scheduled to take place from 23 May 2016.

### **Resolved**

- 1. To request data showing progress with delivery of the strategic measures and targets outlined in the Strategy.**
- 2. To request data illustrating the how mental health impacts on physical health, including comparative data on the leading causes of death for those who have – and have not – got diagnosed mental illnesses.**
- 3. The welcome the wider approach taken to mental health in Mental Health Strategy**

### **38 Primary Care Strategy for Wiltshire**

Jo Cullen, Wiltshire CCG, presented the report which provided an update on the development of a primary care strategy for Wiltshire and the progress made with joint commissioning arrangements is attached. This report was considered by the Health and Wellbeing Board at their meeting on the 14 April 2016.

Issues highlighted during the course of the presentation and discussion included: that the Joint Commissioning Committee meets every quarter, in public; that GP contracts could be devolved to the CCG, as they had done in other areas; that there were 56 practices across the Wiltshire Council authority area, with some working together on some issues and some considering merging; that whilst CCG does not manage the core contracts for GPs, it does commission enhanced services; the Primary Care Strategy is programmed over three years; that there is an ambition to encouraging practices to work together in localities; that the CCGs vision is about moving care closer to home, including the provision of some specialist services that may have been delivered in more acute settings, this included greater cooperation with pharmacies, and blood testing in surgeries for people on prescription drugs; that 25% of appointments in primary care did not require a GP, so there is further scope for services being delivered by other practitioners; that some GPs share their premises with dentists and pharmacies, or themselves operate out of other locations; that there is a vision for practices to cooperate with each other more, sharing resources and skills; that workforce recruitment and retention remains an issue, but it was an aim to make Wiltshire a more attractive place for GPs to work; that whilst all GPs practices were the national top quartile for performance, the CCG did take note of comparative performance; that in some areas of work, it is more difficult to measure outcomes; and that it was unclear what the impact of the Sustainability & Transformation Plan would be.

The Chairman thanked the officer for attending to provide a helpful and lucid explanation of the strategy, and that the Committee would look forward.

### **Resolved**

- 1. To note the update on the Primary Care Strategy from NHS England South and the Wiltshire CCG response as the Primary Care offer.**
- 2. To request an information briefing at a future meeting on the Primary Care Strategy and the specific points raised in discussion.**

### **39 Arriva Non-Emergency Patient Transport Service - performance**

Andy Jennings, Commissioning Manager from Wiltshire CC , presented the report which provided an update on the performance of the service is attached. This followed previous updates received by the Committee in February, September and November 2014, and March and September 2015. He was joined by Jo Small, from Arriva the transport provider.

The report included information on the progress with achieving key performance indicators of previous concern to the committee, the reasons behind customer complaints, analysis of transport waiting times and root causes.

Issues highlighted during the course of the presentation and discussion included: that a performance notice had been service on Arriva, requiring them to submit a remedial action plan to recover performance; that some action was already underway, and that there had been an improvement in some areas of performance; that it was recognised that some causes of poor performance where not in Arriva's control; that issues such as delays in fulfilling pharmacy orders, can impact on transport performance; how to improve access to online booking; that February had been an unusually busy month; that the four CCGs which commission transport services across the region would be starting to discuss options and priorities for future commissioning; and that call centre performance had improved.

The Chairman thanked the offices for report, and emphasised that the Select Committee was keen to offer help to the provider and the commission to look for solutions.

### **Resolved**

- 1. To note the update on non-emergency patient transport performance provided.**
- 2. To note the work underway between relevant parties to deliver a local 'total transport' solution to the performance issues experienced.**

- 3. To invite the CCG and Arriva to meet with the Chairman and Vice-chairman to discuss the improvement work already underway and the contribution the committee could make to addressing some of the challenges with performance.**

#### **40 Task Group Update**

A written update on the current task groups was considered by the Committee.

A verbal update on the Sustainability and Transformation Plan (STP) Task Group was given noting that: James Scott, Chief Executive of the RUH had been agreed as the nominated lead for taking forward the STP; that the relevant parties have agreed ten priorities to be addressed in the STP's development; that the STP would be submitted to government in June 2016; that this would be a tight timescale; that Wiltshire Council is engaged in the process, including taking the lead on the Health & Wellbeing element; that Healthwatch were keen to be involved in the Task Group, but that Steve Wheeler may not have the capacity; and that a number of members were interested in participating in the task group, with officers now looking to arrange a date for the first meeting.

Cllr John Walsh, Chairman of the Better Care Plan Task Group stated, in response to an issue raised by Cllr Chris Caswill, that he will discuss with the officers supporting the group, and that he hopes that the issues of the Homefirst Pilot and the Better Care Fund finances could be included in its work.

**To note the task group update.**

#### **41 Forward Work Programme**

The forward work programme was noted.

#### **42 Urgent Items**

There were no urgent items.

#### **43 Date of Next Meeting**

It was noted that the next meeting would be on Tuesday, 10:30am 21st June 2016.

(Duration of meeting: 2.00 - 4.58 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 13 APRIL 2016 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

Cllr Andrew Davis (Chairman), Cllr Tony Trotman (Vice Chairman), Cllr Glenis Ansell, Cllr Trevor Carbin, Cllr Stewart Dobson, Cllr Charles Howard, Cllr David Jenkins, Cllr Bill Moss, Cllr Christopher Newbury, Cllr Fred Westmoreland and Cllr Graham Wright (Substitute)

#### **Also Present:**

Cllr Mark Connolly, Cllr Christopher Williams, Cllr Fleur de Rhé-Philippe, Cllr Pip Ridout and Cllr Toby Sturgis

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#### **12 Apologies for Absence**

An apology for absence was received from Cllr Terry Chivers who was substituted by Cllr Graham Wright.

#### **13 Minutes of the Previous Meeting**

##### **Resolved:**

**To confirm and sign the minutes of the previous meeting held on 10 February 2016.**

#### **14 Declarations of Interest**

Cllr Andrew Davis declared a non-pecuniary interest in West Warminster Urban Extension Masterplan (Minute No 20 below) as he was a member of Warminster Town Council and, as a member of the Town Council's Planning Advisory Committee, had taken no part in the Committee's consideration of the matter and had left the committee room during the debate.

#### **15 Chairman's Announcements**

The Chairman referred to the recent sad death of Cllr Jeff Osborn and informed the meeting that a condolences book was available and was being circulated to Members for them to sign.

16 **Public Participation and Councillors' Questions**

No questions had been received from councillors or members of the public.

The Chairman welcomed all present. He then explained the rules of public participation and procedure to be followed at the meeting.

Col Neil Page and Mr David Alderson from the Defence Infrastructure Organisation spoke in support of the three army basing applications in Minute Nos. 17 – 19 below.

17 **15/04006/FUL - Land south west of Bulford Road extending to Double Hedges, Bulford, Wiltshire - Erection of 227 no. dwellings to provide Service Families Accommodation (SFA), public open space, play areas, landscaping, internal roads and all associated infrastructure works**

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application, with a recommendation that the application be approved, subject to all parties entering into a Section 106 legal agreement and also subject to conditions.

Members then had the opportunity to ask technical questions after which they heard the views of Cllr Fred Westmorland who, whilst acknowledging the need for the additional housing, expressed the hope that the Defence Infrastructure Organisation would improve the egress from the site.

During discussion the following points were raised:

Reference being made to the provision of affordable housing within the Section 106 Heads of terms, and

The need for an additional informative relating to speed limits on roads surrounding the development site.

**Resolved:**

**To grant planning permission, subject to:**

**All parties entering into a Section 106 legal agreement in respect of the following:**

- **Off site road junction improvements**
- **Provision of sustainable transport measures**
- **Land and contributions for education provision**

- **Delivery of community facilities at Ludgershall and Larkhill**
- **Access to MoD sports and community facilities**
- **Provision and maintenance of on-site public open space and play facilities**
- **Contributions towards collection of waste**
- **Delivery of the Larkhill medical facility to be made available for NHS GP**
- **Provision for affordable housing contributions in the event of the dwellings being sold to the market**
- **Ecology provisions – including: terms of reference for the Salisbury Plain Environmental Steering Group and Hydrology Steering Group, provision of recreation pressure mitigation in respect of breeding Stone Curlew, detail and implementation of the Recreational Access Action Plan. (Note: the resolution requested seeks flexibility so as to make use of planning conditions in addition to, or instead of s106, so as to secure the ecological provisions).**

**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. No development of the school and community site shall take place until details of the following matters (in respect of which approval is expressly reserved) in relation to the school and community site have been submitted to, and approved in writing by, the Local Planning Authority:**

- a) **The scale of development**
- b) **The layout of development**
- c) **The external appearance of development**
- d) **The landscaping of development**

**REASON: This element of the application was made for outline permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.**

- 03. Within of three years from the date of this permission, a Reserved Matters application detailing the design of the 125 SFA dwellings not included within the detailed component of the application shall**

have been submitted to and agreed in writing by the Local Planning Authority. Development of those SFA dwellings shall be carried out in complete accordance with that Reserved Matters application (if approved), as informed by the masterplans listed within condition 46 to this planning permission.

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

04. 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.

**Limits of permission**

05. The residential element of the development hereby granted planning permission shall not exceed 227 SFA dwellings.

**REASON:** To define the limits of the planning permission and to set the maximum number of SFA dwellings to be constructed on the application site.

06. The SFA dwellings hereby granted planning permission shall be occupied solely by military service personnel and their dependents.

**REASON:** For the avoidance of doubt in order to define the limits of the planning permission and in recognition that planning permission has been granted for development on this site on the basis of the particular requirements of the military..

**Landscaping and retained trees**

07. All soft landscaping comprised in the approved as part of the detailed component of the planning application shall be carried out in the first planting and seeding season following 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.

08. As part of the first Reserved Matters application, an Arboricultural Impact Assessment, a Tree Retention and Removal Plan as well as an Arboricultural Method Statement shall be provided for the entire site. Such documents shall show all retained trees with Root Protection Areas plotted so as to demonstrate the necessary alignment of utilities and drainage so as to retain and respect trees on the site. Development shall take place in complete accordance with the details so agreed.

**REASON:** In the interests of securing a form of development that retains and respects existing trees on the site.

09. No operations shall commence on site in connection with the development until a scheme showing the position of protective fencing to enclose all retained trees and hedgerows in accordance with British Standard 5837: '2005: Trees in Relation to Construction' has been submitted to and approved in writing by the Local Planning Authority. Protective fencing must be erected in accordance with the approved plans and 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 without prior written approval by the Local Planning Authority. In this condition "retained trees" means an existing tree which is to be retained in accordance with the approved plans and particulars; the paragraphs above shall have effect until the expiration of five years from the completion of the development.

**REASON:** To prevent trees being retained from being damaged during the construction works, in the interest of visual amenity

#### **Construction phase and protection of amenity**

10. No development shall commence on site until a construction and environmental 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, dust and other pollution

during the demolition/construction phase of the development. It shall include details of the following:

- a) Loading and unloading of equipment and materials
- b) Storage of plant and materials used in constructing the development
- c) Wheel washing and vehicle wash down facilities
- d) Measures to prevent and control the emission of dust, dirt and other pollution (including that which may affect the water environment) during demolition and construction
- e) A scheme for recycling/disposing of waste resulting from demolition and construction works
- f) The movement of construction vehicles
- g) The cutting or other processing of building materials on site
- h) The location and use of generators and temporary site accommodation
- i) 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:** So as to ensure the construction phase of development is undertaken in a considerate and appropriate manner so as to protect the water environment as well as the amenities of the locality, surrounding residents.

**11. 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:** So as to ensure the construction phase of development is undertaken in a considerate and appropriate manner so as to protect the amenities of the locality and surrounding residents.

**12. No burning of waste or other materials shall take place on the development site during the demolition/construction phase of the development.**

**REASON:** So as to ensure the construction phase of development is undertaken in a considerate and appropriate manner so as to protect the amenities of the locality and surrounding residents.

**13. No external lighting other than street lighting shall be installed on site until a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, has been submitted to and approved in writing by the Local Planning**

**Authority.** The external lighting scheme shall build upon the details already submitted and shall be designed so as to also meet the criteria for Environmental E3 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working order at all times thereafter.

**REASON:** So as to ensure the living conditions of existing and future residents is secured through the appropriate design of any new lighting across the site and so as to also ensure adverse impacts upon the ecology of the locality are minimised.

### **Contamination**

**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 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.

**Water environment and drainage**

15. Prior to the first occupation of any dwellings hereby granted planning permission, a Water Management Strategy that includes the following components shall have been submitted to, and approved in writing by, the local planning authority. The Strategy shall cover all Army Basing Project developments and the existing MoD water network. The Strategy shall be implemented as approved.

The Water Management Strategy will outline:

- a) Details of water abstraction volumes, specific abstraction sources, where water will be discharged and leakage rates for both existing MoD sites and proposed Army Basing developments. This should include detailing any abstraction conditions and how these conditions will be met, also identifying the link between abstractions and discharge to meet licence and permit conditions.
- b) An overall assessment of individual and combined environmental impacts relating to water resources and how any impacts will be mitigated.
- c) Details of any required mitigation or infrastructure improvements to the water abstraction/ supply or foul drainage network that have been identified in the overall assessment carried out as part of this Water Management Strategy, or that have been identified by other relevant studies.
- d) Any specific water management requirements/ mitigation for the development hereby permitted.

**REASON:** To ensure the development would be served by an appropriate water supply system and to protect the water environment.

16. No development shall commence on site until a scheme for the discharge of foul water from the site, to include approvals from the sewerage undertaker allowing diversion, abandonment or relocation of public drainage apparatus, 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 the development would be served by an appropriate foul drainage system and to protect the water environment

17. 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 submitted scheme shall be informed by a risk assessment to establish the risk to groundwater and to advise on drainage options appropriate for the development, although infiltration systems should only be used where it can be demonstrated that they will not pose a risk to groundwater quality. 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 whilst protecting the quality of groundwater and preventing pollution. The National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution.

#### Archaeology

18. No development shall commence within the 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.

19. No development shall commence on site until such a time that a management plan to ensure the preservation in situ of the archaeological features/remains within any open space, to include the provision of archaeological information panels, and a timetable for the implementation of the management plan has been submitted to and agreed in writing by the Local Planning Authority. The management plan shall thereafter be implemented in accordance with the approved plans.

**REASON:** To safeguard the identification and recording of features of very high archaeological interest with the planned open space.

#### Construction standards of buildings

20. Prior to the commencement of development, full details relating to the intended method of fire fighting water supply and hydrant facilities in respect of the building shall have been submitted to and agreed in writing by the Local Planning Authority. Such details shall include measures to ensure the water supply is in place during the construction phase and that hydrants are connected at the right locations. The scheme shall also include a scheme for the maintenance of such water supply and hydrant facilities. Development shall be carried out in complete accordance with details agreed.

**REASON:** So as to secure a satisfactory water supply and hydrant facilities for fire fighting to meet the needs of the development during the construction and operational phase of development.

#### **Refuse and recycling**

21. No development shall 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. The development shall not be occupied until the approved refuse storage has been completed and made available for use and maintained in that condition thereafter in complete accordance with the approved details.

**REASON:** In the interests of public health and safety as well as effective and efficient refuse collection.

#### **Highways**

22. The pedestrian/cycleway link shown on the submitted Masterplan between the new development and Churchill Avenue shall at no time be used for vehicular traffic.

**REASON:** So as to ensure the pedestrian/cycleway link to Churchill Avenue is only used as such and is not used by cars or other vehicular traffic as a through route.

23. Prior to the first occupation of the dwellings hereby granted planning permission, full details of the design and construction of the bollards to be installed at either end of the pedestrian/cycleway link between the new development and Churchill Avenue (so as to prevent its use for vehicular traffic) shall have been submitted to and approved in writing by the Local Planning Authority. The bollards shall be installed in accordance with the approved details prior to the first occupation of the dwellings hereby granted planning permission.

**REASON:** So as to ensure the pedestrian/cycleway link to Churchill Avenue is only used as such and is not used by cars or other vehicular

traffic as a through route.

24. Unless otherwise agreed in accordance with an alternative timescale beforehand, prior to the commencement of any other part of the development a priority junction on Bulford Road shall be completed in accordance with details which shall first have been approved in writing by the Local Planning Authority.

**REASON:** In order to secure a safe access to the site.

25. Prior to the commencement of the development a site phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved phasing plan. The phasing plan shall include details of road construction, including the provision of a through route between Bulford Road and High Hedges.

**REASON:** In order to ensure development proceeds in an acceptable manner.

26. Notwithstanding the details submitted, no development other than works to create the site access onto Bulford Road shall commence on site until details of the site access junctions, estate roads, cycletracks, 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, cycletracks, 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.

27. 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 binder course level between the dwelling and existing adopted highway.

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

- 28. Car and cycle parking provision shall be made in accordance with the requirements of Wiltshire Council's LTP3 Car Parking Strategy and Cycling Strategy respectively. Garage internal floorspace shall be not less than 3m by 6m per car space if the garage is to be counted towards car parking provision. No dwelling shall be occupied until the car and cycle parking provision, together with access thereto, has been provided in accordance with plans which shall previously have been submitted to and approved by the local planning authority.**

**REASON: In the interests of highway safety and the amenity of future occupants and, through provision of satisfactory facilities for cycle parking, to help encourage travel by means other than the private car.**

- 29. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), any garages permitted shall not be converted to habitable accommodation.**

**REASON: To safeguard the amenities and character of the area and in the interest of highway safety.**

- 30. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.**

**REASON: To ensure that the development and its associated roads can be adequately drained.**

- 31. Prior to the commencement of the development a Construction Traffic Management Plan (CTMP) shall be submitted to and approved by the LPA, and the site developed in accordance with the approved CTMP. The CTMP shall include, inter alia, proposals for the phasing of the development, and how this might influence construction traffic routing, and proposals to ensure that the adjacent highway is kept clear of site detritus.**

**REASON: In order to ensure that the amenity of the local highway network is adequately protected.**

- 32. Prior to the first occupation of any dwelling on the site, the 3m cycletrack between the site (plots 31 and 32) and Churchill Avenue**

shall be completed to binder course level.

**REASON:** In order to encourage sustainable transport, and to provide part of a safe route from the site to the local primary school (St Leonards).

35. Prior to the first occupation of the 151st dwelling on the site, a survey shall be undertaken by the developer to assess the crossing pattern of pedestrians and cyclists on Bulford Road between the Canadian Estate area and the site access. The form of survey to be used shall first have been submitted to and approved in writing by the Local Planning Authority. As informed by the results of the approved survey, the crossing facilities, comprising either a single controlled or up to two uncontrolled crossings on Bulford Road, together with local traffic calming facilities as appropriate to the design of the crossing(s), as well as any requisite modifications to the existing highway facilities and furniture, shall be provided prior to the occupation of the 200th dwelling, at locations agreed in writing by the Local Planning Authority. The design and layout of such crossing facilities shall have been submitted to and agreed in writing by the Local Planning Authority prior to its installation.

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

- 36 Prior to the occupation of the 200<sup>th</sup> dwelling the surface of PROW Bulford 5, including a connecting path to existing footway at the access to The Sidings shall have been surfaced between Bulford Road and High Hedges to a paved width of 3m in accordance with details which shall first have been submitted to and agreed by the Local planning Authority.

**REASON:** In order to promote sustainable transport.

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

**REASON:** In the interests of road safety and reducing vehicular traffic to the development.

#### Air Quality

38. Prior to the first occupation of any dwelling on the site hereby granted planning permission, a low emission strategy shall have been submitted to and approved by the Local Planning Authority.

Development to be carried out in accordance with the approved strategy.

**REASON:** To build upon the Overarching Travel Plan, in the interests of minimising nitrogen dioxide and fine particulates generated by the development in accordance with CP55 of the Wiltshire Core Strategy.

### Ecology

**39.** 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:

- Description and evaluation of landscape and ecological features to be managed; including location shown on a site map
- Constraints on site that might influence management
- Aims and objectives of management
- Appropriate management options for achieving aims and objectives;
- Prescriptions for management actions;
- Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5 year period
- Details of the body or organisation responsible for implementation of the plan;
- Ongoing monitoring and remedial measures;
- 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 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: 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.**

**40. No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating the following:**

- Pollution prevention measures,**
- Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance to protect habitats of ecological value including woodland, grassland and the location of recorded Rough Poppy plants**

**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 and protect habitats and species of ecological value during the construction period.**

**41. Prior to the first occupation of any dwelling hereby permitted, details of the provision of 10-15 bat roosting features and 10-15 nesting opportunities for birds to be incorporated into building structures shall have been submitted to the local planning authority for approval, including a plan showing the locations and types of features. The approved details shall be incorporated into the development before occupation of the relevant buildings.**

**REASON: To provide additional roosting for bats and nesting birds as a biodiversity enhancement.**

**42. Prior to the commencement of development, a Biodiversity Offsetting Strategy shall have been submitted to and agreed in writing by the Local Planning Authority. Development shall take place in complete accordance with the details so agreed.**

**REASON: to ensure that loss of calcareous habitat is appropriately mitigated.**

43. Prior to the commencement of development, a Recreational Access Action Plan shall have been submitted to and agreed in writing by the Local Planning Authority. Development shall take place in complete accordance with the details so agreed.

**REASON:** So as to ensure the development incorporates measures to mitigate impacts associated with increased recreational pressure resulting from the development upon the Salisbury Plan SPA.

44. Prior to the commencement of development, a Phosphate Offsetting Plan shall have been submitted to and agreed in writing by the Local Planning Authority. Development shall take place in complete accordance with the details so agreed.

**REASON:** So as to ensure the development incorporates measures to mitigate impacts upon the River Avon SAC associated with development taking place.

45. Prior to the commencement of development, a Nine Mile River Habitat Management Plan shall have been submitted to and agreed in writing by the Local Planning Authority. Development shall take place in complete accordance with the details so agreed.

**REASON:** So as to ensure the development incorporates measures to compensate for impacts on great crested newts within the River Avon SSSI and SAC.

#### Approved plans

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

#### Approved plans

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

SPTA Bulford Design & Access Statement 20.04.2015FINAL.pdf

BU[3]S01 Site Location Plan.pdf

A089116-10 BU[LP] Landscape Proposals LP01-1.pdf

A089116-10 BU[LP] Landscape Proposals LP01-2.pdf

A089116-10 BU[LP]02 to BU[LP]06.pdf

BU[LP]07 Hard landscape details.pdf

BU[3]S04 Finishes Layout.pdf (received 21/03/16)

BU[3]S03 Detailed Site Layout.pdf (received 21/03/16)

BU[3]S02 Outline Site Layout.pdf (received 21/03/16)

BU[3] POS designations.pdf

BU[3]E02 Street scenes.pdf  
BU[3]E01 Street scenes.pdf  
BU[3]E05 Proposed site sections.pdf  
BU[3]E04 Existing site sections.pdf  
BU[3]E03 Existing site sections.pdf  
BU[LA]01 Site Location\_Bulford.pdf  
BU[LA]02 Topography\_Bulford.pdf  
BU[LA]03-01 Designations\_Bulford.pdf  
BU[LA]03-2 Landscape Character\_Bulford.pdf  
BU[LA]04 Public Access\_Bulford.pdf  
BU[LA]05 Zone of Theoretical Visibility.pdf  
BU[LA]06 Assessment Photographs.pdf  
BU[LA]07 Appraisal Photographs.pdf  
BU[LA]08 Site Photographs.pdf  
BU [LA]09 Cumulative Site Locations

All date stamped 22nd April 2015 unless otherwise stated.

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

**INFORMATIVE TO APPLICANT:**

The applicant should note that, under the appropriate legislation, the Council may in the future seek to vary speed limits on the roads surrounding the development site. It is asked that the applicant work with the Council to ensure appropriate measures and speed limits are put in place on the surrounding roads to assist in securing a safe form of development.

- 18 **15/02770/FUL - Land at Tidworth Road, (Corruna Barracks), Tidworth Road, Ludgershall, SP11 9RP - Erection of 246 no. dwellings to provide Service Families Accommodation (SFA), land for a new primary school and community facilities, public open space, play areas, landscaping, internal roads and associated infrastructure**

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application, with a recommendation that the application be approved, subject to all parties entering into a Section 106 legal agreement and also subject to conditions.

Members then had the opportunity to ask technical questions after which they heard the views of Cllr Christopher Williams, the local Member, in support of the application.

Cllr Mark Connolly, an adjoining local Member, expressed the view that the proposed pedestrian crossing at Perham Down Camp between the Officers' mess and the main camp entrance may not be necessary.

During discussion the following points were raised:

- Reference being made to the provision of affordable housing within the Section 106 Heads of terms,
- The need for an additional informative relating to speed limits on roads surrounding the development site, and
- The need for an additional informative relating to the proposed pedestrian crossing at Perham Down Camp requesting that the parties work together to remove the crossing should a future decision be taken that the crossing was no longer required.

**Resolved:**

**To grant planning permission, subject to:**

**(1) All parties entering into a Section 106 legal agreement in respect of the following:**

- **Off site road junction improvements**
- **Provision of sustainable transport measures**
- **Land and contributions for education provision**
- **Delivery of community facilities at Ludgershall and Larkhill**
- **Access to MoD sports and community facilities**
- **Provision and maintenance of on-site public open space and play facilities**
- **Contributions towards collection of waste**
- **Delivery of the Larkhill medical facility to be made available for NHS GP**
- **Provision for affordable housing contributions in the event of the dwellings being sold to the market**
- **Ecology provisions – including: terms of reference for the Salisbury Plain Environmental Steering Group and Hydrology Steering Group, provision of recreation pressure mitigation in respect of breeding Stone Curlew, detail and implementation of the Recreational Access Action Plan. (Note: the resolution seeks flexibility so as to make use of planning conditions in addition to, or instead of s106, so as to secure the ecological provisions).**

**(2) 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. No development of the school and community site shall take place until details of the following matters (in respect of which approval is expressly reserved) in relation to the school and community site have been submitted to, and approved in writing by, the Local Planning Authority:**

- a) The scale of development**
- b) The layout of development**
- c) The external appearance of development**
- d) The landscaping of development**

**REASON: This element of the application was made for outline permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.**

**03. Within of three years from the date of this permission, a Reserved Matters application detailing the design of the 246 SFA dwellings not included within the detailed component of the application shall have been submitted to and agreed in writing by the Local Planning Authority. Development of those SFA dwellings shall be carried out in complete accordance with that Reserved Matters application (if approved), as informed by the masterplans listed within condition 42 to this planning permission.**

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

**04. 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.**

**Limits of permission**

**05. The residential element of the development hereby granted planning permission shall not exceed 246 SFA dwellings.**

**REASON:** To define the limits of the planning permission and to set the maximum number of SFA dwellings to be constructed on the application site.

- 06.** The SFA dwellings hereby granted planning permission shall be occupied solely by military service personnel and their dependents.

**REASON:** For the avoidance of doubt in order to define the limits of the planning permission and in recognition that planning permission has been granted for development on this site on the basis of the particular requirements of the military.

#### **Landscaping and retained trees**

- 07.** All soft landscaping comprised in the approved as part of the detailed component of the planning application shall be carried out in the first planting and seeding season following 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.

- 08.** As part of the first Reserved Matters application, an Arboricultural Impact Assessment, a Tree Retention and Removal Plan as well as an Arboricultural Method Statement shall be provided for the entire site. Such documents shall show all retained trees with Root Protection Areas plotted so as to demonstrate the necessary alignment of utilities and drainage so as to retain and respect trees on the site. Development shall take place in complete accordance with the details so agreed.

**REASON:** In the interests of securing a form of development that retains and respects existing trees on the site.

- 09. No operations shall commence on site in connection with the development until a scheme showing the position of protective fencing to enclose all retained trees and hedgerows in accordance with British Standard 5837: '2005: Trees in Relation to Construction' has been submitted to and approved in writing by the Local Planning Authority. Protective fencing must be erected in accordance with the approved plans and 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 without prior written approval by the Local Planning Authority. In this condition "retained trees" means an existing tree which is to be retained in accordance with the approved plans and particulars; the paragraphs above shall have effect until the expiration of five years from the completion of the development.**

**REASON: To prevent trees being retained from being damaged during the construction works, in the interest of visual amenity**

**Construction phase and protection amenity**

- 10. No development shall commence on site 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/construction phase of the development. It shall include details of the following:**
- a) Loading and unloading of equipment and materials**
  - b) Storage of plant and materials used in constructing the development**
  - c) Wheel washing and vehicle wash down facilities**
  - d) Measures to control the emission of dust and dirt during demolition and construction**
  - e) A scheme for recycling/disposing of waste resulting from demolition and construction works**
  - f) The movement of construction vehicles**
  - g) The cutting or other processing of building materials on site**
  - h) The location and use of generators and temporary site accommodation**
  - i) 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:** So as to ensure the construction phase of development is undertaken in a considerate and appropriate manner so as to protect the amenities of the locality and surrounding residents.

- 11. 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:** So as to ensure the construction phase of development is undertaken in a considerate and appropriate manner so as to protect the amenities of the locality and surrounding residents.

- 12. No burning of waste or other materials shall take place on the development site during the demolition/construction phase of the development.**

**REASON:** So as to ensure the construction phase of development is undertaken in a considerate and appropriate manner so as to protect the amenities of the locality and surrounding residents.

- 13. No development shall commence on site until a scheme to protect future residents from road traffic noise on the A3026, Tidworth Road and noise from operations and activities at Ludgershall Business Park has been submitted to and approved in writing by the Local Planning Authority. Measures included in the scheme should include site layout, internal dwelling layout, acoustic insulation measures such as acoustic glazing, trickle ventilation, wall and roof construction, and noise mitigation and screening to be provided for external amenity areas. The approved scheme shall be implemented prior to the dwellings being first occupied and maintained at all times thereafter in accordance with the approved details.**

**REASON:** So as to ensure the living conditions of future residents are secured through the appropriate design of new dwellings.

- 14. No development of the new school shall commence on site until a scheme for protecting the school against noise from road traffic 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:** So as to ensure the performance and use of the new school buildings are not compromised by unreasonably noise from the adjoining road.

15. 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.

### **Contamination**

16. 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.

## **Water environment and drainage**

17. Prior to the first occupation of any dwelling hereby granted planning permission, a Water Management Strategy that includes the following components shall have been submitted to, and approved in writing by, the local planning authority. The Strategy shall cover all Army Basing Project developments and the existing MoD water network. The Strategy shall be implemented as approved.

The Water Management Strategy will outline:

- a) Details of water abstraction volumes, specific abstraction sources, where water will be discharged and leakage rates for both existing MoD sites and proposed Army Basing developments. This should include detailing any abstraction conditions and how these conditions will be met, also identifying the link between abstractions and discharge to meet licence and permit conditions.
- b) An overall assessment of individual and combined environmental impacts relating to water resources and how any impacts will be mitigated.
- c) Details of any required mitigation or infrastructure improvements to the water abstraction/ supply or foul drainage network that have been identified in the overall assessment carried out as part of this Water Management Strategy, or that have been identified by other relevant studies.
- d) Any specific water management requirements/ mitigation for the development hereby permitted.

