

Minutes Book

Tuesday 10 July 2018

Council Chamber - County Hall, Trowbridge BA14 8JN



Minutes of Cabinet and Committees

May to July 2018

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CABINET

MINUTES OF THE CABINET MEETING HELD ON 15 MAY 2018 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Baroness Scott of Bybrook OBE (Chairman), Cllr John Thomson (Vice-Chairman), Cllr Richard Clewer, Cllr Laura Mayes, Cllr Toby Sturgis, Cllr Bridget Wayman, Cllr Philip Whitehead and Cllr Jerry Wickham

Also Present:

Cllr Clare Cape, Cllr Pauline Church, Cllr Jane Davies, Cllr Matthew Dean, Cllr Richard Gamble, Cllr Gavin Grant, Cllr Deborah Halik, Cllr Darren Henry, Cllr Mike Hewitt, Cllr Alan Hill, Cllr Ruth Hopkinson, Cllr Jon Hubbard, Cllr Tony Jackson, Cllr David Jenkins, Cllr Johnny Kidney, Cllr Gordon King, Cllr Edward Kirk, Cllr Steve Oldrieve, Cllr Stewart Palmen, Cllr Graham Payne, Cllr Horace Prickett, Cllr Jonathon Seed, Cllr James Sheppard, Cllr Philip Whalley, Cllr Graham Wright, Cllr Atiquil Hoque and Cllr Christopher Newbury

227 Apologies

Apologies were received from Ian Thorn represented by Ruth Hopkinson

228 Minutes of the previous meeting

The minutes of the meeting held on 24 April 2018 were presented.

Resolved

To approve as a correct record and sign the minutes of the meeting held on 24 April 2018

229 Declarations of Interest

There were no declarations of interest.

230 Leader's announcements

The Leader made the following announcements:

231 Public participation and Questions from Councillors

The Leader outlined the approach taken to public participation encouraging representations to be made under the item for debate. There were no representations made from members of the public regarding items not on the agenda.

Councillor Jerry Wickham stated, in response to a question from Councillor Gordon King regarding the recent ombudsman report, his regret and that the council had apologised. He also noted that a report would be coming to the Cabinet in July and that this would be available to the public.

232 **Special School Provision in Wiltshire**

Councillor Laura Mayes presented the report which: provided an update on the work done, and being undertaken to secure the future of special school provision in Wiltshire; sought to confirm the next steps in relation to setting out parameters for development, securing capital funding and progressing change; and sought to confirm authority for preliminary consultation on the future pattern of Wiltshire special schools in the context of its 2015-18 Special Educational Needs (SEN/SEND) Strategy.

In making her presentation, Councillor Mayes emphasised that no decision had yet been made regarding a preferred options or options, and that the results of the consultation would be reported to Cabinet in September.

At the invitation of the Leader, Councillor Jon Hubbard, in his capacity as Chair of the Children's Select Committee presented the interim report of the task group. He outlined the extensive work undertaken the group, drawing particular attention to recommendation one and the need for a strategy for SEND across the whole county. He also thanked officer, stakeholders and councillors for their contribution and engagement in the review, and specifically praised the contribution from the two co-opted members John Hawkins and Jen Jones.

Further matters highlighted in the course of the presentation and debate included: the progress made in the review since the meeting in November; the vision in Wiltshire for Special Education and the focus on providing the most equitable and best outcome; the additional places required to meet demand; the imbalance between the north and the south of the county; the decisions already made to amend provision and the further options to require continued consultation; the good engagement from schools and parents in the review.

Representations were received from the following members of the public.

Stuart Hall, from the Wiltshire Parent Carers Council, stated that: thanked the council for their commitment and for the work undertaken to address the shortage; recognised that feedback from parents had been taken into account and welcomed the collaborative approach being developed; expressed concern over the lack of places for those with needs; stated that specialist provision, within a mainstream setting, is sometimes preferred so that children stay closer to their families and communities; expressed the desire to see more integrated therapies; that investment in the right staff and equipment was important; the desire to involve families in the design of new facilities; expressed disappointed that progress has not been as swift as desired, but welcomed the opportunity to meet the aspirations for the education.

Mike Loveridge, Headteacher Rowdeford School stated that: he was pleased with the progress that has been made and encouraged by many of the proposals; that some recommendations would enable special schools to share best practice with mainstream schools; expressed concern that Rowdeford had been marginalised in the proposed solutions; emphasised the work undertaken to extend the provision and develop its approach for providing an enhanced environment; the importance of good environments on mental health; and emphasised that barriers for development could be overcome.

Phil Cook, Headteacher Larkrise School stated: the importance of engaging with the wider community to engage pupils meaningfully with their peers; expressed concern that some of the proposed solutions may not best meet the needs of children; and emphasised the importance of transport issues.

Ros Way, Headteacher St Nicholas School, stated: that she was pleased with the amount of evidence that had been collated to develop both the Cabinet and the Scrutiny report; welcome the investment being proposed; emphasised the importance of taking account of social inclusion of children with special needs; the importance to the collaborative approach taken to working with mainstream schools; the importance of continued development of the approach to assessing need; expressed concerns as to the future of post-16 provision and specific facilities such as the hydro-pool.

Sarah Busby, Executive Headteacher Magna Learning Partnership, expressed concern that issues in the south of the county had not been adequately considered.

Councillor Steve Oldrieve stated that: he was pleased to see progress and that some concerns have been addressed; expressed concern that having too centralised a provision may mean children would not be a full part of their local communities.

Councillor Graham Payne praised the quality of the provision in the county's schools and emphasised the importance on building upon these foundations to meet the needs of growing towns such as Trowbridge.

Councillor Mayes stated, in response to a question from Councillor Payne, that best practice was shared with neighbouring authorities such as Swindon but that there were legal and financial barriers that made more extensive collaboration difficult.

Councillor Ruth Hopkinson stated that: she recognised the commitment from the Leader and the cabinet Member; endorsed many of the comments made in the debate; shared some concerns that not all children with additional needs are being assessed quickly enough; emphasised concern that an over-centralisation of facilities including the impact on the cost of transport and the negative impact on children having to undertake excessive travel; and the long-term impact of lack of social inclusion for children schooled far from their home.

Councillor Mayes stated, in response to a question from Councillor Hopkinson, that funding was allocated by central government and not a decision made locally; and that state school provision was almost always preferable for the child and a better use of budget. She also emphasised that no decisions have been made and will listen carefully to alternate views made in the consultation.

Councillor Mayes stated, in response to a question from Shelley Whitehead - Lockhouse consultancy, that she was aware of the formal complaints raised about the operational decision made, and that officers were responding to this. The Leader asked that the Cabinet Member and officers meet, as appropriate, with representatives to address the issues raised in the complaint.

In his personal capacity, Jon Hubbard encouraged all involved in the review to be mindful that some decisions made will inevitably upset some people, and that all should welcome an honest debate about the realistic solutions, emphasising the need to balance the needs of the children and young people and what can be afforded and delivered.

Leader thanked Mr Hubbard for his comments. She went on to state that as a mother of a daughter with special needs she recognised this this was a highly emotive issue. She emphasised the need for a collaborative approach to develop the change required.

At the end of the debate, the Cabinet;

Resolved

- a) To thank special schools and stakeholders for their contributions to development work noted in the report.**
- b) To recognise the achievements noted in the report for the future pattern of Wiltshire special schools in the context of its 2015-18 Special Educational Needs Strategy: namely, what is being developed in the south of the county and what is working well in the north.**
- c) With a focus on the need to build capacity for cognitive needs in the north, to enter into a pre-statutory consultation phase on the options in the report:**
 - i) to develop a single school for cognitive needs at Chippenham, Trowbridge or Rowde**
 - ii) to develop/continue schools in two of those locations, or**
 - iii) to develop/continue three schools in Chippenham, Trowbridge and Rowdeford with provision moving from the current St Nicholas, Larkrise and Rowdeford sites or not, according to the particular case, and only when new provision is operational;**

- d) That the results of that consultation be brought back to cabinet to determine any further action, including the possibility of publishing statutory notices for formal consultation on any specific proposal arising from the pre-statutory consultation.**

Reason for Decision:

It is appropriate to recognise successful developments and practice in the whole arena of Wiltshire's special education and special schools Action is needed to make appropriate provision for pupils with special educational needs and to avoid a long-term budget problem. To ensure due process and transparent consideration of next steps. To secure the right pattern of special schools for the long-term future.

233 **Wiltshire Housing Site Allocations Development Plan Document - Proposed Submission Materials**

Councillor Toby Sturgis presented the report which: provided an update on the outcome of the formal consultation on the 'Wiltshire Housing Site Allocations Plan - Pre-submission draft plan (June 2017)'; sought Cabinet's recommendation to Council that the Plan, together with the schedule of Proposed Changes, should be approved for the purposes of submission to the Secretary of State and commencement of the independent Examination process; and sought delegated authority to make appropriate arrangements for submitting the prescribed documents and supporting materials to the Secretary of State; and respond to any consequential actions as directed by the Inspector relating to the Examination.

Matters highlighted in the course of the presentation and debate included: how the plans fit with the core strategy; the need to submit evidence of a five year housing land supply; the national policy context and the drive from central government to encourage more housebuilding; the formal and informal consultations already undertaken and the decision of Cabinet already made; the need to submit the plan to the Secretary of State to commence the independent examination by an inspector (with examination in public in the autumn), and that a final decision would be made by Council following recommendations of the inspector examining the plan; the changes that have been made as a result of consultation and assessments; how changes in national policy on issues such as density had been taken into account; the comprehensive nature of the evidence; that some settlements had not been included as they had already met their housing allocation; that around 3000 comments had been taken into account; the difficulty in balancing the needs of national policy and housing demand and neighbourhood plans, and the respective weight that can be given in decisions; the assistance the council can give to supporting those plans in their development; that every objection and representation will be sent to the Secretary of State that will be considered by the inspector; and that the secretary of state can take action if a sound plan is not in place.

The Leader drew attention to the questions and statements responded to in the supplement, and gave those in attendance an opportunity to present further questions and statements.

The Leader stated, in response to specific concerns raised by Graham Hill, that she would ask officers to meet with him to seek to address the issues he had raised in his complaint.

The Leader stated, in response to a supplementary question from Geoff Whiffen, that the Cabinet represented the county as a whole and that it was not practical to have representatives from every community on there, but emphasised that views from all communities are listened to; and that a written response would be given as to the breakdown of support and objection to the specific site mentioned.

Councillor Sturgis, in response to a question from David Goodship, that a distinction had to be made between matters to be dealt with as a matter of policy/strategy and those which would be dealt with regarding a specific development control planning application.

Councillor Sturgis, in response to a question from Mr Williams, that whilst the development of brownfield sites is welcomed, it is sometimes the case that they are not viewed as being deliverable in the time period required. With regard to greenfield sites, larger sites can include sufficient landscaping and open space that can provide mitigation against the loss of greenfields and avoid coalescence between settlements.

Councillor Sturgis, in response to a question from Carol Part, stated that he was aware that the Market Lavington Neighbourhood Plan was in development and that officers had been supporting its development.

Councillor Sturgis, in response to a question from Mr Slater – Reynolds, stated that he would respond to the specific issues raised regarding his site if he would send him a copy of his statement.

Councillor Sturgis, in response to a question from Councillor Richard Gamble, that the case law was clear that Neighbourhood Plans have to be sufficiently progressed to be able to be given due weight, and that the council had a duty to present a sound plan to the inspector.

Councillor Sturgis, in response to a question from Lance Allen of Trowbridge Town Council, reiterated the position with regard to the deliverability of brownfield sites, but stated that he would be happy to work further with the Town Council to further assess sites emphasising the need to propose a sound, deliverable plan.

Councillor Sturgis, in response to a question from Cllr Roger Evans of North Bradley Parish Council, that he recognised that neighbourhood plans formed an important part of the process and that he believed that, with sufficient landscaping, the development of greenfield sites need not be at the expense of the protection of rural communities from coalescence with urban communities.

The Leader asked that officers work with North Bradley and Market Lavington communities to help progress their Neighbourhood Plans as far as was practicable ahead of the next stage.

Councillor Sturgis, in response to a question from Roger Bunting, stated that the example given by Mr Bunting was in relation to a small number of changes made to one small policy area, and the table of changes included in an appendix to the report detailed the much more extensive areas of amendment made in response to the consultation.

Councillor Sturgis, in response to issues raised by Councillor Horace Prickett, stated that neighbourhood plan groups would continue to receive support.

The Leader stated, in response to issues raised by Councillor Graham Payne, that Cabinet will consider carefully how to address the concerns raised about how best to protect the community interests in playing fields.

Councillor Sturgis, in response to a question raised by Councillor Graham Wright, stated that an additional site had been included in Salisbury following its reassessment.

The Leader stated, in response to issues raised by Councillor Steve Oldrieve, that the plan was intended to protect against speculative development.

At the conclusion of the debate, the Leader proposed that consideration of the plan be deferred, with a view to making a recommendation to the July meeting of Council rather than to May.

In making her proposal to defer consideration of the matter, the Leader asked officers to circulate a briefing note stating that the decision had been deferred to provide councillors with more time to fully consider the documents prepared by officers, and specifically, the Schedule of Proposed Changes to the plan. Cabinet considered that this should also be made available to Parish and Town Councils.

Resolved

To defer consideration of the draft Wiltshire Housing Site Allocations Plan to the July meeting of Cabinet.

Reason for Decision:

To provide councillors with more time to fully consider the documents prepared by officers, and specifically, the Schedule of Proposed Changes to the plan.

234 Exemption Request – Extra Care Housing and Housing Related Support

Councillor Jerry Wickham presented the report which requested approval to award the following contracts, under an exemption, to the incumbent providers, Mears Care, Somerset Care at Home, Salisbury City Almshouse, Knightstone, Habinteg Housing, Stonewater Housing, as outlined in the report; and requested that Cabinet delegates authority to the Corporate Director with responsibility for Adult Care to approve the award of contracts within the approved budget.

Councillor Wickham stated, in response to Brian Warwick, that the extensions would be for 12-18 months to provide continuity and to allow more time to undertake proper consultation with users to come back with further recommendations.

Councillor Graham Wright and Councillor Gavin Grant stated that the Health Select Committee had been informed of the proposals, which had received broad support, and that further input from the Select Committee would be welcome once further proposals had been developed.

Resolved

- 1) **To award the following contracts, under an exemption, to the incumbent providers, Mears Care, Somerset Care at Home, Salisbury City Almshouse, Knightstone, Habinteg Housing, Stonewater Housing:**
 - **Extra Care Housing: care and support contracts for 4 existing ECH schemes**
 - **Housing Related Support: 8 contracts for sheltered housing schemes across Wiltshire (covered by the Help to Live at Home (HTLAH) providers)**
 - **Housing Related Support: 4 additional schemes with individual agreements (outside of HTLAH)**

- 2) **To delegate authority to the Corporate Director with responsibility for Adult Care to approve the award of contracts within the approved budget**

Reason for Decisions:

As part of the Adult Social Care Transformation programme the Council is changing the way it commissions domiciliary care. Notice has been given on the current HTLAH block contracts with a new type of contract being tendered in May 2018.

The HTLAH block contracts also cover the following service provisions:

- *Care and Support for 4 Extra Care Housing Schemes*
- *Housing Related Support*

These services are distinct from the domiciliary care services and there is potential to reshape them to provide better outcomes for customers and better value for the Council. This will need to be undertaken as a separate piece of work to the domiciliary care tender and it is important that during this time the current service is maintained to give customers consistent support.

235 **Urgent Items**

There were no urgent items.

(Duration of meeting: 9.30 am - 12.55 pm)

These decisions were published, earlier, on the 21 May 2018 and will come into force on 30 May 2018

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CABINET

MINUTES OF THE CABINET MEETING HELD ON 12 JUNE 2018 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr John Thomson (Vice-Chairman), Cllr Pauline Church, Cllr Richard Clewer, Cllr Laura Mayes, Cllr Toby Sturgis, Cllr Bridget Wayman, Cllr Philip Whitehead and Cllr Jerry Wickham

Also Present:

Cllr Ben Anderson, Cllr Ian Blair-Pilling, Cllr Matthew Dean, Cllr Mary Douglas, Cllr Darren Henry, Cllr Alan Hill, Cllr Ruth Hopkinson, Cllr Jon Hubbard, Cllr Brian Mathew, Cllr Jonathon Seed, Cllr Ian Thorn, Cllr Philip Whalley and Cllr Robert Yuill

236 Apologies

Apologies were received from Baroness Scott

237 Minutes of the previous meeting

The minutes of the meeting held on 15 May 2018 were presented.

Resolved

To approve as a correct record and sign the minutes of the meeting held on 15 May 2018

238 Declarations of Interest

There were no declarations of interest.

239 Leader's announcements

The Deputy Leader made the following announcements:

Royal Visit to Salisbury

The Deputy Leader stated that he was delighted to be holding our cabinet meeting in Salisbury today, as this marked 100 days since the incident on 4 March.

Noting that the recovery work that is well underway had involved major resource and effort from both local and national agencies, he stated that the clean-up process was well under way, with sites being handed back and returning to normal use, including The Maltings reopening which was key milestone in the recovery process.

As well as the support to almost forty businesses, the council had supported the OVO Energy Cycle Race to help boost the local economy and showcase Salisbury nationally and internationally through extensive positive media coverage.

The Deputy Leader also welcomed the announcement that their Royal Highnesses The Prince of Wales and The Duchess of Cornwall would be visiting the city on Friday, 22 June to support the recovery programme.

Health and Social Care Integration

At the invitation of the Deputy Leader, Councillor Jerry Wickham stated that the 70th anniversary of the NHS is being widely publicised and will include the publication of a Government green paper in July to coincide with this anniversary with a likely focus on collaborative working to integrate health and social care services will continue.

It was also anticipated that the green paper would provide clarity on the future direction for NHS commissioning; particularly commissioning by CCGs of health services. On the basis of the anticipated change, Wiltshire Council and CCG had discussed and agreed that it would be sensible to reconsider the appointment of a joint accountable officer.

He also stated that the integrate health and care services remains a priority for the council, expressed disappointment that the council and CCG cannot proceed, as planned, with a senior joint accountable officer post. He confirmed, however, that the council would continue to look at an alternative joint post with Wiltshire CCG so that they could build on what had already achieved in integrating services for the benefit of Wiltshire residents.

Urgent Item

In accordance with the Special Urgency provision as set out in the Constitution, and with the consent of the Chairman of Council, I agree to take the item regarding Southview Park Council House Building for the following reason:

That contractors are currently onsite and are close to completing phase one. Allowing them to ramp down and leave site will create a serious time and cost risk to the development of phase two. By taking the decision today we mitigate against the risk of that increase cost and potential delay.

240 **Public participation and Questions from Councillors**

Colin Gale made a statement, appended to these minutes, regarding the Everleigh Recycling Centre on behalf of Pewsey Community Area Partnership (PCAP), Campaign to Protect Rural England (CPRE) and Pewsey Parish Council (PPC),

The Deputy Leader stated that he would ask for any outstanding response to issues raised by given, and that would ask the Monitoring Officer to arrange a response to the issue of the legality of the consultation.

241 **Draft Statement of Accounts and Revenue Outturn 2017/2018**

Councillor Philip Whitehead presented the report which advised Cabinet of the (unaudited) General Revenue Fund and Housing Revenue Account outturn positions for financial year 2017/18, as well as the position for the Collection Fund and Reserves; and provided Cabinet with oversight of the unaudited Statement of Accounts, including the narrative report.

Matters highlighted in the course of the presentation and discussion included: that the council had ended the year with a budget surplus which would transfer to reserves; that there was an underspend of under £1m on Housing Revenue Account; that the £144m capital programme was underspent by £30m; the highlighted major changes to the budgets and the reasons for those including changes in income and spending assumptions.

Cllr Ian Thorn, Chairman Financial Planning Task Group thanked Ian Duncan and Councillor Whitehead for meeting with the task group and stated that he was encouraged that the Council had ended the year with an underspend, and agreed that the underspend on capital funding should be addressed.

Resolved

To note:

- a) **the outturn for the General Revenue Fund and HRA, subject to external audit, of a General Fund underspend of £0.410 million and an HRA underspend of £0.951 million and planned draw from reserve of £6.762 million. This gives an overall draw from HRA reserves of £5.811 million.**
- b) **the transfers to the General Revenue Fund and Earmarked reserves, as set out in Sections 38-43 of the report, and return to HRA reserves.**
- c) **the unaudited Statement of Accounts for 2017/18.**

To approve:

d) The position of the 2017/18 capital programme at Outturn (31 March 2018) including highlighted budget changes.

Reason for Decision:

As part of its role in ensuring sound financial management and financial soundness, Cabinet are required to assess and note the final revenue outturns for 2017/18 and assess any impact on the longer term financial standing of the Council.

242 Annual Reports on Treasury Management 2017/2018

Councillor Philip Whitehead presented the report which provided the annual review following the end of the year describing the activity compared to the treasury strategy.

Matters highlighted in the course of the presentation and discussion included: how the borrowing and investments were managed over the course of the year; the changes proposed to the strategy which would require the agreement of Full Council; the revenue benefits arising from investment decisions; that the council will prioritise using its own cash for investment rather than requiring borrowing; how risks will be identified for future individual investment decisions; and that the council would normally look to invest over the longest appropriate period.

Resolved

- a) To note that the contents of this report are in line with the Treasury Management Strategy 2017/18.**

Recommend to Full Council

- b) To approve an amendment to the Treasury Management Strategy 2018/19, to include a new class of alternative investments to the available list of non-specified investments (as outlined in report).**
- c) To approve an amendment to the Minimum Revenue Provision Policy 2017/18, to allow for an alternative method of calculation, where appropriate (as outlined in report).**

Reason for Decision

To give members an opportunity to consider the performance of the Council against the parameters set out in the approved Treasury Management Strategy for 2017/18.