**REASON:** To ensure the development would be served by an appropriate water supply system and to protect the water environment.

18. No development shall commence on site until a scheme for the discharge of foul water from the site, to include approvals from the sewerage undertaker allowing diversion, abandonment or relocation of public drainage apparatus, 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 the development would be served by an appropriate foul drainage system and to protect the water environment

19. 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 and to protect the water environment.

### **Archaeology**

**20. 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.

### **Construction standards of buildings**

**21. Prior to the commencement of development, full details relating to the intended method of fire fighting water supply and hydrant facilities in respect of the building shall have been submitted to and agreed in writing by the Local Planning Authority. Such details shall include measures to ensure the water supply is in place during the construction phase and that hydrants are connected at the right locations. The scheme shall also include a scheme for the maintenance of such water supply and hydrant facilities. Development shall be carried out in complete accordance with details agreed.**

**REASON:** So as to secure a satisfactory water supply and hydrant facilities for fire fighting to meet the needs of the development during the construction and operational phase of development.

### **Refuse and recycling**

**22. No development shall 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. The development shall not be occupied until the approved refuse storage has been completed and made available for use and maintained in that condition thereafter in complete accordance with the approved details.**

**REASON:** In the interests of public health and safety as well as effective and efficient refuse collection.

### Ecology conditions

23. Ecological mitigation will be provided in complete accordance with the following documents: Ecological Mitigation Strategy, Land at Tidworth Road (Corunna Barracks) Lagershall (DIO March 2015); a statement from WYG headed "Applicant's response to Louisa Kilgallen comments and queries" dated 16 April 2015, received from Chris Meddins, WYG, 11 June 2015), and; Landscape Proposals Drawing number A089116-10 LU[LP]03 Rev A.

**REASON:** to ensure appropriate and adequate mitigation is provided for ecological impacts.

24. 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 landscape and ecological features to be managed; including location shown on a site map
- b) 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 a 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 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 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:** 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.

**25. No external lighting other than street lighting shall be installed on site until a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, has been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall build upon details set out within DIO drawing LU[3]S10 “Ludgershall Lighting Buffer” dated 2 June 2015 and shall be designed so as to also meet the criteria for Environmental E3 as defined by the Institute of Lighting Professionals ‘Guidance Notes for the Reduction of Obtrusive Light’ 2012. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working order at all times thereafter.**

**REASON:** So as to ensure the living conditions of existing and future residents is secured through the appropriate design of any new lighting across the site and so as to also ensure adverse impacts upon the ecology of the locality are minimised.

**26. Prior to the commencement of development, a Biodiversity Offsetting Strategy shall have been submitted to and agreed in writing by the Local Planning Authority. Development shall take place in complete accordance with the details so agreed.**

**REASON:** to ensure that loss of calcareous habitat is appropriately mitigated.

**27. Prior to the commencement of development, a Recreational Access Action Plan shall have been submitted to and agreed in writing by the Local Planning Authority. Development shall take place in complete accordance with the details so agreed.**

**REASON:** So as to ensure the development incorporates measures to mitigate impacts associated with increased recreational pressure resulting from the development upon the Salisbury Plan SPA.

**28. Prior to the commencement of development, a Phosphate Offsetting Plan shall have been submitted to and agreed in writing by the Local Planning Authority. Development shall take place in complete accordance with the details so agreed.**

**REASON:** So as to ensure the development incorporates measures to mitigate impacts upon the River Avon SAC associated with development taking place.

**Highway conditions**

29. None of the SFA houses shall be occupied until the proposed junction improvement at the A303/A338 junction has been completed and opened to traffic as shown on drawing reference *Figure 11 (Transport Assessment) Possible Junction Improvement for J19A* dated 12 May 2014, unless any variation in the design of the proposals is otherwise agreed in writing by the local Planning Authority in consultation with Highways England.

**REASON:** To ensure the safety and free flow of traffic on the Strategic Road Network.

30. Prior to the commencement of the development a site phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved phasing plan. The phasing plan shall include details of road construction, including the provision of a through route between the two accesses to Tidworth Road

**REASON:** In order to ensure development proceeds in an acceptable manner.

31. Notwithstanding the details submitted, with the exception of the site access works, no development shall commence on site until details of the site access junctions, estate roads, cycletracks, 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, cycletracks, 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.

32. 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 binder course level between the dwelling and existing adopted highway.

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

- 33. Car and cycle parking provision shall be made in accordance with the requirements of Wiltshire Council's LTP3 Car Parking Strategy and Cycling Strategy respectively. Garage internal floorspace shall be not less than 3m by 6m per car space if the garage is to be counted towards car parking provision. No dwelling shall be occupied until the car and cycle parking provision, together with access thereto, has been provided in accordance with plans which shall previously have been submitted to and approved by the local planning authority.**

**REASON:** In the interests of highway safety and the amenity of future occupants and, through provision of satisfactory facilities for cycle parking, to help encourage travel by means other than the private car.

- 34. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), any garages permitted shall not be converted to habitable accommodation.**

**REASON:** To safeguard the amenities and character of the area and in the interest of highway safety.

- 35. Prior to the commencement of the development a Construction Traffic Management Plan (CTMP) shall be submitted to and approved by the LPA, and the site developed in accordance with the approved CTMP. The CTMP 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.**

**REASON:** In order to ensure that the amenity of the local highway network is adequately protected.

- 36. Prior to the occupation of the first dwelling on the site, full and complete details of a shared footway and cycletrack on the south side of the A3026 between the Eastern site access and the Somme Road junction together with a formal crossing facility on the A3026 in the vicinity of the eastern access to the Wellington Academy shall have been submitted to agreed in writing by the Local Planning Authority. Development shall be carried out in complete accordance with the approved details prior to the occupation of no more than 130 dwellings on the site.**

**REASON:** In the interests of sustainable transport and highway safety, especially in respect of providing a safe crossing outside Wellington Academy.

37. Prior to the commencement of the development the existing site access traffic signal controlled junction on the A3026 shall be modified in complete accordance with details which shall first have been submitted to and approved by the Local planning Authority. The details shall include for the provision of a footway link between the existing footway to the east of the site access and the proposed western site access.

**REASON:** In order to secure safe facilities for pedestrian movement associated with the site.

38. Notwithstanding the details shown on Drg No. LU[3]S02, and prior to the occupation of the first dwelling on the site, full and complete details of a footpath/cycletrack link shall be completed between the site and Johnson Way shall have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in complete accordance with those details so agreed.

**REASON:** In order to promote sustainable transport links between the site and adjacent community.

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

**REASON:** In the interests of road safety and reducing vehicular traffic to the development.

#### **Community facilities**

40. The community land and building, as identified on the submitted masterplans shall be only used for purposes falling into the B and D use classes of the Town and Country Planning (Use Classes) Order 1987 (as amended) and The Town and Country Planning (General Permitted Development) Order 2015.

**REASON:** For the avoidance of doubt and so as to protect the amenities of existing and future residents.

#### **Air Quality**

41. Prior to the first occupation of any dwellings hereby granted planning permission, a low emission strategy shall have been submitted to and approved by the Local Planning Authority. Development to be carried out in accordance with the approved strategy.

**REASON:** To build upon the Overarching Travel Plan, in the interests of minimising nitrogen dioxide and fine particulates generated by the development in accordance with CP55 of the Wiltshire Core Strategy.

**Approved plans**

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

LU[3]S10 Lighting Buffer.pdf  
SPTA SFA LVIA Ludgershall v4.pdf  
LU[LA]09 Cumulative Site Locations.pdf  
LU[LA]08 Site Photographs.pdf  
LU[LA]07 Appraisal Photographs.pdf  
LU[LA]06 Assessment Photographs.pdf  
LU[LA]05 Zone of Theoretical Visibility.pdf  
LU[LA]04 Public Access.pdf  
LU[LA]03-2 Landscape Character.pdf  
LU[LA]03-01 Designations.pdf  
LU[LA]02 Topography.pdf  
LU[LA]01 Site Location.pdf  
Ludgershall-LU3S06 Topographical  
survey.pdf  
Ludgershall-LU[3]S05 Advanced demolition  
plan.pdf  
Ludgershall-LU[3]HT issue 15.03.13.pdf  
Ludgershall-LU[2]S30 rev C Framework.pdf  
Ludgershall-LU[2]S20 rev C Concept.pdf  
Ludgershall-LU[2]S12 rev C Sketch Layout  
SK03.pdf  
Ludgershall-LU[2]S07rev A Pedestrian\_cycle  
links.pdf  
Ludgershall-LU[2]S06rev A Wider analysis  
plan.pdf  
Ludgershall-LU[2]S05rev A Constraints and  
Opportunities.pdf  
Ludgershall-LU[2]S02 Wider context plan.pdf  
Ludgershall-LU[2]S01 Site Location plan.pdf  
LU[3]Sch.pdf  
LU[3]S04 Finishes Layout.pdf  
LU[3]S03 Detailed Site Layout.pdf  
LU[3]S02 Outline Site Layout.pdf  
LU[3]E04 Proposed site sections.pdf

LU[3]E03 Existing site sections.pdf  
 LU[3]E02 Proposed street elevations.pdf  
 LU[3]E01 Proposed street elevations.pdf  
 LU[3] POS designations.pdf  
 A089116-10 LU[LP]08 Landscape Details.pdf  
 A089116-10 LU[LP]07 Surfaces and  
 boundary treatments.pdf  
 A089116-10 LU[LP]06 Landscape  
 Proposals.pdf  
 A089116-10 LU[LP]05 Landscape  
 Proposals.pdf  
 A089116-10 LU[LP]04 Landscape  
 Proposals.pdf  
 A089116-10 LU[LP]03 Landscape  
 Proposals.pdf  
 A089116-10 LU[LP]02 Landscape  
 Proposals.pdf  
 A089116-10 LU[LP]01-2 Green  
 Infrastructure.pdf  
 A089116-10 LU[LP]01-1 Landscape  
 Proposals Layout.pdf  
 Drg No: LU[3]Boundary Treatments Rev A  
 (dated July 2015)  
 Drg No: A089116-10 LU[LP]07 Surfaces and  
 Boundary Treatments (dated August 2015)  
 Drg No: A089116-10 LU[LP]01-2 Green  
 Infrastructure (dated 11<sup>th</sup> August 2015)

All date stamped 20<sup>th</sup> March 2015.

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

**INFORMATIVE TO APPLICANT:**

The applicant should note that, under the appropriate legislation, the Council may in the future seek to vary speed limits on the roads surrounding the development site. It is asked that the applicant work with the Council to ensure appropriate measures and speed limits are put in place on the surrounding roads to assist in securing a safe form of development.

**INFORMATIVE TO APPLICANT:**

The applicant is asked to note that the proposed pedestrian crossing at Perham Down Camp between the Officer's mess/SLA and the main camp entrance may not be necessary. Should it be determined that the new

crossing is not needed, either before or after its creation, it is requested that discussion takes place with the Council to ensure appropriate steps are taken.

- 19 15/05540/FUL - Land north of The Packway and east of Larkhill, Larkhill, Wiltshire, SP4 8PY - Erection of 444 no, dwellings to provide Service Family Accommodation (SFA), land for a new primary school and community facility, public open space, play areas, landscaping, internal roads and all associated infrastructure works

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

Mr David Matthews, owner of Stonehenge Golf Centre

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application, with a recommendation that the application be approved, subject to all parties entering into a Section 106 legal agreement and also subject to conditions.

Members then had the opportunity to ask technical questions after which they heard the views of Mr David Matthews, owner of Stonehenge Golf Centre, expressing his views regarding the planning application.

Members then heard the views of Cllr Graham Wright, as the local Member, who, whilst supporting the proposal, expressed some concern about the design of the new roundabout access and questioned the need for a four legged roundabout. He also questioned how public access to the MOD sports and community facilities would be managed.

During discussion, the following points were raised:

- Reference being made to the provision of affordable housing within the Section 106 Heads of terms,
- The need to consider the risk of stray golf balls being struck into the application site,
- The need for an additional informative relating to speed limits on roads surrounding the development site, and
- The need for further consideration being given to the design of the new roundabout access.

**Resolved:**

**To grant planning permission, subject to:**

- (1) Prior to the determination of the application, Officers be delegated to investigate, consider and assess the relative merits of a 3-legged or 4-legged design for the roundabout access to the site and, if necessary, incorporate changes to that access into the proposed development. Such considerations and assessment shall include where necessary, the carrying out of junction counts at Wood Road and Tombs Road.**
- (2) The receipt of the comments of Historic England in respect of the assessment of visual impacts associated with the new roundabout access, including dark skies assessment, to demonstrate the outstanding universal value of the Stonehenge WHS is protected, including any necessary mitigation and imposition of necessary planning conditions.**
- (3) All parties entering into a legal agreement under s106 of The Act in respect of the following:**

  - Off site road junction improvements**
  - Provision of sustainable transport measures**
  - Land and contributions for education provision**
  - Delivery of community facilities at Ludgershall and Larkhill**
  - Access to MoD sports and community facilities**
  - Provision and maintenance of on-site public open space and play facilities**
  - Contributions towards collection of waste**
  - Delivery of the Larkhill medical facility to be made available for NHS GP**
  - Provision for affordable housing contributions in the event of the dwellings being sold to the market**
  - Ecology provisions – including: terms of reference for the Salisbury Plain Environmental Steering Group and Hydrology Steering Group, provision of recreation pressure mitigation in respect of breeding Stone Curlew, detail and implementation of the Recreational Access Action Plan. (Note: the resolution seeks flexibility so as to make use of planning conditions in addition to, or instead of s106, so as to secure the ecological provisions).**
- (4) 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. No development of the school and community site shall take place until details of the following matters (in respect of which approval is**

expressly reserved) in relation to the school and community site have been submitted to, and approved in writing by, the Local Planning Authority:

- a) The scale of development
- b) The layout of development
- c) The external appearance of development
- d) The landscaping of development

**REASON:** This element of the application was made for outline permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

03. Within of three years from the date of this permission, a Reserved Matters application detailing the design of the 355 SFA dwellings not included within the detailed component of the application shall have been submitted to and agreed in writing by the Local Planning Authority. Development of those SFA dwellings shall be carried out in complete accordance with that Reserved Matters application (if approved), as informed by the masterplans listed within condition 40 to this planning permission.

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

04. 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.

#### Limits of permission

05. The residential element of the development hereby granted planning permission shall not exceed 444 SFA dwellings.

**REASON:** To define the limits of the planning permission and to set the maximum number of SFA dwellings to be constructed on the application site.

06. The SFA dwellings hereby granted planning permission shall be occupied solely by military service personnel and their dependents.

**REASON:** For the avoidance of doubt in order to define the limits of the planning permission and in recognition that planning permission has been granted for development on this site on the basis of the particular requirements of the military..

**Landscaping and retained trees**

**07.** All soft landscaping comprised in the approved as part of the detailed component of the planning application shall be carried out in the first planting and seeding season following 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.

**08.** As part of the first Reserved Matters application, an Arboricultural Impact Assessment, a Tree Retention and Removal Plan as well as an Arboricultural Method Statement shall be provided for the entire site. Such documents shall show all retained trees with Root Protection Areas plotted so as to demonstrate the necessary alignment of utilities and drainage so as to retain and respect trees on the site. Development shall take place in complete accordance with the details so agreed.

**REASON:** In the interests of securing a form of development that retains and respects existing trees on the site.

**09.** No operations shall commence on site in connection with the development until a scheme showing the position of protective fencing to enclose all retained trees and hedgerows in accordance with British Standard 5837: 2005: 'Trees in Relation to Construction' has been submitted to and approved in writing by the Local Planning Authority. Protective fencing must be erected in accordance with the approved plans and 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 without prior written approval by the Local Planning Authority. In this condition “retained trees” means an existing tree which is to be retained in accordance with the approved plans and particulars; the paragraphs above shall have effect until the expiration of five years from the completion of the development.

**REASON:** To prevent trees being retained from being damaged during the construction works, in the interest of visual amenity

10. Prior to the occupation of the Officer housing (as identified on the approved masterplans), full and complete details of the proposed buffer strip and buffer planting to be created along the common boundary of the site with the adjoining Stonehenge Golf Club shall have been submitted to and agreed in writing with the Local Planning Authority. The buffer strip and planting shall be created in accordance with the agreed details prior to the occupation of the officer housing.

**REASON:** So as to secure a suitable boundary treatment to the application site that will comprise appropriate planting and associated measures to mitigate against potential impacts upon the living conditions of future residents from the floodlighting and activities at the Stonehenge Golf Club.

#### **Construction phase and protection amenity**

11. No development shall commence on site 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/construction phase of the development. It shall include details of the following:
  - a) Loading and unloading of equipment and materials
  - b) Storage of plant and materials used in constructing the development
  - c) Wheel washing and vehicle wash down facilities
  - d) Measures to control the emission of dust and dirt during demolition and construction
  - e) A scheme for recycling/disposing of waste resulting from demolition and construction works
  - f) The movement of construction vehicles
  - g) The cutting or other processing of building materials on site

- h) The location and use of generators and temporary site accommodation**
- i) 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: So as to ensure the construction phase of development is undertaken in a considerate and appropriate manner so as to protect the amenities of the locality and surrounding residents.**

- 12. 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: So as to ensure the construction phase of development is undertaken in a considerate and appropriate manner so as to protect the amenities of the locality and surrounding residents.**

- 13. No burning of waste or other materials shall take place on the development site during the demolition/construction phase of the development.**

**REASON: So as to ensure the construction phase of development is undertaken in a considerate and appropriate manner so as to protect the amenities of the locality and surrounding residents.**

- 14. No external lighting other than street lighting shall be installed on site until a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, has been submitted to and approved in writing by the Local Planning Authority. Such lighting shall be designed so as to also meet the criteria for Environmental E3 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. Information submitted should also include lux plots to show how bat flightlines will be retained at less than 1 lux through the development. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working order at all times thereafter.**

**REASON: So as to ensure the living conditions of existing and future residents is secured through the appropriate design of any new lighting across the site and so as to also ensure adverse impacts upon the ecology of the locality are minimised.**

15. 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.

### **Contamination**

16. 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.

## **Water environment and drainage**

17. Prior to the first occupation of any dwelling hereby granted planning permission, a Water Management Strategy that includes the following components shall have been submitted to, and approved in writing by, the local planning authority. The Strategy shall cover all Army Basing Project developments and the existing MoD water network. The Strategy shall be implemented as approved.

The Water Management Strategy will outline:

- a) Details of water abstraction volumes, specific abstraction sources, where water will be discharged and leakage rates for both existing MoD sites and proposed Army Basing developments. This should include detailing any abstraction conditions and how these conditions will be met, also identifying the link between abstractions and discharge to meet licence and permit conditions.
- b) An overall assessment of individual and combined environmental impacts relating to water resources and how any impacts will be mitigated.
- c) Details of any required mitigation or infrastructure improvements to the water abstraction/ supply or foul drainage network that have been identified in the overall assessment carried out as part of this Water Management Strategy, or that have been identified by other relevant studies.
- d) Any specific water management requirements/ mitigation for the development hereby permitted.

**REASON:** To ensure the development would be served by an appropriate water supply system and to protect the water environment.

18. No development shall commence on site until a scheme for the discharge of foul water from the site, to include approvals from the sewerage undertaker allowing diversion, abandonment or relocation of public drainage apparatus, 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 the development would be served by an appropriate foul drainage system and to protect the water environment

19. 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 and to protect the water environment.

### Archaeology

**20. 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.

### Construction standards of buildings

**21. Prior to the commencement of development, full details relating to the intended method of fire fighting water supply and hydrant facilities in respect of the buildings shall have been submitted to and agreed in writing by the Local Planning Authority. Such details shall include measures to ensure the water supply is in place during the construction phase and that hydrants are connected at the right locations. The scheme shall also include a scheme for the maintenance of such water supply and hydrant facilities. Development shall be carried out in complete accordance with details agreed.**

**REASON:** So as to secure a satisfactory water supply and hydrant facilities for fire fighting to meet the needs of the development during the construction and operational phase of development.

### Refuse and recycling

**22. No development shall 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. The development shall not be occupied until the approved refuse storage has been completed and made available for use and maintained in that condition thereafter in complete accordance with the approved details.**

**REASON:** In the interests of public health and safety as well as effective and efficient refuse collection.

**Highways**

- 23.** Unless otherwise agreed with an alternative timescale beforehand, prior to the commencement of any other part of the development a roundabout access on The Packway shall be completed in accordance with details which shall first have been approved in writing by the Local Planning Authority. The submitted details shall include provision of a turning area at the closed end of Tombs Road.

**REASON:** In order to secure a safe access to the site.

- 24.** Prior to the commencement of the development a site phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved phasing plan. The phasing plan shall include details of road construction, including the provision of a route to ensure that traffic associated with the school does not have to perform reversing manoeuvres.

**REASON:** In order to ensure development proceeds in an acceptable manner.

- 25.** Notwithstanding the details submitted, no development other than the access from The Packway shall commence on site until details of the site access junctions, estate roads, cycletracks, 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, cycletracks, 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.

- 26.** 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 binder course level between the dwelling and existing adopted highway.

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

27. Car and cycle parking provision shall be made in accordance with the requirements of Wiltshire Council's LTP3 Car Parking Strategy and Cycling Strategy respectively. Garage internal floorspace shall be not less than 3m by 6m per car space if the garage is to be counted towards car parking provision. No dwelling shall be occupied until the car and cycle parking provision, together with access thereto, has been provided in accordance with plans which shall previously have been submitted to and approved by the local planning authority.

**REASON:** In the interests of highway safety and the amenity of future occupants and, through provision of satisfactory facilities for cycle parking, to help encourage travel by means other than the private car.

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), any garages permitted shall not be converted to habitable accommodation.

**REASON:** To safeguard the amenities and character of the area and in the interest of highway safety.

29. Prior to the commencement of the development a Construction Traffic Management Plan (CTMP) shall be submitted to and approved by the LPA, and the site developed in accordance with the approved CTMP. The CTMP 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.

**REASON:** In order to ensure that the amenity of the local highway network is adequately protected.

30. Prior to the first occupation of any dwellings on the site, full and complete details of the design, construction and alignment of the shared use pedestrian/cycleway between the A345, the site access and Whinyates Road shall have been submitted to and approved in writing by the Local Planning Authority. In particular, such details shall include measures to improve pedestrian crossing facilities on the Northern arm of the A345 Stonehenge Inn roundabout and precise alignment in front of "Stonehaven" and Larkhill garage,

existing properties which front the The Packway. The shared use pedestrian/cycleway and pedestrian crossing improvements shall be installed in complete accordance with the approved details prior to the first occupation of no more than 130 dwellings on the site.

**REASON:** So as to ensure the pedestrian/cycleway link between the site, Durrington, Larkhill and the camp is in place at the appropriate time so as to promote sustainable forms of transport.

31. Prior to the occupation of the first dwelling on the site, the shared use pedestrian/cycleway between the site access and Larkhill Camp Gate B along the route as defined on submitted drawing number **S106\_003**, shall be completed to binder course level, and surfaced within six months of binder course.

**REASON:** In order to encourage sustainable transport, and to provide part of a safe route from the site to the Larkhill Camp, pending provision of other infrastructure.

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

**REASON:** In the interests of road safety and reducing vehicular traffic to the development.

#### Community facility

33. The community land, as identified on the submitted masterplans shall be only used for purposes falling into the B and D use classes of the Town and Country Planning (Use Classes) Order 1987 (as amended) and The Town and Country Planning (General Permitted Development) Order 2015.

**REASON:** For the avoidance of doubt and so as to protect the amenities of existing and future residents.

#### Air Quality

34. Prior to the first occupation of any dwelling hereby granted planning permission, a low emission strategy shall have been submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved strategy.

**REASON:** To build upon the Overarching Travel Plan, in the interests of minimising nitrogen dioxide and fine particulates generated by the development in accordance with CP55 of the Wiltshire Core Strategy.

**Ecology**

**35. 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:**

- **Description and evaluation of landscape and ecological features to be managed; including location shown on a site map**
- **Constraints on site that might influence management**
- **Aims and objectives of management**
- **Appropriate management options for achieving aims and objectives;**
- **Prescriptions for management actions;**
- **Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5 year period**
- **Details of the body or organisation responsible for implementation of the plan;**
- **Ongoing monitoring and remedial measures;**
- **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 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:** 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.

**36. No development approved by this permission shall be commenced until a Construction Environmental Management Plan (CEMP),**

**incorporating the following has been submitted to and approved by the Local Planning Authority:**

- **Pollution prevention measures,**
- **Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance to protect habitats of ecological value including woodland, grassland and the location of recorded tree mallow**
- **Measures to ensure protected species are not harmed during vegetation clearance prior to construction works commencing**
- **Measures to ensure that giant hogweed and any other invasive non-native species are removed from the construction site prior to works commencing**

**The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.**

**REASON: to prevent pollution of the water environment and protect habitats and species of ecological value during the construction period.**

**37. Prior to the commencement of development, a Biodiversity Offsetting Strategy shall have been submitted to and agreed in writing by the Local Planning Authority. Development shall take place in complete accordance with the details so agreed.**

**REASON: to ensure that loss of calcareous habitat is appropriately mitigated.**

**38. Prior to the commencement of development, a Recreational Access Action Plan shall have been submitted to and agreed in writing by the Local Planning Authority. Development shall take place in complete accordance with the details so agreed.**

**REASON: So as to ensure the development incorporates measures to mitigate impacts associated with increased recreational pressure resulting from the development upon the Salisbury Plan SPA.**

**39. Prior to the commencement of development, a Phosphate Offsetting Plan shall have been submitted to and agreed in writing by the Local Planning Authority. Development shall take place in complete accordance with the details so agreed.**

**REASON:** So as to ensure the development incorporates measures to mitigate impacts upon the River Avon SAC associated with development taking place.

**Approved plans**

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

Larkhill- LA[LP]01 Landscape Proposals.pdf  
Larkhill-LA[LP]02 Planting details  
Larkhill-LA[3]S02 Outline layout.pdf  
Larkhill-LA[3]S03 Detailed layout.pdf  
Larkhill-LA[3]S04 Finishes Layout.pdf  
Larkhill-LA[3]E04 Proposed site sections.pdf  
Larkhill-LA[3]E03 Existing site sections.pdf  
SPTA Larkhill D&A\_Final 02.06.2015.pdf  
A089116-10 SPTA SFA LVIA Larkhill v3 Draft.pdf  
Larkhill LA [LA] Larkhill LVApp Figures Appendix C.pdf  
A089116-10 LA[LA]09 Cumulative Site Locations.pdf  
A089116-10 LA[LP]06 Hard landscape details 06 (.pdf  
Larkhill-LA[3] Materials Schedule.pdf  
Larkhill LA[3] POS Designations.pdf  
Larkhill-LA[3]S01 Site Location Plan.pdf  
Larkhill-LA[3]S05 Topo survey .pdf  
Larkhill-LA[3]E01 Street Elevations.pdf  
Larkhill-LA[3]E02 Street elevations.pdf  
Larkhill-LA[3]HT issue 15.05.08.pdf

All date stamped 5<sup>th</sup> June 2015.

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

**INFORMATIVES:**

- (1)** The applicant should note that this planning permission implies no rights to build upon or otherwise make use of third party land for the development that is not part of the public highway. In particular it should be made clear that the permission requires the formation of the shared use cycle/footpath between the A345 Stonehenge Inn roundabout and the camp entrance to take place either on the public highway or on land controlled by the applicant.

- (2) **The applicant should note that, under the appropriate legislation, the Council may in the future seek to vary speed limits on the roads surrounding the development site. It is asked that the applicant work with the Council to ensure appropriate measures and speed limits are put in place on the surrounding roads to assist in securing a safe form of development.**

20 **West Warminster Urban Extension Masterplan**

**The following people spoke against the proposal**

Mr Tony Nicklin, Chairman, Neighbourhood Plan Working Group  
Mr Len Turner, Chairman, Warminster & Villages Partnership  
Mr Jeremy Stadward, a local resident  
Mrs Tracy Clifford, representing ABC Action Group & a local resident

**The following people spoke in support of the proposal**

Mr Dennis Barry of GL Hearn – Property Consultants, representing Persimmon Homes.  
Ms Jenny Mitter of Nathaniel Lichfield & Partners, representing Redrow Homes.

Consideration was given to a report by the Associate Director, Economic Development & Planning requesting the Committee to endorse the draft West Warminster Urban Extension masterplan (WWUE) and to authorise the Associate Director for Economic Development & Planning, in consultation with the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property & Waste, to make any further necessary minor changes in the interest of clarity and accuracy.

It was explained that the masterplan would guide the future development of the WWUE, which would deliver a significant portion of the town's housing and employment needs over the Core Strategy plan period to 2026. The delivery of the WWUE would deliver much needed housing (including affordable), boost employment opportunities, and infrastructure to support this growth.

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.

Members then heard the views of Cllr Pip Ridout, a local Member, who spoke against the proposal in its current form. In particular she questioned the number of houses (1,550) as set out in the WWUE as against 900 dwellings for this area of Warminster included in the Wiltshire Core Strategy for the period up to 2016.

During the ensuing discussion, Members considered that there appeared to be some confusion on the number of houses which should be included in this masterplan and they also requested further detailed information about potential flooding, landscaping, traffic management particularly of West Street and the sighting of the proposed new primary school.

**Resolved:**

**To defer consideration of the draft West Warminster Urban Extension masterplan and to request the officers:**

**(1) to look into how this could be brought into greater conformity with the Wiltshire Core Strategy, and**

**(2) to examine further the issues regarding potential flooding, landscaping, traffic management particularly affecting West Street and the position of the new primary school.**

21 **Date of the Next Meeting**

**Resolved:**

**To note that the next scheduled meeting of the Committee is due to be held on Wednesday 11 May 2016, at County Hall, Trowbridge, starting at 10.30am.**

(Duration of meeting: 10.30 am - 2.15 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

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## **STRATEGIC PLANNING COMMITTEE**

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### **MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 11 MAY 2016 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

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

#### **Also Present:**

Cllr Russell Hawker, Cllr Dick Tonge, Cllr Roy While and Cllr Gordon King

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#### **22 Apologies for Absence**

The Committee noted that at its meeting the previous day, Council had appointed Cllr Bridget Wayman to membership of this Committee in place of Cllr Bill Moss. The Chairman, on behalf of the Committee, welcomed Cllr Bridget Wayman to the meeting.

An apology for absence was received from Cllr Christopher Newbury and Cllr Fred Westmoreland who was substituted by Cllr Jerry Wickham.