To agree to a revision to the Treasury Management Strategy 2018/19 and the Minimum Revenue Provision Policy 2017/18 in order to continue to comply with statutory guidance and reflect best practice.

243 **Delivery of the Digital Strategy - Outline Business Case**

Councillor Philip Whitehead presented the report which: informed Cabinet of the Microsoft Cloud Navigator Programme and its Outcome; sought approval to delegate the Council to award a call-off contract from the G-Cloud 9 Framework subject to the positive review of the full business case; and requested that Cabinet delegate the decision to enter into the contractual agreement and approve capital expenditure to the Corporate Director for Communities, Resources and Digital after consultation with the Cabinet Member for Finance, Procurement, ICT. In making his presentation, Councillor Whitehead commended the hard work of the team to bring the proposals together.

Matters highlighted in the course of the presentation and discussion included: the proposals were part of the first stage in the delivery of the wider digital strategy; that the savings that have been identified but more information would be required to allow the delegated decision to be taken; the scope and impact of the proposals; the opportunities to expand on app based services, the development of the website and the opportunities for using automation; that the chair of the Chairman Digital Strategy Task Group was on the digital board; how savings may be realised; the particular support for vulnerable groups including looked after children and those leaving the armed services.

Councillor Jon Hubbard, Chairman Digital Strategy Task Group, asked the Council to be mindful that the aspirations should be realistic. He also stated that he recognised that change was required.

In response to a series of questions raised by Councillor Hubbard, Councillor Whitehead stated: that some of the investment identified would have been required simply to maintain the current system; that the service agreements would be required to ensure that savings would be achieved and accountability was clear; that feedback on progress made would be received as the programme achieves different milestones were reached; that it was recognised that there was a need to get right staff recruited and that he did not want to progress the project at too quick a pace without the appropriate resource; that Microsoft had been picked as reputable partner with a good track record in delivering projects in support of the vulnerable.

In response to further questions at the meeting, Councillor Whitehead confirmed: that Microsoft had been selected following a procurement process; that business cases would be submitted for individual projects; that partners such as the Police would benefit from some of the additional security features but that further benefits from the programme would have to be discussed.

In moving his recommendation, Councillor Whitehead stated that an additional resolution should be added requesting that a presentation be made to Cabinet, at a future meeting, at least within 12 months of the commencement of the project, on the actual savings achieved in each service area and relate these back to the current forecast savings.

Resolved

- i) To note the progress of the Microsoft Cloud Navigator Programme.**
- ii) To agree in-principle to embark on the Cloud Navigator Programme.**
- iii) To agree to award a call-off contract from the G-Cloud 9 framework arrangements to Microsoft and Thoughtonomy.**
- iv) Based on the completion of the full business case and in line with the funding recommendations made in paragraph 54, to delegate the decision to enter into the contractual agreement and approve capital expenditure to the Corporate Director for Communities, Resources and Digital after consultation with the Cabinet Member for Finance, Procurement, ICT and Operational Assets, Corporate Director for Growth, Investment and Place, Corporate Director for Children and Education and the Director of Finance and Procurement.**
- v) To agree that the Corporate Director for Communities, Resources and Digital is nominated as the Contracting Council's Representative for the purposes of the Contract.**
- vi) That a presentation be made to Cabinet, at a future meeting, at least within 12 months of the commencement of the project, on the actual savings achieved in each service area and relate these back to the current forecast savings.**

Reason for Decision:

The Council's digital strategy must be delivered and the associated improvement to customer digital service access and savings made. The Microsoft Cloud Navigator proposal provides an integrated solution to deliver a series of initiatives delivered as a coherent programme. This will provide both the digital tools and skills to ensure Wiltshire Council continues to utilise digital technology to save money, provide an improved service to our customers and meet their digital expectations of our customers, staff and partners as per the council's vision for the future.

244 Outdoor Education Update

Councillor Philip Whitehead presented the report which asked Cabinet to consider the next steps for outdoor education centres following the receipt of expressions of interest in the sites operation.

Mr John Hawkins, Chairman Outdoor Education Task Group, stated that he was pleased to note the Council motion and the support to find a solution.

In response to questions raised by Mr Hawkins, Councillor Whitehead stated that press releases had been published to encourage the centre's usage; that

the updated condition survey could be considered as part of the preplanning process

In response to questions raised by Councillor Hubbard, Councillor Whitehead that he recognised the need to consider social value as part of the legal requirements to meet best value; that he did not agree that a further extension of the period when the Council was running them.

In response to questions raised by Councillor Thorn, Councillor Whitehead that it was important to establish the open market value of properties to enable the council to assess properly how best value can be achieved.

Resolved

- i. To commence a market testing process to consider options for the future operation of the outdoor education sites;**
- ii. To delegate to the Director for Children's Services, in consultation with the Cabinet Members for Children's Services and Finance, the delivery of the market testing process;**
- iii. To extend the operation of both Braeside and Oxenwood outdoor education sites until 31 December 2018.**
- iv. To extend the period of consultation with outdoor education staff in line with the Councils HR Policies.**

Reason for Decision:

- 1) Following the Council's review of the two outdoor education sites, Braeside and Oxenwood and the Cabinet's decision to close both sites, interested parties have come forward with a variety of proposals for the continuation of outdoor education in Wiltshire.*
- 2) This report considers these expressions of interest and how best to progress the review of outdoor education. This provides new information for Cabinet to consider.*

245 Approval to Dispose of the Freehold Interest

Councillor Philip Whitehead presented the report which asked Cabinet to consider the next steps for outdoor education centres following the receipt of expressions of interest in the sites operation.

Mr John Hawkins, Chairman Outdoor Education Task Group, stated that he was pleased to note the Council motion and the support to find a solution.

In response to questions raised by Mr Hawkins, Councillor Whitehead stated that press releases had been published to encourage the centre's usage; that

the updated condition survey could be considered as part of the preplanning process

In response to questions raised by Councillor Hubbard, Councillor Whitehead that he recognised the need to consider social value as part of the legal requirements to meet best value; that he did not agree that a further extension of the period when the Council was running them.

In response to questions raised by Councillor Thorn, Councillor Whitehead that it was important to establish the open market value of properties to enable the council to assess properly how best value can be achieved.

Resolved

- i. To commence a market testing process to consider options for the future operation of the outdoor education sites;**
- ii. To delegate to the Director for Children's Services, in consultation with the Cabinet Members for Children's Services and Finance, the delivery of the market testing process;**
- iii. To extend the operation of both Braeside and Oxenwood outdoor education sites until 31 December 2018.**
- iv. To extend the period of consultation with outdoor education staff in line with the Councils HR Policies.**

Reason for Decision:

- 1) Following the Council's review of the two outdoor education sites, Braeside and Oxenwood and the Cabinet's decision to close both sites, interested parties have come forward with a variety of proposals for the continuation of outdoor education in Wiltshire.*
- 2) This report considers these expressions of interest and how best to progress the review of outdoor education. This provides new information for Cabinet to consider.*

246 Future of Wiltshire Council's Freehold Assets in Rudloe

Councillor Toby Sturgis presented the report which outlined the options to Cabinet so that they might make a decision on whether to declare the freehold interest of the Council's land holding in Rudloe for disposal either selectively or as a whole, and to confirm a preferred option for disposal. In moving his recommendations, Councillor Sturgis suggested that resolution two be amended to specify that the community's requirements be considered.

Representations were received from the following at the meeting:

Councillor Ben Anderson, the local division member, stated that he was aware of the concerns of those in the area, and hoped that development in the area would address some of these concerns sensitively, with particular reference to parking, community space and parks/green spaces.

Councillor Brian Matthew, from a neighbouring local division, asked that the potential community benefit arising from commercial development be considered.

Phil Bowley, from GreenSquare, expressed his organisations desire to work with community groups to see how best their requirements can be met by the development.

Paul Turner expressed concern that the development would not meet the needs of the community and stressed the importance of community facilities.

Francis Tristam, owner of the Camomile Café, outlined her alternative proposals for site.

Councillor Ruth Hopkinson, from a neighbouring local division, stated that she recognised the problems with the existing community centre building, but emphasised the need to improve facilities for the community.

Councillor Philip Whalley, from a neighbouring local division, stated that there was need for more social housing and that he hoped the needs of the community would be addressed by the development.

In response to the issues raised, and with the support expressed from colleagues in the Cabinet, Councillor Sturgis stated that he would work with GreenSquare, with whom the Council had a good working relationship, to investigate what funding was available to address the community's needs.

Resolved

- 1. To declare the Council's freehold land and property holding in Rudloe (See Annex 1 – Plan) as surplus and for disposal either in its entirety or selectively. If a disposal of part only of the site transpires as the outcome, elements of the site would remain in Council ownership.**
- 2. To support the recommendation on the preferred option to engage in negotiations with GreenSquare, to include consideration of community requirements, with a view to a transfer to GreenSquare of the Council's freehold interest required for their regeneration scheme within an agreed timescale, potentially at an under-value and on terms to be agreed.**
- 3. To confirm disposal of part or the whole of the Council's freehold land and property in Rudloe on the open market if negotiations are unsuccessful with GreenSquare.**

Reason for Decision:

To confirm the freehold interests of the Council's assets in Rudloe can be sold, with the primary aim to increase affordable housing provision in Rudloe through partnership working with GreenSquare to enable their proposed regeneration scheme.

247 **Urgent Items**

Councillor Richard Clewer presented the item which sought approval to build 22 new council homes across two parcels of land at Southview Park, Trowbridge with capital funding and land set aside for the delivery of affordable housing.

Resolved

- a) **To use the land in Appendix 1 for affordable housing**
- b) **To carry out any appropriations necessary pursuant to s122 LGA 1972 to ensure that the sites in a) are held by the Council for housing purposes**
- c) **To use a total budget of £4m with delegated authority to substitute and change funding streams to optimise financing. Funding streams may be increased or decreased as required providing that they stay within available allocation and do not affect the total budget position.**
- d) **To enter into contracts for consultants, construction and other elements of the project to enable the delivery of 22 new homes within the total scheme costs identified in Appendix 1 in accordance with the Corporate Procurement & Commissioning Board approach.**
- e) **To enter into funding agreements with Homes England as required to secure any grant funding allocated.**

Reason for Decision

The Council has capital funding set aside within the Council's capital budget for investment in affordable housing. The Council also has land at Southview Park, Trowbridge that was transferred to the Council for the delivery of new affordable homes. This creates an opportunity to use the available funding to deliver 22 new affordable council owned and managed homes in Trowbridge to meet identified housing needs.

248 **Exclusion of the Press and Public**

The Cabinet resolved not to exclude the press and public as there was not a need to discuss the information contained in the following appendix exempt from publication.

249 Future of Wiltshire Council's Freehold Assets in Rudloe (Part II)

The meeting noted the information contained in the exempt report when making their decision.

(Duration of meeting: 9.30 - 11.58 am)

These decisions were published on the 15 June 2018 and will come into force on 25 June 2018.

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

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Wiltshire Council

Cabinet

12 June 2018

Colin Gale

To Councillor Bridget Wayman, Cabinet Member for Highways, Transport and Waste

Pewsey Community Area Partnership (PCAP), Campaign to Protect Rural England (CPRE) and Pewsey Parish Council (PPC) Statement to Wiltshire Council Cabinet, 12 June 2018, on the status of Everleigh HRC

- PCAP submitted questions on Everleigh Household Recycling Centre to the Pewsey Area Board on 5th March 2018. The Director for Waste did not answer the questions as part of her presentation at the Area Board and has still not provided a formal response to the questions which were submitted prior to the meeting.
- PCAP/CPRE/PPC submitted further questions to the WC Cabinet meeting held on 27th March. It was agreed by Cabinet at the direction of Baroness Scott that the continuous to-ing and fro-ing was not progressing the situation and not satisfying either parties. It was agreed that a meeting would be held with the Cabinet Member to resolve the status. Questions would be submitted prior to this meeting to aid the discussions. The area WC Councillors requested that they also attend.
- The meeting with PCAP and CPRE was held on 2nd May. A history of events covering the period since September 2015 was provided in advance along with a set of questions. This information was also provided to all the area WC Councillors. The questions and draft responses were discussed. The following is a snapshot of some of the status advised:
 - The drainage system that was installed at Everleigh in 1996 was not installed in accordance with the original design.
 - There has been no maintenance carried out at Everleigh since 1996 and as a consequence the shortfall in drainage was not discovered until the recent surveys were conducted as part of the changeover of contractors in 2017.
 - The original Environmental Agency permit covered a much reduced set of recyclable items. As a consequence the installed drainage system would have been adequate. The level of recycling has grown which at the time of contract transfer has highlighted the potential risk and has

resulted in a reduced range of recycling being made available at the Everleigh HRC.

- The original contract with Hills was written at a much higher level than contracts now issued by WC. However, under the Hills contract there may be some liability for Hills to pay for some of the recovery of the site but the majority of the liability would fall to WC.
- PCAP/CPRE/PPC have still not received a formal response to the questions submitted for this meeting.
- The area WC Councillors held a separate meeting with the Cabinet Member on 10th May. No feedback on this meeting has been provided, however, at the Pewsey Area Board on 21st May the Councillors in response to a similar statement being made did confirm the meeting did take place but stated that they were unable to provide details of the meeting due to confidentiality.
- PCAP/CPRE/PPC have, and will continue to provide full support to try and progress the Everleigh issue but at present the action is firmly with Wiltshire Council to provide formal responses to the questions raised.

Since the submission of this statement responses have been received on 7th June which the organisations are reviewing. A further meeting has been offered by the Director of Waste to discuss the responses. It is probable that further discussion will be requested.

Yesterday we were also notified that a consultation on the proposed closure of Everleigh HRC had been posted on the WC website. This was surprising when discussions were still ongoing on the status and issues over Everleigh. I have reviewed the consultation document and support document and my initial belief is the consultation as presented is unlawful based on the criteria laid down by the Supreme Court. I believe a number of the 6 criteria stipulated by the Supreme Court have been breached. We will advise accordingly in due course.

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

MINUTES OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETING HELD ON 5 JUNE 2018 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Chuck Berry, Cllr Matthew Dean, Cllr Stewart Dobson, Cllr Howard Greenman, Cllr Alan Hill (Vice-Chairman), Cllr Jon Hubbard, Cllr Gordon King, Cllr Jacqui Lay, Cllr John Walsh, Cllr Graham Wright (Chairman), Cllr David Jenkins (Substitute) and Cllr Roy While (Substitute)

Also Present:

Cllr Ian Blair-Pilling, Cllr Richard Clewer, Cllr Tony Jackson, Cllr Brian Mathew, Cllr Ian McLennan, Cllr Ian Thorn, Cllr Bridget Wayman and Cllr Jerry Wickham

38 Election of Chairman 2018/19

Nominations were sought for a Chairman and following a proposal from Councillor Chuck Berry, seconded by Councillor Stewart Dobson, it was,

Resolved:

To appoint Councillor Graham Wright as Chairman for the forthcoming year.

39 Election of Vice-Chairman 2018/19

Nominations were sought for a Vice-Chairman for the forthcoming year. Councillor Alan Hill was proposed by Councillor Jacqui Lay, seconded by Councillor Howard Greenman. Councillor Gordon King was nominated by Councillor Jon Hubbard, seconded by Councillor John Walsh.

Resolved:

To appoint Councillor Alan Hill as Vice-Chairman for the forthcoming year.

A recorded vote having been requested by the required number of councillors, the votes cast were as follows:

For Councillor Alan Hill (7)

*Councillor Chuck Berry
Councillor Matthew Dean*

*Councillor Stewart Dobson
Councillor Howard Greenman
Councillor Alan Hill
Councillor Jacqui Lay
Councillor Roy While*

For Councillor Gordon King (4)

*Councillor Jon Hubbard
Councillor David Jenkins
Councillor Gordon King
Councillor John Walsh*

Abstentions (1)

Councillor Graham Wright

40 **Apologies and Membership Changes**

Apologies for absence were received from Councillors Christine Crisp, David Halik, Ruth Hopkinson, Stuart Wheeler and Pip Ridout.

Councillor Crisp was substituted by Councillor Roy While.

It was noted that following Full Council on 22 May 2018 Councillors Ian Blair-Pilling, Simon Jacobs and Andy Phillips were no longer members of the Committee. Councillors Chuck Berry, Pip Ridout and Stuart Wheeler were added to the Committee.

The Committee expressed its thanks to those who had served in the past year.

41 **Minutes of the Previous Meeting**

The minutes of the meetings held on 20 March and 10 April 2018 were presented and it was,

Resolved:

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

42 **Declarations of Interest**

There were no declarations.

43 **Chairman's Announcements**

Attention was drawn to the Annual Report of the Committee which had been approved by Full Council on 22 May 2018.

44 **Public Participation**

Statements would be taken by the public under any relevant item.

45 **Planning Committee System Task Group: Update following discussions with the Cabinet Member**

At its meeting on 20 March 2018 the Committee debate a report of the Planning Committee System Task Group, which had been established in June 2017. It was requested that the Task Group discuss its report with the Cabinet Member for Planning and Strategic Asset Management prior to final consideration by the Committee.

Councillor Ian McLennan, Chairman of the Task Group, presented the Final Report which detailed the 12 recommendations that had been resolved. Details of those discussions were detailed in the updated report. Some specific points noted included:

It was stated that the Task Group and the Cabinet Member had agreed that in relation recommendation 6 regarding the area planning committee structure, further scrutiny work was not appropriate at the present time until the outcome of the ongoing Electoral Review of Wiltshire Council by the Local Boundary Commission for England was concluded in respect of the overall Council size that would be in place in future.

In relation to recommendation 9, regarding councillors 'calling-in' applications providing detailed reasons at committee meetings, revised wording had been agreed with the Cabinet Member to recognise that it was not practical or fair to applicants to delay determination where such reasons were absent.

In relation to recommendation 11 the Task Group continued to recommend that pre-meeting briefings for all committee members as took place in some areas should cease in the interests of openness and transparency. However, the Cabinet Member believed that such briefings played a valuable role in updating committee members and did not support this recommendation.

The Committee then heard from Councillor Toby Sturgis, Cabinet Member for Planning and Strategic Asset Management, who thanked the Task Group for their work and confirmed he supported the recommendations proposed with the exception of recommendation 11.

The Committee discussed the report and the recommendations that had emerged, in particular debating the nature, extent and purpose of pre-meeting briefings at planning committees and whether these added to the quality of debate or gave the appearance of decisions being taken prior to the meetings, even though this was not the case. It was also raised whether such briefings could be public or whether there were situations where confidentiality was necessary.

A motion was moved not to endorse recommendation 11 by Councillor Matthew Dean, seconded by Councillor Jacqui Lay, with the details shown under the resolution.

At the conclusion of discussion, it was then,

Resolved

That the Committee:

- a) Notes the discussions held between the Task Group and the Cabinet Member for Planning and Strategic Property on 17 May 2018.**
- b) With the exception of Recommendations 9 and 10(b) and 11, endorses the original recommendations presented in the Task Group's Final Report (attached at Appendix 1) and refers them to the Cabinet Member where appropriate.**
- c) Endorses Recommendations 9 and 10 b) as amended in the update report above and refers them to the Cabinet Member.**
- d) Endorses a further recommendation that periodic training and briefings for planning committee members (accessible online and via Skype) be investigated, and refers this to the Cabinet Member.**
- e) Resolves that the Planning Committee System Task Group has now concluded its work.**

A recorded vote having been requested by the required number of councillors regarding the endorsement of recommendation 11, the votes cast were as follows:

For – not to endorse recommendation 11 (8)

*Councillor Chuck Berry
Councillor Matthew Dean
Councillor Stewart Dobson
Councillor Howard Greenman
Councillor Alan Hill
Councillor David Jenkins
Councillor Jacqui Lay
Councillor Roy While*

Against – to endorse recommendation 11 (3)

*Councillor Jon Hubbard
Councillor Gordon King
Councillor John Walsh*

Abstentions (1)

Councillor Graham Wright

46 **Public Request for Overview and Scrutiny Review: Westbury Advanced Thermal Treatment Plant**

On 20 March 2018 members of the public from the Westbury Gasification Action Group (WGAG) presented a petition to OS Management Committee regarding the Advanced Thermal Treatment(ATT) plant proposed in Westbury. The Committee resolved that the Chairman and Vice-Chairman of the Committee should discuss the potential for scrutiny work in this area with the relevant cabinet members, officers and select committee chairmen and vice-chairmen before making a decision. That meeting took place on 16 May 2018, with full details as provided in the agenda papers.

During debate the Committee heard from Margaret Cavanna, Maggy Daniell and Harriet James from WGAG.

The Committee discussed the report from the Chairman, which concluded that it was not felt that scrutiny could add additional value at the present time, but thanked the members of the public for their engagement in the process, as many useful points had been looked into as a result. Other points raised during debate included further discussion of the issues of waste processing in Westbury, Calne and other sites; the ongoing planning process; improving communication on waste reduction; the need for more work regarding air quality and how to assess health impacts in local areas.

On the motion of Councillor Matthew Dean, seconded by Councillor Gordon King, it was,

Resolved:

In light of the information presented above and the discussions held with officers, cabinet members and scrutiny chairmen and vice-chairmen on 16 May 2018, it is proposed that the Committee:

Does not consider that scrutiny can add value on this matter at present, given:

- **The new application's status in the planning process and confirmation that all relevant changes to circumstances since the original application will be considered;**
- **The Cabinet Member has requested a comprehensive report from the Public Health and Environmental Protection teams in commenting on the public health and environmental impacts of the planning application;**
- **The role of the Environment Agency in prescribing ATT plants' maximum emissions and emission monitoring arrangements and the requirement for public and local authority consultation on the award of the permit;**
- ***The council's plan to locate an Osiris indicative particulate monitor in Westbury following service and calibration.***

Notes its thanks to the members of the public for their engagement in the overview and scrutiny process and for putting this matter forward for the committee's consideration.

Notes that Overview and Scrutiny at Wiltshire Council welcomes all public engagement on this matter and any further suggestions of topics for inclusion on its forward work programme.

47 **Executive Request for Overview and Scrutiny Review: Hackney Carriage Late-night Tariffs**

Councillor Jerry Wickham, Cabinet Member for Adult Social Care, Public Health and Public Protection, presented his request for a scrutiny review of the current schedule of late night tariffs for Hackney Carriages as adopted by the Licensing Committee in 2014. It was reported that complaints had been received regarding the charging of high late-night fares in the Salisbury area, with alleged detrimental effect on the night time economy. Concerns had been raised as to whether Wiltshire's tariffs were competitive with other nearby night time centres such as Andover and Swindon. Following the March 2018 incident in Salisbury and the ongoing recovery effort a review was felt to be appropriate.

The Committee discussed the request, noting the reports that military personnel returning to their bases from Salisbury were often impacted by the tariffs, and the terms of reference for a review were debated.

On the motion of Councillor Alan Hill, seconded by Councillor Graham Wright, it was,

Resolved:

Following the Executive request for overview and scrutiny input, a task group with the terms of reference listed under paragraph 5 to be established under the auspices of Environment Select Committee.

Task group membership to be sought and the review to commence in anticipation of endorsement by Environment Select Committee on 26 June 2018.

The Chairman of Environment Select Committee be given authority to determine the task group's membership pending Committee approval on 26 June 2018.

48 **Referral from Full Council: The Use of Plastic Waste in Road Repairs, Re-Surfacing and Construction**

On 22 May 2018 Full Council received but did not debate a Notice of Motion submitted by Cllrs Brian Mathew and Steve Oldrieve regarding The Use of Plastic Waste in Road Repairs, Re-Surfacing and Construction. Full Council

resolved to refer the matter to Overview and Scrutiny for appropriate further action.

The Cabinet Member for Highways, Transport and Waste, Councillor Bridget Wayman, stated the need to ensure any new materials used were proven to be long lasting, among other factors, given limited budgets available.

On the motion of Councillor Graham Wright, seconded by Councillor Matthew Dean, it was,

Resolved:

To refer the motion to the Environment Select Committee, who would receive a briefing note at their next meeting.

49 **Overview and Scrutiny Councillor Learning and Development Programme 2017-21**

A report was received as detailed in the agenda supplement on an updated learning and development programme for councillors for the period 2017-2021, to include a programme of workshops, some external input where appropriate, in order to develop key scrutiny skills.

Resolved:

To approve the proposed Overview and Scrutiny councillor learning and development programme.

To note that the programme will be periodically reviewed by the Chairman and Vice-Chairman, with further activities to be added when agreed by the Committee.

50 **Forward Work Programme**

The Forward Work Programme as detailed in the agenda pack was considered.

Additional points raised included but were not limited to the progress of phase one of the Families and Children's service transformation programme, receiving the report of the Outdoor Education Task Group, and with further task groups considered including regarding the renewal of the disadvantaged learner's strategy and a report on home schooled children. It was also stated that a number of young people from the Wiltshire Youth Parliament had agreed to serve as youth representatives to the Children's Select Committee.

There was also a proposal from the Health Select Committee for a Task and Finish Group looking at NHS Health Check provision, and that the Committee will consider the report of the Local Government Ombudsman on a case of malpractice in relation to respite care by the Council at its meeting in July.

Resolved:

To note the Forward Work Programme, including the proposed Health Select Committee Task Group.

51 **Management Committee Task Group Updates**

A report on Task Group activity was received as detailed in the agenda papers.

In relation to the Digital Strategy and Implementation Task Group it was stated the group had agreed with the relevant Cabinet Member and Director that it should amend its terms of reference, and it was requested the Committee approve this.

In relation to the Military Civilian Integration Partnership Task Group it was stated that three communities in the Amesbury Area were cooperating in further investigating issues regarding military civilian integration, with the increase in military presence in those areas.

In relation to the Local Enterprise Partnership Task Group it was stated a ministerial paper on changes to the LEPs was due for publication shortly.

Resolved:

1. **To note the update on task group activity provided.**
2. **To note the reported developments to the Financial Planning Task Group's approach.**
3. **To endorse the new Terms of Reference of the Digital Strategy and Implementation Task Group as follows:**
 - a) **Explore their options of the Microsoft Exercise and look at learning from other councils on how to potentially use those solutions**
 - b) **Look at the list of projects and how things become projects - explore how these can be better vetted in future to ensure project meet best needs**
 - c) **Look at audit of existing software and how much we are/are not duplicating systems and costs**
 - d) **How we interface between service users/residents and the council and its digital systems.**

52 **Overview and Scrutiny Councillor Remuneration 2017-18**

In accordance with Part 13 of the Constitution – Members Allowances Scheme – a Scrutiny Fund of £15,000 per annum is available to reward councillors

serving specific scrutiny functions such as chairing task groups and serving on project boards.

The Fund is required to be allocated by the Committee in accordance with a scheme to be approved annually. A report was presented setting out proposed allocations for the year 2017/18.

On the motion of Councillor Graham Wright, seconded by Councillor Alan Hill, it was,

Resolved:

To approve the allocation of the Overview and Scrutiny Remuneration Fund for 2017/18 as detailed in Appendix 1 to the report.

53 **Date of Next Meeting**

The date of the next meeting was confirmed as 17 July 2018.

54 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 am - 1.20 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services, direct line (01225) 718504, e-mail kieran.elliott@wiltshire.gov.uk

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LICENSING COMMITTEE

DRAFT MINUTES OF THE LICENSING COMMITTEE MEETING HELD ON 4 JUNE 2018 AT THE WEST WILTSHIRE ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Allison Bucknell, Cllr Trevor Carbin, Cllr Peter Evans (Substitute - Part II), Cllr Sue Evans, Cllr Jose Green (Vice-Chairman), Cllr Peter Hutton (Chairman), Cllr George Jeans, Cllr Ian Thorn and Cllr John Smale

Also Present:

Julie Anderson-Hill (Head of Waster & Environment Culture & Operational Change), Asifa Ashraf (Solicitor), Cassandra Barrow (Student EHO), Emma Batchelor (Public Protection Officer – Licensing), Danial Farr (Compliance Officer), Linda Holland (Licensing Manager), Sarah Marshall (Senior Solicitor), Jemma Price (Public Protection Officer – Licensing), and Lisa Pullin (Democratic Services Officer)

1 **Apologies/Substitutions/Membership Changes**

Apologies were received from Councillors Hewitt, Lynch and Ridout and from Tracy Daszkiewicz (Director of Public Health and Protection) and Andrew Saxton (Fleet Services Manager).

Councillor Peter Evans was substituting for Cllr Mike Hewitt.

The Chairman, Councillor Peter Hutton welcomed Cllr John Smale to the Committee who had replaced Cllr Yuill. All those present were asked to introduce themselves.

2 **Minutes**

The Minutes of the meeting held on 11 December 2017 were presented to the Committee:

Resolved:

That the minutes of the meeting held on 11 December 2017 be approved and signed as a correct record.

Note – The Minutes referred to a request from Members for an updated list of Licensing Officers and it was agreed that this would be circulated to all Members via email following the meeting.

3 **Chairman's Announcements**

The Chairman, Councillor Peter Hutton made the following announcement:

Executive request for Overview and Scrutiny review - Hackney Carriage Late Night Tariffs

We wanted to inform the Licensing Committee of a report going to the O&S Management Committee on 5th June (tomorrow) – The Cabinet Member for Adult Social Care, Public Health and Public Protection has requested a scrutiny review of the current schedule of late night tariffs for Hackney Carriages as adopted by the Licensing Committee in 2014 and will propose that the Environment Select Committee establish a task group to undertake the review.

The current countywide tariff schedule was approved by the Licensing Committee in 2014 having considered the findings of a consultation on the introduction of a single charging zone for Wiltshire Council and one table of fares to apply throughout.

The Cabinet Member has advised that:

- A number of complaints have been received regarding the charging of high late-night fares (tariffs 4 and 5) in the Salisbury area and the alleged detrimental effect this may be having on Salisbury's night time economy (NTE).
- Anecdotally, these incidences often relate to military personnel returning from Salisbury to their bases.
- Concerns have also been raised regarding whether Wiltshire's late night tariffs are competitive with those in nearby night-time centres such as Andover, Swindon, Southampton and Bournemouth.
- In the context of the ongoing recovery effort in Salisbury following the events of 4 March 2018, it is appropriate to undertake a review of this issue at this time.

If this proposal is agreed at the meeting tomorrow any recommendations would be referred to the relevant cabinet member, though any revision of the policy would ultimately be determined by the Licensing Committee.

I, as Chairman will keep the Licensing Committee updated on this proposal and will provide an update at the next meeting on 3 September 2018.

4 **Declarations of Interest**

There were no declarations of interest.

5 **Public Participation**

No questions had been submitted to the Committee from the public prior to the meeting and there were no members of the public present at the meeting.

6 **Minutes of the Licensing Sub Committees**

Southern Area

- 17/01/17 Application for a Personal Licence
- 26/04/17 Application for a Premises Licence – Chalke Valley History Festival, Broad Chalke, Salisbury
- 05/10/17 Review of a Premises Licence – Queens Arms, Street, Salisbury
- 24/01/18 Variation of a Sex Establishment Licence
- 21/02/18 Application for a Premises Licence – 18 The Street, Amesbury

Western Area

- 12/12/17 Application for a Variation of a Premises Licence – Grange Farm, Bratton Road, West Ashton, Trowbridge
- 16/01/18 Application for a Premises Licence – Fairwood Lakes Holiday Park, Dilton Marsh
- 16/04/18 Application for a Variation of a Premises Licence – Waterhouse Hotel, 5 Waterhouse Hotel, Monkton Combe, Bath
- 01/05/18 Application for a Personal Licence

Resolved:

That the Minutes of the meetings detailed above be approved and signed as correct records by the Chairman.

The Chairman wished to thank all Officers for the support received for Licensing Sub Committee hearings and for the Councillors that had sat on the hearings. The provision for a fourth (reserve) member attending for each hearing was very useful as there had been occasions when one member had not attended and one where a possible conflict of interest had been highlighted at the last minute. Being a reserve was also a useful learning tool for newer members who get to experience the briefing, the hearing and the decision making afterwards. Arrangements would be made for training for Cllr Smale and any other Councillors who were interested in a refresher.

It had also been agreed that notices would be displayed outside of rooms when a hearing in progress and a further notice would be displayed when that meeting was in closed session. There had been a recent incidence when a few Members had walked into a hearing that was in closed session in error as they had not checked the location details of the meeting they were due to attend.

7 **Briefing Note - Event Safety Advisory Group**

The Committee were referred to the Briefing Note which outlined the role of Wiltshire's Event Safety Advisory Group (ESAG) which had been prepared by Linda Holland (Licensing Manager). Linda highlighted the following:

- ESAG's were recommended following the Hillsborough Stadium disaster and are a way to positively engage event managers with the planning and management of their events to ensure public safety. They are usually co-ordinated by the Local Authority and made up of representatives from the LA, emergency services, other relevant bodies and the event organiser;
- Meetings are usually chaired by Linda (as Licensing Manger for Wiltshire Council) and last around 2-3 hours. As Wiltshire is a military county and due to the heightened security risk following a number of national and international events, advice around counter terrorism is included where relevant;
- Generally high profile/high risk events are invited to an ESAG meeting and sometimes a trigger matrix is used to identify other events that may benefit from an ESAG;
- Eight ESAG's have been held so far this year with two more scheduled for next week

The Chairman raised the importance of public health being involved with the ESAG's and events and Linda reported that the Wiltshire Substance Misuse Team sits within Public Protection and the drugs and alcohol advisory service go out to some of the bigger events to raise the profile of the service.

With the World Cup coming up Linda provided the Committee with a brief overview of Temporary Events Notices that could be applied for by premises to enable them to stay open later/serve alcohol at events – guidance was available on the Wiltshire Council website.

Councillors asked the following:

Q Are de-briefing meetings held following events?

A Yes, we may hold de-briefing meetings if they were deemed necessary.

Q Would there be an ESAG for a carnival?

A If there were concerns about the event, then yes.

Q Local Members are not always aware of events – how do we connect Members into the process?

A We can make plans to inform the local Member when an event is considered necessary to have an ESAG meeting (so that they are aware of the event details, but they would not have an involvement at the ESAG meeting)

Linda Holland agreed to bring to the next meeting a list of the bigger events in Wiltshire so that the Committee can get a flavour of how many events are held.

Q Do you charge for Officer time to attend ESAG meetings?

A No we don't as this would be difficult to administer with other Officers attending from other organisations. We see the benefit to holding them is that there are safer events held in Wiltshire.

Resolved:

1. That the Licensing Committee note the update on Event Safety Advisory Groups.
2. That Linda Holland provide details of Wiltshire's major events for the next meeting to be held on 3 September 2018.

8 Review of Statement of Gambling Principles

Linda Holland (Licensing Manager) referred to the report circulated with the Agenda which provided the Committee with information on the new proposed Statement of Gambling Principles. Linda highlighted the following:

- The Council's Statement of Gambling Principles is to be reviewed every three years and be the subject of a consultation process. The Statement (attached as Appendix 1 to the report) has been overhauled and re-written to make it more user friendly;
- Once the draft Statement is approved by the Committee this document is then subject to an eight-week consultation process with the Police, persons representing gambling businesses and persons representing the interests of people likely to be affected by gambling;
- There are currently 40 gambling premises in Wiltshire, which were mostly betting shops;
- We are aware of concerns raised about the growing of gambling on line, but the Council have no power to address this, although we have also expressed concern to the local officer for the Gambling Commission. We feel that this has a public health impact and that our revisions to the Statement address that;
- Gambling premises are required to carry out a local area Risk Assessment to consider what other establishments or buildings e.g.: schools, churches, hospitals, social housing other gambling premises are in the area and identify any likely risk and how it will be mitigated.

- When Council Officers recently attending training arranged by the Gambling Commission they were surprised to hear that 118 authorities do not yet have a Gambling Policy in place;
- The profile of gambling locally is very positive – gambling premises have been visited and reminded of their responsibilities and how they need to protect the most vulnerable;
- There were two changes to the table of delegations (pages 148 and 149) – it was proposed that Officers can now give consideration for calling a review of a licence and for actions to be taken against illegal gambling.

Members asked the following questions:

Q Are members of the public able to respond to the consultation?

A They are not currently included in the list of statutory consultees, although there would be nothing to stop them from making comments, although the weight given to their views would be low. They could make a representation as an interested party and they the views could be taken into account.

Q Do you actively consult gambling support groups?

A Details of the consultation process are published on our website and we can put a link on the website to useful contacts.

Q Could you make plans to inform the gambling support groups that you are aware of the consultation?

A Yes, we can agree to do this.

Members agreed that the revised Statement of Principles was well written and congratulated Officers on the amount of work carried out to prepare it.

Resolved:

1. **That the Licensing Committee agree the proposed Statement of Principles 2019-2021 and authorise Officers to carry out the 8-week consultation process.**
2. **That Officers notify persons representing the interests of people likely to be affected by gambling of the consultation process.**

9 Dates of Future Committee Meetings

Members noted the date of future meetings of the Licensing Committee as detailed below, all to start at 10.30am

3 September 2018

3 December 2018.

10 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 - 11.15 am)

The Officer who has produced these minutes is Lisa Pullin, of Democratic Services,
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STRATEGIC PLANNING COMMITTEE

MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 20 JUNE 2018 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Fleur de Rhé-Philippe (Chairman), Cllr Derek Brown OBE (Vice-Chairman), Cllr Andrew Davis, Cllr Stewart Dobson, Cllr Sarah Gibson, Cllr David Jenkins, Cllr Christopher Newbury, Cllr James Sheppard, Cllr Tony Trotman, Cllr Ian Blair-Pilling (Substitute) and Cllr Nick Murry (Substitute)

Also Present:

Cllr Alan Hill, Cllr Pip Ridout and Cllr Toby Sturgis.

26 Apologies

Apologies for absence were received from:

Cllr Ernie Clark, who was substituted by Cllr Nick Murry
Cllr Fred Westmoreland, who was substituted by Cllr Ian Blair-Pilling

27 Minutes of the Previous Meeting

Resolved:

To confirm and sign the minutes of the previous meeting held on 25 April 2018.

28 Declarations of Interest

There were no declarations of interest made at the meeting.

29 Chairman's Announcements

There were no Chairman's announcements.

30 Public Participation

There were no questions or statements submitted.

31 15/01800/OUT: Land at the proposed West Warminster Urban Extension North of Victoria Road & to the West of Bath Road Comprising approx. 84 hectares of land, Warminster - Demolition of a series of agricultural sheds and one residential dwelling and the delivery of up to 1,000 dwellings (Class C3); a local centre of 0.56ha (to accommodate commercial development falling under Use Classes A1-A5, C2, C3 and D1); an employment area of 5.6 hectares (to accommodate various businesses

falling under Use Classes B1, B2 and B8); a primary and part-secondary school (Use Class D1); formal and informal recreational open space including children's play areas, allotments and changing facilities; car parking; hard and soft landscaping including a noise bund along part of the western boundary; storm water attenuation ponds; foul and surface water drainage infrastructure; and provision of road access infrastructure to include roundabout accesses on Bath Road and Victoria Road.

The Committee received a presentation from the Case Officer which set out the issues in respect of the application. He also summarised two representations he had received following publication of the agenda papers. The Cranborne Chase & West Wiltshire Downs AONB Officer had very recently sent a further communication stating that the AONB's main concerns were mitigated by the proposed conditions. The second representation received contained no additional points of view.

The purpose of the report was to assess the merits of the application against the relevant national and local development plan policies and other material considerations; and to recommend that permission should be approved subject to the prior completion of archaeological trial trenching and completion of a s106 legal agreement and planning conditions.

Members then had the opportunity to ask technical questions during which Cllr Christopher Newbury questioned why item no 10 of the summarised Section 106 Heads of Terms summary stipulated that the developer contribution of £491,440 should be subject to phased payments to be agreed to contribute towards the improvement and expansion at the Avenue GP surgery rather than to fund a new health care surgery within the Warminster Community Area. The Case Officer explained that to be legally compliant, the planning obligation must have a dedicated project and furthermore, the NHS had stipulated that this was how the developer contributions should be spent as it was not their intention to provide an additional surgery in the Warminster area.

Members also asked the officer to clarify the proposed housing quantum and how it compared to the endorsed site allocation Masterplan and adopted Core Strategy; the proposed affordable housing provision and the bus strategy obligation.

Members then heard the views of Cllr Tony Nicklin, Mayor of Warminster, who explained that although supportive of the application, the Town Council made the following points and recommendations:-

1. The roundabout on the A36 from Victoria Road would need to have some improvements to accommodate the Longleat hotel. Although it was argued that these would be insufficient to take the increased traffic from the WWUE development. The existing traffic flow already made it difficult to access the roundabout from Victoria Road and there were significant safety concerns. It was suggested that traffic lights for the roundabout should be considered.
2. The AONB comments regarding the need for recessive coloured roofs and screening for this site were endorsed.
3. The commercial site was surrounded by housing and did not have an adequate separate access.

The Committee then heard the views of Cllr Pip Ridout, the local Member, who endorsed the views expressed by the Town Mayor. She expressed her appreciation at constructive negotiations that had been taking place with the applicant and hoped that these would continue in order to resolve outstanding issues.

After discussion, which included an amendment to the summarised NHS planning obligation listed within point no.10 below, on the proposal of the Chairman, which was seconded by Cllr Andrew Davis,

Resolved:

To grant outline planning permission subject to the planning conditions and informatives listed below following the completion of a legal agreement to enshrine the developer obligations under s106 of the Town and Country Planning Act 1990 as summarised below:-

- 1. The developer shall be obligated to provide 30% (i.e. up to 300 affordable housing units) on-site taking the following split: 60% (180) affordable rented homes and 40% (120) shared ownership homes.**
- 2. The developer shall be obligated to provide 1.8 hectares of fully serviced land (with unburdened access to Victoria Road and utility connections) to be transferred to the Council within 12 months of the commencement of residential development at nil cost to the Council for the future provision of a primary school to provide the essential school infrastructure.**
- 3. The developer shall be obligated to safeguard an additional 1.8 hectares of fully serviced land (with unburdened access to Victoria Road and utility connections) to be transferred to the Council within 12 months of the commencement of residential development at nil cost to the Council for the future provision of an additional/secondary school facility in full recognition that Kingdown Academy, as the sole secondary school serving the town is at capacity with limited potential to expand on its current site and through acknowledging it cannot accommodate the projected additional pupils this 1000 house development would generate.**
- 4. If the primary school site is to be delivered by the developers (i.e. to submit the application, construct and deliver) following the agreement of the LEA, the s106 should include bespoke and detailed clauses covering its delivery. To ensure that the housing is suitably served by a new primary school, the s106 would need to restrict housing occupation to a maximum of 180 dwellings. The school would need to be available to accommodate pupils before the 181st dwelling is occupied.**
- 5. If the additional/secondary school facility is to be delivered by the developers (i.e. to submit the application, construct and deliver) following the agreement of the LEA and Kingdown Academy, the s106 should include bespoke and detailed clauses covering its delivery. To ensure that the housing is suitably served by secondary school facilities, the s106 would need to restrict housing occupation to a maximum of 100**

dwellings. The secondary school premises would need to be available to pupils before the 101st dwelling is occupied.

6. The developer shall be obligated to pay the sum of £3,947,625 (for 225 primary school places levied at £17,545 per place;

7. The developer shall be obligated to a pay the sum of £4,616,568 (for 198 secondary places) levied at £23,316 per place;

8. The development qualifies for three phased developer payments for secondary education purposes. The phased education contributions shall be: 30% on the commencement of the residential development, 35% payment following the occupation of the 200th dwelling and the remaining 35% following the occupation of the 400th dwelling. For primary purposes, the development qualifies for four phased payments equating to the following: 5% on the commencement of the residential development, 35% following the occupation of the 100th dwelling, 30% following the occupation of the 200th dwelling and the remaining 30% following the occupation of the 500th dwelling.