#### **23 Minutes of the Previous Meeting**

##### **Resolved:**

**To confirm and sign the minutes of the previous meeting held on 13 April 2016.**

#### **24 Declarations of Interest**

There were no declarations of interest.

#### **25 Chairman's Announcements**

There were no Chairman's announcements made at the meeting.

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

No questions had been received from councillors or members of the public.

The Chairman welcomed everyone to the meeting. He then explained the rules of public participation and procedure to be followed at the meeting.

27 **15/10446/FUL - Whitehall Garden Centre, Corsham Road, Lacock, Wiltshire, SN15 2LZ - Redevelopment of Whitehall Garden Centre for New and Replacement Buildings to Facilitate the Re-ordering of the Site, Including Parking Areas and Landscaping.**

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

Ms Linda Newbury, a local resident

Mrs Anne Henshaw, representing Campaign to Protect Rural England

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

Mr Richard Cosker, planning consultant

Mr Andrew Aldridge, architect

Mr Peter Self, applicant

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application, with a recommendation that planning permission be granted subject to a legal agreement and conditions.

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

Members then heard the views of Cllr Dick Tonge, the local Member, who expressed some concern regarding the resulting impact on traffic queuing along Corsham Road to access the expanded site and also an inadequate turning circle for large vehicles inside the site. He was also concerned that retained planning policy advice did not appear to provide any restrictions to the size of the development.

During discussion the following points were raised:

- The need to balance the proposed expansion of the business, as set out in the application, with effect on the local population and the traffic.
- The main access to and egress from the site especially for large vehicles and a suitably large turning circle.
- The need for an additional emergency entrance to the site.

**Resolved:**

**To grant planning permission, subject to:**

**(1) A legal agreement to secure the costs associated with the following off-site elements, via a signed Unilateral Undertaking:**

- **Implementation of a parking restriction on Corsham Road and/or Notton Lane.**
- **Adjustment of phasing/timing of the traffic light controls at the Corsham Road/A350 junction.**
- **Alterations to the junction between Notton Lane and Corsham Road, together with any associated signage.**
- **Making of a Traffic Regulation Order for the imposition of a speed limit on Notton Lane.**

**(2) 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:**

**P01 rev B - Proposed Site Layout Plan  
P02 rev B - Proposed Roof Plan  
P04 rev A - Proposed Elevations - Sheet 1 of 3  
P05 rev A - Proposed Elevations - Sheet 2 of 3  
P06 rev A - Proposed Elevations - Sheet 3 of 3  
P07 rev A - Site Sections - Sheet 1 of 5  
P08 rev A - Site Sections - Sheet 2 of 5  
P09 rev A - Site Sections - Sheet 3 of 5  
P10 rev A - Site Sections - Sheet 4 of 5  
P11 rev A - Site Sections - Sheet 5 of 5**

**Received 20 October 2015**

**P13 - Designated External Storage Areas**

**Received 27 April 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** 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 render shall be applied to any building or walls on site until a sample panel of the render to be used on the external walls not less than 1 metre square, has been made available 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.

**6** No development shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, 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 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.

**7** 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; and
- \* minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);

**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.

**8** All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first use 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 first use 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.

**9** No part of the development hereby permitted, including demolition works associated with the preparation of the site, shall commence on site until the new access to the highway has been constructed in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved access shall be maintained for those purposes at all times thereafter.

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

**10** No part of the development hereby approved shall be brought into use until the parking areas as shown on the approved plans have been consolidated, surfaced and laid out in accordance with the approved details, including the provision of controlled accesses as detailed. These areas shall be maintained and remain available for their respective uses at all times thereafter.

**REASON:** To ensure that adequate provision is made for parking within the site in the interests of highway safety.

**11** No part of the development hereby approved shall be first brought into use until the areas allocated for deliveries and servicing have been laid out in accordance with the approved plans. These area shall be kept clear of obstruction and shall not be used other than for the parking of vehicles and deliveries in connection with the operation of the development hereby permitted at all times thereafter.

**REASON:** To ensure that adequate provision is made for servicing and loading/unloading within the site in the interests of highway safety.

**12** Notwithstanding the submitted details, no installation or use of an ice rink or other ice skating facility shall take place until full details including:

- (a) siting of the rink;
- (b) proposed means of enclosure;
- (c) hours of operation;
- (d) any additional lighting;
- (e) any sound or amplified music system; and
- (f) means of limiting noise and light spill

have been submitted to and approved in writing by the Local Planning Authority. Any such facility shall be operated in full accordance with the approved details at all times whenever in situ thereafter.

**REASON:** In order to secure the creation of an area free from intrusive levels of noise and activity, in the interests of local amenity.

**13** 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), excepting temporary development associated with the construction of the development hereby approved, no development within Schedule 2, Part 4 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) shall take place anywhere within the site.

**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 temporary development of the land.

**14** 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.

**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), no mezzanine or other form of internal floor to create a first floor level shall be constructed in the development hereby permitted.

**REASON:** In the interests of town centre vitality and viability, in order to enable the Local Planning Authority to consider individually whether planning permission should be granted for additional floor space.

**16** No subdivision or amalgamation of any kind shall take place within the areas marked 'Building 1', 'Building 2', Building 3 Units B, C & D independently or 'Building 4'.

**REASON:** In the interests of protecting the vitality and viability of town centres and to enable the Local Planning Authority to consider individually whether planning permission should be granted for an alternate mix of retail units on the site.

**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), Building 6 as indicated on drawing ref. P01 rev A (Proposed Site Layout Plan) shall be used solely for purposes within Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)(or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

**REASON:** The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use, other than a use within the same class, having regard to the circumstances of the case.

**18** Notwithstanding the submitted plans, retail of comparison goods falling outside the definition of 'gardening items' as set out at the 'range of goods' subsection to Paragraph 3.3 of the submitted Supplementary Town Centre Uses Statement (CBRE, February 2016), namely:

garden furniture; barbecues, chimineas, fire pits and associated tools and fuel (such as coal, coke, briquettes, firewood, charcoal and peat); natural and artificial Christmas trees and related goods including decorations; motorised tools and equipment (such as electric drills, saws, sanders and hedge cutters, garden tractors, lawnmowers, cultivators, chainsaws and water pumps); garden tools (such as wheelbarrows, watering cans, hoses, spades, shovels, rakes, forks, scythes, sickles and secateurs); hand tools (such as saws, hammers, screwdrivers, wrenches, spanners, pliers, trimming knives, rasps and files); ladders and steps; hardware and fittings for the garden (such as chains, grids, stakes and hoop segments for fencing and bordering); fencing panels and associated materials for garden security and decoration; natural and artificial flowers and foliage, plants, shrubs, bulbs, tubers, seeds, fertilizers, composts, garden peat, turf for lawns, specially treated soils for ornamental gardens, horticultural preparations, pots and pot holders; garden and outdoor activity clothing and footwear; gifts for home and garden; pets and smallholding animals and associated foodstuffs; veterinary and grooming products including veterinary and grooming services; cat litter, collars, leashes, kennels, birdcages, fishing and reptile equipment; aquatic

and pond goods and similar products associated with fish; spas, swimming pools and related products.

shall be restricted solely to Building 4 - Areas C, D & I; Building 1; and Unit 3A, as marked on drawing ref. P01 rev A (Proposed Site Layout Plan) only and shall not be displayed or sold in any location elsewhere on site.

**REASON:** In the interests of protecting the vitality and viability of town centres.

**19** No display or sale of clothing items shall take place outside of the areas marked 'D' and 'H' within Building 4 as marked on drawing ref.P01 rev A (Proposed Site Layout Plan). Clothing sales shall be restricted to such items that are directly associated with and ancillary to gardening or other similar physical outdoor activity as agreed by the local planning authority.

**REASON:** In the interests of protecting the vitality and viability of town centres.

**20** No display or sale of items defined as convenience goods shall take place outside of the area marked 'Building 1' on drawing ref. P01 rev A (Proposed Site Layout Plan). Building 1 shall be used solely for the sale of convenience goods and/or retail falling within the definition of 'gardening items' as set out at the 'range of goods' subsection to Paragraph 3.3 of the submitted Supplementary Town Centre Uses Statement (CBRE, February 2016) and for no other purpose whatsoever.

**REASON:** In the interests of protecting the vitality and viability of town centres.

**21** No materials, goods, machinery, equipment, skips, crates, containers, waste or any other item not on retail display shall be deposited or stored outside the areas outlined on drawing ref. P13 (Designated External Storage Areas) or in excess of the maximum heights indicated on the aforementioned plan.

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

**22** The delivery and despatch of goods to and from the site shall be limited to the hours of 0700 and 1900 on Mondays to Fridays, 0800 and 1800 on Saturdays, and at no time on Sundays and Bank or Public Holidays.

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

**23** There shall be no customers/members of the public on the site outside the hours of 0700 and 2200 from Mondays to Fridays, 0800 and 2200 on Saturdays, and 1000 and 2000 on Sundays and Bank or Public Holidays.

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

**24** Other than that detailed in the approved scheme of lighting, no additional external lighting shall be installed on site. The development hereby permitted shall not be first brought into use until a method statement for the monitoring of light emissions post development from the site has been submitted to the LPA. The assessment shall be designed in order to demonstrate that the proposed scheme of external lighting achieves the criteria for Environmental Zone E1 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012.

Prior to the date three months from the date on which the development has been first brought into use the agreed programme of monitoring shall have been carried out in full and the results submitted to and approved in writing by the Local Planning Authority.

**REASON:** In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

**25** The development hereby permitted shall not be brought into use until the areas for shopping trolley storage as indicated on plan ref. P13 (Designated External Storage Areas) have been laid out in full and brought into operation. The approved areas shall thereafter be maintained in operation in accordance with the approved details.

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

**26** 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, with a discharge limited to 12 l/s and full details with program of

how the site will be developed to ensure the flow rate from the site will not be exceeded (especially during construction) and includes a maintenance regime has been submitted to and approved in writing by the Local Planning Authority. Once the development hereby approved is implemented, no surface water shall be discharged offsite 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.

**27** No development shall commence on site until a scheme for the discharge of foul water from the site, including any identified capacity improvements required to the public foul sewer system to take any increase in pumped discharge rate, has been submitted to and approved in writing by the Local Planning Authority. Once implemented, the development hereby approved shall not increase its discharge rate until foul water drainage including any capacity improvements to the public system 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.

**28** 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 demolition and construction, including collection of waste and 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 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 demolition and construction phases.**

**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).**

**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 reminded of the need to obtain separate Land Drainage Consent for any drainage works comprising the extinguishment and/or creation of new outfall points at the adjacent watercourse.

**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:**

Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way adjacent to the site, temporarily or otherwise.

**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:**

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.

**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 is requested to note the concerns of Committee Members in respect of the lack of a designated secondary/emergency vehicular access to the site within the approved scheme. It is recommended that this is given further consideration with a view to ascertaining whether subsequent improvements could be made in this respect. Council officers are willing to provide advice and support in this matter if required.**

**28 16/00497/OUT - Land east of Semington Road, Melksham - Outline application for the erection of up to 150 dwellings with access, new village hall and areas of open space (Resubmission of 14/07526/OUT)**

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

Mr Martin Haffenden, a local resident

Cllr Richard Wood, representing Melksham Without Parish Council

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

Mr Michael Robson, of Strutt & Parker LLP, representing the applicant

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application, with a recommendation that the granting of planning permission be delegated to the Area Development Manager, subject to the prior completion of a legal agreement within the next six months to cover matters identified within section 9.9 of the report and subject to planning conditions.

It was noted that the application was a resubmission of a previously refused application (ref 14/07526/OUT) which had been determined by this Committee on 21 January 2015 the day after the Core Strategy was adopted by the Council.

Members then had the opportunity to ask technical questions after which they heard the views of members of the public as detailed above, expressing their views regarding the planning application.

Members then heard the views of Cllr Roy While, the local Member, who whilst appreciating the concerns of those who had objected, was in general support of the application.

After some discussion,

**Resolved:**

**To delegate to the Area Development Manager to grant planning permission, subject to:**

**(1) the prior completion of a legal agreement, within the next 6 months, to cover the following matters:**

- affordable housing
- education
- open space & play provision
- highways
- refuse infrastructure
- public art
- village hall

**(2) and subject to the following planning conditions:**

**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 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.**

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

Location Plan DWG NO 3878\_001B received 19 January 2016

Site Access Plan DWG NO 30523/5505/SK01 rev C received 16 February 2016

Parameter Plan DWG NO 3878\_020\_B received 20 April 2016

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

5. No development shall commence on site until:

- A scheme for the preservation and enhancement of the old line of the Wilts and Berkshire Canal and 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 conservation and recording of any matters of archaeological interest.

6. No development shall commence on site until a scheme that includes the following components to deal with the risks associated with contamination on the site have been submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which identifies:

a) Potential contaminants associated with those uses

b) A conceptual model of the site indicating sources, pathways and receptors

c) Potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on point 1 above to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in point 2 above; and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the

remediation strategy as required by point 3 above are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved

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

7. 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), including reptiles, badgers, nesting birds, great crested newts, hedgerows, bats, veteran willow trees;
  - d) The location and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour before sunset);
  - 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, including advanced installation and maintenance during the construction period;
  - i) An Ecological Mitigation Plan to provide a visual representation of all required mitigation measures;
  - j) 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 should be prepared by a professional ecologist / the Ecological Clerk of Works certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, and detailing the results of site supervision and any necessary remedial works undertaken or required, shall be submitted to the Local Planning Authority for approval 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. Any approved remedial works shall subsequently be carried out under the strict supervision of a professional ecologist following that approval.**

**REASON: To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats, to ensure that approved mitigation and compensation works are carried out and completed as approved and in line with current best practice guidelines, and to ensure adequate professional ecological expertise is available to assist those implementing the development to comply with statutory requirements, planning conditions and any relevant protected species licence, during construction.**

- 8. 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 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, including planting at the site entrance to minimise disturbance to bats emerging from/returning to the roost in the farmhouse, habitat creation for great crested newts, infill and reinforcement planting of existing hedgerows and new hedgerow planting, species-rich wildflower meadows and tussocky grasslands and SUDS wetlands;**
  - 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;
- 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:** 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.

9. No development shall commence on site until a lighting design strategy for biodiversity for buildings, features or areas to be lit shall be submitted and approved in writing by the local planning authority. The strategy shall:
- a) Identify those areas/features on site that are particularly sensitive for foraging and commuting bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, foraging;
  - b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications, including a Lux plot) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places; and
  - c) Specify luminaires, heights and positions of fittings, direction and other features, e.g. cowls, louvres or baffles

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

**REASON:** To minimise light spillage into hedgerows and trees, to ensure no illumination of the bat roost and to maintain dark foraging and commuting corridors for bats, particularly along the northern boundary hedgerow. No development shall commence on site until a scheme for the preservation and enhancement of the old line of the Wilts and Berkshire Canal and 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.

10. 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:** In the interests of sustainable development and climate change adaptation.

11. No development shall commence on site until a scheme for mitigating the effects of noise on the approved housing from road traffic has been submitted to and approved in writing by the Local Planning Authority. All works comprised in the approved scheme shall be completed in accordance with a timetable to be agreed with the local planning authority.

**REASON:** To minimise the disturbance which that could otherwise be caused to incoming occupiers by noise from road traffic

12. No development shall commence on site (including any demolition works), until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority; 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) wheel washing facilities;
- e) measures to control the emission of dust and dirt during construction;
- f) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- g) measures for the protection of the natural environment.
- h) 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.

13. No development shall commence on site until a dust suppression scheme is submitted to and approved in writing by the Local Planning Authority. The suppression scheme should 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.

**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 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. No part of the development shall be 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 serving that part of the development have all been constructed and laid out in accordance with the approved details.

**REASON:** To ensure that the roads are laid out and constructed in a satisfactory manner.

15. 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 prior to granting planning permission

16. No development shall 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. No dwellinghouse shall 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.

17. 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.

18. No development shall commence on site 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 which should include the following:

- the 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.
- No dwellinghouse shall be first occupied until foul water drainage has been constructed in accordance with the approved scheme

**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

19. 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 is adequately drained.

20. Prior to first occupation of any dwellinghouse the access shall have been provided in accordance with Peter Brett Associates plan 30523/5505/SK01/C.

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

21. Prior to first occupation of any dwellinghouse the access shall be provided with visibility splays at a height not exceeding 600mm above carriageway level from a point measured 2.4 metres set back along the centre line of the access to points on the nearside carriageway edge 54 metres to the north and 44 metres to the south. The visibility so provided shall thereafter be maintained and kept clear of obstruction in perpetuity.

To safeguard visibility in perpetuity in a southern direction, the applicant/developer shall submit details and exact siting of a boundary fence or wall measuring 1.8m high to be positioned in

front of the existing boundary hedgerow facing Semington Road which requires to be cut back – the extent of which shall be agreed in writing by the Local Planning Authority, in consultation with the Highway Authority.

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

**NOTE:** The above Grampian condition relates to land within either the applicant's control/ownership or on highway land.

22. Prior to first occupation of any dwellinghouse on the southern half of the red-lined site the emergency vehicle / pedestrian / cycle route access to Semington Road shall be provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The details so submitted shall include a 3.5 metre surfaced width route, and lockable, removable staggered barriers, closing the route to general motor vehicle use.

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

23. Prior to first occupation of any dwellinghouse the emergency access to Semington Road shall be provided with visibility at a height not exceeding 600m above carriageway level from a point 1 metre set back along the centre line of the access to a point on the nearside carriageway edge 43 metres to the north. The visibility so provided shall thereafter be maintained and kept available in perpetuity.

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

24. Prior to first occupation of any dwellinghouse on the southern half of the red-lined site a lowered kerb, tactile pedestrian crossing point shall have been provided opposite the emergency access to Semington Road in accordance with details to be first submitted to and approved by the Local Planning Authority.

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

25. Prior to first occupation the roads, including footpaths and turning spaces, shall be constructed so as to ensure that 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.

26. No dwellinghouse shall be occupied until the parking space(s) together with the access thereto, have been provided in accordance with Council policy and parking standards.

**REASON:** In the interests of highway safety and the amenity of future occupants.

27. No dwellinghouse shall be 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.

28. No dwellinghouse shall be occupied until a public art scheme for the site and a timetable for its subsequent installation have 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.

29. No demolition or construction works on the site shall take place outside the following hours: 08:00 to 18:00 Mondays to Fridays; and 08:30 to 13:00 on Saturdays; and at any time on Sundays or Bank Holidays.

**REASON:** In the interest of protecting the amenity of nearby residential properties.

30. No burning of waste materials shall be permitted on the site at any time.

**REASON:** In the interest of protecting the amenity of nearby residential properties

31. 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

32. No dwelling or its curtilage shall be located within the boundary of the predicted 30Uem3 zone from the existing Wessex Water sewage treatment works as defined on Parameter Plan 3878\_020\_B received the 20 April 2014.

**REASON:** In the interest of protecting the amenity of future residents.

**INFORMATIVE 1:** This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 (and to be dated).

**INFORMATIVE 2:** The applicant is encouraged to approach the lead local flood authority to discuss potential modelling of the brook and to appreciate additional flows.

**INFORMATIVE 3:** 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:

<http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy>

**INFORMATIVE 4:** 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
- wheel-washing facilities
- 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.

**INFORMATIVE 5:** Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws the prior written consent (Flood Defence Consent) of the Environment Agency is required for any proposed works (permanent or temporary) or structures in, under, over or within 8 metres of the top of the bank of the Berryfield Brook, designated a 'main' river. The need for this consent is over and above the need for planning consent. The applicant is advised to contact Daniel Griffin on 01258 483421 to discuss the scope of our controls.

**INFORMATIVE 6:** There are ordinary watercourses within or in close proximity to your site. If obstructions to the flow in the watercourses are

intended (permanently or temporarily, including culverting) the prior Land Drainage Consent from Wiltshire Council as the Lead Local Flood Authority will be required. The Drainage Team can be contacted at the following link to discuss their requirements:

<http://www.wiltshire.gov.uk/communityandliving/civilemergencies/drainage/drainageordinarywatercourseconsent.htm>

**INFORMATIVE 7:** With regards refuse collection, the council will only operate on private land where an indemnity is signed by the landowner. The council will also require an indemnity to operate on any roads prior to their adoption

**INFORMATIVE 8:** The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. An appropriate submitted scheme to discharge the condition relating to water efficiency will include a water usage calculator showing how the development will not exceed a total (internal and external) usage level of 110 litres per person per day.

**INFORMATIVE 9:** 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 see these websites for further information:

<http://www.wiltshire.gov.uk/planninganddevelopment/biodiversityanddevelopment.htm>

<http://www.naturalengland.org.uk/ourwork/planningdevelopment/spatialplanning/standingadvice/faq.aspx> <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

**INFORMATIVE 10:** There is a low risk that Great crested newts are present on the application site. This species is 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). Please be advised that, if great crested newts are discovered, all works should stop immediately and Natural England (NE) should be contacted for advice on any special precautions before continuing, as a derogation licence may be required.

**INFORMATIVE 11:** The applicant is requested to note the concerns of Committee Members in respect of the lack of a footway along the eastern side of Semington Road. It is recommended that this is given further consideration with a view to ascertaining whether subsequent

improvements could be made to deliver a footway along the eastern side of the highway to the controlled crossings. Council officers are willing to provide advice and support in this matter if required.

- 29 **15/12551/OUT - Land at Westbury Sailing Lake, Station Road, Westbury, Wiltshire, BA13 3JS - Hybrid planning application seeking outline planning permission for the erection of up to 300 dwellings, public open space, highway infrastructure including bridge over avoiding railway line, and associated works (all matters reserved except access); and full planning permission for the erection of a sailing club and associated works.**

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

Mr Francis Morland, a local resident  
Mr Garth Brocksopp, a local resident  
Cllr Sonja Harris, representing Dilton Marsh Parish Council  
Cllr Ian Cunningham, representing Westbury Town Council

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

Ms Margaret Pell, representing the West Wiltshire Youth Sailing Association  
Mr Alex Wozniczko, Associate Director, Awcock Ward Partnership  
Mr Johnny Kidney, Director, Sulis Public Affairs

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. Members were informed that the proposal was a hybrid planning application which sought outline planning permission for the erection of up to 300 dwellings; and full permission for the erection of a sailing club house and a new access on to Station Road. There was a recommendation that the application be delegated to the Area Development Manager to grant planning permission, subject to the prior completion of a Section 106 legal agreement and conditions.

Members then had the opportunity to ask technical questions after which they heard the views of members of the public as detailed above, expressing their views regarding the planning application. It was pointed out by the team leader that the Section 106 legal agreement would require the developer to provide £2 million towards the future provision of a bridge over part of the railway line which is a recognised Council priority and required to ease traffic congestion in Westbury. The merits and necessity of having a 10 year clawback trigger was discussed. Members were informed that from previous planning permissions £1 million had already been bonded to contribute towards the delivery of the bridge, but a further £1 million was required to cover all the costs including contingencies for the bridge before it could be constructed.

Members were also informed of the other s106 developer obligations as set out in the officer's report and the agenda supplement. The team leader also

informed members that the application proposal had been subject to a formal viability appraisal, assessed by both officers and independent review; and that it had been substantively shown that for the scheme to be viable, it could not contribute towards any education or affordable housing provision. The team leader advised the committee that at pre-app stage, the Council's education team had confirmed that the developer would not be required to pay any financial contributions for education purposes claiming at preapp consultation stage that the two primary schools and one secondary school in the designated area all had capacity to accommodate the additional pupils generated by the development, and that there was sufficient early years provision within the town. Members were informed that the education team had changed their position during the formal planning application consultation stage. Planning officers considered the changed position to be unreasonable given that the consultation response was relatively recent and that it had substantively informed the developer before progressing with a formal planning submission.

Members were reminded that site viability was a material planning consideration and given that the scheme had been appraised in terms of viability, and that the applicant's had progressed the application submission shortly after the closure of the preapp, the team leader advised members that it would be unreasonable to obligate the developer to contribute towards education in this particular case.

Members were also informed that the development could not be financially hindered by affordable housing s106 obligations because of site viability. Members were advised that contributions could however be disaggregated for education and affordable housing (in addition to the referenced s106 obligations which would be imposed on the developer), but it was important to record that would consequently mean reducing the amount of money being directed to the delivery of the bridge; and given the delivery of the bridge had priority status, officers recommended that the money be directed for the future delivery of the bridge. To dilute the sum of money away from the bridge would potentially compromise its future delivery. Members were also informed that the Government was presently considering broadening the definition of affordable housing and that, if approved, at reserved matters stage, different types of affordable housing could still be accommodated within the scheme.

Members then heard the views of Cllr Russell Hawker, the local Member, who generally supported the application but did acknowledge the problems associated with the provision of the bridge and the traffic problems that would result until such time as the bridge was provided.

During discussion, Members expressed similar views regarding the provision of the bridge over the railway and considered that until the bridge was built the housing proposal would lead to a 'cul-de-sac' development and more traffic on the already congested Oldfield Road. It was also noted that Dilton Marsh Parish Council considered that the development would lead to more traffic

movements through the village but this had been disputed by the Traffic Engineer.

**Resolved:**

**To delegate to the Area Development Manager at a future date the decision to 1) grant full planning permission for the erection of the sailing club and its associated works (subject to conditions numbered 1-7) and; 2) grant outline planning permission for the residential development and associated works, subject to the prior completion of a s106 legal agreement covering the matters set out in Section 10 and the agenda supplement (dated 5 May 2016) which lists the developer obligations (subject to conditions numbered 8-32).**

**The s106 heads of terms shall comprise:**

- **The developer/applicant shall be required to pay £2million towards the cost of building a bridge over the railway line (to be subject to a 10 year clawback trigger);**
- **Sufficient land shall be safeguarded and kept free from development to ensure it is available to construct a bridge over rail line at a future stage (avoiding any ransom strips) and to include sufficient land for necessary bridge approaches, ramps and embankments;**
- **Sufficient land shall be safeguarded and kept free from development to make provision for a future second vehicular access to the railway station via the existing railway yard access road located to the north side of the site;**
- **The developer shall bear the costs of providing all the necessary highway infrastructure within the development site;**
- **The developer/applicant is required to cover the costs of all necessary TROs (Traffic Regulation Orders) to restrict parking within the development;**
- **The developer/applicant is required to cover the costs of amending Traffic Regulation Orders on Station Road;**
- **There is a requirement for a s278 agreement for the works on Station Road, including provision for new bus stops and footway extensions;**
- **There is a requirement for a s278 agreement for the works on the Mane Way/Oldfield Rd junction;**
- **The developer/applicant shall be required to pay a commuted sum of £26,586 (to be index linked) for the provision of refuse and recycling bins on site;**
- **The developer/applicant is required to pay a commuted sum of £1,698 for air quality action planning projects;**

- The developer/applicant is required to set up and confirm the responsibilities of an on-site management company to maintain all the public open space and the County Wildlife Site; and,
- The developer/applicant is required to make an on-site provision of 96100m<sup>2</sup> of adoptable open space of which 11009m<sup>2</sup> shall be allocated as specific play space (including allotments totalling 1062m<sup>2</sup> of space).

And the following conditions and informatives:

**Recommended conditions for the full planning permission for the sailing club:**

1. The development hereby permitted shall be begun before the expiration of five 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: 0562-1002 (Location plan); 01D (Site plan - Clubhouse); 10C (Ground floor plan - Clubhouse); 11 (Roof plan - Clubhouse); 12 (Elevations - Clubhouse); 13 (Elevations - Clubhouse); 2409/P28a (Plan 3: Proposed Sailing Club – Tree Protection Strategy); PHL-003 rev C (Site access Sailing clubhouse Station)

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

3. No demolition, site clearance or development shall commence on the Sailing Clubhouse site (dwg no. 0562-1002) until the tree protection fencing as detailed on dwg no. 2409/P28a has been erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase of the Sailing Club and until all equipment, machinery and surplus materials have been removed from the Sailing Club site. Such fencing shall not be removed or breached during construction operations.

**REASON:** In order that the development is undertaken in an acceptable manner and to enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

4. The Sailing Clubhouse hereby approved shall not be brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans (dwg no. 01D). The area shall be maintained for those purposes at all times thereafter.

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

**5. No external lighting shall be installed on the Sailing Clubhouse site (dwg no. 0562-1002) 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)”, 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 biodiversity, the amenities of the County Wildlife Site and to minimise unnecessary light spillage above and outside the development site.**

**6. No demolition, ground works and vegetation clearance associated with the sailing club (dwg no. 0562-1002) shall take place 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’ and method of protection (e.g. retained County Wildlife Site habitats and vegetation);**
- 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) (e.g. pre-badger and nesting bird surveys may be required, sensitive construction of lake-side facilities, including slipway);**
- 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, including advanced installation and maintenance during the construction period;**
- 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 professional ecologist / the Ecological Clerk of Works certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, and detailing the results of site supervision and any necessary remedial works undertaken or required, shall be submitted to the Local Planning Authority for approval 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. Any approved remedial works shall subsequently be carried out under the strict supervision of a professional ecologist following that approval.**

**REASON: To ensure adequate protection of retained habitats within the County Wildlife Site, protected species and sensitive working practices in relation to the lake (to avoid water pollution and reduction in water quality) associated with the construction of the sailing club, in the interests of biodiversity.**

**7. The slipways, jetties and ground preparation works shall be provided before any dwellings approved under the associated outline planning permission are first occupied.**

**REASON: To secure the necessary alternative provision of the facilities that are to be lost as a result of the development.**

**Conditions relating to the outline planning permission for the erection of up to 300 dwellings, public open space, highway infrastructure and associated works with all matters reserved except access**

**8. The development hereby permitted shall be begun either before the expiration of five 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.**

**9. 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 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

10. 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.

11. The development hereby permitted shall be carried out in accordance with the following approved plans: 0562-1000 (Location plan); 0562-1001 (Constraints plan); SK02 0563-2000 (Illustrative layout); 2409/P17h (Landscape strategy); 0562-2005 rev A (Parameters Plan) received 18 April 2016; Access (Station Road) - PHL-002 rev G (Site access junction Station Road); ATR-201 rev F (HGV and bus tracking Station Road access)

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

12. No development shall commence on site until a scheme for the discharge of surface water from the site, incorporating sustainable drainage details, 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.

13. No development shall commence on site until a scheme for the discharge of foul water from the site, including any required offsite capacity improvements to existing sewer system to provide capacity to serve 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:** 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.

**14.** No development approved by this permission shall commence 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:** In the interests of sustainable development and climate change adaptation.