9. The developer shall be obligated to pay the full costs of providing all the associated waste and recycling infrastructure across the site (based on the contributions set out within the Council's 2017 adopted Waste Collection Guidance SPD);

10. The developer shall be obligated to pay the sum of £491,440 to be subject to phased payments to be agreed to contribute towards the improvements and expansion at the Avenue GP surgery and the town's medical services; or, alternatively and following agreement with the NHS, to fund any new health care surgery within the Warminster Community Area to provide additional capacity and services to serve this development (which shall be subject to a clawback provision);

11. The developer shall be obligated to enter into an agreement with the Council to establish a Management Company for all the associated maintenance liabilities relative to all the public open space, play areas, sporting facilities, allotments, flood attenuation and SUDs, landscaping and the noise attenuation and landscaped bund;

12. The developer shall be obligated to enter into an agreement with the Council to establish appropriate management of the ecology park;

13. The develop shall be obligated to deliver the two roundabouts off Bath Road (with a zebra crossing) and Victoria Road and complete all the necessary alterations to the existing highway arrangements required to deliver two main safe accesses off the public highway.

14. The developer shall be obligated to deliver the spine road through the site designed to accommodate a bus route and a 3.2m wide shared footway/cycleway for the entire route connecting Bath Road with Victoria Road and its completion must be prior to the occupation of the 600th dwelling, or prior to the occupation of the 301st dwelling (delivered and accessed from either roundabout junction), or before the period of 6 years from the date of the first occupation of the residential development, whichever is the earlier;

15. The developer shall be obligated to deliver a new footpath along the western side of Bath Road to connect the site and Crusader Park and existing footpaths;

16. The developer shall be obligated to deliver a 3.2m wide footpath along the northern edge of Victoria Road from the new roundabout to connect with the existing footpath;
17. The developer shall be obligated to undertake all the necessary on-site upgrade works to PRow WARM8, WARM12, WARM9, WARM10, WARM13 & WARM70 links including an obligation to pay for all the diversions orders and pedestrian/cycle track orders to be enshrined under a separate s278 agreement;
18. The developer shall be obligated to pay £850 to deliver the necessary upgrades to the existing stiles to create kissing gates along footpath WARM13 to be paid prior to the occupation of the 50th dwelling;
19. The developer shall be obligated to pay the pro-rata sum of £14,300 for upgrades to WARWEST15 and £12,500 for upgrades to WARWES 16 to be paid prior to the occupation of the 301st dwelling;
20. The developer shall be obligated to deliver a new controlled Toucan crossing on Victoria Road and to connect with footpaths WARM 5 & 6 (Note: pooled s106 developer contributions that have already been secured from Redrow's consented development based on a 20% pro-rata calculation, would be used to part fund the works once a contract is entered into);
21. The developer shall be obligated to deliver a new roundabout at Copheap Lane/Westbury Road/Portway (Note: pooled s106 developer contributions that have already been secured from Redrow's consented development based on a 20% pro-rata calculation, would be used to part fund the works once a contract is entered into);
22. The developer shall be obligated to deliver and convert WARM8 footpath to a 3m wide pedestrian and cycle route (from Victoria Road to the site boundary) to be enshrined in a s278 agreement;
23. The developer shall be obligated to deliver and convert WARM70 footpath to a 3m wide pedestrian and cycle route to be enshrined in a s278 agreement;
24. The developer shall be obligated to pay a maximum sum of £225,500 to be paid on a pro rata basis and relative to the length of the route within the control and ownership of the developers to upgrade an approximate 290m stretch of WARM9 footpath to form a 3m wide pedestrian and cycle route with a bridge crossing over the brook (from Coldharbour Lane to the southern site boundary that abuts with the Grovelands Way proposed care home site). The full sum would be substantively reduced on a) the extent to which the northern part of the path can be delivered within the site boundary, and (b) the southern part at circa 145m in extent being delivered by the developers for 17/05360/OUT on the Grovelands site;
25. The developer shall be obligated to commit to delivering a bus strategy for the site and to provide for a half hourly weekday services to and from the site and Warminster Town Centre. The strategy shall also include details of support funding, if required to be made by the developers based on an agreed bus strategy or bus service agreement to support the service throughout and beyond the development build out phasing. The bus strategy shall also include enhanced service provision to Kingdown Secondary;

26. The developer shall be obligated to make provision of bus stops, shelters and real time passenger information along the strategic spine road;

27. The developer shall be obligated to pay for all necessary temporary traffic regulation orders, including weight restrictions, prohibition of driving, and parking;

28. The developer shall be obligated to deliver full travel plans for the residential and employment uses on the site, together with details of inducements to encourage site occupants to travel by sustainable means. A travel plan for the school development shall also be required;

29. The developer shall be obligated to enter an agreement with the Council to establish the phased timescales for the advance/early landscape strategic planting and creation of the bund along the site's northern boundary adjacent to the A36(T) SRN;

30. The developer shall be obligated to deliver the necessary Microprocessor Optimised Vehicle Actuation (MOVA) software upgrades at the Weymouth Street, Market Place and High Street traffic controlled junction under a s278 agreement and to cover the resultant costs of the installation and maintenance for a 12 month period. Alternatively, a maximum developer contribution amounting to £120,000 would be required;

31. The developer shall be obligated to enter an agreement with the Council to jointly work on a marketing strategy for the employment site and to actively promote the serviced site as part of the early phase of development;

32. The developer shall be obligated to enter an agreement with the Council in regard to providing all the necessary on site SUDs and land drainage attenuation infrastructure;

33. The developer shall be obligated to enter an agreement with the Council to establish the delivery timescales and provision of the public open space, the sporting pitches and changing rooms across the site (to be linked to phased housing delivery triggers and completion of the link road); and,

(a) A s278 is necessary to establish sufficient securities to deliver the public highway/rights of way infrastructure improvement works. The developers would also be required to enter into a separate agreement with Wessex Water pursuant to obtaining the necessary new water and sewage infrastructure connections. In addition, the development proposes the demolition of an existing dwellinghouse which is served with an existing electricity supply and the site has electricity infrastructure which may require removal and/or diversion. The necessary supply closure to the existing property and any diversion of the existing infrastructure triggers the need for the developer to enter into a separate agreement with the district network operator. Any deviation or diversion of existing infrastructure would require the developer to pay additional contributions and enter into a separate contractual arrangement with the distribution network operator. These matters are suitably captured by planning informatives.

(b) Separate to the s106 obligations listed above, future reserved matters submissions would be CiL liable. It is not possible to confirm the exact CiL amount at this stage, however based on the Council's current charging schedule and an estimated projected average house size, the level of CiL payment is likely to extend to some £1.9million. In the context of this application, CiL payments could contribute towards leisure service infrastructure improvements, improvements to be made at Warminster's Fire Station or its relocation costs, the Wessex Stone Curlew Project, delivering off-site air quality infrastructure improvements, supporting early years education provision; off-site PRow upgrades (not included within the s106); and, the expansion of the Warminster cemetery, although the allocation of CiL receipts from this development is not a matter for consideration by the committee.

(c) In recognition of the made status of the Warminster Neighbourhood Plan, based on the above estimated CiL receipt level, Warminster Town Council would directly secure circa £475k (i.e. 25% of the total CiL contribution).

In addition to the above, prior to the issuing of the s106, to require the applicants/developers to undertake further on-site archaeology trial trenching to proof test the completed geophysical surveying. The extent and scope of the trial trenching must be agreed in writing with the Council's archaeology team and the on-site trench evaluation should run in parallel with the preparation of the aforementioned s106 legal agreement. In the event that the trial trenching evaluation reveals significant archaeology, an updated committee report would be prepared, supported by an additional archaeology appraisal and it would be brought back to the strategic planning committee for fresh consideration before any decision is issued.

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 other than the works hereby approved pursuant to the two new roundabout site accesses, until details of the following matters for the remainder of the site (in respect of which approval is expressly reserved) have been submitted to and approved in writing by the Local Planning Authority:

- (a) The scale of the development;*
- (b) The layout of the development;*
- (c) The external appearance of the development;*

(d) The landscaping of the site.

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

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

3 Application(s) for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of ten 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 reserved matters applications shall make provision for the following:

a) At least 5.6 ha of land and buildings for employment purposes (Class B1, B2 and/or B8 uses) which shall have recessive dark coloured roofs and wall finishes and a minimum 10m landscaped buffer shall be provided with appropriate impenetrable fencing to separate the site and new residential development;

b) 1.8 ha of fully serviced land and the erection of a primary school (to be future proofed to facilitate a 2FE facility); and an additional safeguarded 1.8ha area of land as an option to deliver additional/secondary school facilities; and, that the 'school's' shall be limited to no more than two-storeys and shall have recessive dark coloured roofs and wall finishes;

c) A 0.56 ha site for a local centre to provide a mix of premises comprising small convenience shops, other A1 uses, food & drink establishments, hot food takeaway uses (A3, A4 and A5); as well as C2, C3 and D1 uses including community uses such as a community hall which shall be limited to no more than two-storeys and shall have recessive, dark coloured roofs and wall finishes;

d) Sites for public open space and play areas to be laid out and equipped in accordance with the specifications set out in the West Wiltshire Leisure and Recreation DPD (or any subsequent replacement); to include 5.05 ha of formal sports pitches with changing rooms and car parking, at least 2124sq.m of equipped play provision in the form of 1 NEAP (neighbourhood equipped area of play) and 2 LEAPs (local equipped areas of play) and 1 trim trail;

e) 39.5 ha of land to be dedicated as public open space, children's play areas, attenuation ponds (to be provided in accordance with the FRA and drainage strategy requirements); and an ecology area comprising 2.96 ha;

f) 0.38 ha of land for allotments;

g) A strategic road link to connect Bath Road and Victoria Road to be constructed on a phased basis; and,

h) Up to 1,000 dwellings with recessive dark coloured roofs.

The 'layout of the development' reserved matter (which is required to be submitted and approved under condition no. 2) shall accommodate all of the above substantially in accordance with the WWUE Illustrative Masterplan (Rev 12) dated 27/03/2018 and the related Parameters Plans (including the Land Use Plan (Rev 6) dated 07/03/2018 Access and Movement Plan (Rev 6) dated 26/03/2018; Density Plan (Rev 10) dated 07/03/2018; and Maximum Building Heights (Rev 7) dated 07/03/2018.

The 'landscaping of the site' reserved matter (which is required to be submitted and approved under condition no. 2) must include all tree and hedge planting specification details alongside a detailed plan setting out all the sizes and species, which shall include larger specimen planting stock to be submitted and agreed in writing by the local planning authority.

REASON: To ensure the creation of a sustainable and balanced urban extension to Warminster, in accordance with the requirements of the Wiltshire Core Strategy and the design objectives of the Design and Access Statement as well as being respectful to the proximity of the AONB and special landscape areas.

5. No development shall commence on site until a 'phasing plan' and an 'order of delivery schedule' for the entire application site have been submitted to and approved in writing by the local planning authority. The phasing plan shall divide the site into clearly identifiable land parcels or sub-phases for each of the subsequent reserved matters applications; and, in the case of the approved 'means of access'; the plan shall encompass sections of the means of access and associated PROW upgrades pursuant to each phase of development. The 'order of delivery schedule' shall also specify the order in which each land parcel shall commence.

In addition, detailed plans and an order of delivery schedule for 'non-phase specific' landscape and ecology mitigation measures shall be submitted to and approved in writing by the local planning authority. These shall specify where and when the 'non-phase specific' mitigation measures shall be provided and/or constructed. The 'non-phase specific ecology' measures relate to the following:

- 1. The delivery of the strategic planting along the A36;*
- 2. The delivery of the linear park;*
- 3. The delivery of the ecology park: 're-wilding' area in the south-western part of the site;*
- 4. The delivery of the green corridors - as shown on the Ecological Opportunities map (on page 61 of the Design and Access Statement – dated March 2018).*

The phasing plan and order of delivery schedule shall also confirm the following:

- 5. The delivery of the strategic link road connecting Victoria Road and Bath Road; and,*
- 6. The delivery of all the internal roads, footpaths and cycle tracks upgrades*

REASON: To ensure the proper planning and delivery of the development and to ensure the safeguarding of matters of acknowledged importance, including amenity, ecology and infrastructure provision in general as well as to ensure that the site is built out in a manner which is consistent with the restrictions on dwelling numbers served by a cul-de-sacs, and to secure bus services routes and appropriate PROW connections area available for each phase of development.

NOTE: The upgrade of WARM70 should be prioritised from the Victoria Road end as part of the first phase of the residential development being delivered off Victoria Road to enhance the site permeability and to encourage walking and cycling as part of the initial phasing. Similarly, the completion of the Coldharbour Lane cycle track upgrade should be completed alongside with the delivery of the internal site road network connection with Coldharbour Lane (WARM8).

6. None of the existing on-site electricity infrastructure shall be diverted or removed until details have been submitted to the local planning authority for its written approval. The developer shall confirm whichever

is applicable, a) how the development would be constructed and delivered retaining the existing 11kv and low voltage overhead power lines electricity infrastructure, without any diversion; or (b) setting out the necessary diversions and/or removal of electricity infrastructure and confirm the development programme arrangements; or c) a combination of a) and b).

REASON: To ensure that the appropriate electricity infrastructure is available to service the site and to ensure that all necessary contractual agreements are entered into with the DNO with regard to any modification, diversion or removal of electricity infrastructure.

7. The construction of the roundabouts off Bath Road and Victoria Road hereby approved by plan drawing no's P507/38 Rev A & P507/39 shall not commence until the technical construction details of each roundabout have been submitted to and approved by the local planning authority. Thereafter, the roundabouts shall be constructed in accordance with the approved details before serving the phases of development for which they are intended to provide the vehicular access.

REASON: To ensure the proper planning and delivery of the development accessed off two new roundabout junctions on Victoria Road and Bath Road.

8. No development shall commence on site pursuant to the residential, commercial, education, employment phases of development until a foul water drainage strategy has been submitted and approved in writing by the local planning authority to secure the following:

- A detailed drainage phased scheme and phased construction programme to include the detailed points of connections to the sewer, the discharge rates and off-site foul sewer storage at the sewage pumping station and any necessary treatment improvements required to serve each phase of development; including any temporary arrangements; and, following the approval of the strategy.*

Thereafter, the drainage scheme shall be completed in accordance with the approved details and following the timetable to be agreed in writing with the local planning authority.

REASON: To ensure that the appropriate foul sewerage infrastructure is available to service the site and to ensure that the development does not increase the risk of sewer flooding to downstream properties and to secure off-site sewer improvements to deliver ecological/environmental betterment.

9. No development (pursuant to each phase) shall be brought into use until the foul drainage infrastructure connections and improvements have been completed in accordance with an agreed drainage strategy.

REASON: To ensure that the appropriate foul sewerage infrastructure is available to service the site.

NOTE: The applicant is encouraged to liaise directly with Wessex Water pursuant to any necessary off-site scheme of works to upgrade the emergency storage facilities at the Portway sewage pumping station, any sewer requisitions; and, any additional off-site reinforcement of the water supply network that may be required, for any proposed building exceeding two storeys requiring on site boosted storage facilities.

10. No development (pursuant to each phase) shall commence on site until a scheme for the discharge of surface water from the site to include the provisions and measures to prevent pollution of receiving groundwater and/or surface waters, a timetable for its implementation; and a construction and SUDS management and maintenance plan for the lifetime of the development incorporating sustainable drainage details, have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the phased development shall not be first brought into use until the surface water drainage provisions (including any temporary arrangements) have been completed and connections are available in accordance with an approved drainage scheme.

REASON: This matter is required to be agreed with the Local Planning Authority before development commences to ensure that the phased development is undertaken in an acceptable manner and to ensure that the development does not increase the risk of flooding.

NOTE: The formation of a SUDS Management Company is a s106 obligation.

11. That all subsequent reserved matters applications (pursuant to each phase) shall include detailed plans that confirm finished floor levels being set no lower than 600mm above the predicted 1 in 100 year annual probability fluvial flood level. The plans shall also show the contextual modelled fluvial flood levels as well as finished on plot site levels.

REASON: This matter is required to be agreed in writing by the Local Planning Authority before development commences to ensure that the development reduces the risk of flooding.

12. No construction or spoil materials shall be stored or heaped (even temporarily) in the areas identified as being flood zones 2 and 3 as shown on the published Flood Map (Drawing No. P831/04 Rev. A) and the map showing the maximum hydraulic modelled 1 in 1000 year fluvial flood extent (Drawing No. P831/05 Rev. A).

REASON: To ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity.

13. No development (pursuant to each phase) shall commence on site until a land contamination verification report and remediation strategy have been submitted to and approved in writing by the local planning authority.

REASON: To protect controlled waters from any form of pollution.

NOTE: The verification report should follow the PRA (preliminary risk assessment) submitted in support of the application and chapter 13 of the Environmental Statement. The verification plan should include monitoring and maintenance of pollutant linkages and arrangements for contingency action. Any changes to these components would require the written approval of the local planning authority.

14. No development (pursuant to each phase) shall commence on site until an Ecological Mitigation Plan has been submitted to and approved by the Local Planning Authority. The EcMP shall contain details of the number, location, and design of bat and bird boxes/mitigation to be provided within buildings. Thereafter, pursuant to each phase, the works shall be completed in accordance with the approved details.

REASON: To ensure that the bat and bird ecological mitigation requirements are clearly shown on plan(s) and are implemented at the appropriate time as part of each phase of development.

15. No development (pursuant to each phase) shall commence on site until the 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, fire-fighting apparatus and fire hydrants, 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 pursuant to each phase shall not be brought into use until the above cited matters 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.

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

16. With regard to the reserved matter relating to the landscaping of the site, the details to be submitted for each phase shall be made in accordance with a detailed Green Corridors Parameters Plan to be submitted to and approved in writing by the Local Planning Authority. The Plan shall identify:

- Areas including hedgerow and tree planting corridors, with development being designed to ensure that there is no significant increase in light exposure when compared against existing levels;
- Areas of informal open space, wildlife habitat and sports pitches;
- The locations and types of measures which would be used to reduce severance for wildlife where Green Corridors are breached by roads and/or paths;
- The width of buffers which would remain undeveloped and outside the curtilage of dwellings to ensure hedgerows and other habitats which are integrated into the urban fabric would be retained in perpetuity; and
- Locations for reptile, hedgehog and other animal refugia and all other measures, including gaps in close board fencing, necessary to ensure that the urban areas are permeable to wildlife.

The development shall be designed and constructed in accordance with the approved Parameters Plan.

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 green corridors function effectively to conserve and promote biodiversity conservation.

17. No development shall commence within any phase, including the construction of either roundabout access 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:-

- The 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, number, supply and planting sizes and planting densities;
- Finished levels and contours;
- Means of enclosure;
- Car park layouts;
- 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 indicating lines, manholes, supports etc.); and
- Any historic landscape features and proposed restoration, where relevant.

All planting shall be in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428.

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.

18. All soft landscaping comprised in the approved details of landscaping for each approved phase of development 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 phase 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 ten 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 for each approved phase of development shall also be carried out in accordance with the details enshrined within the preceding condition and prior to the occupation of the respective phase 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.

19. No demolition, site clearance or development, including construction of the roundabouts shall commence on site within any particular phase, and; no equipment, machinery or materials shall be brought on to site for the purpose of development within any particular phase, until a Tree and Hedgerow Protection Plan showing the exact position of each tree and hedgerow 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 and/or hedge" means an existing tree and hedgerow 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 date of commencement of the phase].

REASON: To safeguard trees to be retained in the interests of amenity.

20. No demolition, site clearance or development shall commence on site within any particular phase, and; no equipment, machinery or materials shall be brought on to site for the purpose of development within any particular phase until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall address the matters identified in section 5.3.13 of the Environmental Statement (January 2015) and shall identify all the

measures required to minimise the risks to ecology on site and pollution safeguarding to include the following:

- *Identification of protection areas where fencing (details to be provided) will be used to exclude works including, for example, the linear park and green corridors;*
- *Method statements for specific operations / areas of the site likely to affect protected species;*
- *List of operations which will be undertaken under the supervision of an Ecological Clerk of Works or a professional ecologist to those areas where vegetation / topsoil removal could affect protected species;*
- *Confirmation of obtaining protected species licenses which are required before certain works commence;*
- *For each phase of development pollution safeguarding mitigation details including the location of site and storage compounds, the use of plant and machinery, measures to control of dust and noise, the location and use of wheel washing and vehicle wash-down plant/machinery, and the location and use of oils/chemicals;*
- *Submission of a site waste management plan and confirmed recycling plans for waste materials (if any); and*
- *Ongoing monitoring, including compliance checks by a competent person / Ecological Clerk of Works(s) and site manager during construction and immediately post-completion.*

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 or a professional ecologist certifying that the works 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 1 month of the date of substantial completion of each phase of development. 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.

21. No demolition, site clearance or development shall commence on site within any particular phase until a Construction Traffic Management Plan (CTMP) has been submitted to and approved by the local planning authority. The CTMP shall contain details of the routing arrangements for all traffic to the site, and a construction traffic signage scheme including details of how the existing traffic regulation order restricting use of local roads by heavy lorries would be temporarily amended. The CTMP shall also detail the necessary on site arrangements to ensure that site detritus is not carried by construction traffic onto the highway. Details of the arrangements for manoeuvring and storage/parking of all construction vehicles on the site shall be included in the CTMP. The site shall be operated in accordance with the approved CTMP at all times and all the routing signage shall be maintained for the entire construction phase. The plan should also set out how the developers shall reduce and manage the emission of noise, vibration and dust during the demolition and construction phases of development.

The construction/demolition phase of the development shall be carried out fully in accordance with the construction management plan at all times.

REASON: In order to ensure the site construction traffic is properly managed in the interests of highway safety and to ensure that the amenities of local residents are substantively protected as well as adopting measures to minimise noise and disturbance levels.

22. No development shall commence on site pursuant to any phase (except for the construction of the two roundabouts), until an acoustic design scheme to protect future residents and occupiers of the development hereby approved from A36 road traffic, Bath Road and Victoria Road and noise from premises on Roman Way has been submitted to and approved in writing by the Local Planning Authority. Details and measures included in the scheme should comprise site layout, internal building 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. For each phase of development, the approved acoustic scheme shall be implemented prior to first occupation of any building and it shall be maintained at all times thereafter in accordance with the approved details.

REASON: In order to ensure that the amenities of future residents are substantively protected as well as adopting measures to minimise noise and disturbance levels.

23. No development shall commence pursuant to any proposed licensed premises until a scheme of acoustic insulation and noise control has been submitted to and approved in writing by the Local Planning Authority. The scheme should specify the acoustic insulation and other measures to be put in place to prevent and control the emission of noise from any licensed premises including noise from regulated entertainment and external plant. Thereafter, the approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working condition at all times thereafter.

REASON: In order to ensure that the amenities of future residents are substantively protected as well as adopting measures to minimise noise and disturbance levels.

NOTE: In discharging this condition the applicant and the appointed consultant are encouraged to liaise directly with the Council's public protection team.

24. No development shall commence pursuant to any proposed food/takeaway premises until a scheme of works for the control and dispersal of atmospheric emissions, and in particular odours and fumes has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working condition at all times thereafter.

REASON: In order to ensure that the amenities of future residents are substantively protected as well as adopting measures to minimise noise and disturbance levels.

NOTE: In discharging this condition the applicant/developer should ensure that the ventilation system discharges vertically at a height of at least 1m above the height of any nearby sensitive buildings or uses and not less than 1m above the eaves. The applicant/developer should also consult and follow the advice contained within the publication: Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (DEFRA 2005).

25. No development shall commence pursuant to any phase until a scheme and the format of a public carriageway condition survey has been agreed in writing by the local planning authority. Once the format is agreed, the condition survey shall duly report on the stretch of public highway along Victoria Road and Bath Road between the two new access roundabouts and the pursuant two A36 roundabouts and the results of the survey shall be submitted to the local planning authority within one month of the survey and report being completed.

REASON: To ensure the authority has an accurate record of the public carriage way condition prior to the aforementioned stretches being used by construction traffic.

26. For each relevant phase of development, details pursuant to the construction of the link road between Bath Road and Victoria Road shall make provision for adequate turning space on a temporary basis to ensure that large vehicles, and specifically buses, can enter and turn within the scheme in a forward gear.

REASON: In order that adequate internal facilities can be provided for buses and other large vehicles to enter, turn and leave the development which shall delivered on a phased approach.

27. For each phase of development, no site clearance, 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 order to ensure that the amenities of local residents are substantively protected.

28. No deliveries shall be made to or collections made from commercial premises outside the hours of 07:30 and 20:00 Monday to Saturday 09:00 and 18:00 Sundays and Public Holidays.

REASON: In order to ensure that the amenities of local residents are substantively protected.

29. No external lighting shall be installed as part of each phase until detailed plans showing the type of light appliance, the height and position of the fitting, the illumination levels and light spillage levels in accordance with the appropriate Environmental Zone standards as set out by the Institute of Lighting Engineers in their publication GN01:2011, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2011), have been submitted to and approved in writing by the Local Planning Authority. Where

development potentially affects green corridors and wildlife habitat, lux plots shall be submitted to demonstrate compliance with the Green Corridors Parameters Plan. Thereafter, all approved lighting shall be installed and be maintained in accordance with the approved details.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site as well as being fully mindful of the proximity to the AONB and special landscape areas.

30. Pursuant to each phase of development, the developer shall ensure that the upgraded PRow connections and infrastructure are available and useable all year round with all surfacing to be completed to adoptable or alternative standards and to be agreed in writing by the local planning authority. For each phased reserved matters submission, the developer shall submit the following:

i) A detailed plan specification for all necessary PRow upgrades and diversions, including any temporary diversions required for each phase of development to be submitted and approved in writing by the Local Planning Authority prior to commencement of works on site for each phase. The PRow works legal orders, surfacing to adoptable standards, and signing schedules as necessary;

ii) A detailed timetable setting out the timeframe and delivery of the necessary PRow works; and

iii) The cycle/pedestrian routes shall be 3m wide with segregated pedestrian/cycle surfacing.

REASON: To ensure that each phase of development is sufficiently serviced by PRow upgrades.

31. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by the Local Planning Authority before the first occupation of any each phase of development. The content of the LEMP shall include the following information:

- A drawing setting out the location and extent of landscape and ecological features across the entire site;*
- Description of features to be managed;*
- Aims and objectives of management*
- Management prescriptions to achieve aims and objectives;*
- 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 the implementation of the plan;*
- Monitoring and remedial measures including how these will be triggered and implemented;*
- Timeframe for reviewing the plan*
- Details of how the LEMP will be communicated to the occupiers of the development.*

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

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

32. No dwelling, pursuant to each phase, shall be brought into use until it has have been provided with car parking and cycle storage spaces in accordance with the Council's adopted parking standards as required by the Wiltshire LTP 2011-2026 Car Parking and Cycle Strategies respectively. Any garage to be counted as being a parking space shall have internal dimensions of at least 3m by 6m per parking space. In addition, no commercial, employment or education uses shall be brought into use until the adopted parking standard requirements are accommodated for on site.

REASON: To ensure adequate parking space is provided on site clear of the highway, and to encourage transport by sustainable means.

33. No additional vehicular access onto Bath Road or Victoria Road is hereby permitted other than the two roundabouts (unless otherwise agreed as a temporary access). Prior to any dwelling, commercial or employment premises being brought into use, a plan showing all existing field gates that are not required shall be removed or closed up and as part of the phased landscaping provisions, details pursuant to each reserved matters application shall confirm new boundary treatments in accordance with a programme to be agreed in writing by the local planning authority

REASON: In order to ensure than vehicular access is not gained to the site from inappropriate locations.

34. The development (pursuant to each phase) shall be completed in accordance with chapter 10 of the Environment Statement, the Outline Dormouse Mitigation Strategy and the 'ecology mitigation and enhancements: outline proposals' (both dated September 2017 and produced by Aspect Ecology); and the Landscape Strategy and Implementation Plan, dated November 2017 produced SLR.

REASON: To ensure that each phase of development delivers adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

35. The residential development hereby approved in outline form shall be designed to ensure that the new housing does not exceed 110 litres per person per day water consumption level (which includes external water usage). Within 3 months of each phase being brought into use, a post construction stage certificate certifying that this standard has been achieved shall be submitted to the local planning authority for its written approval.

REASON: To ensure that the development delivers betterment in terms of the level of discharge of phosphates from the sewage treatment plant into the River Avon SAC.

36. All building service plant and equipment (including air conditioning units and any air handling plant etc.) shall be sited and designed in order to achieve a Rating Level (BS4142:2014 or any subsequent version) of -5dB below the lowest measured background noise level (LA90T) determined at the nearest noise sensitive receptor, when the plant is intended to operate.

REASON: In order to ensure that the amenities of future residents are substantively protected as well as adopting measures to minimise noise and disturbance levels.

37. Prior to the occupation of the 100th dwelling on the site, a public art strategy shall be submitted to the local planning authority for its written approval. The strategy shall set out how public art shall be provided as part of the development alongside a delivery programme. Thereafter, the development shall be carried out in accordance with the approved strategy and the delivery programme.

REASON: In order to achieve a high quality environment and to support the objectives of WCS Core Policies 3, 31 and 57.

38. Prior to the commencement of the local centre, a strategic level scheme for the provision of 2 ultra low energy vehicle infrastructure points (ULEVI) (i.e. electric vehicle charging points) and a programme for its delivery shall be submitted to the local planning authority for its written approval. The local centre shall not be brought into use until the approved infrastructure is completed and available.

REASON: In the interests of reducing vehicular traffic pollution and supporting more sustainable modes of transit.

39. The development hereby approved shall be carried out in accordance with the following approved plans: Site Location Plan Dwg No 504 Rev G; Bath Road Site Access Roundabout Plan – Dwg No P507/38 Rev A; Victoria Road Site Access Roundabout Plan – Dwg No P507/39; WWUE Illustrative Masterplan Rev 12; WWUE Parameters Land Use Plan Rev 6; WWUE Parameters Density Plan Rev 10; WWUE Parameters Access and Movement Plan Rev 6; WWUE Parameters Maximum Building Heights Plan Rev 7; Design and Access Statement dated March 2018; Landscape Strategy and Implementation Plan (LSIP) dated November 2017.

REASON: To define the terms of this outline permission.

PLANNING INFORMATIVES:

1. The applicant is required to contact Wessex Water and agree any diversion of the existing water main that runs through the site. An easement of 6m either side of the existing water main must be maintained

following any agreed diversion with Wessex Water. Water Supply network modelling would be required to determine if any off site reinforcement is required to accommodate extra demand on supply generated by the development. Buildings above two storeys would however require on-site boosted storage and this must be factored in as part of future reserved matters applications.

2. The applicant is required to contact the distribution network operator (DNO) to agree any necessary diversions, deviations or removal of any electricity infrastructure. The developer is not lawfully permitted to make any modifications to electricity infrastructure implemented and controlled by Section 37 of the 1989 Electricity Act.

3. The applicant is advised that any works or alterations made to the existing watercourses or connections to them require separate land drainage consent from the appropriate drainage authority. In this case, the environment agency and lead local flood authority would be the appropriate bodies.

4. The Wiltshire Fire & Rescue Service recommends the provision of the following as part of satisfying Building Regulations and reducing the risk of death, injury and property damage:

- Sprinklers work from a standard main, although a 32mm connection is required. They are inexpensive to install, particularly in a new building. They do not activate by accident causing unwanted damage. They only operate through individually activated heads, not the whole system. They can be designed to fit flush to the ceiling behind a flat cover. They cause less water damage in a fire than normal fire-fighting operations. They significantly reduce fire and smoke damage

- Commercial sprinklers should be installed as there are many benefits including: low installation and maintenance costs. Sprinkler systems are designed to last in excess of 50 years and fire damage can be reduced by 90% compared to a similar, unprotected building. The chance of accidental discharge due to a manufacturing fault is 1 in 16,000,000 heads. The likelihood of accidental damage causing a discharge is 1 in every 500,000 heads. Installation of a sprinkler system may allow the relaxation of other passive fire safety measures. Insurance costs may be significantly reduced. Sprinklers can control a fire with significantly less water than full fire service intervention. Sprinklers greatly reduced business disruption due to a fire and improved recovery from it.

- Sprinkler protection in schools is also highly recommended.

5. There are ordinary watercourses within or in close proximity to the site. If the developer seeks to temporarily obstruct any flow from the watercourse, including any proposed culverting; separate Land Drainage Consent would be required from the Lead Local Flood Authority. The Council's Drainage Team should be approached to discuss any requirements and the following guidance reviewed:

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

6. *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. In order to discharge the condition on*

water consumption, a water usage calculator showing how the development does not exceed a total (internal and external) usage level of 110 litres per person per day should be submitted to the LPA at the discharge of condition stage.

7. The applicant is advised to note that the Environment Agency and Lead Local Flood Authority (LLFA) are undertaking a full investigation and modelling exercise of the whole of the Warminster catchment area. The conditions imposed on any approval requiring additional land drainage submissions should be informed by the modelling with direct liaison between developer and the LLFA.

8. The applicant is furthermore encouraged to enter into a CoPA (Control of Pollution Act) s61 agreement with the Council to secure details on the construction phases, the construction compound locations, the hours of work, the delivery routes, the proposed plant and equipment to be used, identifying noise/vibration generators once specific construction programmes and plant type are known as well as identifying the measures to be adopted to minimise noise/vibration impacts (with community liaison, control measures and compliance monitoring schemes).

32 **17/10550/WCM: Hills HGV Relief Road, Sands Farm and Lower Compton Landfill, Calne, SN11 8RB, Applicant: Hills Waste Solutions Ltd**

Public Participation

Ms Jennie Brooks, representing Calne SOS, spoke in opposition to the application.

Mr John Barnes, a local resident from Derry Hill, spoke in opposition to the application.

Ms Avril Porter, a local resident, spoke in opposition to the application.

Cllr Glenis Ansell, Calne Town Mayor, spoke in support of the application.

Cllr Jim Cook, Vice-Chairman, Calne Without Parish Council, spoke in opposition to the application.

The Committee received a presentation from the Case Officer which set out the issues in respect of the application. He explained that a suite of five planning applications at Lower Compton and Sands Farm was for consideration and these set out proposals to manage waste and minerals in a way which addressed concerns raised by the Planning Authority and the local community during the determination of the previous planning application ref: 14/09744/WCM. The applications under consideration needed to be considered by this Committee as they involved matters of strategic significance that had previously been considered by this Committee and that had raised matters of public interest that had been contested both at appeal and in the Courts.

The purpose of the report was to assess the merits of the proposal against the policies of the Development Plan and other material considerations and to consider a recommendation that planning permission be granted subject to conditions and the completion of a planning obligation under Section 106 of the Planning Acts to address highway matters.

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 Alan Hill, the local Member, who explained that following consultations with the applicant which had lasted seven years, he was very pleased to report that with the proposal to build a relief road, the subject of this application, much of the local opposition had disappeared although it was appreciated that Calne Without Parish Council and residents living in that area were not happy with the suggested proposal as they considered that the increased amount of traffic would be passing through the outskirts of Calne and surrounding area rather than through the centre of Calne. Cllr Hill was very pleased that the building of the relief road would lead to an improvement of the air quality in Calne which had been a concern for a considerable time.

During discussion it was suggested that the site was not suitable for a strategic facility to cover all parts of Wiltshire taking into account the infrastructure and inadequate road network. Some concern was also expressed at the effect the increased volume of traffic would have on residents living on the outskirts of Calne, especially Derry Hill and the parish of Calne Without.

On the proposal of Cllr Tony Trotman, which was seconded by Cllr Andrew Davis,

Resolved:

To grant planning permission, subject to the completion of a planning obligation within six months of the date of the resolution of this Committee to provide a Traffic Management Plan and subject to the following conditions:-

Conditions

- 1) **The development hereby permitted shall begin not later than 3 years from the date of this decision. Written notification of the date of commencement shall be sent to the Local Planning Authority within 7 days of such commencement.**

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 and completed in all respects strictly in accordance with the following approved plans and as stipulated in the conditions set out below together with those further details required to be submitted for approval:**
 - **Drawing No: 18850-1250-002 Sands Farm HGV Relief Road Option 2 dated Sept 2017**

- **Drawing No: 18550-02 Sands Farm HGV Relief Road Sector 1 Site Plan dated Nov 2017**
- **Drawing No: 18550-03 Sands Farm HGV Relief Road Sector 2 Site Plan dated Nov 2017**
- **Drawing No: 18550-04 Sands Farm HGV Relief Road Sector 3 Site Plan dated Nov 2017**
- **Drawing No: 18550-06 Sands Farm HGV Relief Road Sector 4 Site Plan dated Nov 2017**
- **Drawing No: D2515 L.200 A - Combined Landscape and Ecological Mitigation & Enhancement Arrangement Plan – Sheet 1 of 3 - dated Sep '17**
- **Drawing No: D2515 L.201 A - Combined Landscape and Ecological Mitigation & Enhancement Arrangement Plan – Sheet 2 of 3 dated Sep '17**
- **Drawing No: D2515 L.202 A - Combined Landscape and Ecological Mitigation & Enhancement Arrangement Plan – Sheet 3 of 3 dated Sep '17**

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

- 3) **Operations authorised by this permission, including vehicles entering and leaving the site as shown on drawing number 18550-10000-001 (dated Aug. 2017) shall be restricted to the following durations:**

06:00 to 20:00 hours Monday to Sunday.

REASON: In the interests of limiting the effects on local amenity and to control the impacts of the development.

- 4) **Within 3 months of the HGV Relief Road being commenced as notified under Condition 1 an Access Road Maintenance Plan (generally in accordance with the Access Road Maintenance Plan 2.1 dated 14/11/2016 previously provided in respect of application reference 14/09744/WCM) shall be submitted to the Local Planning Authority for approval. The Plan shall relate to both the Lower Compton and Sands Farm sites and include details of wheel-cleaning facilities, road sweeping, dust management and surface maintenance measures to prevent the tracking out of dust and detritus onto the public highway. The relief road shall be maintained at all times in accordance with the approved details.**

REASON: In the interests of road safety for public users of the road.

- 5) **Improvement of the site access road and the provision of a footway into the site from the public highway shall be implemented within 12 months of the HGV Relief Road being commenced as notified under**

Condition 1 in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Such scheme shall accord with Drawing No A094007-SK005 previously provided in respect of application reference 14/09744/WCM.

REASON: In order to secure improved site access to satisfactorily accommodate the additional traffic associated with the proposal, and to encourage sustainable travel to and from the site.

- 6) No floodlighting, security lighting, beacons or safety/navigation lights or other external means of illumination of the site as shown on drawing number 18550-10000-001 (dated Aug. 2017) shall be provided, installed or operated at the site.**

REASON: To preserve the rural and visual amenities of the locality.

- 7) The development shall be carried out in strict accordance with all recommendations and procedures set out in Chapter 10: Biodiversity Impact Assessment prepared by Johns Associates Limited dated October 2017.**

REASON: To secure the mitigation measures contained in the Environmental Statement in the interests of protecting the biodiversity of the environment.

- 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 HGV relief road 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.**

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

In the event that the parties do not agree to complete the S106 agreement within this timeframe to delegate authority to the Head of Development Management to refuse Planning Permission for the following reason:-

- o The application proposal fails to provide and secure the proposed and necessary Traffic Management Plan and is therefore contrary to Core Policies 8, 60, 61 and 62 of the Wiltshire Core Strategy and**

Policies WDC2 and WDC11 of the Waste Development Control Policies DPD.

33 **17/10554/WCM: Retention and Change of use of Concrete Products Factory to Mixed Employment, Industrial, Waste and Ancillary Uses, Calne Quarry, Abberd Lane, Calne, SN11 8TJ: Applicant: Hills Waste Solutions Ltd**

The Committee received a presentation by the Case Officer which set out the issues in respect of the application with a recommendation that planning permission be granted, subject to conditions and the completion of a planning obligation under Section 106 of the Planning Acts to address highway matters.

Members then had the opportunity to ask technical questions.

After some discussion, on the proposal of Cllr Tony Trotman, which was seconded by Cllr Andrew Davis,

Resolved:

To grant planning permission, subject to the completion of a Section 106 agreement within six months of the date of the resolution of this Committee to provide a Traffic Management Plan and subject to the following conditions:-

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision. Written notification of the date of commencement shall be sent to the Local Planning Authority within 7 days of such commencement.**

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 and completed in all respects strictly in accordance with the following approved plans and as stipulated in the conditions set out below together with those further details required to be submitted for approval:**

- Drawing No: 18546-1000-002 - Site Plan - dated Aug 2017**
- Drawing No: CA-13-08 Sheet 1 - Existing Calne Factory Plan and Elevations – dated 10.10.13**
- Brunel Surveys Ld drawing titled ‘South East Elevation’ dated April 2017**
- Drawing No: D2515 L.200 A - Combined Landscape and Ecological Mitigation & Enhancement Arrangement Plan – Sheet 1 of 3 - dated Sep ‘17**

- Drawing No: D2515 L.201 A - Combined Landscape and Ecological Mitigation & Enhancement Arrangement Plan – Sheet 2 of 3 dated Sep '17
- Drawing No: D2515 L.202 A - Combined Landscape and Ecological Mitigation & Enhancement Arrangement Plan – Sheet 3 of 3 dated Sep '17

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

- 3) The use shall not commence until the construction of the HGV Relief Road permitted under application reference 17/10550/WCM has been completed. No other access shall be used by traffic entering or leaving the site.

REASON: To ensure that the access is brought into use before any other part of the development proposals are commenced in the interests of highway safety and safeguarding local amenity and to ensure that the development that takes place substantially accords with the development that was the subject of Environmental Impact Assessment.

- 4) The use shall not commence until details of a sign[s], advising drivers of vehicle routes to be taken upon exiting the site, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details with the sign[s] being erected and thereafter maintained at the site exit for the duration of the development hereby permitted.

REASON: In the interests of highway safety and safeguarding local amenity

- 5) The total tonnage of waste material delivered to the Sands Farm Material Recovery/recycling Facility shall not exceed 44,000 tonnes in any twelve month period.

REASON: To ensure that the development that takes place substantially accords with the development that was the subject of Environmental Impact Assessment.

- 6) A record of the quantities (in tonnes) of waste materials delivered to the site and all waste and waste-derived products despatched from the site shall be maintained by the operator at all times and made available to the Local Planning Authority upon request. All records shall be kept for at least 36 months.

REASON: In order that the Local Planning Authority can monitor the approved development.

7) Operations authorised by this permission shall be restricted to the following durations:

Use	Days	Operating Hours
Materials Recycling Facility (MRF)	<ul style="list-style-type: none"> Monday to Friday Bank Holidays (excluding Christmas Day, Boxing Day and New Year's Day) The Saturday immediately following: <ul style="list-style-type: none"> Good Friday Easter Monday May and August bank holidays Any additional bank holidays issued in a given year The two consecutive Saturdays immediately following New Year's Day 	07:00 to 20:00
	<ul style="list-style-type: none"> Saturday (except those listed above) 	07:00 to 13:00
	<ul style="list-style-type: none"> Sunday Christmas Day Boxing Day New Year's Day 	No operation
Receipt of waste from household recycling centres	<ul style="list-style-type: none"> Saturday 	13:00 to 20:00
	<ul style="list-style-type: none"> Sunday 	07:00 to 18:00
Other site uses	<ul style="list-style-type: none"> Monday to Friday 	07:00 to 18:00
	<ul style="list-style-type: none"> Saturday 	08:00 to 13:00
	<ul style="list-style-type: none"> Sunday 	No operation
Internal link road	<ul style="list-style-type: none"> Monday to Sunday 	06:00 to 20:00

REASON: In the interests of limiting the effects on local amenity and to control the impacts of the development.