**15.** 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: 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 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.**

**16. No development shall commence on the residential dwellings hereby approved until a scheme for protecting the residential dwellings against noise from the railway line; industrial noise from the railway sidings and any distributor roads, including a timetable for its implementation, has been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented 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 minimise the disturbance to incoming occupiers.**

**17. Development of the houses shall not commence 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.**

**18. No development shall commence on site until the new roundabout access on Station Road has been constructed in accordance with the**

approved plans (PHL-002 rev G – proposed site access junction Station Road)

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

**19.** Prior to the commencement of the development, and notwithstanding the details shown on the submitted drawings, a detailed design scheme for the site transport infrastructure and a programme for its completion shall be submitted to and approved in writing by the Local Planning Authority for a new cycle track to link the development to Westbury railway station. The scheme shall include a new 3 metre wide cycle track alongside the existing station access road serving the goods yard area. The scheme shall be constructed in accordance with the approved designs and construction programme.

**REASON:** In order to provide adequate sustainable transport facilities to connect the site to the rail station and to help mitigate transport impacts.

**20.** Notwithstanding the details shown on the submitted drawings, no development shall commence on the residential development 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. No dwelling shall 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 serving that part of the development have been constructed and laid out in accordance with the approved details, ensuring a properly consolidated and surfaced footpath and carriageway to at least base course level to the existing highway.

**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.

**21.** No dwelling shall be first occupied, until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made

available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

**REASON:** In the interests of road safety and reducing vehicular traffic to the development

**22.** 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.

**23.** 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.

**24.** No development shall commence on site 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) measures to control the emission of dust and dirt during construction;
- f) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- g) measures for the protection of the natural environment
- h) 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 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.

**25.** The Mitigation and Enhancement Strategy in Section 4 of the Ecological Assessment dated 18 December 2015 and as outlined in the ecological statement '2409\_R07c Ecology Consultation Response\_KB\_HM\_140416', both by Tyler Grange LLP, shall be used to produce a CEMP and LEMP required by Conditions 26 and 27 respectively.

**REASON:** In the interests of biodiversity, to ensure adequate translation of the mitigation, compensation and enhancement requirements of the development into the CEMP and LEMP, as detailed in the original ecological documentation submitted with the outline planning application.

**26.** No development shall take place (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:

- 1.** Risk assessment of potentially damaging construction activities;
- 2.** Identification of 'biodiversity protection zones';
- 3.** 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), including a sensitive construction strategy for the highway works alongside the County Wildlife Site lake, updated badger survey and method statement, further tree survey of G11z, if required, for bats and detailed mitigation strategies for water voles (including details of wetland habitat creation) and reptiles (including a translocation methodology);
- 4.** The location and timing of sensitive works to avoid harm to biodiversity features;
- 5.** The times during construction when specialists ecologists need to be present on site to oversee works;
- 6.** Responsible persons and lines of communication;
- 7.** The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s);
- 8.** Use of protective fences, exclusion barriers and warning signs, including advanced installation and maintenance during the construction period;

9. 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 the Ecological Clerk of Works certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, and detailing the results of site supervision and any necessary remedial works undertaken or required, shall be submitted to the Local Planning Authority for approval 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. Any approved remedial works shall subsequently be carried out under the strict supervision of a professional ecologist following that approval.

**REASON:** In the interests of biodiversity; to ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats; to ensure that mitigation and compensation works are carried out and completed as approved and in line with current best practice guidelines, and to ensure adequate professional ecological expertise is available to assist those implementing the development to comply with statutory requirements, planning conditions and any relevant protected species licence, during construction.

27. 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) 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 and how these will be dealt with;
  - 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(ies) or organisation(s) responsible for implementation of the plan, including a specialist body/organisation/contractor with wildlife-related experience and/or qualifications to specifically manage the County Wildlife Site;
  - i) Ongoing monitoring and remedial measures;
  - j) Timeframe for reviewing the plan;

- k) Details of how the aims and objectives of the LEMP will be communicated to the occupiers of the development; and a
- l) Separate management plan for the sailing club area.
- 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:** To ensure the long-term management of the County Wildlife Site, 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.

28. Before development takes place on site, a final version of the Ecological Mitigation (and Enhancements) Plan shall be submitted to the Local Planning Authority for approval, including finalised figures of habitat loss and habitat compensation to ensure no net loss of biodiversity. Development shall be carried out in full accordance with the approved plan.

**REASON:** to ensure all ecological mitigation requirements are clearly shown on a site plan and are implemented.

29. The detailed design of the play areas and teenager facilities, as shown on the Landscape Strategy, shall incorporate mitigation measures in accordance with the 'Ecological Statement' (ref. 2409\_R07c Ecology Consultation Response\_KB\_HM\_140416) and Ecological Assessment report dated 18 December 2015 by Tyler Grange LLP.

**REASON:** In the interests of biodiversity, to minimise impact on greater horseshoe bat commuting routes and the Bath and Bradford on Avon Bats Special Area of Conservation.

30. Before development takes place, a lighting design strategy for biodiversity shall be submitted and approved in writing by the local planning authority. The strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for greater horseshoe bats and that are likely to cause disturbance along important routes used to access key areas of their territory, for example, foraging;
- b) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications, including a Lux plot) so that it can be clearly demonstrated

that areas to be lit will not disturb or prevent the above species using their territory; and

c) Specify luminaires, heights and positions of fittings, direction and other features, e.g. cowls, louvres or baffles

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

**REASON:** To minimise light spillage and to maintain dark foraging and commuting corridors for greater horseshoe bats linked to the Bath and Bradford on Avon Bats Special Area of Conservation.

31. Before the commencement of works to create the access road and roundabout into the development site, a 'Highway Construction Ecological Mitigation Strategy' shall be submitted to the local planning authority for approval. The strategy shall include measures to reduce water pollution, retain water quality and minimise disturbance to water fowl and other wildlife. The approved strategy shall be implemented in full.

**REASON:** To ensure adequate mitigation measures are put in place during the construction of the new road into the development site alongside the lake, which is part of the Westbury Lakes (South) County Wildlife Site.

32. No development shall commence within the southwest section of the site as defined by plan ref 'Fig No. 3 (Trench Location Plan)' within the document 'Land at Westbury Sailing Lake Phase 2: Archaeological Evaluation' 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.

**REASON:** To enable the recording of any matters of archaeological interest.

## **PLANNING INFORMATIVES**

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

**2. 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/communityinrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinrastructurelevy)**

**3. The Principal Street as shown on the Illustrative Master Plan (dwg no. 0563-2000) shall be designed in full accordance with design principles as enshrined within the Manual for Streets (MfS).**

**4. The bridge should be designed in such a way as to incorporate sufficient space for cyclists and pedestrians to traverse safely.**

**5. Any works to/on/over/under watercourses (open or culverted) or within 8m of it will require separate Land Drainage Consent/Council drainage bye law approval from the LLFA – this is separate to the planning system and gaining planning does not mean automatic approval of LDC. In fact details may have to change to gain LDC which may result in the need to reapply for planning permission.**

**6. A robust landscape framework for the development must be carried through to the detailed design stages. The distinctive hierarchy of streets with choice of planting and hard materials should reflect the local character and should include street trees. Individual gardens should be well designed with adequately sized planting beds and garden trees.**

**The following will need to be addressed in the reserved matters:**

- 1. Detailed layouts for all areas of open space;**
- 2. Details of proposed soft landscape scheme, to include planting species, sizes and densities, and specification;**
- 3. Details of proposed hard landscape scheme including SuDs;**
- 4. Landscape and Ecology Management Plan outlining the aftercare and maintenance for a 5 year period;**
- 5. Details of proposed lighting scheme; and**
- 6. Details of play areas and management plans.**

**7. The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered.**

**An appropriate submitted scheme to discharge the condition will include**

a water usage calculator showing how the development will not exceed a total (internal and external) usage level of 110 litres per person per day.

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

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

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at:

<https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

9. Public surface water sewers serving existing development to the east of the railway track discharge to Westbury sailing lake via ditches as illustrated on the applicant's Preliminary Drainage Layout (0337 PDL-100 A). If additional unchartered sewers are located the applicant should contact Wessex Water for further advice and agreement.

10. The development appears to be located on an area of land previously under the ownership of Network Rail. Often these sites are sold and are subject to a demarcation or covenant agreement which may include particular rights in relation to the safe operation of the railway and associated infrastructure. It must be considered when Network Rail has access rights over the development site; access must not be blocked or restricted at any time. The applicant must comply with all post sale covenants in the demarcation agreement and understand the implications this will have on the implementation of this development. Any representations made are without prejudice to those rights and obligations and on the basis that they do not imply that Network Rail's approval under the demarcation agreement will be given for the proposed development or for any part of it.

11. If not already in place, the Developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing /wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment

therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed.

12. No work should be carried out on the development site that may endanger the safe operation of the railway or the stability of Network Rail's structures and adjoining land. In view of the close proximity of these proposed works to the railway boundary the developer should contact Richard Selwood at Network Rail on before works begin.

13. All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

14. It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

15. Where vibro-compaction/displacement piling plant is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of Network Rail's Asset Protection Engineer prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

16. All excavations / earthworks carried out in the vicinity of Network Rail's property / structures must be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

17. The proposal must not interfere with or obscure any signals that may be in the area.

18. The design and siting of buildings should take into account the possible effects of noise and vibration and the generation of airborne dust resulting from the operation of the railway.

**19. It is recommended no trees are planted closer than 1.5 times their mature height to the boundary fence. The developer should adhere to Network Rail's advice guide on acceptable tree/plant species. Any tree felling works where there is a risk of the trees or branches falling across the boundary fence will require railway supervision.**

**20. Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that, at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.**

**21. Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.**

**22. Network Rail offers no right of support to the development. Where foundation works penetrate Network Rail's support zone or ground displacement techniques are used the works will require specific approval and careful monitoring by Network Rail. There should be no additional loading placed on the cutting and no deep continuous excavations parallel to the boundary without prior approval.**

**23. The works involve disturbing the ground on or adjacent to Network Rail's land it is likely/possible that the Network Rail and the utility companies have buried services in the area in which there is a need to excavate. Network Rail's ground disturbance regulations applies. The developer should seek specific advice from Network Rail on any significant raising or lowering of the levels of the site.**

**24. Where Network Rail has defined access points, these must be maintained to Network Rail's satisfaction.**

**25. The management responsibility for the County Wildlife Site and ecological mitigation/compensation areas within the site must be secured and relayed to the LPA as part of the REM application, including how ecological specialists and/or wildlife-managers will be involved.**

**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 applicant is encouraged to consider incorporating enhancements for biodiversity within their development. Paragraph 118 of the NPPF states “local planning authorities should aim to conserve and enhance biodiversity by applying the following principles: opportunities to incorporate biodiversity in and around developments should be encouraged”. Creating new habitat, enhancing existing habitat or providing new features can all contribute towards biodiversity enhancement, and helping to rebuild habitat networks in the wider area improves ecological resilience and adaptation to climate change. Benefits can be maximised if undertaken to support biodiversity work being undertaken by other parties, such as local Wildlife Trusts or through agri-environment schemes, or if they are consistent with biodiversity strategies or priorities already in place in the local area, such as Nature Improvement Areas (NIA). At the smallest scale, enhancements could be bird nesting or bat roosting opportunities in new buildings, such as integral bat bricks (e.g. <http://www.ibstock.com/sustainability-ecozone.asp>), bat tubes (e.g. [http://www.nhbs.com/2fr\\_schwegler\\_bat\\_tube\\_tefno\\_162812.html](http://www.nhbs.com/2fr_schwegler_bat_tube_tefno_162812.html)) or Habibat (<http://www.habibat.co.uk/>). These integral type boxes do not interfere with the human inhabitants and require no maintenance. Woodcrete products are longer-lived than traditional timber-made boxes, and there are many different products available from a range of suppliers. These types of enhancements can be generic or aimed at specific species such as House sparrow, Starling or Swift. Enhancements can also be provided for other species such as amphibians and reptiles, hedgehogs and invertebrates. Further information can be found at:

[http://www.ciria.com/buildinggreener/complementary\\_features.htm](http://www.ciria.com/buildinggreener/complementary_features.htm)

<http://planningguidance.planningportal.gov.uk/blog/guidance/naturalenvironment/biodiversity-ecosystems-and-green-infrastructure/>

30 **Date of the Next Meeting**

Resolved:

**To note that the next scheduled meeting of the Committee was due to be held on Wednesday 15 June 2016, at County Hall, Trowbridge, starting at 10.30am.**

(Duration of meeting: 10.30 am - 2.50 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)

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## STRATEGIC PLANNING COMMITTEE

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### DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 2 JUNE 2016 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

#### Present:

Cllr Andrew Davis (Chairman), Cllr Glenis Ansell, Cllr Trevor Carbin, Cllr Terry Chivers, Cllr Stewart Dobson, Cllr Charles Howard, Cllr Bridget Wayman, Cllr Fred Westmoreland, Cllr Jerry Wickham (Substitute) and Cllr Magnus Macdonald (Substitute)

#### Also Present:

Cllr Toby Sturgis and Cllr Alan Hill

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#### 31 Apologies for Absence

Apologies for absence were received from:

Cllr Tony Trotman who was substituted by Cllr Jerry Wickham  
Cllr David Jenkins who was substituted by Cllr Magnus Macdonald

#### 32 Declarations of Interest

Cllr Jerry Wickam stated that he held the position as Portfolio Holder for Waste but would consider all the issues involved in the Lower Compton waste management facility in Minute No 37 below with an open mind.

Cllr Glenis Ansell stated that she acted as Chairman of the Calne Air Quality Working Group.

#### 33 Chairman's Announcements

There were no Chairman's announcements.

#### 34 Public Participation and Councillors' Questions

No questions had been received from councillors or members of the public.

The Chairman welcomed everyone to the meeting. He then explained the rules of public participation and procedure to be followed at the meeting.

35 **14/09744/WCM - Lower Compton Waste Management Facility, Lower Compton, Calne, SN11 8RB - Retain and extend existing Materials Recycling Facility including transfer activities, screening bund and ancillary activities and development.**

The Committee noted that at its meeting on 17 June 2015, this Committee considered this application and resolved as follows:

**To refuse planning permission for the following reasons:-**

- 1. The development proposal conflicts with Core Policy 55 (Air Quality) of the Wiltshire Core Strategy.**
- 2. The development proposal conflicts with Core Policy 60 (Sustainable Transport), Core Policy 61 (Transport and New Development) and Core Policy 65 (Movement of Goods) of the Wiltshire Core Strategy.**
- 3. The Environmental Statement accompanying the planning application is flawed in terms of the approach taken to the no-project baseline scenario, the transport assessment and the air quality assessment.**

Members then heard the views of Dr Peter Alberry, a local resident expressing his views regarding this issue.

The Committee was then asked to consider the way forward in the light of legal advice received.

36 **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 No. 37 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 5 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.**

37 **14/09744/WCM - Lower Compton Waste Management Facility, Lower Compton, Calne, SN11 8RB - Retain and extend existing Materials Recycling Facility including transfer activities, screening bund and ancillary activities and development.**

The Committee considered a confidential report by the Area Development Manager.

On hearing the views of Cllr Alan Hill, the local Member in support of refusal of the application and on considering the legal advice from Counsel for the Council requested by the Solicitor to the Council,

**Resolved:**

**In the light of Counsel's Advice, to inform the Planning Inspectorate and Appellant that the Council no longer seeks to defend those reasons for refusal and promptly gives notice to the Planning Inspectorate and the Appellant that it will not be defending its reasons for refusal at that Inquiry.**

(Duration of meeting: 10.30 - 11.25 am)

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)

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## **STRATEGIC PLANNING COMMITTEE**

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### **DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 15 JUNE 2016 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

Cllr Andrew Davis (Chairman), Cllr Tony Trotman (Vice Chairman), Cllr Glenis Ansell, Cllr Trevor Carbin, Cllr Terry Chivers, Cllr Stewart Dobson, Cllr Charles Howard, Cllr David Jenkins, Cllr Christopher Newbury, Cllr Bridget Wayman and Cllr Fred Westmoreland

#### **Also Present:**

Cllr Magnus Macdonald, Cllr Pip Ridout and Cllr Toby Sturgis

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#### **38 Apologies for Absence**

There were no apologies for absence.

#### **39 Minutes of the Previous Meetings**

##### **Resolved:**

**To confirm and sign the minutes of the meetings held on 11 May and 2 June 2016.**

#### **40 Declarations of Interest**

Cllr Bridget Wayman declared a non-pecuniary interest in West Warminster Urban Extension Masterplan (Minute No 43 below) as she was a member of Cranborne Chase and West Wiltshire Downs AONB Panel.

Cllr Andrew Davis declared a non-pecuniary interest in West Warminster Urban Extension Masterplan (Minute No 43 below) as he was a member of Warminster Town Council and, as a member of the Town Council's Planning Advisory Committee, had taken no part in the Committee's consideration of the matter and had left the committee room during the debate.

#### **41 Chairman's Announcements**

The Chairman reminded members of the public that whilst they had the opportunity to make representations on the West Warminster Urban Extension Masterplan and to contact and lobby their local member and any other members of the planning committee before today's meeting, he would not allow any last minute lobbying of members once the debate has started, including the circulation of new information, written or photographic which had not been verified by the Council's planning officers. He respectfully asked Members and members of the public to please bear this in mind

42 **Public Participation and Councillors' Questions**

No questions had been received from councillors or members of the public.

The Chairman welcomed everyone to the meeting. He then explained the rules of public participation and procedure to be followed at the meeting.

43 **West Warminster Urban Extension Masterplan (Application 16/01323/MAS)**

**The following people spoke against the proposal**

Mr Jeremy Stadward, a local resident  
Mr Tony Nicklin, Chairman, Neighbourhood Plan Working Group  
Mrs Tracy Clifford, representing ABC Action Group & a local resident

**The following people spoke in support of the proposal**

Mr Dennis Barry of GL Hearn – Property Consultants, representing Persimmon and Hannick Homes.  
Ms Jenny Mitter of Nathaniel Lichfield & Partners, representing Redrow Homes.

Consideration was given to a report by the Associate Director, Economic Development & Planning requesting the Committee to endorse the draft West Warminster Urban Extension masterplan (WWUE) and to authorise the Associate Director for Economic Development & Planning, in consultation with the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property & Waste, to make any further necessary minor changes in the interest of clarity and accuracy.

It was noted that, at its meeting on 13 April 2016, this Committee had given consideration to adopting this masterplan but during discussion Members had considered that there appeared to be some confusion on the number of houses which should be included in this masterplan. They also requested further detailed information about potential flooding, landscaping, traffic management particularly of West Street and the sighting of the proposed new primary school and had resolved as follows:-

*“To defer consideration of the draft West Warminster Urban Extension masterplan and to request the officers:*

- (1) to look into how this could be brought into greater conformity with the Wiltshire Core Strategy, and*
- (2) to examine further the issues regarding potential flooding, landscaping, traffic management particularly affecting West Street and the position of the new primary school.”*

The Associate Director made a presentation in which he explained that the Wiltshire Core Strategy supported the delivery of 900 homes and six hectares of employment land on this site until 2026. Following a detailed site investigation and an extensive consultation process which included an examination in public, the WWUE site had been identified as the most sustainable location for growth in Warminster. He further explained that the purpose of a masterplan was to manage the development of sites as identified in the Core Strategy. Once endorsed, it provided a template to ensure that developers worked within the framework as set by the Core Strategy. It was pointed out that although the Core Strategy had identified this site as suitable for the provision of 900 houses until 2026, the site was large enough to accommodate 1550 homes substantiated by detailed robust modelling work. As reported at the April meeting, Members were informed that the intention of the masterplan was that development of the site would extend beyond the Core Strategy plan period to 2026 with estimates showing that 893 dwellings would be delivered between 2016 and 2026, with the remaining figure to be delivered over the following years to 2033.

Following on from the meeting on 13 April 2016, Members were informed that further work had been undertaken to examine the issues regarding potential flood risk, landscape mitigation and traffic management particularly affecting West Street and Bath Road and the position of the new through school and this was set out in paragraph 11 of the accompanying report.

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

Members then heard the views of Cllr Pip Ridout, the local Member, who, whilst not supportive of so many dwellings being planned for this area of Warminster, nevertheless recognised the need for a masterplan and accordingly reluctantly supported the approval of the WWUE.

Cllr Ridout also drew attention to the traffic assessment and was disappointed that it did not include either West Street or Bath Road, both of which she considered required some attention whilst recognising that West Street was narrow and incapable of being widened. The Council's Traffic Engineer, who

was present at the meeting, recognised that West Street was a traffic pinch point and these constraints had been taken into account in the traffic modelling along with safety audits and traffic generation projections. As far as possible highway mitigation was concerned, the Traffic Engineer informed Members that one option available to the Council to improve matters could be the introduction of a 20mph zone along West Street.

After some discussion,

**Resolved:**

- (i) To endorse the draft WWUE masterplan as a significant material consideration, subject to the recommended changes set out in paragraph 11 of the report.**
- (ii) To authorise the Associate Director for Economic Development and Planning, in consultation with the Cabinet Member for Strategic Planning, Development Management, Strategic Housing, Property and Waste, to make any further necessary changes in the interest of clarity and accuracy. This will include confirmation of drainage and modelling as set out in paragraph 12 of the report.**

44 **Date of the Next Meeting**

**Resolved:**

**To note that the next scheduled meeting of this Committee was due to be held on Wednesday 13 July 2016, at County Hall, Trowbridge, starting at 10.30am.**

45 **Urgent Items**

There were no items of urgent business.

(Duration of meeting: 10.30 am - 12.40 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)

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## NORTHERN AREA PLANNING COMMITTEE

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### **MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 4 MAY 2016 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.**

#### **Present:**

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

#### **Also Present:**

Cllr Simon Killane, Cllr Alan Hill

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#### 50 **Apologies**

Apologies were received from Cllr Chivers.

Cllr Groom was substituted by Cllr Whalley.

#### 51 **Minutes of the Previous Meeting**

The minutes of the meeting held on 20 April 2016 were presented:

##### **Resolved:**

**To approve and sign as a correct record the minutes of the meeting held on 20 April 2016.**

#### 52 **Declarations of Interest**

Cllr Trotman declared that in reference to agenda item no. 7c; the building in question was on a strip of land that had previously been owned by the Trotman family; however this was no longer the case. Cllr Trotman also declared that he was the Calne Area Board representative on the Calne 'Our Place' Project. The councillor would participate in the debate and vote on each item with an open mind.

#### 53 **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.

54 **Public Participation and Councillors' Questions**

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

55 **Planning Appeals**

The Committee noted the contents of the appeals update.

56 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications 7a and 7c as listed in the agenda pack.

57 **15/09143/OUT - The Vale of the White Horse, Minety**

The planning officer, Lee Burman, introduced the report and outlined that the proposal was previously reported to Committee under application (reference 14/08912/OUT) with recommendation for refusal, for various reasons. Members had identified requirements in respect of tying the proposed development to enhancements to the public house; this would aim at securing its long term future as a valued community facility in respect of any future application proposals, which would lead to support for a revised scheme. The proposed application was for the erection of 6 dwellings and was a resubmission of application 14/08912/OUT. A map and blueprints of the proposed development were shown.

It was detailed that the proposed application proposal's design, following extensive revisions, was of a high quality and that that the location was not within a defined settlement boundary. The planning officer informed the meeting that the scheme would secure funding for works to the nearby public house tied to occupation of the properties, would make a contribution to affordable housing and that the applicant had agreed to a section 106 agreement in this respect. It was stressed that the proposal had significant support from the local community. Attention was drawn to the late observations provided with 'Agenda Supplement 1'.

Members of the Committee were invited to ask technical questions. Mr Burman confirmed that the previously proposed development had been for 12 houses, which had been revised down to 8 prior to the previous report to committee; however, the current proposal was for the erection of 6 houses.

Members of the public were then invited to speak as detailed below:

Jamie Denman spoke in support of the application.

Cllr Berry spoke in support of the application, in his capacity as the local division member.

In the debate that followed several members commented that there was a large amount of local support for the scheme. Attention was drawn to the recommendation which was set out in 2 parts. The point was raised that the benefits of the scheme largely outweighed any negative points and that the scheme was very workable.

Cllr Berry moved the officer's recommendation that authority be delegated to the Area Development Manager to grant planning permission, subject to conditions and the completion of a section 106 legal agreement within 6 months, and that in the event of failure to complete the section 106 agreement within this timeframe, that permission be refused. Cllr Greenman seconded the motion.

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 and is therefore contrary to Policies CP1 CP3 & CP43 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 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. The development hereby permitted shall be carried out in accordance with the following approved plans:**

**GTB-646-10-3D**

**GTB-646-10-4D**

**GTB-646-50B**

**GTB-646-52A**

**GTB-646-53**

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

**4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), 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.**

**5. 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 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.

**6.** 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.

**7.** Prior to the commencement of development details including design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other boundary treatments and means of enclosure shall 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.

**8.** 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 application contained insufficient information to enable this matter to be considered prior to granting planning permission and/or 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.

9. 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 and/or 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.

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.

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

11. 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

12. 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

13. 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

14. Prior to commencement of development and Ecological Mitigation Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be in general accordance with Section

**6 of the submitted Ecological Appraisal (AD Ecology, dated 26th October, 2015) and include full details of:**

- **Construction methods for works in or near the pond and retained trees to reduce damage and disturbance to species and habitats**
- **Details of re-profiling and restoration of the pond margins**
- **The location and design of all bat and bird roosting / nesting features**

**The development shall be carried out in full accordance with the approved Ecological Mitigation Plan unless otherwise agreed in writing by the Local Planning Authority.**

**REASON: In the interests of Nature Conservation**

**15. No development shall commence on site until a noise impact assessment and scheme for protecting the residential properties and their curtilages against noise from both road traffic and railway noise has been submitted to and approved by the Local Planning Authority. Any works that form part of the scheme shall be implemented in full before any permitted dwelling is first occupied.**

**General: 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 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.**

**REASON: In the interests of residential 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 from the first occupation or the completion of the development, whichever is the later].

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

17. 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.

**INFORMATIVES:**

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

The applicant 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.

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.

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

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

58 **15/10251/FUL & 15/10390/LBC - 6 Oxford Street, Malmesbury, Wiltshire, SN16 9AX**

The planning officer, Sam Croft, introduced the application and explained that the application was for the proposed change of use from ground floor shops to residential, conversion and extension of existing Brew House to a residential unit, conversion and extension of existing garages and stores to residential unit, as well as the proposed refurbishment and extension to the dilapidated red brick dwelling and other associated works. Photographs, blueprints and a map of the area were shown. The proposals relate to a designated Heritage Asset Grade II Listed Building.

The planning officer outlined that the proposed development would result in four residential units being on site. It was highlighted that, in terms of the principle of development, the site was located outside the secondary retail frontage area of Malmesbury and the site itself was not protected from conversion. Mr Croft detailed that the building had been redundant for a number of years and, as a result, had become dilapidated. It was noted that the proposed development complied with Core Policies 1, 2 and 13 and was considered by officers to have a positive impact on the conservation area. Furthermore, no objections had

been raised from Heritage England, ecology or highways officers, or in terms of the impact on local amenity.

The Committee was then invited to ask technical questions. The planning officer confirmed that there would be 2 parking spaces as a result of the development and there would be sufficient turning space for vehicles. Highways officers had raised no objections to the proposals. Officers advised that each unit would have access to a small amenity space and then a larger community space. The secondary frontage area was confirmed as being decided upon the policies and supporting proposals map set out in R1 and R2 of the North Wiltshire Local Plan 2011, as saved by the Wiltshire Core Strategy 2015 and these plans showed that the site sat outside the secondary frontage area.

Members of the public were then invited to speak as detailed below:

Kim Power spoke in objection to the application and read out statements against the application, on behalf of Stuart Shape and Francesca Caiton.

Ian Maslin and Lisa Gozzer spoke in support of the application.

Cllr Budgen, Malmesbury Town Council, spoke in support of the application.

Cllr Killane was then invited to speak in his capacity as the local division member and spoke against the application. He raised several points, which included the following: that the North Wilts Plan had not been open to consultation, as the Neighbourhood Planning Document had been; that Malmesbury was a great place to visit and such an experience should be maintained. He also commented that he had not objected to the existing residential units in the area remaining as residential units.

Following questions raised by the local member, the planning officer confirmed that the extract from the North Wilts Local Plan showed that the site was located outside of the secondary frontage area.

In the debate that followed, several points were raised, which included the following: Malmesbury needed an equilibrium of retail and residential units; also, the proposed development would serve as a restricted retail unit and therefore, the optimum use for the unit could be seen to be residential. It was further discussed that a site on the extremity of the secondary frontage area and neighbourhood plan allowed for conversion from a retail to a residential unit and therefore, the application could not be refused on the grounds of conversion. It was identified that the proposals would result in the preservation and enhancement of a listed building and this was an important benefit of the scheme. Attention was drawn to the Construction Method Statement – as laid out in the conditions and informatives – and that it should be closely adhered to; as the flow of traffic in Malmesbury relied on a delicate system. Some members noted that the Town Council, other consultees and community groups had been

supportive of the proposed development and thus, this implied that the proposed development could be taken as, largely, positive.

Cllr Hutton proposed, seconded by Cllr Sturgis, that the application be granted planning permission, subject to the conditions and informatives outlined in the report and that listed building consent be approved, subject to the conditions outlined in the report.

The motions were put to the vote and passed.

**Resolved:**

**That planning permission be approved, subject to the following conditions:**

**Planning Permission is APPROVED 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 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.**

**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);
- 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.

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 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.

5 The development hereby permitted shall not be occupied 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, and; the approved refuse storage has been completed and made available for use in accordance with the approved details. The approved refuse storage shall thereafter be maintained in accordance with the approved details.

**REASON:**

In the interests of public health and safety.

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 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 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 and documentation:

**Heritage Assessment**

**Design and Access Statement**

**Bat Survey 2015**

**Structural Report**

**4173/11 Site Location Plan**

**4173/50 Rev B Proposed Cellar Floor Plan**

**4173/52 Rev D Proposed First Floor Plan**

**4173/53 Rev D Proposed Second Floor Plan**

**4173/54 Rev D Proposed Attic Floor Plan**

**4173/55 Rev C Proposed South Elevation**

**4173/56 Rev C Proposed North Elevation**

**4173/57 Rev C Proposed East Elevation**

**4173/58 Proposed West Elevation**

**Received on 14/10/2016**

**4173/51 Rev F Proposed Ground Floor Plan and Site Plan**

**Received on 02/03/2016**

**REASON:**

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

**8 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.

**9 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.

**10 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.

**11 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.

**12 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).

That Listed Building consent be approved, subject to the following conditions:

1 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.

2 No walls shall be constructed on site, until a sample wall panel, 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.

3 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.

4 No development shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, 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 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.

**5** No paint or stain finish shall be applied to external timber (including window joinery), 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.