8) Within 3 months of the Change of Use being commenced as notified under Condition 1 an Access Road Maintenance Plan (generally in accordance with the Access Road Maintenance Plan 2.1 dated 14/11/2016 previously provided in respect of application reference 14/09744/WCM) shall be submitted to the Local Planning Authority for approval. The Plan shall include details of wheel-cleaning facilities, road sweeping, dust management and surface maintenance measures to prevent the tracking out of dust and detritus onto the public highway. The access road shall be maintained at all times in accordance with the approved details.

REASON: In the interests of road safety for public users of the road network.

- 9) Within 3 months of the Change of Use being commenced as notified under Condition 1 a Travel Plan (generally in accordance with the Travel Plan prepared by Cole Easdon Consultants Issue 4 February 2015 previously provided in respect of application reference 14/09744/WCM) shall be submitted to the Local Planning Authority for approval. 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 reducing vehicular traffic to the development and to encourage sustainable travel to and from the site.

- 10) The development shall be carried out in strict accordance with all recommendations and procedures set out in Section 5 of the Ecological Impact Assessment prepared by Johns Associates Limited dated October 2017.

REASON: To secure the mitigation measures contained in the Environmental Statement in the interests of protecting the biodiversity of the environment.

- 11) All existing trees, hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. All trees, hedges or hedgerows on and immediately adjoining the site shall be protected from damage as a result of works on the site in accordance with relevant British Standards for the duration of the works on site. In the event that trees become damaged or otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.

REASON: To ensure the continuity of amenity afforded by existing trees, hedges and hedgerows.

- 12) 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 building; 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.

REASON: To ensure a satisfactory landscaped setting for the development.

In the event that the parties do not agree to complete the S106 agreement within this timeframe to delegate authority to the Head of Development Management to refuse Planning Permission for the following reason:-

- **The application proposal fails to provide and secure the proposed and necessary Traffic Management Plan and is therefore contrary to Core Policies 8, 60, 61 and 62 of the Wiltshire Core Strategy and Policies WDC2 and WDC11 of the Waste Development Control Policies DPD.**

34 **17/10557/WCM: Change of Use of existing Materials Recycling and Waste Transfer Building to a Waste Transfer Building only, Lower Compton Waste Management Facility, Compton Bassett, SN11 8RB: Applicant: Hills Waste Solutions Ltd**

The Committee received a presentation by the Case Officer which set out the issues in respect of the application with a recommendation that planning permission be granted, subject to conditions and the completion of a planning obligation under Section 106 of the Planning Acts to address highway matters.

Members then had the opportunity to ask technical questions.

After some discussion, on the proposal of Cllr Tony Trotman, which was seconded by Cllr Andrew Davis,

Resolved:

To grant planning permission, subject to the completion of a Section 106 agreement within six months of the date of the resolution of this Committee to provide a Traffic Management Plan and subject to the following conditions:-

- 1) **The development hereby permitted shall begin not later than 3 years from the date of this decision. Written notification of the date of commencement shall be sent to the Local Planning Authority within 7 days of such commencement.**

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 and completed in all respects strictly in accordance with the following approved plans and as stipulated in the conditions set out below together with those further details required to be submitted for approval:**
 - **Drawing No: 18769-10000-001 Location Plan dated Aug 2017**
 - **Drawing No: HILLS/1011-DWG-003 – Existing Site Layout – dated 11-08-2011**
 - **Drawing No: HILLS/1011-DWG-004 – Existing MRF Building Plans, Elevations and Section – dated 09-08-2011**
 - **Drawing No: HILLS/1011-DWG-010-REVE – Combined Landscape and Ecological Mitigation Plan – dated June 2011**
 - **Drawing No: HILLS/1011-DWG-012-REVF – Combined Landscape and Ecological Masterplan – dated June 2011**
 - **Drawing No: A094007-SK005 – Proposed Site Access Improvements and Footway Provision - dated 20.01.2017**

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

- 3) The use shall not commence until the construction of the HGV Relief Road permitted under application reference 17/10550/WCM has been completed. No other access shall be used by traffic entering or leaving the site.

REASON: To ensure that the access is brought into use before any other part of the development proposals are commenced in the interests of highway safety and safeguarding local amenity and to ensure that the development that takes place substantially accords with the development that was the subject of Environmental Impact Assessment.

- 4) The use shall not commence until details of a sign[s], advising drivers of vehicle routes to be taken upon exiting the site, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details with the sign[s] being erected and thereafter maintained at the site exit for the duration of the development hereby permitted.

REASON: In the interests of highway safety and safeguarding local amenity

- 5) The total tonnage of waste delivered to and processed at the Waste Transfer Station shall not exceed 75,000 tonnes in any twelve month period.

REASON: To ensure that the development that takes place substantially accords with the development that was the subject of Environmental Impact Assessment.

- 6) A record of the quantities (in tonnes) of waste materials delivered to the site and all waste / waste derived products despatched from the site shall be maintained by the applicant at all times and made available to the Local Planning Authority upon request. All records shall be kept for at least 36 months.

REASON: In order that the Local Planning Authority can monitor the approved development.

- 7) Operations authorised by this permission shall be restricted to the following durations:

07:00 to 20:00 hours	Monday to Friday
07:00 to 13:00 hours	Saturday

and shall not take place on Sundays or Bank Holidays, other than as indicated below:

07:00 to 20:00 hours and New Year's Day)	Bank Holidays (excluding Christmas Day
07:00 to 20:00 hours	Saturdays following Bank Holidays
07:00 to 20:00 hours	for the two consecutive Saturdays immediately following New Year's Day
13:00 to 20:00 hours	Saturday receipt of wastes from household waste recycling centres
07:00 to 18:00 hours	Sunday receipt of wastes from household waste recycling centres

No operations shall take place on Christmas Day, Boxing Day or New Year's Day.

REASON: In the interests of limiting the effects on local amenity and to control the impacts of the development.

- 8) Within 3 months of the Change of Use being commenced as notified under Condition 1 an Access Road Maintenance Plan (generally in accordance with the Access Road Maintenance Plan 2.1 dated 14/11/2016 previously provided in respect of application reference 14/09744/WCM) shall be submitted to the Local Planning Authority for approval. The Plan shall include details of wheel-cleaning facilities, road sweeping, dust management and surface maintenance measures to prevent the tracking out of dust and detritus onto the public highway. The access road shall be maintained at all times in accordance with the approved details.

REASON: In the interests of road safety for public users of the road network.

- 9) Within 3 months of the Change of Use being commenced as notified under Condition 1 a Travel Plan (generally in accordance with the Travel Plan prepared by Cole Easdon Consultants Issue 4 February 2015 previously provided in respect of application reference 14/09744/WCM) shall be submitted to the Local Planning Authority for approval. 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 reducing vehicular traffic to the development and to encourage sustainable travel to and from the site.

- 10) The improvement of the site access road and the provision of a footway into the site from the public highway as shown on Drawing No A094007-SK005 shall be implemented within 12 months of the Change of Use being commenced as notified under Condition 1.

REASON: In the interests of road safety for public users of the road

- 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 use of the building; 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.

REASON: To ensure a satisfactory landscaped setting for the development.

In the event that the parties do not agree to complete the S106 agreement within this timeframe to delegate authority to the Head of Development Management to refuse Planning Permission for the following reason:-

- The application proposal fails to provide and secure the proposed and necessary Traffic Management Plan and is therefore contrary to Core Policies 8, 60, 61 and 62 of the Wiltshire Core Strategy and Policies WDC2 and WDC11 of the Waste Development Control Policies DPD.

A.17/10539/WCM and B.17/10543/WCM: A. Variation of conditions 3 & 4 of Planning Permission N/09/01497/WCM (Extension to a Sand Quarry and Infilling with Waste) to extend the end date of mineral extraction until 17 October 2029 and to extend the end date of restoration by landfill until 31 December 2042. B. Variation of condition 3 of planning permission 13/05229/WCM (Extension of mineral and landfill operations) to extend the operational end date of the landfill until 31 August 2028 and complete subsequent restoration by 31 August 2029, Lower Compton, Old Camp Farm Mineral Extraction and Landfill Compton Bassett and Low Lane Landfill, Lower Compton, SN11 8RB: Applicant: Hills Waste Solutions Ltd

The Committee received a presentation by the Case Officer which set out the issues in respect of the application with a recommendation that planning permission be granted, subject to conditions and the completion of a planning obligation under Section 106 of the Planning Acts to address highway matters.

Members then had the opportunity to ask technical questions.

After some discussion, on the proposal of Cllr Tony Trotman, which was seconded by Cllr Andrew Davis,

Resolved:

(A) Application 17/10539/WCM

To grant planning permission, subject to the completion of a Section 106 agreement within six months of the date of the resolution of this Committee to provide a Traffic Management Plan and 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) Written notification of the date of commencement shall be sent to the Mineral Planning Authority within seven days of such commencement.**

Reason: To enable the Mineral Planning Authority to monitor the operations and to ensure compliance with this permission.

- 3) The extraction of sand shall cease on or before 24th May 2029.**

Reason: To ensure that the development is carried out in accordance with the approved details.

- 4) The tipping/deposit of waste material and restoration operations shall cease on or before 24 May 2042.

Reason: To ensure that the development is carried out in accordance with the approved details.

- 5) The working, restoration and aftercare of the site shall be carried out only in accordance with Drawings Nos. 6304-5000-001 RRC Landfill Restoration Pre Settlement and 6304-5000-002 RRC Landfill Restoration Post Settlement.

Reason: To enable the Mineral Planning Authority to adequately control the development and minimise its impact on the amenities of the local area.

- 6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, replacing or re-enacting that Order) no fixed plant or machinery, buildings and structures shall be erected, extended, installed, re-arranged, replaced, repaired or altered at the site without planning permission from the Mineral Planning Authority.

Reason: To enable the Mineral Planning Authority to adequately control the development and minimise its impact on the amenities of the local area.

- 7) No topsoil, subsoil or overburden shall be exported from the site.

Reason: To ensure the satisfactory restoration of the site.

- 8) Except in emergencies to maintain safe quarry working (which shall be notified to the Mineral Planning Authority in writing within seven days) no mineral extraction operations, including vehicles entering or leaving the site, shall be carried out at the site except between the times:-

07.00 hours and 20.00 hours Monday to Friday;

And

07.00 hours to 13.00 hours Saturday;

No operations shall be carried out at any time on Sundays or Bank or Public Holidays.

Reason: In the interests of local amenity.

- 9) Except in emergencies to maintain safe landfill working (which shall be notified to the Waste Planning Authority in writing within seven days) there shall be no tipping of waste or associated activities, including vehicles entering or leaving the site, other than during the following hours:-

07.00 hours and 20.00 hours Monday to Friday; and

07.00 hours to 13.00 hours Saturday;

and shall not take place on Sundays or Bank or Public Holidays other than as indicated below:-

The site may in addition be open solely for the receipt of waste from household recycling centres and the Wiltshire Council municipal waste collection service between the following hours:-

07.00 hours to 20.00 hours Good Friday, Easter Monday, Early May Bank Holiday, Spring Bank Holiday and Summer Bank Holiday;

13.00 hours to 20.00 hours on Saturdays immediately following, Good Friday, Easter Monday, Early May Bank Holiday, Spring Bank Holiday, Summer Bank Holiday and Christmas Day/Boxing Day Holidays; and

13.00 hours to 20.00 hours on the two consecutive Saturdays that immediately follows New Year's Day.

Operations shall not take place on Sundays or on Christmas Day, Boxing Day, or New Year's Day.

Reason: In the interests of local amenity.

- 10) No minerals except sand shall be removed from the site.

Reason: To ensure that the development is carried out in accordance with the approved details.

- 11) No waste other than that defined as inert shall be tipped within the area shaded blue on Drawing No. COM/2500/G/21A dated February 2001 of planning permission N.01.2803 and this area shall be restored in accordance with Condition 20 below.

Reason: To ensure that the development is carried out in accordance with the approved details.

- 12) Topsoil and subsoil and soil making material shall only be stripped when they are in a dry and friable condition and no movement, spreading or levelling of soils shall occur:

(a) During the months October to March (inclusive)

(b) When the full depth of soil to be stripped has a moisture content which is equal to or greater than that at which the soil becomes plastic, tested in accordance with the 'Worm Test' as set out in BS 1377:1975 - 'British Standard Method Test for Soils for Civil Engineering Purposes' or

(c) There are pools of water on the soil surface.

Reason: To prevent damage to soils.

- 13) All topsoil, subsoil and soil making materials shall be stored separately and in separate mounds which shall:

(a) Not exceed 3 metres in height in the case of topsoil, or 5 metres in height in the case of subsoils.

(b) Be constructed with only the minimum amount of soil compaction to ensure stability and shaped so as to avoid collection of water in surface undulations.

- (c) Not be subsequently moved or added to until required for restoration.
- (d) Have a minimum 3 metre stand-off, undisturbed around each storage mound.
- (e) Comprise topsoils on like texture topsoils and subsoils on like texture subsoils.

Reason: To prevent the loss of soil for restoration and minimise damage to soil structure during storage.

- 14) All undisturbed areas of the site and all topsoil, subsoil and overburden storage mounds shall be kept free of agricultural weeds such as thistle, dock and ragwort. Cutting, grazing and spraying shall be undertaken as necessary to control plant growth and prevent the production of seed and the spread of weeds to adjoining agricultural land.

Reason: To prevent the spread of agricultural weeds.

- 15) Noise levels from operations on the site shall not exceed 55 dB(A) LAeq (1 hour) at any residential or noise sensitive property, the measurement to be taken at not less than 3.5 metres from the façade and at a height of 1.5 metres above ground level except during temporary operations when the limit shall be 70 dB(A) LAeq (1 hour) measured in the same manner.

Reason: To safeguard the amenity of local residents and adjacent properties and land users.

- 16) Steps shall be taken to minimise the generation and emission of noise, dust and fumes from any use or operation authorised or required by this planning permission. Such steps shall include:
- (a) The spraying of water to lay dust on the surface of the site, access and haul roads as appropriate.
 - (b) The spraying of water to lay dust on the surface of stockpiles within the site as appropriate.
 - (c) The proper use of wheel cleaning facilities by vehicles leaving the site.
 - (d) Fitting all plant, machinery and vehicles with effective silencers maintained in accordance with the manufacturers specifications.

Reason: To safeguard the amenity of local residents and adjacent properties and land users.

17. The scheme for controlling scavenging birds, approved pursuant to Condition 14 of planning permission N.01.2803 shall apply for the duration of all operations hereby permitted.

Reason: To prevent increased aviation hazard through potential for birdstrike.

18. Within six months of the date of this permission being implemented, a detailed scheme to accommodate surface water run-off from the restored site shall be submitted to the Mineral Planning Authority for approval. Development shall be carried out in accordance with the approved scheme.

Reason: To ensure the adequate drainage of the site.

19. The site access and hard surfaced areas used by vehicles shall be watered or treated with approved dust laying agent at times as may be necessary to prevent dust nuisance arising from the site.

Reason: To safeguard the amenity of the area and local residents.

20. Within a period not exceeding 12 months of a phase being tipped and sealed to its pre final level, it shall be covered with a layer of subsoil at least 300 mm in depth and topsoil 150 mm in depth.

Reason: To ensure the productive afteruse of the land.

21. Within 12 months of the date of this permission, a landscaping scheme shall be submitted to and approved by the Mineral Planning Authority. The scheme shall include the following:

(a) The position, species and sizes of all existing trees, shrubs and hedgerows to be retained and the proposal for protection throughout the operations.

(b) The position, species, spacing and initial sizes of all new trees, hedges and shrubs.

(c) The programme of implementation of the scheme.

(d) The arrangements for subsequent maintenance.

(e) Any tree or shrub which dies within five years of being planted shall be replaced with new stock to the satisfaction of the Mineral Planning Authority and be maintained for a period of five years.

Reason: To improve the appearance of the site in the interests of visual amenity and to assist in absorbing the site back into the local landscape.

22. On completion of the importation of all landfill material, all machinery, plant, buildings, structures and any other site facility not essential for restoration/aftercare or for continuing landfill gas/leachate monitoring and control shall be removed or demolished and removed from the site. Any hardcore or material likely to interfere with the restoration of the land shall be removed prior to the final seeding and cultivation of the land.

Reason: To ensure the satisfactory restoration of the site.

23. All internal haul roads shall be removed when no longer required or during the course of site restoration, whichever is the sooner.

Reason: To ensure the satisfactory restoration of the site.

24. Prior to the commencement of the development hereby permitted, an aftercare scheme showing the steps to be taken to restore the physical characteristics of the land to a condition suitable for agriculture shall be submitted to and agreed in writing by the Mineral Planning Authority. The submitted scheme shall specify the steps to be taken and the periods during which they are to be taken and related to the restoration of the site in accordance with the conditions of this permission. The steps to be taken shall cover a period of five years from the completion and reinstatement of topsoils over the site.

Reason: In the interests of safeguarding and enhancing the visual amenities of the site.

- 25) Within 6 months of the date of this decision a Landscape and Ecological Management Plan (LEMP) shall be submitted to the Local Planning Authority for written approval. The content of the LEMP shall include, but not be limited to, the following:
- (a) Description and evaluation of features to be managed.
 - (b) Ecological trends and constraints on site that might influence management.
 - (c) Aims and objectives of management.
 - (d) Appropriate management options for achieving aims and objectives.
 - (e) Prescriptions for management actions.
 - (f) Preparation of a work schedule (including an annual work plan capable of being rolled forward on an annual basis).
 - (g) Details of the persons, body or organisation responsible for implementation of the plan.
 - (h) Ongoing monitoring and remedial measures.
 - (i) Details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery.

The plan shall also set out how contingencies and remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The development shall be carried out in accordance with the approved LEMP.

Reason: To ensure appropriate on-going management of the land to ensure fully functioning landscape and biodiversity objectives of the originally approved scheme and in order to protect

and enhance biodiversity and landscape features within the subject site.

In the event that the parties do not agree to complete the S106 agreement within this timeframe to delegate authority to the Head of Development Management to refuse Planning Permission for the following reason:-

- The application proposal fails to provide and secure the proposed and necessary Traffic Management Plan and is therefore contrary to Core Policies 8, 60, 61 and 62 of the Wiltshire Core Strategy and Policies WDC2 and WDC11 of the Waste Development Control Policies DPD.

(B) Application 17/10543/WCM

To grant planning permission, subject to the completion of a Section 106 agreement within six months of the date of the resolution of this Committee to provide a Traffic Management Plan and subject to the following conditions:-

1. Written notification of the date of each of the following operations shall be sent to the Mineral Planning Authority within 7 days of such operations taking place:
 - a) implementation of this planning permission;
 - b) commencement of soil stripping in each phase;
 - c) completion of restoration of each phase; and
 - d) completion of final restoration under this planning permission;

REASON: To enable the Mineral Planning Authority to monitor the operations and compliance with the planning permission.

2. Extraction of minerals shall cease by the 31st December 2018.

REASON: To comply with Schedule 5, Part I (1) (1) of the Town and Country Planning Act 1990 (as amended) and to ensure development is carried out in accordance with submitted application and approved details.

3. The deposition of waste at the site shall cease no later than 31st August 2028. Within 12 months of the completion of landfilling the site shall be restored in accordance with the approved development scheme submitted in application no. N/06/007009 dated 14 March 2006 and scheme approved under Condition 4 of this permission.

REASON: To enable the Mineral Planning Authority to adequately control the development and minimise its impact on the amenities of the local area.

4. The development hereby permitted shall be carried out in accordance with the following approved working programme and restoration plans:

- Drawing No. 6774-001C dated February 2011
- Drawing No. 6774-002C dated February 2011
- Drawing No. 6774-003C dated February 2011
- Drawing No. 6774-004 dated February 2011
- Drawing No. 6774-005C dated February 2011
- Drawing No. 6774-006C dated February 2011
- Drawing No. 6774-007C dated February 2011

REASON: For the avoidance of doubt and to ensure development is carried out in accordance with the approved application details.

5. No later than 12 months from the cessation of tipping, all plant and machinery, foundations, hardstandings and access roads no longer required in connection with the workings, restoration or future agricultural use of the site shall be removed from the site.

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

6. All commercial mineral vehicles leaving the Lower Compton site with mineral shall be sheeted. Commercial waste vehicles leaving the Lower Compton site shall be checked to ensure they have been completely emptied of waste.

REASON: For the avoidance of windblown dust and litter.

7. No commercial vehicle shall enter the public highway unless its wheels and chassis have been cleaned to prevent mud, dust or other detritus being deposited on the highway.

REASON: In the interests of highway safety and to prevent mud being deposited on the highway.

8. Notwithstanding the provisions of Parts 19 and 21 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, replacing or re-enacting that Order) no fixed plant or machinery, buildings, structures or private ways shall be erected, extended, installed, rearranged, replaced, repaired or altered at the site without prior planning permission.

REASON: There is an important need to secure control over additional plant and machinery to safeguard the adjacent Area of Outstanding Natural Beauty designation.

9. Except in emergencies to maintain safe working (which shall be notified to the Mineral Planning Authority in writing within seven days), no mineral extraction operations, including vehicles entering and leaving the site, shall be carried out at the site except between the hours of:
07.00 hours – 18.00 hours Monday to Friday;
07.00 hours – 13.00 hours Saturday;
No operations shall be carried out at any time on Sunday, Bank and Public Holidays.
Except in emergencies to maintain safe landfill working (which shall be notified to the Waste Planning Authority in writing within seven days) there shall be no tipping of waste or associated activities, including vehicles entering or leaving the site, other than during the following hours:
07.00 hours and 18.00 hours Monday to Friday; and
0.700 hours and 13.00 hours Saturday;
and shall not take place on Sundays or Bank or Public Holidays other than as indicated below:
The site may in addition be open solely for the receipt of waste from household recycling centres and the Wiltshire Council municipal waste collection service between the following hours:
07.00 hours and 18.00 hours Good Friday, Easter Monday, Early May Bank Holiday, Spring Bank Holiday, Summer Bank Holiday, and any special bank holidays announced in a particular year by HM Government;
13.00 hours to 18.00 hours on Saturdays immediately following the Christmas Day and Boxing Day holidays; and
13.00 hours and 18.00 hours on two consecutive Saturdays that immediately follow New Year's Day.