**REASON:**

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

**6** 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.

**7** Notwithstanding the approved drawings, no works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:

- (i) Large scale details of all external joinery (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels;
- (ii) Large scale details of all internal joinery (1:5 elevation, 1:2 section);
- (iii) Full details of proposed rooflights, which shall be set in plane with the roof covering;
- (iv) Full details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;
- (v) Full details of proposed meter and alarm boxes;
- (vi) Large scale details of proposed eaves and verges (1:5 section);
- (vii) Full details of proposed internal service routes;
- (viii) A full schedule and specification of repairs including:
- (ix) a structural engineer's report setting out the nature of, and suggested remedial work to, structural defects

- (x) proposed timber and damp proof treatment**
- (xi) proposed method of cleaning/paint removal from historic fabric**
- (xii) a full schedule of internal finishes to walls, ceilings and floors**
- (xiii) Full details of external decoration to render, joinery and metalwork;**  
**and**
- (xiv) Full details and samples of external materials.**

**The works 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 preserving the character and appearance of the listed building and its setting.**

**8 No works shall commence on site until a watching brief has been arranged to be maintained during the course of the works affecting the historic fabric of the building. The watching brief shall be carried out in accordance with a written specification which shall have been first agreed in writing by the Local Planning Authority, by a professional archaeologist/building recorder or an organisation with acknowledged experience in the recording of standing buildings which is acceptable 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 safeguard the identification and recording of features of historic and/or archaeological interest associated with the fabric of the building.**

**9 No works shall commence on site until a scheme for the protection of existing architectural / historic features in situ (including fireplaces, doors, windows, staircases, staircase balustrading and other woodwork) has been submitted to and approved in writing by the Local Planning Authority. The works 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 preserving the character and appearance of the listed building and its setting.**

**10 The works hereby granted consent shall be carried out in such a manner as to ensure that the existing building(s) is/are preserved and not structurally or superficially altered in any way whatsoever, save in accordance with the approved plans and the said building(s) shall be structurally supported and weatherproofed at all times during the construction period in accordance with established building practice.**

**REASON:**

**To preserve the special architectural and historic interest of the listed building.**

**59 15/12651/FUL - The Pippin, Calne**

The planning officer, Chris Marsh, introduced the report and outlined that the application was for the proposed erection of a building comprising of 32 retirement apartments with associated communal facilities, parking, access and landscaped grounds. The proposal also detailed a rear access path and 3 car parking spaces for bank premises on the High Street. A map, blueprints and photographs of the area were shown. Attention was drawn to the officer's recommendation, as amended by the late observations. The late observations contained details of further comments, additional suggested conditions and details of a petition submitted in respect of the application

The Committee was then invited to ask technical questions. The planning officer confirmed that there was no provision listed for the service road that lead to the Iceland supermarket and that any potential buyers were seen to be aware of the expected level of noise and activity that a town centre location afforded and as a result, public protection officers had raised no objection in relation to potential noise complaints from the site. Mr Marsh also confirmed that the public open space officer was satisfied with the provision of open space associated with the level of the development. It was further confirmed that the proposed development had allocated 19 parking spaces; excluding the car parking spaces allocated to Lloyd's Bank, as a part of their building's disabled access. It was reiterated that highways officers had deemed the proposed car parking arrangement to be sufficient; as the site was in a town centre location, where other parking was available. It was noted that there would also be mobility scooter storage within the proposed building and that, due to the age bracket of potential buyers of the properties, car ownership was expected to be lower and therefore, parking provision was adequate.

It was also confirmed that the Conservation Officer had not objected to the scheme proposals, on the basis of harm to designated Heritage Assets. Officers acknowledged that there was no replacement provision within the submitted scheme for the existing retail unit on site, or proposals for new retail units as indicated as necessary in the emerging Town Centre Masterplan. Officers

further confirmed that there were no adopted policies requiring the retention of existing retail facilities in this location and that as an emerging document at an early stage of preparation, significant weight could not be given to the provisions of the Town Centre Masterplan.

Members of the public were then invited to speak as detailed below:

David Williams, Janey Blackburn and Jonathan Jones spoke in support of the application.

Naomi Beal (Chairman of the Steering Group - Calne 'Our Place' Project), David Dillamore and Linda Roberts spoke in objection to the application.

Cllr Hill, Calne Town Council, spoke in objection to the application and noted that it was important that the Committee consider whether the proposed development was right for Calne's town centre.

A fire alarm was then sounded, which caused the meeting to be adjourned from 17:03 until 17:21.

Cllr Marshall spoke against the application, in his capacity as the local division member.

In response to questions, the planning officer confirmed that the provision of parking was commonplace for the type of proposed development, especially so, given the site's town centre location. It was also confirmed that the application could not be weighted upon the Neighbourhood and Master Plans; as these documents did not hold sufficient grounds to provide reasons for the refusal of the application.

In the debate that followed, some members raised concern over the loss of a potential retail site in the centre of the town and the effect this could have on the local economy. Councillors highlighted that the Calne Community Area wanted to develop a vibrant town centre and the application would be detrimental to this approach. It was noted that national planning policy encouraged that developments should ensure the vitality of town centres. It was suggested that a mix of both residential and retail units on the site would be more appropriate. Also, as both the Masterplan and Neighbourhood Plan would be given greater weight once they had been submitted to Wiltshire Council; it could be prudent to only consider such an application once both the Masterplan and Neighbourhood Plan had had the opportunity to develop and therefore, come to fruition.

Concern was also raised over the parking allocation as councillors considered that further provision should be made for visitor and service vehicle parking. It was also commented that the proposal was large in scale and would not enhance the character and appearance of the conservation area.

The meeting was adjourned from 18:10 to 18:25; to allow officers to consider the implications of matters raised and policies mentioned during the course of the debate and to prepare advice to the Committee on the basis that the debate concluded that the applications should be refused.

Cllr Marshall proposed, seconded by Cllr Crisp, that the application be refused for the reasons listed below:

The motion was put to the vote and passed.

**Resolved:**

**That the application be refused for the following reasons:**

1. The proposed development by reason of the loss of an existing retail unit would perpetuate an imbalance of residential and retail uses in Calne thereby prejudicing self containment of the settlement and promoting out commuting and prejudicing the delivery of the Town Plan/Town Centre Masterplan contrary to National Planning Policy Framework paragraphs 23 & 70: Wiltshire Core Strategy CP1, CP8 and paragraph 5.41 bullet points 1 and 7; and CP36.

2. By virtue of the scale, bulk, mass, positioning and use of materials the proposed development would result in harm to the setting of the designated heritage asset, Grade II Listed Building Zion Chapel, and the character and appearance of the Calne Conservation Area. The proposal is therefore contrary to and in conflict with National Planning Policy Framework Paragraphs 131, 132 & 134; and Wiltshire Core Strategy CP58.

3. The proposed fails to make adequate provision for off street parking to service the development and is therefore contrary to Wiltshire Core Strategy Policy CP57 Bullet point 14; and CP61 and CP64 point D.

4. The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing & Waste; and is therefore contrary to Core Policies 3 and 43 of the Wiltshire Core Strategy Adopted January 2015 and Paragraphs 50, 73 and 204 of the National Planning Policy Framework March 2012.

**INFORMATIVE TO APPLICANT:**

The applicant is advised that the Refusal Reason 4 is capable of being addressed and resolved through the preparation of a Section 106 Agreement to meet the identified Service & Infrastructure requirements arising from the development proposed.

60 **Urgent Items**

There were no urgent items.

(Duration of meeting: 15:00-18:32)

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)

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

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## **NORTHERN AREA PLANNING COMMITTEE**

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### **MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 1 JUNE 2016 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.**

#### **Present:**

Cllr Peter Hutton (Vice Chairman), Cllr Christine Crisp, Cllr Mollie Groom, Cllr Toby Sturgis, Cllr Philip Whalley (Substitute), Cllr Terry Chivers, Cllr Howard Greenman, Cllr Jacqui Lay (Substitute), Cllr Howard Marshall and Cllr Chris Hurst

#### **Also Present:**

Cllr Sheila Parker

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#### **61 Apologies**

Apologies were received from the Chairman, Cllr Trotman, who was substituted by Cllr Whalley and Cllr Berry, who was substituted by Cllr Lay.

Cllr Hutton acted as Chairman for the meeting.

#### **62 Minutes of the Previous Meeting**

##### **Resolved:**

**To approve as a true and correct record the minutes of the meeting held on 4 May 2016.**

#### **63 Declarations of Interest**

There were no declarations of interest.

#### **64 Chairman's Announcements**

The Chairman advised that Cllr Hurst was to replace Cllr Parker as a full member of the Committee; Cllr Bill Douglas was to replace Cllr Hurst as a substitute member.

The Chairman thanked Cllr Parker for her commitment as a long-standing member of the Committee.

65 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

66 **Planning Decisions and Updates**

The Committee considered an update on planning appeals and inquiries; the Chairman advised that there was an error in the report in respect of application 14/09744/WCM in that the officer recommendation had been for approval. Officers advised that this error would be corrected.

The Committee was advised that an informative had been added by officers under delegated authority to a Committee resolution at the previous meeting in respect of 15/12651/FUL refusal reason 4. The addition was a standard informative attached to decision notices. A full report was available in the agenda pack.

**Resolved:**

**To note the update on planning appeals and inquiries and officer recommendation in respect of 14/09744/WCM.**

**To note the addition of the informative to the Committee resolution in respect of 15/12651/FUL The Pippin, Calne.**

67 **Planning Applications**

68 **16/01382/FUL - Land Adjacent to Ashley Lane, Box, Wiltshire, SN13 8AN**

Mr Alan Brewster spoke in objection to the application.

Mr Michael Regnard spoke in support of the application.

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

The Planning Officer introduced the application for the erection of an American style barn on the site; the site was approximately 4 hectares in size and the building would replace existing stables and storage containers. The proposed elevations of the barn were shown and it was explained that the proposals had been reduced in scale from the original submission including a reduced number of stables. If permission were to be granted, the area for parking a horsebox would be removed, and hard standing onsite reduced. It was acknowledged that the site was located within the Cotswolds Area of Outstanding Natural Beauty (AONB) and Bristol- Bath Green Belt, however the officer considered the application would reduce the impact on both the openness of the Green Belt and the landscape quality of the AONB in comparison to the existing

permissions and development on site by providing storage in one single location. It was identified that facilities for outdoor sport and recreation were one of the uses identified in national guidance as not constituting inappropriate development within the green belt. The officer recommended that the application be approved, subject to the conditions and informatives outlined in the report and amendments to conditions 3 and 8 and the addition of two further conditions as detailed in Agenda Supplement 1. The planning officer also recommended the addition of further condition to provide that foul sewage be connected to the main drain.

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

The local member, Cllr Parker spoke in objection to the application and recommended that the application be refused on Core Policy 51 and 61 of the Wiltshire Core Strategy. The councillor recommended that, should permission be granted, it would be essential to condition the connection of foul sewage to the main drain.

The planning officer responded to comments raised by the public, advising that the floor print of the proposed development was not too dissimilar to space already allocated to storage on site and would clearly be of the character and appearance of an agricultural building rather than residential dwelling. It was explained that the removal of containers from the site was provided for by way of condition and the lighting on site would also be controlled by condition.

During the debate that followed, councillors sympathised with residents' concern about enforcement issues and agreed that applying the correct conditions to permission would be essential. Cllr Sturgis, seconded by Cllr Greenman, moved the officer's recommendation subject to an amendment to condition 8 (as appeared in Agenda Supplement 1) to reflect that no outside storage of any kind be permitted on site and amendment to condition 3 (as appeared in Agenda Supplement 1) that the building not be subdivided into more than 4 stables, and to delegate the exact wording of these conditions to the Area Development Manager. The proposed amendment to condition 8 was to provide clarity and the amendment to condition 3 was to allow that foals may need to be stabled with their mothers in the winter. The Committee agreed that the development would be acceptable if the conditions were observed.

**Resolved:**

**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: layout plan PL05C & PL07A; elevations and floor plan PL01B, side elevations PL02A dated 4th April 2015.

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

3. There shall be no more than 10 horses kept on the site at any one time, including foals at foot, and there shall be no more than 4 stables within the building hereby approved without the prior approval of the Local Planning Authority.

**REASON:** To prevent overgrazing of the land to the detriment of the landscape quality of the AONB and to clarify the permission.

4. Within 2 months of the date of the first occupation of the development hereby permitted being occupied, the existing stables on site (not field shelters) and 2 containers on site, including any fixtures and ancillary pipework, shall be fully removed from the site.

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

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

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

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

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

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

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

8. There shall be no external/outdoor storage of any kind at the site and there shall be no portable buildings or structures (other than the field shelters approved under 14/09422/FUL), van bodies,

**trailers, vehicles or other structures used for storage, shelter, rest or refreshment, stationed on the site without the prior approval in writing of the Local Planning Authority.**

**REASON: In order to protect the landscape quality of the AONB and the openness of the Green Belt.**

- 9. 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.**

- 10. 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 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.**

- 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.No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.**

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

**13.No part of the development hereby permitted shall be first brought into use until 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.**

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

**REASON: 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.**

**15.The development hereby permitted shall not be brought into use until the approved sewage disposal works proposed have been completed in accordance with the submitted and approved details.**

**REASON: To ensure that the development is provided with a satisfactory means of drainage.**

**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).

**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.

69 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 3.25 pm)

The Officer who has produced these minutes is Libby Beale, of Democratic Services,  
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## **NORTHERN AREA PLANNING COMMITTEE**

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### **DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 22 JUNE 2016 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.**

#### **Present:**

Cllr Peter Hutton (Vice Chairman), Cllr Christine Crisp, Cllr Mollie Groom, Cllr Mark Packard, Cllr Toby Sturgis, Cllr Howard Greenman, Cllr Jacqui Lay (Substitute) and Cllr Chris Hurst

#### **Also Present:**

Cllr John Thomson and Cllr Alan MacRae

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#### **70 Apologies**

Apologies were received from Councillors Chuck Berry, Howard Marshall and Terry Chivers.

Cllr Berry was substituted by Cllr Jacqui Lay for the meeting only.

#### **71 Minutes of the Previous Meeting**

The minutes of the meeting held on 1 June 2016 were presented.

#### **Resolved:**

**To approve as a true and correct record and sign the minutes of the meeting held on the 1 June 2016.**

#### **72 Declarations of Interest**

There were no declarations of interest.

#### **73 Chairman's Announcements**

There were no Chairman's announcements.

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

The Committee noted the rules on public participation, and the Chairman emphasised that members of the public are permitted to lobby members in advance of the meeting, but at the meeting the circulation of new information, written or photographic which have not been verified by planning officers would not be permitted.

75 **Planning Appeals**

The Committee noted the contents of the appeals update.

76 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications 16/03151/FUL & 16/03350/LBC and 15/10659/FUL as listed in the agenda pack.

77 **15/09143/OUT - Vale of the White Horse Inn, Station Road, Minety, Wiltshire SN16 9QY**

Mr Marc Willis spoke in support of the application.

Cllr Charles Cook Minety Parish Council spoke in support of the application.

The Planning Officer introduced the application for 6 dwellings and that the application was considered at the 4 May meeting and permission was granted subject to a s106 agreement. Officers identified that there had since been a material change in circumstances in relation to S106 requirements including affordable housing requirements owing to a change to the Planning Practice Guidance affecting applications of this size and following the recent court of appeal decision that effectively removes requirement for “tariff style “contributions The authority is currently considering the implications of the judgement, noting that whilst it is a not a blanket ban in relation to all development proposals of this scale and that assessments of all relevant the material circumstances is required, and that the PPG needs to be weighed in the balance against the adopted Local Plan as the prime consideration as defined by statute. In this case Officers identify that the Local Plan cannot be given full weight as it is not up to date due to the current absence of a deliverable Housing Land Supply. Officers noted other material considerations to be weighed in the balance including that there are significant other benefits arising from the development including maintaining the public house for the community; economic benefits arising from development, increased population, increased public house occupancy and to a limited extent increased housing and that there are no other material changes to the application previously considered at the meeting on the 4 May 2016.

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

It was noted that the local member was not able to attend the meeting, but the Chairman did relay a message that the local member was content with the application.

Councillor Tony Trotman proposed, subsequently seconded by Councillor Peter Hutton, that the officer’s recommendation be approved.

Councillor Trotman expressed his frustration as to the change in government policy, but noted that it was clear that the other benefits arising from development outweighed the loss of contributions.

The meeting unanimously;

### **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 enhancement to and retention of the local community facility of the public house and is therefore contrary to Policies CP1 & CP49 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 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. The development hereby permitted shall be carried out in accordance with the following approved plans:

GTB-646-10-3D  
GTB-646-10-4D  
GTB-646-50B  
GTB-646-52A  
GTB-646-53

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), 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.

5. 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 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.

6. 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.

7. Prior to the commencement of development details including design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other boundary treatments and means of enclosure shall be 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.

8. 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 application contained insufficient information to enable this matter to be considered prior to granting planning permission and/or 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.

9. 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 and/or 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.

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.

REASON: To ensure that the development can be adequately drained

11. 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

12. 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

13. 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

14. Prior to commencement of development and Ecological Mitigation Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be in general accordance with Section 6 of the submitted Ecological Appraisal (AD Ecology, dated 26<sup>th</sup> October, 2015) and include full details of:

- Construction methods for works in or near the pond and retained trees to reduce damage and disturbance to species and habitats
- Details of re-profiling and restoration of the pond margins
- The location and design of all bat and bird roosting / nesting features

The development shall be carried out in full accordance with the approved Ecological Mitigation Plan unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of Nature Conservation

15. No development shall commence on site until a noise impact assessment and scheme for protecting the residential properties and their curtilages against noise from both road traffic and railway noise has been submitted to and approved by the Local Planning Authority. Any works that form part of the scheme shall be implemented in full before any permitted dwelling is first occupied.

General: 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 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.

REASON: In the interests of residential 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 from the first occupation or the completion of the development, whichever is the later].

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 Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

17. 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.

**INFORMATIVES:**

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

The applicant 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.

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.

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

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

78 **16/03151/FUL & 16/03350/LBC - Pickwick Cottage, 17 Pickwick, Bath Road, Corsham, SN13 0JD**

Mr David Sterling, Ms Lorrain Vaun-Davis and Ms Jane McDermott spoke in support of the application.

The Planning Officer introduced the application for an extension with associated listed building consent. In giving his presentation, the officer highlighted the character of the building and of the immediate area; its relation to buildings nearby; the planning history of the site and the relevance of planning appeal judgements; the possibility of alternative solutions to prevent damp in listed buildings; the implications of material and roof pitch with regard to damp-proofing; and the relevance planning policies to the proposals.

The Officer drew attention to late items highlighting that Building Control and Conservation officers accepted the veracity of the submissions but maintained and confirmed the position that there were less intrusive methods available to achieve the required damp prevention from rainwater ingress.

Members of the public were then invited to speak as detailed above. The local member, Cllr Alan Macrae spoke in support of the application.

The planning officer responded to comments raised by the public and again confirmed that the conservation and building control officer were of the view that less harmful and invasive means could be employed to address the water ingress problem and has been successfully applied to a similar listed building; and addressed the differences between this proposal and that granted permission next door.

Councillor Peter Hutton proposed, subsequently seconded by Councillor Trotman, that the officers recommendation for refusal be accepted.

Cllr Hurst stated that he believed that on balance permission should be granted for the application.

### **Resolved**

**That planning permission is REFUSED, for the following reason:**

**The proposed extension, by reason of its scale, siting and form would result in the unacceptable loss and obstruction of historic fabric, failing to conserve or enhance the listed building, its setting and the features of special architectural and historic interest it possesses. Accordingly, the proposals conflict with Core Policy 58 of the adopted Wiltshire Core Strategy, Paragraphs 131, 132 and 134 of the National Planning Policy Framework, and Sections 16(2) and 66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.**

**That listed building consent is REFUSED, for the following reason:**

**The proposed extension, by reason of its scale, siting and form would result in the unacceptable loss and obstruction of historic fabric, failing to conserve or enhance the listed building, its setting and the features of special architectural and historic interest it possesses. Accordingly, the proposals conflict with Core Policy 58 of the adopted Wiltshire Core Strategy, Paragraphs 131, 132 and 134 of the National Planning Policy Framework, and Sections 16(2) and 66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.**

79 **15/10659/FUL - Ashley, Common Road, Malmesbury, Wiltshire, SN16 0HN**

Mr Stuart Bulley, Mr Alan Hopkins and Caroline Bulley spoke in objection to the application and with reference to visual aids including their own illustrative material

Officers clarified that the illustrative material was provided by objectors and not the applicant or officers and that accuracy could therefore not be confirmed.

Mr Chris Beardsmore and Ms Charlotte Watkins spoke in support of the application.

Cllr Roger Budgen, St Paul Malmesbury Without Parish Council, spoke in objection to the application.

The Planning Officer introduced the application for the proposed erection of two detached dwellings and associated landscaping and demolition; attention was drawn to the additional condition outlined in late observation; the mix of character and materials used in neighbouring buildings; the size and scale of the development; the potential impact of the proposals on neighbouring properties; and that changes to the position of windows and glazing to address concerns regarding privacy.

The Officer drew attention to late items and additional proposed conditions.

In response to Chair's question, it was regarding materials and pitch of the roof. Cllr Sturgis – queried the floor level of the bungalow behind, identified that when he visited the site the building appeared to be level with the proposed first floor of one of the proposed dwellings. Cllr Sturgis identified that the plans submitted did not indicate the height of the dwellings to the rear and whether the bungalow at the back was at the same ridge height of the proposed closest building.

The Chair asked, clarified that the proposal was two metres higher than the ridge of the existing bungalow.

Councillor Lay asked whether the new house would be substantially higher than the houses on either side. Officer stated that it would be higher than the neighbouring property to the side but not significantly higher.

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

The local member, Cllr John Thomson spoke in objection to the application.

During the debate that followed,

Councillor Toby Sturgis proposed, subsequently seconded by Councillor Howard Greenman, that the application be refused for the following reason:

*The proposed development, by reason of its siting, scale and design, would result in a contrived and cramped form of development out of keeping with the character and appearance of its setting. The proposal therefore conflicts with Core Policy 57(iii) and (vi) of the adopted Wiltshire Core Strategy and Paragraphs 17 and 64 of the National Planning Policy Framework.*

*The position of the property by virtue of its close proximity to the neighbouring properties, have an overbearing impact upon and result in loss of amenity of neighbouring properties. The proposed development would therefore result in unacceptable levels of amenity for future and existing occupiers contrary to the requirements of with Core Policy 57(vii) of the adopted Wiltshire Core Strategy and Paragraphs 17 of the National Planning Policy Framework.*

In the debate the following issues were highlighted: the size of the plot and proximity to neighbouring properties; the height of the proposals in relation to neighbouring properties, and the possibility for loss of privacy and be overbearing; that a number of councillors were familiar with site; and the impact on the streetscene would be harmful and out of character.

Following a vote, the meeting;

## **Resolved**

**That the application be REFUSED for the following reason:**

**The proposed development, by reason of its siting, scale and design, would result in a contrived and cramped form of development out of keeping with the character and appearance of its setting. The proposal therefore conflicts with Core Policy 57(iii) and (vi) of the adopted Wiltshire Core Strategy and Paragraphs 17 and 64 of the National Planning Policy Framework.**

**The position of the property by virtue of its close proximity to the neighbouring properties, have an overbearing impact upon and result in loss of amenity of neighbouring properties. The proposed development would therefore result in unacceptable levels of amenity for future and existing occupiers contrary to the requirements of with Core Policy 57(vii) of the adopted Wiltshire Core Strategy and Paragraphs 17 of the National Planning Policy Framework.**

80 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 4.27 pm)

The Officer who has produced these minutes is Will Oulton of Democratic Services,  
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## **EASTERN AREA PLANNING COMMITTEE**

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### **MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 12 MAY 2016 AT DEVIZES SPORTS CLUB, LONDON ROAD, DEVIZES, SN10 2DL.**

**Present:**

Cllr Charles Howard (Chairman), Cllr Mark Connolly (Vice Chairman), Cllr Peter Evans, Cllr Nick Fogg MBE, Cllr Jerry Kunkler, Cllr Paul Oatway and Cllr James Sheppard (Substitute)

**Also Present:**

Cllr Laura Mayes, Cllr Richard Gamble, Cllr Stewart Dobson

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27. **Apologies for Absence**

Apologies were received from Cllrs Stewart Dobson and Richard Gamble. Each were in attendance, but had formally withdrawn in their capacity as Committee Members.

Cllr Gamble was substituted by Cllr James Sheppard.

28. **Minutes of the Previous Meeting**

The minutes of the meeting held on 21 April were presented for consideration and it was,

**Resolved:**

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

29. **Declarations of Interest**

There were no declarations made.

30. **Chairman's Announcements**

At the start of the meeting the Chairman apologised to the Committee and public for confusion over the location of the meeting. Officers had been posted at the location the public had been directed to, so as to inform them of the new location a short distance away, and the meeting had started late in order to ensure all those who had wished to attend were able to do so.

31. **Public Participation and Councillors' Questions**

The rules on public participation were noted.

32. **Appeals Update**

An update on appeals was provided as detailed in Agenda Supplement 1.

**Resolved:**

**To note the update.**

33. **16/01263/FUL: St Mary's School, George Lane, Marlborough, SN8 4BX**

Public Participation

Mr Gordon Hutt spoke in objection to the application.

Mrs Anne Schwodler, Headteacher for St Mary's School, spoke in support of the application.

Mr Tom Lamshead, agent, spoke in support of the application.

Mr Ian Mellor spoke in support of the application.

Cllr Marion Hannaford-Dobson, Chairman of Marlborough Town Council Planning Committee, spoke in objection to the application.

The Planning Officer presented the application and detailed the recommendation to approve the demolition of the existing primary school building and associated structures, and the erection of a new building, car parking and external landscaping. Key issues were stated to include the impact of increased traffic on residential amenity and parking. Details were also provided on proposed amended conditions in relation to archaeology, the timing of BREEAM (Building Research Establishment Environmental Assessment Methodology) certification, the timing of parking provision, footway widening, and an interim Travel Plan for the final phases of the development.

Members of the Committee then had the opportunity to ask technical questions of the officers. In response to queries it was confirmed that the National Planning Policy Framework, which required only 'severe' traffic concerns be a barrier to development, did not specifically define what impact would be severe, but that in the judgement of officers the application, suitably managed, would not rise to that level. Details were also sought on ecological assessments of the site, and alternate parking options in the area for parents.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The Cabinet Member for Children's Services, Cllr Laura Mayes, and the Cabinet Portfolio Holder for Schools, Cllr Richard Gamble, were invited to address the Committee. They spoke in support of the application, highlighting the need for the new school and efforts to mitigate existing concerns through conditions, and encouraged the monitoring of the situation and a review of any arrangements, as necessary.

The local Unitary Division Member, Cllr Nick Fogg MBE, addressed the Committee, agreeing with the concerns as raised by the Town Council in relation to traffic problems in the area and what had initially been an out of date, inadequate traffic plan. He noted the site was ideal for a school and there was support for the development, but that like the Town Council every effort should be made to address the concerns of local residents, and to explore further options regarding parking and access.

The neighbouring Division Member, Cllr Stewart Dobson, stated there was widespread support for development on the site, but that serious concerns had been raised in relation to the impact on local residents. He also highlighted several aspects of the travel plans that he felt could still be addressed further, along with suggestions of improvements.

The Committee then debated the application. In response to queries officers stated that the inclusion of a lay-by at the site, as suggested, would most likely encourage further traffic, which would conflict with the aims of the travel plan. Members discussed how many pupils lived close to the site and how to encourage reductions in car journeys, noting that with two schools merging into one, there could be fewer journeys from parents with children formally at two separate schools.

The Committee noted there were no objections in principle to the application, and that traffic considerations were the overriding concern; and discussed if appropriate measures had been put in place, how to encourage timely review of the arrangements once the school was occupied.

At the conclusion of debate, it was,

**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 submitted plans and documents as hereby approved:**

<b>Site Location</b>	<b>32499_AP(00)01</b>
<b>Site plan (existing)</b>	<b>044-005 A</b>
<b>Site plan (proposed)</b>	<b>044-001 A</b>
<b>Landscape plan (proposed)</b>	<b>044-001 P3</b>
<b>Site access &amp; security</b>	<b>044-002 P2</b>
<b>Landscape levels</b>	<b>044-003 B</b>

Tree and vegetation retention and removal	044-007 A
Landscape sections	044-015 D
Planting plan west	044-201 P2
Planting plan east	044-202 P2
Tree pit details	044-401 A
Games court fence details	044-410 B
Typical cycle shelter	044-411 A
Floor plan (proposed)	32499_AP(00)04
Roof plan (proposed)	32499_AP(00)05
Construction phasing	32499_AP(00)07
Proposed street elevations	32499_AP(01)31
Proposed public elevations	32499_AP(01)32
Proposed playground elevations	32499_AP(01)33
Proposed detail elevations	32499_AP(01)34
Detailed section through roof turrets	32499_AP(02)41
Vehicle tracking - fire engine	X152040 300 P1
Reptile Mitigation Strategy - revision A	KIER20330_RMS
School Travel Plan	version 2.1
Drainage strategy	X152040
Drainage layout - sheets 1 & 2	92001 P4 & 92002 P4
SUDS details	92037 P2
Elemental landscape specification	revision C
Environmental Strategy Report v.1	7418/003A11/cms
Construction Management Plan	05/02/2016
Planning Design Access and Heritage Statement	32499
BREEAM tracker report	28413_005
Ecological Walkover and Mitigation proposals	32499
Archaeological Written Scheme of Investigation	770362

**REASON:** For the avoidance of doubt (given some revisions made during the course of consideration) and in accordance with sound development management practice.

- 3** Prior to the commencement of any works of construction of the new school building above ground level there shall have been submitted to and approved in writing by the local planning authority full details (including product literature provided by the manufacturer and photographic samples) of the external brickwork, wall and roofing materials to be used in the construction.

**REASON:** Insufficient detail on external materials have been provided in the application, and details are required to be approved in the interests of visual amenity and the character and appearance of the area.

- 4** The development hereby permitted shall be carried out in full accordance with the approved Construction Management Plan.

**REASON:** To ensure appropriate provision for the management of the construction in the interests of neighbour amenities and the safety and

convenience of use of the local highway network.

- 5 i) Prior to the commencement of the development a pre-commencement photographic survey of Isbury Road and Orchard Close (from the school site to its junction with Salisbury Road) and Ducks Meadow (in the vicinity of the school access) shall be carried out.

ii) Within 1 month of cessation of use for construction purposes of the respective access routes, post -construction survey of the roads shall be carried out in the same locations.

iii) Within 3 months of the completion of the development, details and results of both the before and after surveys together with a plan and timing schedule for the repair of any damage identified and attributable to the construction of the development (including details for implementation and funding of the repairs - first to have been agreed with the highway authority), shall have been submitted to and approved in writing by the local planning authority.

**REASON:** To ensure that any damage to the highway resulting from the development is identified and to ensure provision for a mechanism for necessary repairs to be put in-hand.

- 6 i) No development shall commence within the 'excavation area' identified in the approved archaeological Written Scheme of Investigation until archaeological investigation and recording in that area has been completed in full accordance with the approved Written Scheme of Investigation.

ii) Within two months of completion of the archaeological fieldwork a period will be agreed in writing with the Local Planning authority for the results of the archaeological investigation to be reported, published and archived in accordance with the approved Written Scheme of Investigation.

**REASON:** The site is of known archaeological potential and further investigation is required to ensure the protection and recording of any archaeological heritage present on the site.

- 7 i) No development shall take place until there has been submitted to and approved in writing by the local planning authority details to demonstrate that there is a contractual arrangement in place for translocation of slow worms from the site as set out in the approved Reptile Mitigation Strategy (received April 25th 2016).

ii) No development shall take place until slow worms from the site have been trapped in full accordance with paragraphs 6.8 to 6.13 of the approved Ecological Walkover and Mitigation Strategy (February 2015 - ACD Ref: KIER20330Ph1Update&Mitigation)(and appended drawings) and translocated in accordance with the approved Reptile Mitigation

**Strategy (received April 25th 2016).**

**REASON:** the development would directly impact on a population of slow worms. In the interests of biodiversity, the trapping and translocation of the worms needs to be carried out before works commence, and the local planning authority needs to be satisfied that there is a contractual arrangement in place to secure the ongoing maintenance and monitoring of the receptor site.

**8 i) The development shall not be carried out other than in accordance with the Bat Mitigation Strategy set out in paragraphs 6.15 to 6.22 of the approved Ecological Walkover and Mitigation Strategy (February 2015 - ACD Ref: KIER20330Ph1Update&Mitigation), together with the appended drawings numbered KIER20330 66 & KIER20330 67.**

**ii) Reptile fencing shall be erected and maintained during the course of the development in accordance with paragraph 6.13 of the Ecological Walkover and Mitigation Strategy (February 2015 - ACD Ref: KIER20330Ph1Update&Mitigation) and the drawing numbered KIER20330 70.**

**iii) Within 2 months of the substantial completion of the development, bird boxes shall be installed as detailed on drawing KIER20330 67 and paragraph 5.4 of the Ecological Walkover and Mitigation Strategy (February 2015 - ACD Ref: KIER20330Ph1Update&Mitigation).**

**iv) Within 2 months of the completion of the development, reptile hibernacula shall be installed as detailed on drawing KIER20330 67 and paragraph 6.14 of the Ecological Walkover and Mitigation Strategy (February 2015 - ACD Ref: KIER20330Ph1Update&Mitigation).**

**REASON:** To ensure the protection of bats known to inhabit the site and so as to prevent reptiles entering the site following translocation of the slow worms, and to provide for ecological enhancement of the development in the interests of biodiversity.

**9 i) All soft landscaping shown on approved drawings 044-201 P2 & 044-202 P2 shall be carried out no later than the first planting and seeding season following the first occupation of the building or the substantial completion of the development whichever is the sooner.**

**ii) All shrubs, trees and hedge planting so-planted shall be maintained free from weeds and shall be protected from damage by vermin and stock.**

**iii) Any of the planted trees or plants or any of the existing planting shown to be retained on approved drawing 044-007 A, which within a period of five years of the date of this permission, 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.**

**iv) All hard landscaping as detailed in the approved drawings and Elemental Landscape Specification shall be carried out in full accordance with the approved details prior to the occupation of the development.**

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

- 10 The development shall not be occupied until surface water drainage has been provided in full accordance with the approved Drainage Strategy and approved drawings numbered 92001 P4, 92002 P4 & 92037 P2.**

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

- 11 Within 6 months of the occupation of the building there shall have been submitted to and approved in writing by the local planning authority a Final Certificate certifying that the "Very Good" BREEAM standard (or any such equivalent national measure of sustainable building which replaces that scheme) has been achieved for the development.**

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

- 12 i) Within 4 months of the occupation of the new school building, the access, turning area and parking spaces shall have been completed in accordance with the details shown on the approved plans.**

**ii) The access, parking and turning areas shall thereafter be so-maintained and shall be used for no other purpose.**

**REASON: To ensure adequate off-street parking in the interests of highway safety.**

- 13 i) The school building hereby permitted shall not be occupied until there has been submitted to and approved in writing by the local planning authority details of the covered and uncovered cycle parking and scooter parking as shown on the approved plans.**

**ii) The school building shall not be occupied until the cycle and scooter parking has been provided in accordance with the so-approved details.**

**iii) The cycle and scooter parking shall thereafter be maintained in accordance with the approved details and shall be used for no other purpose.**

**REASON: To encourage sustainable methods of travel to and from the school.**

- 14 The internal footpath linking the school grounds with Van Diemen's Close as shown on the approved plans shall be made available for parents and children accessing and exiting the school during the morning and evening on days when the school is open, at times deemed appropriate by the school.

**REASON:** To encourage pedestrian journeys to and from the school.

- 15 Prior to the occupation of the development hereby permitted, there shall be submitted to and approved in writing by the local planning authority an Access Management Plan that sets out measures to prevent out-of-hours use of the outdoor sports and games facilities on the site; such measures to include details of arrangements for the locking of gates and maintenance of boundary fencing around the site, and for the locking of the gate into the hard-surfaced games court and for maintenance of the games court fence.

**REASON:** In the interests of neighbour amenity.

- 16 i) There shall be no occupation of the development until plans detailing the widening of the footway along the school frontage with Ducks Meadow have been submitted to and approved in writing by the local planning authority, such plans first to have been discussed and agreed with the highway authority.

ii) There shall be no occupation of the development until the footway has been widened in accordance with the so-approved details.

iii) The additional footway width as so-approved will thereafter be maintained in a condition equal to the adjoining footway and shall remain clear and available for public use at all times.

**REASON:** To reduce pedestrian congestion around the school in the interests of pedestrian safety and convenience, and to encourage non-car related trips to the school.

- 17 No external lighting shall be installed within 5 metres of the bat boxes as shown on drawings KIER20330 66 & 67 and no lighting shall otherwise be installed on the building 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)", 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, and in the interests of the local bat population.

- 18 i) The School Travel Plan forming part of the approved plans shall be implemented in accordance with the agreed details as set out in the Plan.

ii) The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

**REASON:** In the interests of road safety and the amenities of the neighbourhood, to minimise vehicular traffic to the school.

- 19 There shall be no development under Phase 6 as set out in drawing 32499\_AP(00)07 until:

i) there has been submitted to and approved in writing by the local planning authority an assessment of ground contamination in the vicinity of the 'tank' annotated on drawing PSCAPS22/STPETERS/003 (included in the submitted contamination report), together with measures for remediation in the event of contaminants being found; and

ii) a verification report demonstrating that such remediation as may be necessary and approved under part (i) above has been carried out.

**REASON:** The site is located on the chalk principle aquifer. Activities such as oil storage may have resulted in contamination that could be disturbed during construction, resulting in contamination of the aquifer. The submitted contamination report and ground investigations do not assess the risk in the vicinity of the former tank. Assessment and any required remediation is thus required to avoid contamination of controlled waters.

20

- i) There shall be no occupation of the new school building until there has been submitted to and approved in writing by the local planning authority an Interim Travel Plan to cover the period between first occupation of the school building and final completion of the development, such plan to include, but not necessarily be limited to:
- a) access arrangements for pedestrians and cyclists
  - b) details of the temporary access footpath
  - c) arrangements for parking vehicles and cycles
  - d) measures to be taken to encourage parents to use non-motorised forms of transport in collecting and dropping off their children
  - e) management and monitoring of school traffic and parking at the start and end of the school day.

ii) The measures and arrangements so-approved shall be implemented in full until the permanent access, parking and turning arrangements are completed and made available for use.

**REASON:** To ensure active and appropriate management of school traffic until the permanent access, parking and turning arrangements are available for use, in the interests of highway safety and the amenity of the area.

**INFORMATIVE TO APPLICANT:**

Six months after the opening of the school, the applicant shall engage with the local highway authority to review the traffic management situation on the roads nearest the site and consider what action, if any, might be required to address issues that have arisen since the school opened.

34. **Urgent items**

There were no urgent items.

(Duration of meeting: 6.10 - 7.30 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic & Members' Services, direct line 01225 718504, e-mail [kieran.elliott@wiltshire.gov.uk](mailto:kieran.elliott@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 28 APRIL 2016 AT SARUM ACADEMY, WESTWOOD ROAD, SALISBURY, WILTSHIRE, SP2 9HS.**

**Present:**

Cllr Fred Westmoreland (Chairman), Cllr Christopher Devine (Vice Chairman), Cllr Richard Britton, Cllr Richard Clewer, Cllr Mike Hewitt, Cllr Ian McLennan, Cllr Ian West, Cllr Peter Edge (Substitute - Part II), Cllr Ricky Rogers (Substitute - Part II) and Cllr John Smale (Substitute - Part II)

**Also Present:**

Cllr George Jeans, Cllr Bill Moss

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**28 Apologies for Absence**

Apologies for absence were received from:

- Cllr Brian Dalton who was substituted by Cllr Peter Edge
- Cllr Ian Tomes who was substituted by Cllr Ricky Rogers
- Cllr Jose Green who was substituted by Cllr John Smale

**29 Minutes**

The minutes of the meeting held on Thursday 7 April 2016 were presented.

**Resolved:**

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

**30 Declarations of Interest**

The following interests were declared:

- In relation to 7b 15/10824/FUL - Cllr Richard Clewer explained that as he was the Portfolio holder for Housing, he would not vote on this application.

- In relation to 7b 15/10824/FUL – Cllr Fred Westmoreland explained that he was on the Housing Board, but as this was not a disclosable pecuniary interest he would vote on the application.

31 **Chairman's Announcements**

The Chairman explained the meeting procedure to the members of the public.

32 **Public Participation and Councillors' Questions**

The committee noted the rules on public participation. No formal questions had been received for this meeting.

33 **Planning Appeals**

The committee received details of planning appeals lodged and those determined for the period 21 March to 14 April 2016.

**Resolved: That the report be received and noted.**

34 **Planning Applications**

35 **16/00550/FUL - 23, Milford Street, Salisbury**

Public Participation

Mr Guy Macklin (Applicant) spoke in support of the application

Cllr Michael Pope of Salisbury City Council spoke in support of the application

Mrs Elaine Milton (Consultant) spoke in support of the application

The Senior Planning Officer drew attention to the late correspondence circulated at the meeting and introduced the application which was a resubmission from an earlier application, for Change of use of site from public house (Class A3) and adult entertainment venue (sui generis) to form two commercial units (Classes A1, A2, B1 or D1) and 10 apartments including conversion, demolition and erection of buildings. A site visit had taken place earlier that day.

The applicant had submitted additional information following the previous decision, which addressed earlier issues of waste management and surface and foul water drainage. 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 would be glass doors at the front entrance which would be open during the day and closed in the evening. The night club next door to the site had since closed and would be taken on by the neighbouring gun shop.

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

The Unitary Division Member was not in attendance to speak.

The Committee discussed the application, noting that following the site visit, it was evident that the buildings were in a dilapidated state and required development urgently. The previous concerns over drainage had been addressed and the night club had closed. The design of the development did not appeal to all, however as the location of the dwellings at the rear was closed in, it was seen that large windows would permit more light..

Cllr Westmoreland moved Officers recommendation for Approval; this was seconded by Cllr Devine.

**Resolved**

**That the application be APPROVED 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. 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.**

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

**REASON: To enable the recording of any matters of archaeological interest.**

- 3. No development shall commence on site until a scheme of acoustic glazing and mechanical ventilation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall meet the standards set out in section 5.3 of the Environmental Noise Assessment (reference; 182\_150922\_WHITEROOMS, date; September 2015). The approved scheme shall be implemented in full before the development is occupied and maintained at all times thereafter.**

**REASON: In the interests of protecting residential amenity**

- 4. No development shall commence on site until a written scheme of noise attenuation for the room within the room construction of flats 6 and**

10 has been submitted to and approved in writing by the Local Planning Authority. The written scheme shall be implemented in full before the development is occupied and maintained at all times thereafter.

**REASON:** In the interests of protecting residential amenity

5. No development shall commence on site until a written scheme for post-completion noise measuring has been submitted to and approved in writing by the local planning authority. The written scheme shall include details of the times at which noise measuring will take place and the equipment and noise descriptors to be used for the purposes of measuring the residual levels of noise caused by the licensed premises, Zoo. Where the post completion noise measurements identify that  $LA_{max}$  levels of noise from Zoo are in excess of Preferred Noise Criterion Curve 25 (PNC25), as shown in table 5.1 of the Environmental Noise Assessment (reference; 182\_150922\_WHITEROOMS, date; September 2015) in flats 6 and 10 those flat(s) shall not be occupied.

**REASON:** In the interests of protecting residential amenity

6. The ground floor commercial units shall be used for A1, A2, A3, B1 or D1 use classes only. There shall be no A3 or A5 uses in the ground floor commercial units.

**REASON:** In the interests of protecting residential amenity

7. No development shall commence on site 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 of waste materials (if any)
- v. The location and use of generators and temporary site accommodation
- vi. Pile driving (if any, and 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 protecting residential amenity

8. 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 protecting residential amenity

**9. 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 interests of protecting residential amenity**

**10. No development shall commence on site until a scheme for the glazed doors has been submitted to and approved in writing by the Local Planning Authority. The scheme shall meet the standards set out in the addendum to the Environmental Noise Assessment (reference; 182\_151129\_WHITE ROOMS, dated; 29<sup>th</sup> November 2015). The approved scheme shall be implemented in full before the development is occupied and maintained at all times thereafter.**

**REASON: In the interests of protecting residential amenity**

**11. No development shall commence on site until finer details, and where so appropriate materials, of all external materials to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

**REASON: The application contained insufficient information to enable 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.**

**12. No development shall commence on site until details of all eaves, verges, windows and doors (including head, sill and window reveal details), rainwater goods, rooflights 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 area.**

**13. 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 the roofslopes or first/second floors of the development hereby permitted.**

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

**14. The windows labelled as No. 19 on drawing P14-001 02-05-004B, in the inner courtyard elevation shall be glazed with obscure glass only and fixed with a ventilation stay restricting the opening of the window, prior to the first occupation of the development hereby permitted, and shall be permanently maintained in perpetuity.**

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

**15.** Prior to the commencement of development, a waste collection management plan shall be submitted to and agreed by this Authority. The agreed management plan shall be carried out in accordance with the approved details in perpetuity.

**REASON:** In the interests of maintain adequate waste collection.

**16.** No development shall commence on site until a scheme for the discharge of surface water from the site, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use/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.

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

**REASON:** 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.

**18.** This development shall be in accordance with the submitted drawings:

**Site Plan P14-001-02-02-001**

**Proposed Ground Floor P14-001-02-03-001C**

**Proposed First Floor P14-001-02-03-002A**

**Proposed Second Floor P14-001-02-03-003A**

**Proposed Roof Plan P14-001-02-03-004A**

**Demolition on Ground Floor P14-001-02-03-011A**

**Demolition First Floor P14-001-02-03-012A**

**Demolition Second Floor P14-001-02-03-013A**

**Proposed Section 03 P14-001-02-04-001A**

**Proposed Section 04 P14-001-02-04-002A**

**Wall Detail Key P14-001-02-04-005A**

Wall Types 1 & 2 P14-001-02-04-006  
Wall Types 3 & 4 P14-001-02-04-007  
Wall Types 5 & 6 P14-001-02-04-008  
Wall Build Up P14-001-02-04-010  
Elevation 01 P14-001-02-05-001B  
Elevation 02 P14-001-02-05-002A  
Elevation 03 & 04 P14-001-02-05-003A  
Elevation 05 P14-001-02-05-004B  
Elevation 06, 07 & 08 P14-001-02-05-005A  
Elevation 09 P14-001-02-05-006B  
Elevation 10 P14-001-02-05-007A  
Demolition Elevation on 01 P14-001-02-05-011A  
Demolition Elevation 02 P14-001-02-05-012B  
Demolition Elevation 03 & 04 P14-001-02-05-013A  
Demolition Elevation 05 P14-001-02-05-014A  
Demolition Elevation 06,07 & 08 P14-001-02-05-015A  
REASON: For the avoidance of doubt.

**INFORMATIVE:**

The applicant should note that additional residents parking permits are unlikely to be allocated to the new occupiers of the flats.

**INFORMATIVE:**

Many wildlife species are legally protected. The applicant should be aware that if it becomes apparent that the site is being used or has previously been used by protected species (such as slowworms, badgers, barn owls or bats), work should STOP immediately and Natural England should be contacted at their Devizes office 01380 725344 for advice on how to proceed.

**INFORMATIVE:**

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. 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)

36 **15/10824/FUL - Land South of 1 Park Houses, East Knoyle, Wiltshire, SP3 6AN**

Public Participation

No one registered to speak.

The Senior Planning Officer introduced the application by Wiltshire Council for two single storey houses for elderly people, with associated access road and car parking. There was currently an existing drainage water issue on site; however a new scheme had been submitted which satisfied the drainage engineer. 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 during the ecological study, no crested newts had been present. A needs study had been carried out by the Housing Team, which had established that there were 8 under occupied properties in the village.

The Unitary Division Member was not in attendance; however she had circulated her support for the application by email to the Committee earlier that day, asking Cllr Edge to speak on her behalf.

Cllr Edge noted that the development of housing for older people on this site had been a project of the South West Wiltshire Area Board for several years. It had been hoped that there would be three properties, but due to surface water issues, much work had had to be carried out to devise a new drainage scheme, following this the number of properties had been reduced to two.

Cllr Edge moved Officer's recommendation for Approval; this was seconded by Cllr Hewitt.

The Committee discussed the application noting that rural areas needed more developments for older people to enable them to downsize and remain living in the community.

**Resolved**

**That the application be APPROVED 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) No development shall commence on site until details and samples of the materials to be used for the external walls and roofs (including the solar panels) 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 scheme for the discharge of surface water from the access/driveway, incorporating sustainable drainage details, has been submitted to and approved in writing by the local planning authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.**

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

**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;
- 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.**

**5) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.**

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

**6) No development shall commence 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.

7) The dwellings 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.

8) No dwelling shall be first occupied until foul water and surface water drainage has been constructed in accordance with the approved scheme shown on the submitted and approved plans (Plan Ref: L-06602 D.01 Rev 3 Drainage Layout, dated 21/03/2016, received by this office 21/03/2016).

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

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) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or rooflight, shall be inserted in the roofslopes or side gables (above first floor level) of the development hereby permitted.

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

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

Plan Ref: L-06602 D.01 Rev 3 Drainage Layout, dated 21/03/2016, received by this office 21/03/2016

**Plan Ref: 17014-DB3-B01-XX-DR-A-80-01 Existing Location Plan (Red Line), dated 11/09/2015, received by this office 04/11/2015**

**Plan Ref: L-06602 PC01 Rev 1 Preliminary Entrance Layout, dated 20/10/2015, received by this office 04/11/2015**

**Plan Ref: 17014-DB3-B01-XX-DR-A-20-01 Proposed Floor Plan for House 1 and 2, dated 11/09/2015, received by this office 04/11/2015**

**Plan Ref: 17014-DB3-B01-XX-DR-A-20-02 Proposed Front and Side Elevation 1, dated 11/09/2015, received by this office 04/11/2015**

**Plan Ref: 17014-DB3-B01-XX-DR-A-20-03 Proposed Rear and Side Elevation 2, dated 11/09/2015, received by this office 04/11/2015**

**Plan Ref: 17014-DB3-B01-XX-DR-A-90-02 Proposed Site Plan, dated 19/10/2015, received by this office 04/11/2015**

**Plan Ref: 17014-DB3-B01-XX-DR-A-90-01 Proposed Context Site Plan showing neighbouring properties, dated 19/10/2015, received by this office 04/11/2015**

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

**INFORMATIVE: Highway licence**

The consent hereby granted shall not be construed as authority to carry out works on the highway. A licence will be required from the local highway authority before any works carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact the Council's Vehicle Crossing Team on [vehicleaccess@wiltshire.gov.uk](mailto:vehicleaccess@wiltshire.gov.uk) and/or 01225 713352.

**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: Archaeological work**

The 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.

**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)

37 **Commons Act 2006 - Section 15(1) And (3) Application To Register Land As A Town Or Village Green - Browns Copse Field Winterslow**

Public Participation

Mrs Patricia Sheppard spoke in Objection to the application.

Mr David Read spoke in Objection to the application.

Mr Richard Sheppard spoke in Objection to the application.

Mr Glynn Paton spoke in Support of the application.

Mr Michael Morgan Jones spoke in Support of the application.

The Senior Solicitor introduced the application to register land as a Village Green, in relation to Brown Copse Field, Winterslow. It was explained that in November and December 2014 Wiltshire Council held a non-statutory public inquiry into an application to register land as a town or village green, under Sections 15(1) and (3) of the Commons Act 2006, in the parish of Winterslow.

At the inquiry, evidence was given orally by witnesses both in support and in objection to the application. This evidence was then tested through cross-examination and re-examination of the witnesses. Following the inquiry, the independent Inspector appointed by Wiltshire Council to preside over the inquiry produced a report of his findings and made a recommendation to Wiltshire Council.

At its meeting on 24 September 2015 the Committee decided against the Inspectors recommendation in part and turned down the application to register Browns Copse as a Village Green. The applicant then sought to challenge that decision and proceedings were filed in the High Court on 23 December 2015. Wiltshire Council sought legal advice from a Barrister. The Council could not defend those proceedings and the decision was quashed by the High Court in March 2016.

The Committee was required to re-determine the application but only concerning Brown's Copse and the Committee was asked to consider the Inspectors recommendation on the Village Green application again. 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 Court had looked at the process in which the Committee had come to its decision. The decision had been quashed on grounds of pre-determination. It was not the role of the Court to look at the inspector's report but the decision making process. The Committee asked whether the correct advice had been provided at the original meeting, in relation to the options available to them. It was stated that the only test available to Committee was the legal test as set out in s.15 of the Commons Act 2006 that a significant number of inhabitants of any locality or of any neighbourhood within a locality, had indulged as of right in lawful sports or pastimes on the land for a period of at least 20 years.

If the application was approved, the ownership of the land would not change. The current owners could continue to work the land such as coppicing, as they had previously done as activities undertaken by the landowner such as the coppicing had been undertaken for the last 70 years and had co-existed with the village green activities. However the landowners would now no longer be able to prevent the public from entering the land.

The public as referred to above, then had the opportunity to present their views to the Committee.

The Unitary Division Member Councillor Chris Devine then spoke on the application noting that in April 2015 he had chaired the Committee meeting when this had come for decision. He had put forward the Inspector's recommendation to approve the application, but that it had not been seconded. As a representative for Winterslow he felt with a heavy heart that following guidance received by all on determining applications for Village Greens and the law, the Committee had no other choice than to support the recommendation. Councillor Devine also noted that if the matter went to Court again the Council would lose and risk incurring substantial costs. Councillor Devine also noted that a full 5 day inquiry took place with both parties having legal representation and the evidence was heard by an experienced Inspector.

Cllr Devine moved the Inspector's recommendation for approval; this was seconded by Cllr Westmoreland.

The Committee discussed the application noting that it had missed the opportunity to challenge the Inspector's findings at the first instance through asking questions of the Inspector before making their decision, and were now not in a position to query them as that time had passed. To go against the recommendation a second time would only result in a repeat of the High Court decision, costing the Council a considerable amount of tax payers' money.

It was felt that the term 'Village Green' was misleading and should be more appropriately named as a 'Village Amenity' or such. In addition it was noted that the original purpose of the Act was to secure village spaces for future

generations and not for the purpose of preventing development, which it was now often used for.

It was questioned that pre-determination was not a valid reason for quashing the original decision, and when the Committee had made the original decision, it asked whether they could legally go against the Inspector's recommendation, and had been advised that they could, if there was good reason to do so. Two reasons had then been presented by the Committee, however if the Committee had better understood the process then it could have invited the Inspector to review his findings, based on Committee's observations prior to making a decision.

The Chairman stated that the Committee had to accept that the Committee had got it wrong when they previously made their decision. The Chairman apologised to both the land owners for the turn of events which had now left the Committee's hands tied and the applicants for the delays in the decision making process.

Councillors West and Edge abstained from voting.

#### **Resolved**

**The Southern Area Planning Committee APPROVE the Inspector's recommendation and the application by Winterslow Opposed to Over Development (WOOD) under Section 15(3) of the Commons Act 2006 be approved but only to the extent that Browns Copse is registered as a town or village green in its entirety, other than the north-west corner of the Copse that is owned by Wiltshire Council.**

#### **38 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 number 39 below because it was likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 5 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.**

**Paragraph 5 referred to above, relates to information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.**

#### **39 Commons Act 2006 - Section 15(1) And (3) Application To Register Land As A Town Or Village Green - The Common / Browns Copse Field / Bluebell Wood Field / Village Hall Field / The Field, Winterslow**

The Committee received advice as referred to in Appendix 7 of the report considered under minute number 37 above.

**Resolved**

**That Appendix 7 of the report presented under minute number 37 above be received and noted.**

(Duration of meeting: 6.00 - 8.02 pm)

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

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## **WESTERN AREA PLANNING COMMITTEE**

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**DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 27 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 Magnus Macdonald, Cllr Pip Ridout, Cllr Jonathon Seed, Cllr Roy While, Cllr Terry Chivers (Substitute) and Cllr Graham Payne

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**32 Apologies for Absence**

Apologies for absence were received from Cllr Dennis Drewitt (substituted by Cllr Terry Chivers).

**33 Minutes of the Previous Meeting**

The minutes of the meeting held on 6 April 2016 were presented.

**Resolved:**

**To approve as a correct record and sign the minutes of the meeting held on 6 April 2016.**

**34 Chairman's Announcements**

There were no Chairman's Announcements.

The Chairman gave details of the exits to be used in the event of an emergency.

**35 Declarations of Interest**

There were no declarations of any disclosable interests.

**36 Public Participation and Councillors' Questions**

No questions had been received from councillors or members of the public.

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

**37 Planning Appeals Update Report**

In response to a question asked by Cllr Ridout about the current status of appeals since the circulation of the last report, Mr. Mike Wilmott gave a verbal update noting that three new appeals had been submitted, one appeal was forthcoming and the rest ongoing.

Cllr Clark sought clarification on the officer recommendation on planning application no. 15/01674/FUL that was shown as 'refuse'.

Mr. Wilmott confirmed that the officer recommendation had been to grant permission.

**Resolved:**

**To note the Planning Appeals Update Report between 14/04/2016 and 31/12/2016.**

**38 Planning Applications**

The Committee considered the following applications:

15/12454/OUT - Land To The North Of Sandridge Common, Sandridge Road, Melksham, Wiltshire

16/01161/FUL - Blackberries Camping Park, Farleigh Rise, Monkton Farleigh, Wiltshire, BA15 2DY

**39 15/12454/OUT - Land To The North Of Sandridge Common, Sandridge Road, Melksham, Wiltshire**

The Senior Planning Officer outlined the report that recommended that the application be deferred and delegated to the Area Development Manager subject to the prior completion of a legal agreement within the next 6 months, to cover the matters identified and conditions.

Mr. Eric Alder, Mr. Paul Widdicombe, Chairman of residents committee and Matthew White, a resident, spoke in objection to the application; at the discretion of the Chairman, Ms. Angela Hardgreaves, also a resident, spoke in objection to the application.

Cllr Terry Chivers began the debate.

Issues discussed in the course of the presentation and debate included: issues surrounding the application of the 5 year land supply principle, the impact on the character and appearance of the area, impact upon neighbouring amenity, access and highways issues, the primary education contribution and capacity for intake in local schools.

Cllr Jonathan Seed proposed, subsequently seconded by Cllr. Andrew Davis that the Committee should defer the application as per the Officer's recommendations detailed in the report and subject to any additional conditions and amendments identified and agreed.

In questioning the Senior Planning Officer, the Committee sought clarity on the implications of the application of the 5 year land supply rule and the conditions governing the primary education contribution.

In response to the above, the Senior Planning Officer explained that the withdrawal of the request from the Council's Education Team for a contribution towards primary education was because they had received updated projection figures for school age children in the area and had established that at this time in the area of this development there was capacity in the local primary school to accommodate the pupils arising from this development. He emphasised that the provision of evidence of a need was key to justifying any request for educational funding.

On the issue of the implications of the 5 year land supply rule, the Area Development Manager explained that the 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 Melksham.

### **Resolved**

**That the application be deferred and delegated to the Area Development Manager to grant planning permission, subject to the prior completion of a legal agreement, within the next 6 months, to cover the matters identified in section 9.10 of the report (save for the primary education contribution), 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) Means of access.

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

1578-01 received on 16th December 2015;

302.P.1 received on 16th December 2015;

302.P.3 Rev A received on 16th December 2015; and

302.E.5.3 Rev B received on 16th December 2015.

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

5. No more than 100 dwellings shall be erected on the site.

REASON: To define the terms of the permission.

6. There shall be no development of 3-storeys or greater. To the western boundary development shall be garden to garden.

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

7. No development shall commence on site until a programme of phasing for the development (including off-site highway improvement works) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

8. 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) 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.

9. 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 and 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);
  - \* 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.

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. Before development takes place, a Landscape and Ecology Management Plan shall be prepared and submitted to the local planning authority for approval, including the provision of integral boxes for nesting birds and roosting bats within dwellings adjacent to the eastern and western boundaries, and around the SUDS area. The development site shall be managed and maintained in accordance with the measures set

out in the approved plan in perpetuity unless otherwise agreed in writing with the local planning authority.

REASON: To ensure the appropriate management of priority habitats and mitigation for protected species.

12. 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.

13. 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.

14. 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.

15. 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.

16. 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.

17. The Residential Travel Plan dated December 2015 shall be implemented in accordance with the measures set out within the hereby agreed document. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

REASON: In the interests of road safety and reducing vehicular traffic to the development.

18. Prior to first occupation of any dwelling hereby permitted the access shall be provided with visibility with nothing to exceed the height of 600mm above carriageway level between the carriageway edge, and a line drawn from a point 2.4 metres back along the centre line of the access from the carriageway edge, to points on the nearside carriageway edge 90 metres to the east and 90 metres to the west.

REASON: In the interests of highway safety.

19. Prior to first occupation 2 metre wide pedestrian footways shall have been provided on the northern side of the A3102 as detailed on plan number 301/E/5/3/B. The footways so provided shall thereafter remain permanently available for use by pedestrians.

REASON: in the interests of pedestrian accessibility.

20. Prior to first occupation the vehicular access to the development including a right turning lane, pedestrian refuge and street lighting on the A3102 shall have been provided.

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

21. Details of improvements to the existing highway footway link to Lansdowne Close shall be submitted to and approved in writing by the Local Planning Authority. These details shall include a specification for the construction of a tarmacadam footway for the first five metres beyond the western site boundary and resurfacing of the remainder of the footway.