REASON: To protect the amenities of local residents.

10. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with, and use, effective silencers. No reversing beepers or other means of warning of reversing vehicles shall be fixed to, or used on, any mobile site plant other than white noise alarms or beepers whose noise levels adjust automatically to surrounding noise levels.

REASON: To ensure the minimum disturbance from operations.

11. During the permitted working hours the freefield equivalent continuous noise level (LAeq 1 hour) for the period due to normal mineral extraction and processing and waste importing and processing operations, excluding temporary

operations (see condition below), shall not exceed 55 dB(A) as recorded at any inhabited property.

REASON: To ensure the minimum disturbance from operations and avoidance of nuisance to the local community.

12. During the permitted working hours the freefield equivalent continuous noise level (LAeq 1 hour) for the period due to temporary operations, including topsoil and subsoil stripping, cell construction and capping and other works in connection with landscaping, shall not exceed 70 dB LAeq 1 hour as recorded at any inhabited property. Temporary operations which exceed the normal day-to-day criterion shall be limited to a total of sixteen weeks in any twelve month period.

REASON: To ensure the minimum disturbance from operations and avoidance of nuisance to the local community.

13. The approved Dust Suppression and Minimising Measures scheme prepared by Land and Mineral Management Ltd dated 8 August 2007 shall be implemented in full and shall be complied with at all times.

REASON: To protect the amenities of the locality from the effects of any dust arising from the development.

14. No movement of soil shall be carried out except when the full depth of soil to be stripped or otherwise transported is in a suitably dry condition such that the topsoil can be separated from the subsoil without difficulty. All available topsoil and subsoil must be stripped, handled and stored separately and all stripping, handling, and restoration shall take place under dry conditions to minimise structural damage.

REASON: In the interests of the satisfactory restoration of the site.

15. All topsoil and subsoil stripped prior to mineral extraction shall be stored separately and retained on-site for use in site restoration. No indigenous topsoil or subsoil shall be used for daily cover during operations. No overburden shall be exported from the site until the soil screening bund to the east of the working areas has been completed.

REASON: To ensure that the site is satisfactorily restored.

16. The development hereby permitted shall be implemented in accordance with the approved Landscaping Planting and Management Plan set out in prepared by Peter Swann & Associates dated 8 August 2007 in all respects.

REASON: In the interest of the visual amenity of the local area and to safeguard the adjacent Area of Outstanding Natural Beauty

17. The development hereby permitted shall be implemented in accordance with the approved Aftercare Scheme prepared by Land and Mineral Management Ltd dated 8 August 2007 in all respects.

REASON: To ensure the productive afteruse of the land and to ensure the success of the newly created habitats.

18. The stand-off zone between the boundary of the development and existing hedges and woodland shall be clearly defined by a fence with driven posts and shall be maintained for the life of operations on site. The stand-off distances shall be as follows:

Hedges - 4.0 metres stand-off from the drip line of the hedge to the foot of the bund
Hedges with trees - 5.0 metres stand-off from the drip line of the tree to the foot of the bund

No placement of goods, fuels or chemicals, soils or other materials shall take place inside the fenced area.

REASON: To ensure that the development does not encroach on existing planting causing root damage and to conserve the habitat at the woodland/hedge edge as a feeding/refuge corridor for wildlife.

19. The capped landfill site shall be covered with a minimum 0.8 metres even depth of subsoil and 0.2 metres even depth of topsoil in the correct sequence. The quality of soil shall be appropriate for the site and its proposed restoration. The finished surface shall be left free from rubble and stones

REASON: To ensure that the site is satisfactorily restored.

20. The clearance of woodland and felling of trees shall only take place between the end of August and the beginning of March, or following a search by a qualified person for active birds nest.

REASON: To avoid the nominal bird nesting season.

21. The development hereby permitted shall be implemented in accordance with the approved Surface Water Management Plan prepared by Atkins Ltd dated 13 July 2007 and

additional details provided in the letter from Atkins to Land and Mineral Management Ltd dated 9 November 2007 in all respects.

REASON: To prevent the increased risk of flooding, to prevent pollution of the water environment and to ensure that surface water drainage facility functions for the lifetime of the development.

22. Any chemical, oil or fuel storage on the site shall be sited on an impervious surface with bund walls. The bunded areas shall be capable of containing 110% of the container(s) total volume and shall enclose within their cartilage all fill and draw pipes, vents and gauges. There shall be no drain through the bund floor or walls.

REASON: To minimise the risk of pollution of watercourses.

- 23) Within 6 months of the date of this decision a Landscape and Ecological Management Plan (LEMP) shall be submitted to the Local Planning Authority for written approval. The content of the LEMP shall include, but not be limited to, the following:

- (a) Description and evaluation of features to be managed.
- (b) Ecological trends and constraints on site that might influence management.
- (c) Aims and objectives of management.
- (d) Appropriate management options for achieving aims and objectives.
- (e) Prescriptions for management actions.
- (f) Preparation of a work schedule (including an annual work plan capable of being rolled forward on an annual basis).
- (g) Details of the persons, body or organisation responsible for implementation of the plan.
- (h) Ongoing monitoring and remedial measures.
- (i) Details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management bodies responsible for its delivery.

The plan shall also set out how contingencies and remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The development shall be carried out in accordance with the approved LEMP.

Reason: To ensure appropriate on-going management of the land to ensure fully functioning landscape and biodiversity objectives of the originally approved scheme and in order to protect and enhance biodiversity and landscape features within the subject site.

In the event that the parties do not agree to complete the S106 agreement within this timeframe to delegate authority to the Head of Development Management to refuse Planning Permission for the following reason:-

- **The application proposal fails to provide and secure the proposed and necessary Traffic Management Plan and is therefore contrary to Core Policies 8, 60, 61 and 62 of the Wiltshire Core Strategy and Policies WDC2 and WDC11 of the Waste Development Control Policies DPD.**

36 **Date of Next Meeting**

Resolved:

To note that the next scheduled meeting of this Committee was due to be held on Wednesday 18 July 2018, in the Council Chamber at County Hall, Trowbridge, starting at 10.30am.

37 **Urgent Items**

There were no items of urgent business.

(Duration of meeting: 10.30 am - 1.25 pm)

The Officer who has produced these minutes is Roger Bishton of Democratic Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

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

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 16 MAY 2018 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Tony Trotman (Chairman), Cllr Christine Crisp, Cllr Howard Greenman, Cllr Gavin Grant, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Toby Sturgis, Cllr Brian Mathew, Cllr Ashley O'Neill and Cllr Jacqui Lay (Substitute)

Also Present:

Cllr Andy Phillips and Cllr Allison Bucknell

1 **Apologies**

Apologies were received from Cllr Chuck Berry.

Cllr Chuck Berry was substituted by Cllr Jacqui Lay.

2 **Minutes of the Previous Meeting**

The minutes of the meeting held on 21st March 2018 were presented.

Resolved:

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

3 **Declarations of Interest**

Cllr Toby Sturgis declared an interest in agenda item no. 7b as he was a member of County Farms, which adjoins the Equestrian Centre site. He declared he would participate in the debate and vote for the item with an open mind.

4 **Chairman's Announcements**

There were no Chairman's announcements.

5 **Public Participation**

The Committee noted the rules on public participation.

6 **Planning Appeals and Updates**

The Committee noted the contents of the appeals update.

7 **Planning Applications**

To consider and determine the following planning applications:

8 **17/09445/FUL - Land at Hungerdown Lane/Bristol Road, Chippenham**

Public Participation

Sheila Copeman, Governor Hardenhuish School, Chippenham, spoke in objection to the application.

Graham Smithson, local resident, spoke in objection to the application.

Ian O’Gorman, applicant, spoke in support of the application.

Richard Stephens, GreenSquare Group Ltd, spoke in support of the application.

Nina Phillips, Chippenham Town Council, spoke in objection to the application.

The Planning Officer, Charmian Eyre-Walker, introduced a report which recommended granting planning permission, subject to conditions, for the construction of 35 100% affordable dwellings with associated car parking, hard and soft landscaping, and a new Lidl Neighbourhood Discount Foodstore, with associated car parking, landscaping and access arrangements.

Key issues highlighted included, principle of the development, impact on town centre vitality and viability, impact on highway safety and convenience, design, drainage and impact on heritage assets. The Officer drew attention to received Late Observations and a need to vary the recommended condition relating the necessary legal agreement to include contributions towards waste and recycling facilities.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: the impact of the developments on the surrounding highway and the impact of the proposed zebra crossing in directing school children away from the site.

Members of the public then had the opportunity to address the Committee, as detailed above.

Councillor Andy Phillips, Division Member, spoke in objection to the application with the main points focusing on: the impact and location of the GreenSquare application on the surrounding area, access onto Hungerdown Lane and conflict with pedestrians in particular school children, support for the Hardenhuish School campaign for a crossing and reduced speed limit, the capacity of the Hathaway Wedical Centre car park.

At the start of the debate a proposal was moved by Councillor Tony Trotman and seconded by Councillor Toby Sturgis to grant planning permission as detailed in the report, taking into account the amended and additional conditions detailed in the late observations report. During the debate the main points raised were: traffic congestion would be evenly spread throughout the opening hours of the store, based on the observations of other Lidl sites, limited conflict with early morning or early evening rush hour, the offer from Lidl was different to the offer of other town centre businesses and therefore the element of

competition with the town centre would be very minimal, potential for congestion in the area, the need to limit construction vehicles along Hardenhuish lane, no street parking on the access to the residential development during construction, the need for routing plans for construction traffic and references to Core Policy 61, sub section G, point ii.

Resolved:

To Grant planning permission, subject to the following conditions:

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

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

- 2. No development shall commence on each phase of the development 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

- 3. The development shall be carried out as specified in the approved Arboricultural Method Statement (AMS) prepared by Swan Paul Partnership dated 2017 and Tree Protection Plan Drawing No. SPP.2086.003 Rev A. All works shall be carried out in accordance with BS3998:2010 and shall be supervised by an arboricultural consultant, if required.**

Reason: To prevent trees on site from being damaged during construction works.

- 4. The development hereby permitted shall be carried out in accordance with the following approved plans: P102D; P101D; P100E received 30th April 2018; P/AL/205B Adwell elevations; P/CE/200A Coate elevations; P/CE/201A Coate elevations; P/CE/202A Coate Elevations; P/CK/200B Cricklade elevations; P/CK/201B Cricklade elevations; P/CK/202B Cricklade Elevations; P/CW/200B Chedworth elevations; P/EH/200B Everleigh elevations; P/EH/201B Everleigh elevations; P/EH/202B Everleigh elevations; P/EH/206A Everleigh elevations; P/EH/207A Everleigh elevations; P/EH/208A Everleigh elevations; P/EN/203A Enford elevations; P/EN/204A Enford Elevations; P/EN/205A Enford Elevations;**

P/EN/206A Enford elevations; P/en/207 Enford elevations received 10th April 2018

AD 100RevC; AD101RevC; AD110Rev J; AD111RevC; AD112RevA; AD114RevG; AD114RevG; AD115RevH; AD116RevF received 18th January 2018

AD113RevD received 30th April 2018

SPP.2086.003RevA (Tree protection); SPP.2086.001RevB Tree Survey; Alternative Access Location 7.3m Wide Access Road A103274-SK03-C; Lidl Services and Topography Plan; Lidl AD118-RevC existing and proposed sections; P/EN® 111 GF and FF plots 26-29; P/EN(2) 111 GF and FF Block Plan plots 3-4; 9-14, 18-19 and 24-25; P/EN/® 112 GF and FF Block Plan plots 15-17; P/CE® 110 GF and FF Block Plan 1-2, 508; P/FL/114/GF and FF Block Plan plots 20-23; P/FL/115/A floor and roof plans plots 30-35 received 28h September 2017 and Landscape plan 867-01D received 5th Feb 2018.

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

- 5. All soft landscaping comprised in the approved details of landscaping shall be carried out for each phase 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 on each phase 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.

7. No development shall commence on each phase 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: 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.

8. The retail unit hereby permitted shall be used by a discount food supermarket operator and for no other purpose (including any other purpose in Class A1 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification). The following services shall not be operated from the land:
 - (i) Bank facilities
 - (ii) Dispensing pharmacy.
 - (iii) Dry cleaning or post officer services
 - (iv) Cafe restaurant
 - (v) sales of cigarettes or tobaccoThe unit shall not have a net sales area of greater than 1325 sq metres, with no more than 20% of that floor area being for the sale of comparison goods.

REASON: To protect the vitality of the town centre.

9. The retail development hereby permitted shall not be occupied until full details of a ghost right hand turn lane has been submitted to and approved in writing by the Local Planning Authority (in general accordance with drawing Alternative Access Location 7.3m Wide access Road A103274-SK03-C'. As part of the package of full details to be submitted shall include full construction details, safety audit, visibility splays, swept path analysis, provision for pedestrian crossing facilities. No part of the retail development shall be occupied until the ghost right hand turn lane has been surfaced and laid out in accordance with the approved details.

REASON: In the interests of highway safety and that the access is suitably laid out

10. (i) No deliveries to or collections from the retail development hereby permitted shall be made outside the hours of 06:00am and 22:00pm Monday to Saturday and 07:00am and 18:00pm Sundays and Bank Holidays.

(ii) There shall be no use of reversing beepers on delivery or collection vehicles between 06:00 and 07:00 Monday to Saturday. In addition, there shall be no use of reversing beepers on delivery or collection vehicles between 07:00 and 09:00 on Sundays and Bank Holidays. All deliveries between these approved hours shall be direct via the loading and unloading dock shown on the approved plans.

REASON: To limit the impact of the development on adjacent residential amenity.

11. The retail unit hereby permitted shall not be open to the public except between the hours of 08:00am to 22:00pm on Monday to Saturday and 09:00 to 18:00 on Sundays.

REASON: To limit the impact of the development on residential amenity.

12. The retail development hereby permitted shall not be first occupied until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 43metres in both directions from the centre of the access in accordance with the approved plans (Alternative Access Location 7.3m Wide access Road A103274-SK03-C'). Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 0.6m above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

13. The retail unit hereby permitted shall remain as one unit and shall not be subdivided.

REASON: To protect the vitality of the Town Centre.

14. The retail store development shall not be occupied until a service yard management scheme has been submitted to and approved by the local planning authority. The development shall be operated in full accordance with the provisions of the service yard management scheme.

REASON: To protect the amenity of local residents and the surrounding rural area by minimizing any disturbance caused by vehicle movements, deliveries and other activities within the service yard.

- 15.** The retail building hereby approved shall not be first brought into use until the parking area and turning areas for HGV deliveries shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

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

- 16.** No on-site cooking or baking shall take place until a scheme of works for the control and dispersal of atmospheric conditions (in particular emissions from cooking or baking of food) has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before any on site cooking or baking takes place and shall be maintained in effective working condition at all times thereafter.

REASON: In the interests of neighbours' amenity.

- 17.** The retail development hereby permitted shall not be occupied until details of secure covered cycle parking have been submitted to and approved in writing by the Local Planning Authority (in accordance with council cycle parking standards). These facilities shall be provided in accordance with the approved details and made available for use prior to the first opening of the development hereby permitted and shall be retained for use at all times thereafter.

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

- 18.** No part of the retail element of the proposal shall be first used until details of an electric car charging point (including management) in accordance with 'Smarter Choices Strategy' be submitted and approved in writing by the Local Planning Authority. The development shall not open until the electric charging point is made available for use in accordance with agreed details and shall remain in use for this purpose at all times.

REASON: In the interest of sustainable development

- 19.** No development shall commence on the residential development site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service

routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The development shall not be first occupied until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture have all been constructed and laid out in accordance with the approved details, unless an alternative timetable is agreed in the approved details.

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

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

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

21. No part of the residential development hereby approved shall be first brought into use until the parking area shown on the approved plans ('Proposed Site Layout 16-007/P100 C') has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

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

22. No development shall commence on the residential element of the development hereby permitted until full details (including visibility splays, provision for pedestrians, signage) of the provision for the construction access on the A420 have been submitted to and approved in writing by the Local Planning Authority. The details shall include details of a routing agreement, that will facilitate the ban of both vehicle movements right turning in and right turn out of the construction access and timings of deliveries to and from the site so as to avoid school drop off and collection times. No part of the development hereby approved shall commence until details have been approved and the construction access built in accordance with the submitted and approved details.

REASON: To ensure that adequate construction access is made for loading/unloading within the site in the interests of highway safety.

- 23. Prior to first occupation of a dwelling a Traffic Order to amend the waiting restrictions in Middlefields and adjacent roads shall have been prepared, consulted upon, and advertised, with a final report recommending whether to proceed with the Order prepared for consideration by the Cabinet Member for Highways. In the event that the Cabinet Member for Highways approves the Order the amendments shall be implemented.**

Reason: In the interests of achieving improved egress from the development.

Informative: The applicant will bear the costs of condition Traffic Order condition irrespective of whether the Order is proceeded with.

- 24. No development shall commence on each phase of the 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;

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 should be submitted to the Local Planning Authority. 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.

25. No development shall commence on site of each phase of the development (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.

- 26. Prior to occupation a lighting scheme must be submitted for the approval of the Local Planning Authority in accordance with the Institute of Lighting Professional's Guidance notes for the reduction of obstructive light. The scheme must be designed by a suitably qualified person in accordance with the recommendations for environmental zone E3 in the ILP document "Guidance Notes for the Reduction of Obtrusive Light GN01:2011.**

Before commencement of operation of the approved lighting scheme the applicant shall appoint a suitably qualified member of the institute of lighting professionals (ILP) to validate that the lighting scheme as installed conforms to the recommendations for environmental zone E3 in the ILP document "Guidance Notes for the Reduction of Obtrusive Light GN01:2011

REASON: To protect the local amenity from any adverse effects from light.

- 27. Development shall not be commenced on site until a planning obligation has been completed by all parties with an interest in the site and accepted in writing by the Council to secure the provision of: 40% affordable housing on site; the mechanism for the provision and maintenance of public open space on site; contributions to primary education ; contribution of £15000 for public art; £21900 for upgrade of play facilities at Little Battens Park and £9740 for upgrading facilities at Chippenham Sports Club. Additionally it shall include contributions towards waste and recycling facilities.**

REASON: To ensure the correct infrastructure is provided.

- 28. Prior to commencement an assessment of the acoustic impact arising from the operation of all internally and externally located plant at the Lidl store shall be undertaken in accordance with BS 4142: 2014. The assessment shall be submitted to the Local Planning Authority together with a scheme of attenuation measures to ensure the rating level of noise emitted from the proposed plant shall be less than background when measured at nearest noise sensitive receptors. The scheme shall be submitted to and approved in writing by the Local Planning Authority. A post installation noise assessment shall be carried out to confirm compliance with the noise criteria and additional steps to mitigate noise shall be taken, as necessary. The details as approved shall be implemented prior to occupation of the development and thereafter be permanently retained.**

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

29. All site preparation and construction works (excluding internal fit out works within the building) and the use of generators externally, including road works, shall only be carried out between the hours of 07:30 to 18:00 Mondays to Fridays and 08:00 - 13.30 Saturdays and at no times during Sundays or Bank Holidays without the prior written consent of the Local Planning Authority.

REASON: During the construction phase to minimize the level of disturbance to local residents.

30. Prior to the commencement of development an acoustic report shall be submitted to the LPA that demonstrates the internal and external amenity standards in accordance with BS 8233: 2014 Guidance on sound insulation and noise reduction for buildings and WHO Guidelines for Community Noise (1999) can be met within the proposed development; this must include details of any scheme of mitigation required to achieve this. Any scheme of mitigation applied to this development must be approved by the LPA prior to implementation and followed by verification prior to first occupation of the development and thereafter be permanently retained.

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

31. Prior to the commencement of development a scheme of measures to ensure noise levels in all amenity spaces do not exceed 55dB LAEQ 1hr shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of post construction validation. Thereafter the development shall be carried out in accordance with the approved details and a separate validation report shall be submitted to and approved in writing by the Local Planning Authority 3 months prior to occupation.

REASON: To protect the local amenity from any adverse effects of noise.

32. Prior to the commencement of the each element of development hereby permitted an updated Acoustic report for the relevant section shall be submitted to and approved in writing by the Local Planning Authority. Any recommendations agreed shall be implemented prior to the occupation or first use of each element of the development.

REASON: To protect the amenity of nearby residential properties.

33. The development shall be undertaken in strict accordance with Section 5.0 and 6.0 of the Ecological Appraisal (WYG, September 2017) and Section 5 of the Bat Activity Survey report (Devon Wildlife

Consultants, September 2017), and with liaison with and supervision by (where applicable) a suitably qualified and competent ecological consultant.

REASON: To ensure appropriate protection and mitigation for habitats and wildlife including protected species.

34. No development shall commence until an Ecological Mitigation and Enhancement Strategy has been submitted to, and approved in writing by the local planning authority. The strategy shall be prepared by a suitably qualified and competent ecological consultant and shall include and build upon the measures stipulated in Section 5.0 and 6.0 of the Ecological Appraisal (WYG, September 2017) and Section 5 of the Bat Activity Survey report (Devon Wildlife Consultants, September 2017). The details presented in the strategy shall include, but not be limited to:

- a) Details of pre-commencement surveys including that required for badger;
- b) Precautionary working method statements including those required for tree felling and vegetation clearance particularly in respect of nesting birds, reptiles and roosting bats;
- c) Timings of the works and appropriate mitigation measures;
- d) Comprehensive details of ecological enhancement including wildlife friendly planting and inclusion of bat and bird boxes within the development, and these features should be illustrated on an accompanying site plan.