The works, insofar as can be carried out within the extent of the existing public highway, shall be carried out in accordance with the approved details prior to the occupation of the 50<sup>th</sup> dwelling.

Any application for reserved matters approval shall include a pedestrian link within the development to the offsite link to Lansdowne Close.

REASON: In the interests of pedestrian accessibility.

22. Notwithstanding the details submitted, no development shall commence on each phase of the 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. No part of development shall 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 that serve that part of the development have all been constructed and laid out in accordance with the approved details, unless an alternative programming arrangement is agreed in the approved details.

REASON: In the interests of highway safety.

23. 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: In the interests of highway safety.

24. Before any development takes place, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval. The Plan shall provide details of the measures that will be implemented during the site clearance and construction phases to prevent any harm or injury to protected species (specifically including badger, hedgehog, reptiles, amphibians and nesting birds), hedgerows and trees. The CEMP shall include details for dust suppression. Development shall be carried out in full accordance with the approved plan.

REASON: To ensure adequate protection and mitigation for protected species, priority species and priority habitats; and in the interests of the amenities of the area.

25. 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.

26. 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 for the interests of public health and safety

27. 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.

28. 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 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 details shall:

- a) Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb foraging/commuting bats using the boundary hedgerows), including security lighting and lighting of footpaths (if necessary); and
- b) Specify luminaires, heights and positions of fittings, direction and other features, e.g. cowls, louvres or baffles

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, to minimise unnecessary light spillage above and outside the development site and to protect wildlife interests.

29. Demolition or construction works on the site and vehicle deliveries 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.

30. 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.

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

INFORMATIVE: 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).

INFORMATIVE: The submitted Utilities Statement says at 6.1 that permeable paving will be used within the development. The applicants

should be advised that permeable paving will not be accepted for the adoptable highway areas.

INFORMATIVE: The applicant is advised that the reserved matters application should include low-rise development to reflect the adjacent development to the west and the fringe of town location.

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.

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 the Environment Agency's Pollution Prevention Guidelines, which can be found at:

<https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

INFORMATIVE: 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>

INFORMATIVE: Bird nesting or bat roosting opportunities in new buildings, such as integral bat bricks (e.g. <http://www.ibstock.com/sustainability-ecozone.asp>), bat tubes (e.g. [http://www.nhbs.com/2fr\\_schwegler\\_bat\\_tube\\_tefno\\_162812.html](http://www.nhbs.com/2fr_schwegler_bat_tube_tefno_162812.html)) or Habitat (<http://www.habibat.co.uk/>) are integral and can be fitted into the walls of buildings. They do not interfere with the human inhabitants and require no maintenance. Woodcrete products are longer-lived than traditional timber-made boxes, and there are many different products available from a range of suppliers. These types of enhancements can be generic or aimed at specific species. Nest boxes are available from a range of different suppliers; the following is a small selection to demonstrate how these boxes can be incorporated into the fabric of buildings and for more information for the applicant in some cases. Enhancements can also be provided for other species such as amphibians and reptiles, hedgehogs and invertebrates. Further information can be found at:

<http://www.ecosurv.co.uk/product/bird-box-range>

<http://www.habibat.co.uk/bird-boxes/>

<http://www.birdbrickhouses.co.uk/page53.html>

<http://www.nhbs.com/title/188492/habi-sabi-starling-box>

<http://www.nhbs.com/title/184737/starling-box-smooth-brick>

<http://www.nhbs.com/title/184740/starling-box-custom-brick-facing>

[http://swift-conservation.org/swift\\_bricks.htm](http://swift-conservation.org/swift_bricks.htm)

<http://www.ibstock.com/sustainability-ecozone.asp>

[http://www.ciria.com/buildinggreener/complementary\\_features.htm](http://www.ciria.com/buildinggreener/complementary_features.htm)  
<http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/biodiversity-ecosystems-and-green-infrastructure/>

INFORMATIVE: Proposals show intention to form a new outfall and discharge to an ordinary watercourse – this including discharge rates will require a separate Land Drainage Consent application and approval. This is a separate legislation requirement and granting of planning permission does not give automatic LDC – in fact gaining LDC may require alteration of any planning application/approval documentation.

40 **16/01161/FUL - Blackberries Camping Park, Farleigh Rise, Monkton Farleigh, Wiltshire, BA15 2DY**

The Senior Planning Officer outlined the report that recommended that the application be approved with conditions.

Mr. John Veal spoke in objection to the application and Ms. Beryl Orchard spoke in support of the application.

Cllr Trevor Carbin spoke as the local member and noted that having gone through the application he could find no justifiable grounds for refusal

Issues discussed in the course of the presentation and debate included: the impact on neighbouring amenity and the issue of noise pollution; the planning policy on Green Belt and relevant implications; and highways issues.

Cllr Trevor Carbin proposed subsequently seconded by Cllr Pip Ridout that the application be approved subject to an amendment of condition 8.

**Resolved**

**To approve the application 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:

Location Plan received on 5 February 2016; 'Proposed block plan' received on 5 February 2016; 'Proposed reception building' – north and east elevations and floor plan received on 5 February 2016; 'Proposed reception building' – south and west elevations and roof plan received on 5 February 2016; 'Proposed new toilet and shower facility' – south and west elevations received on 5 February 2016; 'Proposed new toilet and shower facility' – north and east elevations received on 5 February 2016; 'Proposed new toilet and shower facility' – floor plan received on 5 February 2016

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

3. In accordance with the details submitted and assessed under this application no more than 15 pitches (either tents or pods or caravans) shall be sited and in use on the land at any time.

REASON: In order to define the terms of this permission, highway safety and to protect the rural scene.

4. Any gates shall be set back 10 metres from the edge of the carriageway, such gates to open inwards only, in perpetuity.

REASON: For the sake of consistency, the avoidance of any doubt and highway safety.

5. The existing visibility splays between the edge of the carriageway and a line extending back to a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to a point on the edge of the carriageway 90 metres towards the east and north-western corner of the site frontage towards the west shall be permanently kept free of obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

REASON: For the sake of consistency, the avoidance of any doubt and highway safety.

6. The approved details of refuse storage and external lighting under planning permission W/13/00050/FUL shall be maintained in accordance with those details in perpetuity. There shall be no additional external lighting.

REASON: For the sake of consistency, the avoidance of any doubt and protecting the rural amenities.

7. All shrubs, trees and hedge planting as approved under planning permission W/13/00050/FUL 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.

REASON: For the sake of consistency, the avoidance of any doubt and protecting the rural amenities.

8. There shall be no further use of pitches 11-15 until a management plan for the operation of the site has been submitted to and approved in writing by the local planning authority in consultation with Monkton Farleigh Parish Council. The management plan shall be submitted within 1 month of the planning permission hereby granted. The management plan shall include details such as the reception hours, measures to control noise generation and guest arrival times. The site management shall be carried out in accordance with the approved details thereafter.

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

1. **INFORMATIVE:** Please note that this consent does not override the statutory protection afforded to any protected species. 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. 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>

2. **INFORMATIVE:** The applicant is advised that 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. Please note that this consent does not override the statutory protection afforded to any such species. If bats or evidence of bats is found at any stage of development, 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).

3. **INFORMATIVE:** The Protection of Badgers Act 1992 protects badgers from cruel ill-treatment, including damage or destruction of their setts, or disturbance whilst a sett is in occupation. This Act makes it illegal to carry out work that may disturb badgers without a Natural England licence. Particular care should be taken when clearing ground prior to development, and if evidence of badger activity is found, (such as foraging routes, snuffle holes, latrines or established setts), then work must stop immediately while a professional ecologist is contacted for advice. Applicants are advised to pay particular attention to foundation ditches, which can be hazardous to badgers. Sloping boards or steps should be provided to allow badgers to escape from such ditches should they become trapped. Failure to consider this matter, leading to the death of individuals, may leave the developer liable for prosecution. Further information about badgers and licensing can be found at <https://www.gov.uk/badgers-protection-surveys-and-licences>
  
4. **INFORMATIVE:** All reptiles are legally protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and planning permission does not provide a defence against prosecution. In order to minimise the risk of reptiles occurring on the site, the developer is advised to clear the site and vegetation in a sympathetic manner during the autumn (September/October) or spring months (April-May)

and to maintain the vegetation at a short height to make it unsuitable for reptiles until the construction works commence. If these species are found during the works, the applicant is advised to stop work and follow the advice of a professional ecologist to inform necessary mitigation and/or compensation measures.

5.       INFORMATIVE: Under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage and destroy a nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act. Trees, scrub and other vegetation, such as dense ivy, are likely to contain nesting birds between 1st March and 31st August. Woodland, hedgerows, scrub and individual trees are present on the application site and should be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

#### 41    **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 4.41 pm)

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## **WESTERN AREA PLANNING COMMITTEE**

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### **MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 18 MAY 2016 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

Cllr Christopher Newbury (Chairman), Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Dennis Drewett, Cllr Roy While, Cllr Gordon King (Substitute), Cllr Jerry Wickham (Substitute) and Cllr Graham Payne

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#### **42 Apologies for Absence**

Apologies for absence were received from Councillors Pip Ridout, Magnus Macdonald and Jonathon Seed.

Councillor Macdonald was substituted by Councillor Gordon King.

Councillor Seed was substituted by Councillor Jerry Wickham.

#### **43 Minutes of the Previous Meeting**

The minutes of the meeting held on 27 April 2016 were presented for consideration and it was,

#### **Resolved:**

**To approve and sign as a true and correct record the minutes of the meeting held on 27 April 2016.**

#### **44 Chairman's Announcements**

The Chairman made the following announcement:

Application 16/02223/FUL - The Grove Primary School, Hazel Grove, Trowbridge - had been withdrawn by the applicant prior to the meeting to allow for further discussion to take place.

#### **45 Declarations of Interest**

There were no declarations of any disclosable interests.

46 **Public Participation and Councillors' Questions**

No questions were received.

The rules on public participation were noted.

47 **Planning Appeals Update Report**

The Planning Appeals Update Report for forthcoming hearings and public inquiries between 9 May 2016 and 31 December 2016 was received.

**Resolved:**

**To note the Planning Appeals Update Report.**

48 **Planning Applications**

The Committee considered the following applications:

**16/02681/FUL - 8 Fulmar Close Bowerhill**

**16/02306/FUL - Homefield 19 Bratton Road West Ashton**

49 **16/02223/FUL - The Grove Primary School Hazel Grove Trowbridge**

The application was withdrawn by the applicant prior to the meeting.

50 **16/02681/FUL - 8 Fulmar Close Bowerhill**

**Public Participation**

Mr Robert Palin spoke in objection to the application.

Mr Alan Godwin spoke in objection to the application.

Mr Richard Harlow, agent, spoke in support of the application.

The Planning Officer outlined the report that recommended that the application for a new roof for a detached garage with ancillary accommodation be approved.

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

Members of the public then had the opportunity to address the Committee, as detailed above.

The Unitary Division Member, Councillor Roy While, then addressed the Committee in his capacity as the local member, including noting that no objection had been received from the Parish Council.

A debate followed where the scale and visual impact of the development, in particular any loss of light, and the existing character of the area was discussed. The purpose of the proposed expansion and similar applications in the area were also raised.

Following a defeat of a motion to refuse the application, a motion was proposed by Councillor Carbin, seconded by Councillor Newbury, to hold a site visit, and it was,

**Resolved:**

**That the application be deferred in order to arrange a site visit.**

51 **16/02306/FUL - Homefield 19 Bratton Road West Ashton**

Public Participation

Mr Chris Beaver, agent, spoke in support of the application.

Councillor Richard Covington, Chairman of West Ashton Parish Council, spoke in support of the application.

The Senior Planning Officer outlined the report that recommended that the application for change of use of part of an agricultural paddock to private garden use be refused.

Members of the Committee were given the opportunity to ask technical question of the officers. Details were sought on historic planning appeals in the area, land boundaries and ownership and use of other land around the application site.

Members of the public then had the opportunity to address the Committee as detailed above.

A debate followed, where members noted that although officers had recommended refusal in accordance with policy the Parish Council were in support and other properties in the area had made extensions to their gardens, in addition to adjacent development overshadowing the existing garden. Some

members raised concerns about setting a precedent should the application be approved.

Following a motion to approve subject to conditions to be provided by the Senior Planning Officer moved by Councillor Jerry Wickham, seconded by Councillor Graham Payne, at the conclusion of debate it was,

**Resolved:**

**That 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**

**Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-F shall take place on the land shown on the red line site plan hereby approved.**

**3**

**Prior to the commencement of the use hereby permitted details of boundary treatments to the site shall be submitted for approval in writing by the Local Planning Authority. Boundary treatment shall be implemented in accordance with the approved details and retained as such thereafter.**

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

**4**

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

**Site Location Plan Drg.No.1610.001 Registered on 18 March 2016.**

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

52 **WILTSHIRE COUNCIL PARISH OF HEYWOOD PATHS 6 (PART), 7 AND 8 (PART) STOPPING UP AND DIVERSION ORDER AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2016**

Public Participation

Mr Francis Morland spoke in objection to the order.

Mr Chris Wordsworth spoke in support of the order.

The Rights of Way Officer outlined the report that proposed that the listed Order be forwarded to the Secretary of State for Environment, Food and Rural Affairs for determination with the recommendation it be adopted without modification.

Members of the Committee were given the opportunity to ask technical questions of the officer. It was stated in response to queries that planning permission had been granted for a new business park, Hawke Ridge Business Park, and that there were several rights of way crossing the site that were intended to be diverted. Ownership of land for a proposed footpath had not yet been established.

In the debate which followed, problems with flooding and land ownership were discussed.

**Resolved:**

**That the 'Wiltshire Council Parish of Heywood Paths 6 (part), 7 and 8 (part) Stopping Up and Diversion Order and Definitive Map and Statement Modification Order 2016' is forwarded to the Secretary of State for Environment, Food and Rural Affairs for determination with the recommendation that it is confirmed without modification.**

53 **Urgent Items**

There were no urgent Items.

(Duration of meeting: 1500-1640)

The Officer who has produced these minutes is Shirley Agyeman, of Democratic & Members' Services, direct line, e-mail

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## **STANDARDS COMMITTEE**

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### **MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 29 JUNE 2016 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

Cllr Julian Johnson (Chairman), Cllr Paul Oatway (Vice Chairman),  
Cllr Allison Bucknell, Cllr Rosemary Brown, Cllr Trevor Carbin,  
Cllr Howard Greenman, Cllr Sheila Parker, Mr Philip Gill MBE JP, Mr John Scragg  
and Miss Pam Turner

#### **Also Present:**

Cllr Alan MacRae

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#### **12 Apologies for Absence**

Apologies were received from Councillor Horace Prickett and Mr Paul Neale.

It was also confirmed that following his appointment as Cabinet Member for Public Health on 27 June 2016, Councillor Jerry Wickham was no longer able to be a member of the Standards Committee.

#### **13 Minutes**

The Committee received the minutes of the Standards Review Sub-Committees held on 19 April and 15 June 2016, and considered the minutes of the Committee meeting held on 27 April 2016.

#### **Resolved:**

**To approve and sign as a true and correct record the minutes of the meeting held on 27 April 2016.**

#### **14 Declarations of Interest**

There were no declarations.

#### **15 Chairman's Announcements**

With the agreement of the Committee the agenda order for the meeting was altered to take the recommendations from the Focus Group as the first substantive item of business.

16 **Public Participation and Questions**

There were no questions or statements submitted.

17 **Recommendations of the Constitution Focus Group: Finance Regulations and Contract and Procurement Regulations**

The Committee received a report detailing proposed changes to the Financial Regulations in Part 9 of the Constitution and the Contract and Procurement Rules in Part 10. As detailed in the report and the draft minutes contained in agenda supplement 1, the proposed changes had been recommended for approval by the Constitution Focus Group.

Michael Hudson, Associate Director, Finance, was in attendance and gave a presentation on the proposed changes. It was explained the existing regulations had been reviewed in order to provide greater clarity and consistency resulting in better governance overall. The regulations set out the core principles, rules and standards that apply and these would be supported by a more detailed web-based manual for staff on how these core rules and standards are to be met. This would form part of a renewed council competency and training programme for all relevant staff on the financial governance framework.

A similar approach had been taken in respect of the Contract and Procurement Rules.

The Committee discussed the proposals, seeking details on the accessibility of the new procedure manuals and how the effectiveness of the new arrangements would be monitored, including oversight by Members.

**Resolved:**

**To recommend that Council adopt the proposed new Financial Regulations and Contract and Procurement Rules in Part 9 and Part 10 of the Constitution respectively, and request the Audit Committee to review the implementation and effectiveness of the new arrangements.**

18 **Code of Conduct**

Following a review of the effectiveness of the Council's Code of Conduct the Committee in September 2015 recommended Council to consider changes to clarify and strengthen the Code.

On 10 May 2016 Full Council asked the Standards Committee to consider a possible alternative proposal requesting full guidance from the Monitoring Officer assisting Members to meet their Code of Conduct obligations and to report back to the next meeting of Council.

The Committee received a report detailing proposed guidance on the provisions of the current Code, including the principles of public life; the duty to promote and maintain high standards of conduct; explanation of specific provisions of the Code; use of social media; registration and declaration of interests; bias and predetermination and the complaints procedure and local assessment criteria.

The Committee discussed the proposed guidance and considered whether this approach would more effectively address the concerns identified previously by the Committee than making changes to the Code itself. Subject to some minor changes, in particular in relation to the declaration of charitable interests, the Committee was satisfied that the guidance approach would meet their overall objective of promoting and maintaining high standards of conduct and was therefore minded to recommend Council to adopt this approach. It was noted that the guidance would be reviewed as necessary to ensure that it remained fit for purpose and it was proposed that this would be approved through the Standards Committee.

The Committee was also informed that representations had been received on aspects of the code of conduct complaints procedure. This procedure had been in place since July 2012 and the Committee felt it would be appropriate to review its effectiveness to see if improvements could be made. It was proposed that this would be referred to the Constitution Focus Group to review and report back to the Committee. It was noted that parish and town councils would need to be advised of any proposed changes to the procedure given that parish and town councillor code of conduct complaints are required to be dealt with under the Council's procedure.

**Resolved:**

- 1) To recommend that Council makes no changes to the Code of Conduct but adopts the proposed guidance as attached to the report to assist Members in meeting their obligations under the Code.**
- 2) To ask the Constitution Focus Group to review the procedure for dealing with complaints under the Code of Conduct and report back to the Committee with advice on any proposed changes.**

19 **Status of Complaints Update**

The Committee received a regular update on the number of Code of Conduct complaints received so far in 2016, along with details of outcomes and types of complaint.

**Resolved:**

**To note the update.**

20 **Forward Plan**

The Committee noted the Forward Plan as detailed in the agenda papers.

21 **Urgent Items**

There were no urgent items.

(Duration of meeting: 2.05 - 3.00 pm)

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## JOINT STRATEGIC ECONOMIC COMMITTEE

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### DRAFT MINUTES OF THE JOINT STRATEGIC ECONOMIC COMMITTEE MEETING HELD ON 11 FEBRUARY 2016 AT MONKTON PARK, CHIPPENHAM.

#### Present:

Cllr David Renard (Chairman), Cllr John Thomson, Cllr Brian Mattock, Cllr Fleur de Rhé-Philippe, Cllr Garry Perkins, Cllr Russell Holland (Substitute) and Cllr Toby Sturgis (Substitute)

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#### 1 **Apologies**

Apologies were received from Nicky Alberry and Barry Dennington. The Baroness Scott of Bybrook, and Cllr Gary Perkins gave their apologies, and were substituted by Cllr Tony Sturgis and Cllr Russel Holland respectively.

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

There were no declarations of interest made.

#### 3 **Minutes**

The meeting considered the minutes of the meeting held on the 1 December 2015, and the minutes of the Swindon and Wiltshire Local Enterprise Partnership Joint Scrutiny Task Group held since the last meeting of the JSEC.

#### **Resolved**

- 1. To approve as a correct record the minutes of the meeting held on the 1 December 2015.**
- 2. To receive and noted the minutes of the Swindon and Wiltshire Local Enterprise Partnership Joint Scrutiny Task Group held on the 9 December 2015.**

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

There were no Chairman's Announcements

#### 5 **Public Participation**

There were no questions or representations from the public.

#### 6 **Strategic Economic Plan (SEP) Refresh**

The Committee considered a report that provided an update on the draft Strategic Economic Plan (SEP) which had been recently refreshed, and asked the Committee to note the content of the Plan.

Issues highlighted in the course of the presentation and discussion included: the iterative process undergone so far; that SWLEP was one of the few LEPs to refresh SEP since 2012; that three key zones that would be the focus of activity; that some work would be applied across the whole county; that the Board had approved the plan in January 2016; how the plan would be presented in a range of formats to better communicate with current and potential partners.

It was agreed that, in a change to officer's recommendation in the report, the Committee should endorse as well as note the Plan.

### **Resolved**

**To note and endorse of the wording in the Strategic Economic Plan, January 2016.**

## **7 Performance Indicators**

The Committee considered a report that provided an update on progress and recommended to the Committee that the indicator dashboards be published on a regular basis alongside the SWLEP Economic Bulletin be approved, and asked the Committee to consider the options set out regarding reporting period.

Issues highlighted in the course of the presentation and discussion included: that officers had developed the indicators following feedback from the Chairman and other members of the SWLEP Board; how the board could be kept up to date with the progress of projects; how the different outcomes of projects are monitored; how key indicators could be compared to other LEPs on a quarterly basis; the proposals to publish information on the website, and that some of this is already in the public domain; and that the Junction 16 was getting close to the procurement stage.

### **Resolved**

- 1. To note the progress made on the publication of the indicator dashboards for both the SWLEP programme of projects and key economic indicators for the area**
- 2. To confirm the Committee preferred option for a quarterly frequency and format of publication on the SWLEP website to the SWLEP board.**
- 3. To note that, once publication is formally underway, the Dashboards need not be further formally considered at JSEC unless the format, measures and period of the report are proposed to be substantially changed. As reported previously, as further funding programmes and**

**funded projects become live, e.g. European Structural and Investment Funding, the relevant indicators will be added to the dashboards for monitoring.**

## **8 Delivery of Local Growth Fund (LGF) Projects**

The Committee considered the report which provided an update on the delivery of the Local Growth Fund Projects

Issues highlighted in the course of the presentation and discussion included: that £140 million had been allocated to Local Growth Fund projects in the LEP area; that the commissioning group meets monthly to review progress; how a traffic light system is used; the status current projects; how the project managers for each project share information on performance; how the Department for Transport has retained control of some funding; the success of interim management arrangements; and how each priority has a sub-group and officers assigned to support them.

**Resolved**

**To note the report**

## **9 Risk Management Procedures Update**

The Committee considered the report which provided a summary of the SWLEP risk management procedure.

Issues highlighted in the course of the presentation and discussion included: that the SWLEP's approach to risk management had been used recently as an example of good practise; that mitigating actions are identified and progressed through rigorous programme management techniques; and how action is monitored and escalated for sign-off as appropriate.

**Resolved**

**To note the report**

## **10 Higher Futures (formerly City Deals)**

The Committee received the report which full update, following a previously received highlight report, regarding the progress of the Higher Futures project.

Issues highlighted in the course of the presentation and discussion included: that £1.4 million had been previously awarded to the project, with a focus in improving the higher skills amongst the workforce; that particular attention was placed on army leavers in the area; that skills at NQ Level 4 and above were required to meet the needs of the economy over the next decade; that universities from around the country are being approached to help develop

courses to meet the needs of employers; that progress had been slow, but the pace has had since picked up; that a full team of staff had been recruited to take this programme forward; that the previous deal was very ambitious, will have to renegotiate on this position; the income projections were not sustainable in the short-term; that some courses had started already with more to come; that businesses will start to contribute to income later in the lifespan off the project, with some funding expected from colleges; how best to harness larger businesses and groups of Small and Medium Enterprises (SMEs), so that they can help develop course; and the possibility of involving secondary schools once the project for higher skills refines the model.

### **Resolved**

- 1. To note the progress in establishing the Higher Futures Programme as a Programme of the SWLEP, with robust performance management reporting arrangements to the SWLEP Commissioning Group and from there to the SWLEP Board.**
- 2. To note the Board's decision at its meeting on 20 January to approve the change in the profile of budget spending as outlined in paragraph 5.**
- 3. To note the Board's decision at its meeting on 20 January for the Chair of the Sub-Group, the Head of Economy (Swindon Borough Council) and Associate Director of Economy and Planning (Wiltshire Council) enter in discussions with the Department for Business, Innovation and Skills (BIS) to review the outcomes in the City Deal Agreement.**
- 4. To note that the Chair of the SWLEP and Board sponsor will meet with the MOD and Careers Transition Partnership at a national level to facilitate moving forward the military elements of the programme.**

### **11 Strategic Housing Market Assessment (SHMAA)/ Functional Economic Market Area (FEMA) Update**

Alistair Cunningham, Associate Director for Planning – Wiltshire Council, and Richard Bell, Head of Planning - Swindon Borough Council, presented a report which provided an update on progress with the Joint Strategic Housing Market Assessment (SHMA) and Functional Economic Market Assessment (FEMA) for Wiltshire and Swindon; and on arrangements for the Joint Working Group.

Issues highlighted in the course of the presentation and discussion included: that officers were using the LEP footprint to understand the housing market needs to 2030 and then looking at infrastructure (transport, sewerage, water, energy) for 2050; that consultants employed to work on these plans; that a joint working group had been established to drive this work forward; that the work should inform further development of the SEP; the Swindon's Cabinet Member

for Transport would be invited to participate as required; and that the project could start to take in to account the economic areas of neighbouring authorities.

### **Resolved**

- 1. To endorse the content of the report and progress being made on the Strategic Housing Market Assessment and Functional Economic Market Assessment;**
- 2. That a further report be made to the next meeting of the JSEC.**

### **12 Recruitment of SWLEP Director**

It was noted that following a recruitment process, that Paddy Bradley had been appointed as to the position of SWLEP Director.

The Committee joined the Chairman in congratulating Mr Bradley on his new position.

### **13 Future Items and Date of the Next Meeting**

The Committee was asked, in addition to regular updates, for any other items they wished to be considered at future meetings. There were no additional items requested.

The Committee also noted that the meeting dates for the rest of 2016 had been altered from the previous meeting, as part of a reorganisation of SWLEP Board and JSEC meeting dates, as follows:

- 28 April, 24 June, 12 October and 8 December

Meeting of the SWLEP Board, as follows:

- 16 March and 11 May

### **14 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 Item Numbers 15 and 16 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).

**15 Growth Deal Process/Independent Technical Assessments (ITA)**

The Committee received the report which provided information about the selection process to date; provided a summary information of project assessments carried out; and outlined the next steps.

**Resolved**

- 1. That UA Officers (Programme Managers) carry out a due diligence review of the data resulting from the ITA assessment presented in this paper to ensure that any further strategic factors have been accounted for**
- 2. That officers advise on LGF Round 3 timescales and requirements when known.**
- 3. That given the Governments position regarding the Ultrafast Broadband project, that JSEC to ask the LEP to develop the proposals further.**

**16 European Structural Investment Fund Update**

The Committee received a report which provided an update on the progress of the European Structural and Investment funds 2014-2020 programme.

**Resolved**

- 1. That JSEC notes given all factors, progress to date has been reasonable and that spend and performance profiles are on target to meet the 2018 Performance Review; and**
- 2. That asks that the Chairman and Vice-Chairman of the JSEC, along with the Chairman of the LEP, to write to the Secretary of State to raised their concerns about the administration of the European Structural and Investment funds.**

(Duration of meeting: 1.00 - 2.13 pm)

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## **JOINT STRATEGIC ECONOMIC COMMITTEE**

**MINUTES OF THE JOINT STRATEGIC ECONOMIC COMMITTEE MEETING HELD ON 28 APRIL 2016 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

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### **Present:**

Cllr Baroness Scott of Bybrook OBE (Vice Chairman), Cllr David Renard (Chairman), Cllr John Thomson, Cllr Fleur de Rhé-Philippe and Cllr Garry Perkins

### **Also Present:**

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#### **17 Apologies**

Apologies were received from Mr Barry Dennington and Cllr Brian Mattock.

#### **18 Minutes**

The Committee considered the minutes of the last meeting held on 11 February 2016, and also received the minutes of the Board meeting of the Swindon and Wiltshire Local Enterprise Partnership held on 16 March 2016 for comment if appropriate.

### **Resolved:**

**To APPROVE and sign the minutes of the meeting held on 11 February 2016 as a true and correct record.**

#### **19 Declarations of Interest**

Councillor Garry Perkins declared a non-pecuniary interest in relation to Ultrafast Broadband as some business areas upgraded might include his own business area.

#### **20 Chairman's Announcements**

There were no announcements.

#### **21 Public Participation**

There were no statements or questions submitted.

#### **22 Commissioning Group Update**

A report was received from the Commissioning Group of the Swindon and Wiltshire Local Enterprise Partnership (SWLEP), as detailed in the agenda. Updates were provided on the Porton Science Park and regarding a report on Health and Life Sciences to be considered by the SWLEP Board.

The Committee discussed the report, noting work on High Value Manufacturing required additional refocusing, and that sector specific plans were to be established to look at the range of support to businesses, and that there was improving coordination with local MPs which would be continued.

The Committee also considered the Highlight report on current Local Growth Fund Schemes

**Resolved:**

**To note the update**

**23 Strategic Housing Market Assessment(SHMA)/Functional Economic Market Assessment(FEMA) Progress Report**

An update report was provided as detailed in the agenda on the Strategic Housing Market Assessment(SHMA) and Functional Economic Market Assessment (FEMA). A full briefing would be provided to the Committee before the next meeting.

It was explained that the consultant's carrying out the work had identified from evidence obtained the SHMA and FEMA areas, and which reflected much of the work done for the SWLEP Strategic Economic Plan economic areas, and were different from what are currently operated as housing areas.

The Committee discussed the update and upcoming requirements before the work was completed, with the Committee to oversee the work as it develops further.

**Resolved:**

**To note the update.**

**24 LGF Project Prioritisation**

A report was presented on prioritisation of projects within the Local Growth Fund (LGF)scheme and which was also reported to the SWLEP Board.

It was detailed that the timing for the next bidding round for the LGF was more complicated than previous rounds, and that early indications had been that very large schemes would have the greatest chance of success. The Committee considered the existing projects which might be suitable, as well as the possibility of combining projects together if interrelated and if this was viable. It was highlighted

that the process was likely to be extremely competitive, and any submitted project would need to be well presented. The deadline for submission would be 21 July.

The Committee also discussed the long term housing fund proposed in the national Budget, and how to re-evaluate existing proposals to match the level of monies made available for LGF funding.

**Resolved:**

**To note the update.**

**25 Ultrafast Broadband Report**

The Committee considered a report on the bid for Wiltshire Online to formally secure £2m match funding from the SWLEP, utilising the Local Growth Fund mechanism, to support Ultrafast (>100 Mbps) broadband connectivity roll out to targeted business areas in the county, to include some postcode areas of Swindon, within an eligible and agreed State Aid compliant intervention area.

The Committee discussed the update on the bid, noting that the money could not be utilised where the option was to be delivered commercially, and the need to map the coverage in Swindon and Wiltshire to determine which areas would match the requirements for use of the funds, and that both authorities would need to cooperate closely to obtain the funds.

**Resolved:**

**To note the update**

**26 European Structural Investment Fund (ESIF) Update**

The Committee considered a report update on the European Structural Investment Fund (ESIF), as detailed in the agenda papers.

Members discussed the ongoing progress on ESIF sub-committees and the progress on all programmes.

**Resolved:**

**To note the update.**

**27 Benchmarking LEP Board Recruitment, Retention and Succession Planning**

Paddy Bradley, Director of the SWLEP Secretariat, updated the Committee on ongoing work to appropriately measure the functioning and operations of the SWLEP against comparable LEPs. This had included investigating the makeup and recruitment processes of other LEP Boards, and expectations on Board members and particularly Chairmen.

The Committee also received details of work of the Joint Scrutiny Task Group which had assessed the SWLEP's recruitment processes and would in future be monitoring projects to assess achievements and outcomes.

**28 Forward Plan**

The forward work programme was noted.

**29 Date of the Next Meeting**

It was noted that the date of the next meeting was scheduled for 24 June, and it was agreed this should be changed due to the impact of the European referendum the previous day.

(Duration of meeting: 2.10 - 3.00 pm)

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## HEALTH AND WELLBEING BOARD

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### **DRAFT MINUTES OF THE HEALTH AND WELLBEING BOARD MEETING HELD ON 14 APRIL 2016 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

Cllr Baroness Scott of Bybrook OBE (Chairman), Dr Peter Jenkins (Vice Chairman), Dr Simon Burrell, Dr Toby Davies, Dr Richard Sandford-Hill, Christine Graves, Angus Macpherson, Cllr Laura Mayes, Nikki Luffingham, Dr Gareth Bryant, Carolyn Godfrey, Maggie Rae, Deborah Fielding, Toby Sutcliffe and Brian Stables (substitute)

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#### **15 Chairman's Welcome and Introduction**

The Chairman was pleased to announce that Wiltshire had won 'effective Health and Wellbeing Board' at the LGC awards recently and thanked everyone for their support.

The Chairman thanked those who attended the session on mental health awareness raising before the meeting.

The Chairman welcomed members of the national Better Care Fund programme team here today.

The Chairman announced that, sadly, Cllr Jeff Osborn, a local champion on health issues, had passed away.

Finally, the Chairman welcomed Cllr Anna Cuthbert the new portfolio holder on Adult Care services.

#### **16 Apologies for Absence**

The meeting noted apologies given as follows: James Scott, RUH, represented by Brian Stables; Peter Hill, Salisbury Hospital; Cllr Sheila Parker and Cllr Keith Humphries, Wiltshire Council.

#### **17 Minutes**

The meeting considered the minutes of the previous meeting.

#### **Resolved**

**To approve and sign the minutes of the previous meeting held on 28 January 2016.**

18 **Declarations of Interest**

There were no declarations of interest made.

19 **Chairman's Announcements**

*Update on Children's Community Health Services*

The Chairman highlighted that, following discussion at the last meeting, the Children's Community Health Services contract has been signed with Virgin Care, and that a further update would be given to the Board in the future.

20 **Public Participation**

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

21 **Better Care Plan**

The Board received a report, circulated as a supplementary paper which outline the approach to the Better Care Plan and presented draft commissioning intentions for approval.

Issues highlighted in the course of the presentation and discussion included: that plan had been operating for three years; how the various programmes and schemes integrate with other services; the number of patients treated through the system; the challenges that need to be faced; the desire to connect with a wider range of third sector organisations; how patient choice issues can be accommodated; how Healthwatch had been assisting in the development of the programme, through providing feedback on the patient experience; how services for people with dementia can be incorporated; how community pharmacists can be enabled to assist the programme; the key priorities for the programme over the year; the overview of the budget, the contributions from key partners and the priorities for investment; that the Health Select Committee and its Task Group, had been involved in scrutinising the programme.

Deborah Fielding, Wiltshire CCG, thanked integration manager James Roach for his hard work in the area, and stated that she was proud of what had been achieved particularly in assisting complex cases being supported at home. She recommended that partners should visit patients in the community, to see the care that for themselves. She acknowledged that there were still challenges to be faced, and emphasised the importance of greater working with partners, through the STP, to better manage capacity through the system.

Nikki Luffingham, NHS England, stated that they had reviewed 14 plans across the region, and that Wiltshire's was well written. She went on to say that performance had been good and that she agreed on the focus for the future. The Wiltshire BCP had the full support of NHS England; and with the national BCP team in attendance at the meeting, it was noted that there was national recognition for it too.

Cllr Chuck Berry, Chairman of the Health Select Committee, emphasised the further work with pharmacy services, and welcomed the BCP as an opportunity to seek greater co-ordination. Cllr John Walsh, Chairman of the Scrutiny Task group, thanked James Roach for his input and cooperation.

The Chairman of the Health & Wellbeing Board stated that whilst it was clear there had been success, the continuing pressures meant that complacency was not an option. She did, however, state that she would be writing to the Minister to outline the progress made particularly in the area of End of life Care.

In response to a question from the floor, James Roach stated that data from the Homefirst pilot would be analysed and that discussions would be held regarding a possible roll-out with Bath and Swindon hospitals.

Simon Burrell commented on the relatively difficult task of preventing admissions compared to improving discharge, and expressed concern that efforts to prevent admission should remain focused on getting the best clinical outcome for the patient.

### **Resolved**

- 1. To review the Better Care Plan Delivery Plan for 2016/17 and approve the outline commissioning intentions at Appendix 2 and Better Care Plan budget for 16/17 as outlined at appendix 1 and the supporting DTOC Action Plan at appendix 3.**
- 2. To note and give strategic approval to the necessary legal agreements between the Local Authority and CCG (through s75) which will provide the framework for the Better Care Fund and underpin the Better Care Plan.**
- 3. To agree that any further minor amendments to the Better Care Plan ahead of final submission and following feedback from moderation and NHS England can be signed off if necessary by the Chair and Vice Chair.**

## **22 Sustainability and Transformation Plan**

The Board received a verbal update on the development of the Sustainability and Transformation Plan (STP).

Issues highlighted in the course of the presentation and discussion included: that each area (footprint) was asked to submit by 11 April details of their proposed governance arrangements, analysis on the local challenge to meet 3 gaps (prevention, quality and finance) and key priorities; that the plans need to cover all health services (primary, secondary and specialised and public health); that STPs need to have links with social care and demonstrate strong engagement through Health & Wellbeing Boards; that the final plan for B&NES, Wiltshire, Swindon is due for submission by 30 June; that the first meeting of the STP Board has been held, and the membership has since expanded to include more clinical, GP NHS England and NHS Improvement representation.

The priorities for action that have been identified in the emerging plan so far, include: obesity and diabetes; drugs and alcohol; older people and dementia; Social Care funding; workforce issues; capacity constraints; capital revenue and estate; urgent care resilience; establishing clinically and financially effective new care pathways.

The Chairman stated that whilst she understood why the plan had to focus on areas that would best address key financial pressures, she remained disappointed that children and preventative work were given less priority. The Chairman felt that this was an issue across the country, and was concerned that a focus on transformational whole-life issues had been lost, and some thought should be given as how this can be addressed in parallel to the STP. Carolyn Godfrey further noted that there was now an opportunity for specialist services such as CAMHS to be commissioned on the same footprint as the STP area, which would provide opportunities to integrate services with non-specialist provision.

Nikki Luffingham stated that she would refer these comments through to the Regional Board.

Christine Graves stated that whilst there are clear benefits from partnership working, she remained concerned that this top-down development could represent a shift of decision making to a regional rather than a local level. It was noted that the Health and Wellbeing Board had no formal responsibility for the Sustainability and Transformation Plan.

## **Resolved**

- 1. To note the update; and**
- 2. To consider the plan at the next available meeting.**

## **23 Primary Care Strategy**

The Board received the report which provided an update on the development of a primary care strategy for Wiltshire and progress with joint commissioning arrangements.

Issues highlighted in the course of the presentation and discussion included: That this was a specific strategy for Wiltshire, with a number of elements brought together; the focus on achieving good health outcomes; the move to encourage practices to work together and with other community services. Dr Gareth Bryant raised specific areas of concern, namely: that much of the country is in crisis through workload pressures; that this was impacting on recruitment and retention of GPs; that morale amongst GPs is very low; that there had been a lack of investment in general practice overall; that a National Support Package is being published soon, with incentives to produce transformational change; and that GPs are the key to supporting the whole system.

The Chairman, in response, stated that she would be pleased to see the offer to GPs in Wiltshire be improved so that this area would be seen as more attractive than other areas for GPs.

Deborah Fielding stated, with the example from an out-of-hours service, that training and social support could help address some of the issues identified. Christine Graves stated that she was pleased to see that the strategy was patient focused, an outcome for which Healthwatch had worked with partners to advocate for.

#### **Resolved**

- 1. To note the update on the Primary Care Strategy from NHS England South and the Wiltshire CCG response as the Primary Care offer**
- 2. To note the update on the arrangements for Joint Commissioning**

#### 24 **Carers' Strategy**

The Board received the report which sought approval for the Carers' Strategy for consultation.

Issues highlighted in the course of the presentation and discussion included: that the strategy related to children and adults; that it was the ambition to embed carers issues in wider work; and that the strategy would return to the board following consultation.

#### **Resolved**

**To approve the draft Wiltshire's Joint Carers Strategy 2016 - 2020 for a 90 day public consultation.**

#### 25 **Dementia Services**

#### a) Dementia Engagement Work

The Board received the report which provided an update from Healthwatch Wiltshire on its engagement on dementia.

Issues highlighted in the course of the presentation and discussion included: that this was a top priority for Healthwatch, and it was committed provided a 'reality-check; for the dementia strategy; that the focus on dementia compliments with the engagement regarding the Better Care Plan as the BCP focuses on the older population; the range and extent of outreach, particularly through voluntary sector partners; the key messages from the public and how commissioners have responded; how people access information, including audiovisual formats on the internet; that some people feel isolated following diagnosis; and that a dementia road-map is being developed to show people what they can expect.

#### **Resolved**

- 1. To note the outcomes of the extensive engagement which has been carried out in Wiltshire since November 2014;**
- 2. To recognise the constructive partnership approach between the voluntary sector, commissioners and providers which ensures that local people's experiences are collected and taken into account; and**
- 3. To confirm the Board's commitment to the voice of local people influencing the commissioning and provision of services.**

#### b) Dementia Delivery Board

The Board received the report which provided an update on the implementation of the Dementia Strategy including how the outcomes of Healthwatch Wiltshire's engagement had been used.

Issues highlighted in the course of the presentation and discussion included: the clarity of the targets and priorities in the strategy; the recognition that continual engagement was important in developing the strategy; the increasing responsibilities for family members caring for those with dementia; how access to information has been improved; the importance of quality and consistency and care; how partners are working with care homes to improve practice; that there were still some areas to address, but considerable amount of work being undertaken; and that it was an ambition for the whole of Wiltshire to be more dementia-friendly.

#### **Resolved**

- 1. To review the summary of the action plan and reconfirm its commitment to the ongoing work and priorities of the Wiltshire**

**Dementia Delivery Board flowing from the Dementia Strategy and its associated Action Plan.**

- 2. To agree that the Wiltshire Dementia Delivery Board will continue to 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.**

## **26 Joint Mental Health and Wellbeing Strategy**

The Board received the report which provided an update on the implementation of the strategy.

Issues highlighted in the course of the presentation and discussion included: that the strategy was due to cover a seven year period, and was focused mainly on adult, but had links to other strategies for children and people with dementia; that the strategy sought to build on the good work undertaken in partnership; how area boards could be utilised to increase awareness of mental health issues; how appropriate information is made accessible to the public; and the possibility of setting up mindful employers group.

In response to a question from the Chairman; Frances Chinemana stated that timescale were due to be discussed for inclusion in the implementation plan, and would be reported in the next update report to the Board.

In response to an issue raised by Angus MacPherson, the Police & Crime Commissioner, the Chairman asked that the Commissioner bring a short paper to the Board regarding how the police were responding to mental health cases.

### **Resolved**

- 1. To review 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 Board annually on progress.**

## **27 Child Adolescent Mental Health Services Update**

The Board received the report which provided an update on the delivery of the Child Adolescent Mental Health Services Update (CAMHS) Transformation Plan which was recently agreed by the Board.

Issues highlighted in the course of the presentation and discussion included: that this was considered a national priority; that there had been some additional funding some of which had been ring-fenced for eating disorder services; that the remainder of additional funding should be focused on early intervention, currently only 10% of total budget; the importance of engaging schools and GPs; how proposed commissioning intentions built on previous work; that young people themselves, through the Wiltshire Assembly of Youth, had identified mental health as the key priority; how to best build resilience in children; and how best to encourage schools to share information effectively and appropriately.

In response to a question from the Chairman, Julia Cramp stated she would provide a response as to the relative rate of eating disorders in Wiltshire.

In response to a question from the meeting, Julia Cramp stated that whilst the level of pastoral care differed from school to school, there was no evidence to suggest that academisation had an effect on this. Carolyn Godfrey stated that the authority does monitor the situation in all schools and offers support to all schools as appropriate.

#### **Resolved**

- 1. To note the progress to date on the implementation of the CCG transformation plan for children and young people's mental health and wellbeing;**
- 2. To endorse the CCG's strategic commissioning intentions and CAMHS transformation budget proposals for 2016/17.**

#### **28 Engaging Young People in Service Development**

The Board received the report which provided an update on work on engaging children and young people in service development and decision making.

Issues highlighted in the course of the presentation and discussion included: the relative strength of engagement in Wiltshire; how children and young people's voices were heard; the links to organisations such as Healthwatch; and the importance of PHSE and pastoral work in promoting issues such as emotional resilience.

The Chairman drew partners' attention to the annual takeover challenge where a young person shadowed a senior person in an organisation to learn more about the role.

#### **Resolved**

- 1. To note Wiltshire's local programme of children and young people's involvement in the development of services;**
- 2. To endorse steps which are being taken to strengthen children and young people's engagement in every stage of the commissioning process guided by the key principles of meaningful participation, improved representation (including hard to hear groups) and empowerment at a community level; and**
- 3. To encourage partners to take part in the next Children's Commissioner for England's Annual Takeover Challenge which puts children and young people into decision making positions to help champion their voice (with support from Voice and Influence staff based within the Children's Services Joint Commissioning Team).**

## **29 Local Offer for Personal Health Budgets**

The Board received the report which outlined the development of the CCG's Local Offer for Personal Health Budgets in line with the ambitions outlined in NHS Shared Planning Guidance.

Issues highlighted in the course of the presentation and discussion included: that NHS England would like to see 50-100,000 personal health budgets across the country by 2020 and that this would equate to 400-800 for Wiltshire; that Wiltshire currently has 9 for Continuing Health Care, and it is proposed to expand this to cover some patients with complex Mental Health and Learning Difficulties; the opportunities to tie in with personal budgets in adults social care, which are relatively well advanced; that proposals in Wiltshire had been approved by CCG Board; the links to the wider programme and the pilot projects; what the financial, resource and infrastructure requirements will be; the views and input from Healthwatch; how results of the pilot will be analysed; how the CCG could learn from the experience of Wiltshire Council through personal budgets for social care; that a cohort of appropriate patients would be identified; how the budget for core services and patients not offered a PHB could be protected; and the transformative impact that personal control of care can have for patients.

### **Resolved**

**To note the Local Offer and the CCG commitment to increase the number of Personal health Budgets currently offered in Wiltshire.**

30 **Wiltshire Health and Wellbeing Board Annual Report 15/16**

To better manage the remaining time available to the meeting, the Chairman suggested that consideration of the Annual Report be deferred.

**Resolved**

**That consideration of Wiltshire Health and Wellbeing Board Annual Report 15/16 be deferred to the next meeting.**

31 **Transforming Care Partnership - Service Model Plan**

The Board received the report which sought approval for the proposed Transforming Care Partnership Service Model Plan, noting the changes since the last meeting.

Issues highlighted in the course of the presentation and discussion included: how the national programme was taken into account; that Wiltshire Council, Wiltshire CCG, Swindon Borough Council and Swindon CCG were working in collaboration on the plan; how best practice had been shared; and that delivery of the plan was key to improving outcomes for the people affected and to address budgetary pressures.

James Cawley, Associate Director – Wiltshire Council, agreed to bring the paper back to the Board to review 6 months of performance, and that an informal session on the issues could be arranged ahead of a future meeting.

**Resolved**

**To support and agree the Swindon and Wiltshire Transforming Care Partnership Service Model plan.**

32 **Date of Next Meeting**

33 **Urgent Items**

(Duration of meeting: 10.00 am - 12.27 pm)

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**DORSET & WILTSHIRE  
FIRE AND RESCUE  
AUTHORITY**

**Minutes of the  
Inaugural meeting of the Dorset & Wiltshire Fire and Rescue Authority  
held at 1000 hours on 1 April 2016 at Dorset & Wiltshire Fire and Rescue Service  
Headquarter, Five Rivers Health and Well Being Centre, Hulse Road, Salisbury, SP1  
3NR**

Members present: Cllr Abdul Amin, Cllr Mark Anderson, Cllr Les Burden, Cllr Mike Byatt, Cllr Ernie Clark, Cllr Ronald Coatsworth, Cllr Malcolm Davies, Cllr Christopher Devine, Cllr Beverley Dunlop, Cllr Phil Eades, Cllr Peter Edge, Cllr Spencer Flower, Cllr John Haines, Cllr Colin Jamieson (for part of the meeting), Cllr Susan Jefferies, Cllr Bob Jones, Cllr John Knight, Cllr Rebecca Knox (Chairman), Cllr Colin Lovell, Cllr Christopher Newbury, Cllr Graham Payne, Cllr Garry Perkins, Cllr Christopher Rochester, Cllr Ricky Rogers, Cllr Ann Stribley, Cllr Joe Tray, Cllrs Bridget Wayman, Cllr John Wilson (for part of the meeting).

Officer attendance: CFO Darran Gunter, ACFO John Aldridge, ACFO Mick Stead, ACFO Ben Ansell, Treasurer and Chief Finance Officer Mr Phil Chow, Monitoring Officer Mr Jonathan Mair, Head of Democratic Services and Corporate Assurance Mrs Jill McCrae,

Apologies: Cllr Mollie Groom, Cllr Trevor Jones

## **1. Election of the Dorset and Wiltshire Fire & Rescue Authority Chairman**

- 1.1 The Monitoring Officer, Jonathan Mair welcomed Members and Officers to the meeting. Before moving to the first item of formal business he invited the CFO to explain to members the programme of events which would follow the formal meeting.
- 1.2 The CFO provided Members with a run through of the celebration events to mark the inauguration of Dorset & Wiltshire Fire and Rescue Authority, which was to follow the Fire Authority meeting and presented all Members with a plaque to commemorate the day.
- 1.3 The Monitoring Officer took Members back to the agenda item 1 and invited nominations for the position of Dorset & Wiltshire Fire and Rescue Authority Chairman.
- 1.4 Cllr Rebecca Knox and Cllr Christopher Devine were each nominated and seconded.
- 1.5 On it being put to a vote Cllr Rebecca Knox was elected as Chairman.

NOT PROTECTIVELY MARKED

## **NOT PROTECTIVELY MARKED**

- 1.6 Members were invited to nominate a Vice-Chairman for the Fire Authority. Cllr Garry Perkins was nominated and seconded. On it being put to a vote Cllr Garry Perkins was elected unanimously as the Vice Chairman.
- 1.7 **Resolved – That Cllr Rebecca Knox be elected as Chairman of the Dorset & Wiltshire Fire and Rescue Authority.**
- 1.8 **Resolved – That Cllr Garry Perkins be elected as Vice Chairman of the Dorset & Wiltshire Fire and Rescue Authority.**

## **2. Apologies**

- 2.1 Apologies were received from Cllr Mollie Groom and Cllr Trevor Jones and it was confirmed that Cllr John Wilson and Cllr Colin Jamieson would arrive later in the meeting.

## **3. Code of Conduct and Declaration of Interest**

- 3.1 The Chairman asked the meeting for any disclosures of pecuniary interests under the Localism Act
- 3.2 Although not a disclosable pecuniary interest under the Localism Act Cllr Joe Tray confirmed to the meeting that he is in receipt of a Firefighters pension.

## **4. Minutes of Shadow Dorset and Wiltshire Fire Authority meeting on 12 February 2016 and matters arising**

- 4.1 The Chairman asked Members to review and approve the minutes of the previous meeting.
- 4.2 Members confirmed their approval of minutes with no amendments.

## **5. Appointments to Committees**

- 5.1 The Monitoring Officer introduced the paper and confirmed the Committees requiring appointments.
- 5.2 Members were asked to approve the membership of the Local Performance & Scrutiny Committees, as noted within the paper. This was agreed by all Members.
- 5.3 Nominations for the Policy and Resources Committee were invited and the following Members were appointed; Cllr Ricky Rogers, Cllr Chris Devine, Cllr Rebecca Knox, Cllr Peter Edge, Cllr Philip Eades, Cllr Joe Tray, Cllr Bridget Wayman, Cllr Ann Stribley, Cllr Mollie Groom, Cllr Spencer Flower, Cllr Chris Rochester and Cllr Garry Perkins – 12
- 5.4 The Monitoring Officer invited nominations for Chairman of the Policy & Resources Committee. Cllr Rebecca Knox was elected unanimously.

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- 5.5 Nominations were sought to the Finance and Audit Committee and the following Members were appointed; Cllr Les Burden, Cllr Ernie Clark, Cllr Malcolm Davies, Cllr Colin Jamieson, Cllr John Haines, Cllr Ronald Coatsworth, Cllr Christopher Newbury, Cllr Bob Jones, Cllr Trevor Jones, Cllr Mike Byatt, Cllr Abdul Amin, Cllr Graham Payne.
- 5.6 Nominations were also invited for the Chairman of the Finance & Audit Committee. Cllr Bob Jones was elected unanimously.
- 5.7 Members were asked to agree to the establishment of a Local Pensions Board, agreement was given by all Members.
- 5.8 In the light of their previous experience Cllr Ronald Coatsworth and Cllr Mike Byatt were appointed to the Committee. The additional two Members will be agreed at the Policy & Resources Committee meeting on 19th May 2016.
- 5.9 Members were asked for nominations to the Appeals Committee and the following nominations were provided and agreed; Cllr Beverly Dunlop, Cllr John Knight, Cllr Ann Stribley, Cllr Rebecca Knox, Cllr Graham Payne, Cllr Colin Lovell, Cllr Garry Perkins, Cllr Susan Jefferies, Cllr Peter Edge and Cllr Ricky Rogers.
- 5.10 Members noted the selection of political group leaders:
- Cllr Rebecca Knox as Conservative Group Leader
  - Cllr Peter Edge as Liberal Democrat Group Leader
  - Cllr Mike Byatt as Labour Group Leader.
- 5.11 Members considered the appointment of member champions. It was agreed that these appointments should be delayed until the Policy & Resources Committee meeting on the 19th May.
- 5.12 Appointments were made to the following bodies:
- Local Government Association - Cllr Rebecca Knox, Cllr Garry Perkins and Cllr Bob Jones.
  - LGA Fire Commission - Cllr Rebecca Knox and Cllr Garry Perkins (to deputise).
  - Bournemouth Community Partnership - Cllr Malcolm Davies.
  - Dorset Community Safety Partnership - Cllr Rebecca Knox.
  - Safer Poole – Les Burden.
  - South West Councils - Cllr Rebecca Knox.
  - South West Employers - Cllr Garry Perkins.

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Wiltshire Assembly - Cllr John Knight

- 5.13 Members approved the appointment of the Chief Fire Officer to the Wiltshire Public Service Board.
- 5.14 The Chairman indicated that she had asked for clarity over any appointment required for the Wiltshire Community Safety Partnership and the Swindon Community Safety Partnership. Stephen Taylor, Monitoring Officer for Swindon had kindly agreed to investigate if the Authority had an elected Member and officer role. Members agreed that these appointments should be deferred until the Policy & Resources Committee meeting on the 19<sup>th</sup> May 2016.

### **6. Combination Programme Presentation**

- 6.1 The CFO provided Members with a presentation on the progress of the combination programme.
- 6.2 Members asked for confirmation of the continuation of some of the workstreams. The CFO confirmed that a workstream would continue for the Safety Centre and that terms of reference will be developed for this. In addition, the CFO suggested that member involvement in the ICT convergence could continue.
- 6.3 Members asked about the plan for paperless meetings and communications. The Head of Democratic Services confirmed that early discussions had progressed with Mod.Gov, the system used by Wiltshire Council, Dorset County Council and Swindon Borough Council, and that a meeting to progress this further was arranged for Monday 4 April 2016. Although no timescale was given, Members were given assurance on the progression and prioritisation of this work.
- 6.4 Members discussed the progression of a Station Buddying system, where Members are assigned to Stations to meet watches and review areas such as the working environment, performance management and staff morale. Members agreed that they would like this system progressed. The CFO confirmed that this would be established via the Policy & Resources Committee. – All Members would be involved.
- 6.5 Members were keen to review potential co-working with the Ambulance Service; the CFO confirmed that work is underway to look at options of shared locations and noted that co-responding was successfully delivered from a number of stations. The CFO advised that any further recommendations for co-working would come to the Fire Authority in its early stages, although there was nothing to highlight at this stage.
- 6.6 Members queried the RDS recruitment issues faced by Fire Services, the CFO confirmed that this is an issue nationally and therefore the Service will have a focus on RDS resilience moving forward.
- 6.7 Members ask about the purchase and leasing options for fire appliances moving forward. The Treasurer and Chief Finance Officer, Phil Chow noted that improved procurement

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arrangements and new rules have opened up new opportunities for the new Service moving forward.

### 7. Adoption of the Community Safety Plan

- 7.1 The Chairman confirmed to Members that the copy of the Community Safety Plan included within the report was the draft that was reviewed by the Shadow Policy & Resources Committee at their meeting on the 23<sup>rd</sup> March 2016. She noted that requests to include additional details on the Service's prevention activities had been requested as well as a number of additional minor updates and that Officers were developing the document further.
- 7.2 Members raised concern over the map included within the plan and highlighted that the appliance information was misleading for the public. It was agreed that the map would be reviewed prior to publication.
- 7.3 Members asked for the wording to be reviewed with regard to how the Service is required to share information to ensure that it is clear that this will be well governed.
- 7.4 Members asked for the wording regarding referrals to be clarified, in that the Fire Service will only make a referral with the consent of the homeowner.
- 7.5 **Action – Officers to update the following areas of the Community Safety Plan prior to publication:**
- **Update the Map and appliance information**
  - **Include prevention activities**
  - **Minor updates to be amended**
  - **Reword how the Service will govern the sharing of information and referral process.**
- 7.6 **Resolve – Members approved the publication of the Community Safety Plan with the updates noted above.**

### 8. Adoption of Values

- 8.1 The CFO took Members through the RESPECT values and behaviours framework.
- 8.2 Members agreed to the adoption of the framework.
- 8.3 **Resolved – Members approved and endorsed the RESPECT values and behaviour framework for adoption.**

### 9. Safety Centre Update Presentation.

- 9.1 ACFO John Aldridge introduced Area Manager Jim Mahoney and Group Manager Kathy Collis to the meeting.

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- 9.2 A joint presentation was given to Members by Area Manager Jim Mahoney and Group Manager Kathy Collis.
- 9.3 Members required additional information on the progression of key work for the Safety Centre. Due to the confidentiality of the contract information at this stage the Monitoring Officer advised the meeting that this would need to be further discussed as an exempt item under part 2, as per 12a of the schedule.
- 9.4 The Chairman proposed to Members that the meeting continued with the outstanding agenda items and that the meeting will go into exempt business after agenda item 13. Members agreed.

## 10. Internal Audit and External Audit Plans and Strategies

- 10.1 The Treasurer and Chief Finance Officer too Members through the paper.
- 10.2 Members unanimously agreed to the recommendations within the paper.
- 10.3 **Resolved – Members endorsed and approved the internal and external audit plans and strategies.**

## 11. Members Handbook

- 11.1 The CFO highlighted to Members the Members Handbooks given out to all at the beginning of the meeting and noted that an electronic copy is available on the website.
- 11.2 Members requested that an updated fold-out map is provided within the handbook, in line with the one required for the Community Safety Plan.
- 11.3 Cllr John Wilson advised the meeting of his pending resignation from the Fire Authority and congratulated the Authority for their commitment and hard work in the combination programme.
- 11.4 The Chairman thanked Cllr Wilson for his contributions and commitment to the Fire Authority.
- 11.5 **Action – Head of Democratic Services to provide a fold-out map for the Members handbook in line with the Community Safety plan.**

## 12. Opening Celebrations

- 12.1 The Chairman confirmed that this agenda item was covered at the beginning of the meeting.

## 13. Date of Next Meeting

- 13.1 The Chairman confirmed that the 2nd meeting of the Dorset & Wiltshire Fire and Rescue Authority will take place on Thursday 23rd June 2016, at Dorset & Wiltshire Fire and

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Rescue Service Headquarters, Five Rivers Health and Wellbeing Centre, Hulse Rd, Salisbury SP1 3NR, from 10am.

- 13.2 Some members asked that the date of the next meeting be changed as it clashed with the EU referendum.
- 13.3 On it being put to a vote the original date was retained.
- 13.4 **Resolve – Members confirmed that the 2<sup>nd</sup> meeting of the Dorset & Wiltshire Fire and Rescue Authority will continue to take place on Thursday 23<sup>rd</sup> June 2016 at Dorset & Wiltshire Fire and Rescue Service Headquarters, Five Rivers Health and Wellbeing Centre, Hulse Rd, Salisbury SP1 3NR, from 10am.**

## 14. Exclusion of the Public

- 14.1 The Chairman addressed all attendees to confirm the closure of the meeting to the public with the following statement:
- 14.2 In accordance with Section 100A (4) of the Local Government Act 1972 to exclude the press and public for the business specified below 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 2 and 3 of Part 1 of Schedule 12A to the Act

## 15. Safety Centre Update Presentation Discussion

- 15.1 Members were provided with a detailed update on the progress of the Safety Centre.
- 15.2 Members provided a resolve with a number of agreed actions to be taken.

The Chairman thanked Members and Officers for their attendance and closed the meeting at 12:45hrs.

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