Thereafter, all works shall be undertaken in strict accordance with the approved strategy and with liaison with, and supervision by (where applicable) a suitably qualified and competent ecological consultant.

REASON: To ensure appropriate ecological mitigation and enhancement measures are implemented and to ensure compliance with wildlife legislation, the NPPF and Core Policy 50 of the Wiltshire Core Strategy (adopted January 2015).

35. No development shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to, and approved in writing by the local planning authority. The details presented in the LEMP shall include, but not be limited to:

- a) Full details of planting including a planting schedule and finalised landscape plan.
- b) Details of features to be retained and managed such as trees, together with details of how these features will be protected pre-construction and during construction and how they will be managed post-construction completion. These features should be shown on a site plan.
- c) Aims and objectives of management and prescriptive details of how management will be undertaken including timing and frequency of selected management options.

- d) Preparation of a work schedule (including an annual work plan capable of being rolled forward) and stipulation of the LEMP implementation period.
 - e) Details of the body or organisation responsible for implementation of the LEMP;
 - f) Details of when the LEMP will be reviewed to ensure it continues to be appropriate.
 - g) Details of how the aims and objectives of the LEMP will be communicated to the occupiers of the development.
 - h) 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 LEMP shall be implemented in full in accordance with the approved details and with liaison with, and supervision by (where applicable) a suitably qualified and competent ecological consultant, arboriculturist and landscape manager/architect.

REASON: To ensure appropriate long-term management and protection of retained and created ecological and landscape features in perpetuity; and to accord with the aims of NPPF and Core Policy 50 of the Wiltshire Core Strategy (adopted January 2015).

36. No new external lighting shall be installed until a Sensitive Lighting Strategy has been submitted to the local planning authority for approval in writing. The lighting strategy shall specify the number, type and location of luminaires and lighting columns to be installed and will be accompanied by a lighting contour plan/lux plot. In addition, details of mitigation measures setting out how light spill onto retained and new habitats/areas of planting/ecological enhancement features will be minimised shall be included within the strategy. The strategy shall include and build upon the measures stipulated in Section 5.2 of the Bat Activity Survey report (Devon Wildlife Consultants, September 2017) and shall be prepared with liaison with a suitably qualified and competent ecological consultant. Thereafter, the development shall be carried out in strict accordance with the approved strategy.

REASON: To ensure appropriate mitigation for protected species and reduction in light spill onto retained and new habitats.

37. Prior to the occupation of the retail development, details of the stopping up of the Allington Way vehicle access, both pedestrian and vehicular, have been submitted to and approved in writing by the Local Planning Authority. That stopping up shall take place in accordance with the approved details, prior to the occupation of the development. The sole means of vehicular and pedestrian access to the development shall be as shown on the plans hereby approved.

REASON: In the interests of highway safety.

38. No development shall commence on the retail element of the development hereby permitted until a routing plan, providing full details of the proposed routing of HGVs associated with construction of the retail element has been submitted in writing to the Local Planning Authority. The plan also to include times of delivery for materials to the site, to avoid school drop off and collection times. The routing plan is to be adhered to at all times.

REASON: To ensure suitable routing of delivery vehicles so as to avoid conflict with peak traffic movements associated with the nearby schools at Hardenhuish and Hungerdown Lane.

INFORMATIVES 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.

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

The applicant is 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.

9 18/00474/FUL - Equestrian Centre, The Malthouse, 18 Bushton, Swindon

Public Participation

Guy Rickett, local resident, spoke in objection to the application.
Alan Glasspool, Local resident, objecting to the application
Rosemary Greenway, supporting the application
Louise Jamieson, supporting the application
Ed Rudler – letter read out, supporting the application.
Peter Gantlett – Chair of Parish Council

The Case Officer, Victoria Griffin, introduced a report which recommended that planning permission be refused for the erection of 5 no. dwellings, parking, meadow and orchard (resubmission of 17/03393/FUL).

Key issues highlighted included, acceptability of proposal site being located outside of the defined settlement boundary and rural exceptions site, impact on historic setting, impact on visual amenities of the area, impact on ecology, impact on the residential amenity, impact on highway safety/sustainability, impact on drainage. The Planning Officer referred to the late observations report which included additional consultation responses and officer comment.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: affordable housing in rural communities, Clyffe Pypard neighbourhood plan, and marketing of the equestrian business.

Members of the public then had the opportunity to address the Committee, as detailed above.

Councillor Allison Bucknell, Division Member, spoke to the application with the main points focusing on: Planning policies and the ability to develop custom built home within a village setting.

At the start of the debate a proposal was moved by Councillor Gavin Grant and seconded by Councillor Christine Crisp to refuse planning permission as detailed in the report. During the debate the main points raised were: Ability to build custom built homes, paragraph 55 of the National planning Framework.

Resolved:

That planning permission be REFUSED for the following reasons:

- 1. The proposed development is located outside of a designated settlement boundary and does not meet any of the exception criteria listed under paragraph 4.25 of the Wiltshire Core Strategy. As such the proposal fails to promote a sustainable pattern of development within the County and the harm associated to the development is not outweighed by the benefits. Therefore, the proposed development is considered contrary to Core Policies 1 & 2 of the Wiltshire Core Strategy, Saved Policy H4 of the North Wiltshire Local Plan 2011 and paragraphs 14 and 55 of the National Planning Policy Framework.**

- 2. The proposal located remote from services, employment opportunities and being unlikely to be well served by public transport is contrary to the key aims of Core Policy 60 and national sustainable transport guidance which seeks to reduce growth in the length and number of motorised journeys.**

- 3. The proposed development would, by reason of the size and scale of the proposed dwellings and associated residential paraphernalia result in unacceptable increase in the built form within the site resulting in harm to the visual amenities of the open countryside. Therefore, the development is contrary to Core Policy 51 and 57 of the Wiltshire Core Strategy.**

- 4. The site is located in close proximity to a known medieval settlement and the setting listed buildings. The application fails to adequately demonstrate that the proposed development can be carried out without harming any significant archaeological remains. Without the submission of this information it is not possible to fully consider the development's impact. The proposed development is therefore contrary to Core Policy 58 of the Core Strategy.**

- 5. The proposal fails to provide any information on the proposed impact on existing trees or hedgerows within the site. As such it is not possible to fully consider the development's impact on natural landscape features. The proposed development is therefore contrary to Core Policy 51 of the Core Strategy.**

- 6. The submissions fails to provide complete Phase 2 surveys recommended in the Preliminary Ecological Appraisal. As such, this justifies an objection on ecology grounds on account that insufficient baseline information and mitigation measures have been submitted to determine the application. The proposed development is therefore contrary to Core Policy 50 of the Core Strategy.**

In accordance with paragraph 187 of the National Planning Policy Framework (NPPF), this planning application has been processed in a proactive way. However, due to technical objections or the proposal's failure to comply with the development plan and/or the

NPPF as a matter of principle, the local planning authority has had no alternative other than to refuse planning permission.

This recommendation relates to the following plans/documents:

**Planning Statement & Addendum
Keystone Preliminary Ecological Appraisal
House type D elevations and floor plans
Location Plan
Block Plan
Site Entrance Plan
House type A, B and C elevations and floor plans Sections
18/02295/FUL - The Methodist Church, Cuttle Lane, Biddestone, Chippenham**

10

Public Participation

Jon Llewellyn Architect – in support of the application
Ashley Juniper, Biddestone Parish Council, spoke in objection to the application.

The Case Officer, Chris Marsh, introduced a report which recommended planning permission be granted for the change of use to Use Class C3 residential including demolition of part derelict rear extension and new single storey rear and side extension. The Case Officer also referred to late observations which included neighbour representations and officers comments on these.

Key issues highlighted included, principle of development, impact on the character and appearance of the host building and its setting, impacts on local highways/parking, and impact on neighbour amenity.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: Overlooking issues.

Members of the public then had the opportunity to address the Committee, as detailed above.

Councillor Toby Sturgis, on behalf of Cllr Baroness Jane Scott OBE, Division Member, spoke to the application with the main points focusing on: parking issues.

At the start of the debate a proposal was moved by Councillor Gavin Grant and seconded by Councillor Howard Greenman to grant planning permission as detailed in the report. During the debate the main points raised were: parking issues on the highway.

Resolved:

That planning permission is 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:

3010/38/P4A – Proposed Floor Plans
3010/38/P5A – Proposed Elevations
Received 8 May 2018

3010/38/P0 – Location Plan
3010/38/P3 – Proposed Site, Block & Roof Plan
Received 7 March 2018

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

3. 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.

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 modification of the first floor configuration as shown on the approved plans at any time.

REASON: In the interests of residential amenity and privacy.

5. **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.

6. 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.

7. 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.

8. INFORMATIVE TO APPLICANT

The applicant is requested to note that the land immediately in front of the property, beyond its boundary wall (as defined by the red-line of the submitted location and block plan), is regarded as highway verge and is not part of this properties private curtilage.

11 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 5.10 pm)

The Officer who has produced these minutes is Stuart Figini of Democratic Services, direct line 01225 718221, e-mail stuart.figini@wiltshire.gov.uk

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

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NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 13 JUNE 2018 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Tony Trotman (Chairman), Cllr Chuck Berry, Cllr Christine Crisp, Cllr Howard Greenman, Cllr Gavin Grant, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Toby Sturgis, Cllr Brian Mathew, Cllr Ashley O'Neill and Cllr Philip Whalley (Substitute)

Also Present:

Cllr John Thomson

12 Apologies

Apologies were received from Baroness Scott Bob local division member

Cllr Peter Hutton was substituted by Cllr Philip Whalley

13 Minutes of the Previous Meeting

The minutes of the meeting held on 16 May 2018 were presented.

Resolved:

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

14 Declarations of Interest

The minutes of the meeting held on 16 May 2018 were presented.

Resolved:

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

15 Chairman's Announcements

There were no Chairman's announcements.

16 **Public Participation**

The Committee noted the rules on public participation.

17 **Planning Appeals and Updates**

The Committee noted the contents of the appeals update.

18 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes.

19 **18/03570/FUL - Land Adjacent to Nettleton Baptist Chapel, Nettleton**

Richard Lay, spoke in objection to the application.

Chris Engley-Duffy, spoke in objection to the application.

Susan Leonard, spoke in support of the application.

Emma Madge, spoke in support of the application

Ian Madge, the applicant, spoke in support of the application.

Cllr Jenny Minney, Nettleton Parish Council, spoke in relation the application.

The Planning Officer, Lee Burman, introduced a report which recommended that the application be refused.

Key issues highlighted included: that the application was the resubmission of an application previously refused; the changes to the application following its resubmission were limited to the offer of entering a S106 agreement to restrict further development at the site; the location of the land outside the settlement boundary within an Area of Outstanding Natural Beauty; the application of relevant core policies; that the officer's view was that an exception to those policies could not be justified; the planning history on the farm associated with the application; the size and nature of the proposals; the difference between low cost and affordable housing as defined by policy.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: the availability of agricultural residence on the farm connected to the application.

Members of the public then had the opportunity to address the Committee, as detailed above.

Councillor Toby Sturgis spoke on behalf of the local Division Member, Baroness Jane Scott, who was unable to attend, outlining her views on the proposal.

At the start of the debate a proposal was moved by Councillor Toby Sturgis and seconded by Councillor Christine Crisp that the application be refused for reasons set out in the report.

During the debate the main points raised were: that, currently, national and local policy did not support a development on this site; the supply of dwellings in small villages; and the policies that restrict the growth of small villages.

At the conclusion of the debate, the meeting unanimously;

Resolved:

- 1. The proposed development, by reason of its location outside of any defined settlement boundary and not being considered to meet the criteria of infill development contained within WCS Core Policy 2, the proposal is contrary to the settlement, delivery and community area strategies and is unacceptable in principle. The proposal fails to accord with Core Policies 1, 2, 10 and 48 of the adopted WCS (Jan 2015), Saved Policy H4 of the North Wiltshire Local Plan 2011 and Paragraphs 14, 17 and 55 of the NPPF (March 2012).**
- 2. By reason of the location of the application site within the open countryside and AONB, the proposed development would result in the consolidation of the existing loose knit pattern of development and would alter the visual appearance and prevailing rural character of the area. It is not considered that the proposal would integrate effectively into the immediate setting and it would not conserve or enhance the AONB which is afforded great weight. Consequently the proposal is considered contrary to Core Policy 51 (ii, vi and ix) and 57 (i, iii, vi) of the WCS (Jan 2015) and NPPF (March 2012) Paragraph 115 and Section 7.**
- 3. The proposal, located remote from a range of services, employment opportunities and being unlikely to be well served by public transport, is contrary to the key aims of local and national sustainable transport policy guidance which seeks to reduce growth in the length and number of motorised journeys. New development should be located and designed to reduce the need to travel by private car and should encourage the use of sustainable transport alternatives. The proposal is contrary to Core Policy 60 of the adopted WCS (Jan 2015) and Paragraph 34 of the NPPF (March 2012).**

20 **17/12507/FUL - Common Road, Ashley**

Dr Chris Bateman, spoke in objection to the application.

Pete Sladden, spoke in objection to the application.

Juliana Beardsmore, the applicant, spoke in support of the application.

Councillor Roger Budgen, St Paul Without Parish Council, spoke in objection to the application.

The Planning Officer, Victoria Griffin, introduced a report which recommended that the permission be granted subject to the conditions listed in the report. The meeting's attention was drawn to additional consultation views and the

proposed revision to condition thirteen as outlined on the late observations circulated in the supplement.

Key issues highlighted included: the location of the proposals and the character of the area; the design of the proposal and the current development on the site; the elevation of the site and its access to the highway; the height of the proposals relative to houses in the area; the relationship between the extant permission and the proposed development; the layout of the proposals and the possible landscaping on the site; the mix of materials proposed and the siting of windows and openings and relationship to neighbouring properties and impact on amenities; that the slab levels can be checked, as part of the relevant proposed condition; the views of the drainage engineer; and that boundary treatment and landscaping could be conditioned.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: the application of CP1, 2 and 57, and the provisions of the Malmesbury Neighbourhood Plan; clarification that permitted development rights were recommended for removal permitted in the proposed conditions; that an alternative ridge height would require permission; whether there was a similarly designed residential property in the area.

Members of the public then had the opportunity to address the Committee, as detailed above.

Councillor John Thomson, Division Member, spoke in objection to the application.

At the start of the debate a proposal to refuse the application was moved by Councillor Gavin Grant and seconded by Councillor Brian Mathew for the reason that the application is contrary to CP57 criteria (i) &(iii) in that the development did not contribute to a sense of place; was wholly out of character with the existing development in the locality; did not correspond to existing pattern of development and topography of the area; and would be contrary to the relevant tasks of the Malmesbury Neighbourhood Plan and the guidance contained in National Planning Policy Framework.

During the debate the main points raised were: the impact of the proposals on the character of the area; the application of the inspector's decision; the impact of the proposals on the streetscene;

The meeting sought advice from the Area Team Leader (North), Lee Burman, on the wording of the proposal.

At the conclusion of the debate, the meeting unanimously;

Resolved:

That the application be refused for the following reason:-

The proposed development by virtue of its scale, mass, form, layout and use of materials would constitute an incongruous feature in the street scene, out of character with the design and appearance of neighbouring residential properties. The proposals would be contrary to Wiltshire Core Strategy (Jan 2015) Core policy CP57 sub sections (i) & (iii); Malmesbury Neighbourhood Plan Vol II (Made Feb 2015) Tasks 8.14, 8.16, 8.17, 8.19, 8.20; and paras 17, 60 & 64 of the National Planning Policy Framework.

21 **17/07724/FUL - SW Logistics, Braydon Lane, Chelworth Industrial Estate, Cricklade**

Councillor Chris Hodgson, Cricklade Town Council, spoke in relation to the application.

The Planning Officer, Lee Burman, introduced the report which recommended that the permission be granted subject to the conditions listed in the report.

Key issues highlighted included: the location of the site and its current use; the boundaries and treatments on the site; the relationship of the site in relation to that owned and used by the business; the access arrangements to the site; that the site falls outside but adjacent the development boundary for the settlement of Cricklade but within the area of the existing industrial estate identified in the neighbourhood plan; that unplanned employment sites are able to come forward to expand existing facilities under WCS Cor Policy Cp34 subject to a range of criteria and other development plan policies; the local concerns about the impact of the proposals in particular in relation to highways, but that the views of highways officer was that the application would not present a severe cumulative impact and was therefore permissible; that a full flood risk assessment had been submitted and considered by the drainage engineers.

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

Members of the public then had the opportunity to address the Committee, as detailed above.

At the start of the debate a proposal was moved by Councillor Chuck Berry and seconded by Councillor Howard Greenman to grant permission in accordance with the officer's recommendation.

During the debate the main points raised were: the conditions in relation to traffic; that the site must be considered on its own merits; the economic impact of the application; and the impact of the proposals on traffic movements.

At the conclusion of the debate, the meeting unanimously;

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

Design and Access Statement
Existing Site location Plan
Elevation and Section Proposed TA 16 071 36 REV A
All Received 08/08/2017

Site Location Plans; TA 16 071 20 REV A
Received 5/9/2017

Proposed Site Access Arrangements T344/1
PFA Consulting Transport Statement December 2017
Received 15/02/2018
(TA Addendum Statement Received 05/04/2018)

Site Location Plan Proposed TA 16 071 30 REV A
GF Warehouse and Ground & first Floor Office Proposed Plans TA 16 071 35 REV B
Site Plan TA 16 071 31 REV A
Received 20/04/2018

Flood Risk Assessment BR-533-0005 REV A May 2018
Received 14/05/2018

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

3. The development hereby permitted shall not, at any time, be subdivided into a larger number of units.

REASON: To enable the Local Planning Authority to consider individually whether planning permission should be granted for additional units on the site.

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), the site shall be used solely for purposes within Class(es) B8 Warehouse and B1 Ancillary Office 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(es), having regard to the circumstances of the case.

- 5. The development hereby permitted shall not be brought into use until a plan showing the precise location of any areas of open storage and specifying a maximum height of open storage within such area(s) has been submitted to and approved in writing by the Local Planning Authority. No materials, goods, plants, 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 on the site outside the approved storage area, or above the height agreed as part of this condition.**

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

- 6. The B8 Warehouse use hereby permitted shall only take place between the hours of [06:00 hours in the morning and 18:00 hours in the evening) from Mondays to Saturdays. The use shall not take place at any time on Sundays and Bank or Public Holidays.**

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

- 7. No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 120metres in both directions from the centre of the access in accordance with the approved plans (Proposed Site Arrangements, numbered T344/1). Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1m above the level of the adjacent carriageway.**

REASON: In the interests of highway safety.

- 8. No part of the development hereby approved shall be first brought into use until the parking area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.**

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

- 9.** No part of the development hereby permitted shall be first brought into use until the access (Proposed Site Arrangements, numbered T344/1), 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.

- 10.** No development shall commence on site until a 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.

- 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: In the interests of residential amenity.

- 12.** 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 residential amenity and the environment and air quality.

- 13.** 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 (including asbestos) 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 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.

- 14. The construction of the Warehouse Building hereby permitted shall not 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

- 15.** The construction of the Warehouse Building hereby permitted shall not 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. The development hereby approved shall not be first brought into use 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.

- 16.** 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 brought into use.

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

- 17.** No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

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

INFORMATIVES TO APPLICANT:

- 18. 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.**
- 19. 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.**
- 20. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.**
- If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.**
- 21. Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.**

22 Urgent Items

There were no urgent items.

(Duration of meeting: 3.00 - 4.43 pm)

The Officer who has produced these minutes is Stuart Figini of Democratic Services, direct line 01225 718221, e-mail stuart.figini@wiltshire.gov.uk

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

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 14 JUNE 2018 AT WESSEX ROOM, CORN EXCHANGE, MARKET PLACE, DEVIZES SN10 1HS.

Present:

Cllr Mark Connolly (Chairman), Cllr Paul Oatway QPM (Vice-Chairman), Cllr Ian Blair-Pilling, Cllr Stewart Dobson, Cllr Peter Evans, Cllr Nick Fogg MBE, Cllr Richard Gamble and Cllr James Sheppard

22. **Apologies**

There were no apologies.

23. **Minutes of the Previous Meeting**

The minutes of the meeting held on 19 April 2018 were presented and it was,

Resolved:

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

24. **Declarations of Interest**

Councillor Richard Gamble declared a non-pecuniary interest in application 17/12461/OUT by virtue of his position as Portfolio Holder for Heritage, Arts and Tourism. Due to that position he was also a Trustee of the Wiltshire Historic Buildings Trust, a Trustee of the Wiltshire Archaeological and Natural History Society, and a Member of the Canals and Rivers Trust. He declared he would consider the application on its merits with an open mind as he debated and voted on the item.

25. **Chairman's Announcements**

There were no announcements.

26. **Public Participation**

The rules on public participation were noted.

27. **Planning Appeals and Updates**

Resolved:

To note the update.

28. **Article 4 Direction: Land at Crookwood Farm, Crookwood Lane, Potterne, Wiltshire, SN10 5QS**

Public Participation

Hannah Mannion, on behalf of the landowners, spoke in objection to the confirmation of the Article 4 Direction.

Judy Boyt spoke in support of the confirmation of the Article 4 Direction.

Andrew Guest, Major Projects and Performance Manager, presented a report which outlined points including the following:

That the Committee on 22 March 2018 resolved to make an immediate Article 4 Direction to remove Part 4, Class B 'permitted development' rights at Crookwood Farm. That decision triggered a formal consultation exercise; and now, following this, the requirement for the Committee to consider the representations arising, this prior to it confirming or otherwise the Article 4 Direction.

The report before the Committee provided a summary of the representations received, and in the light of these recommended that the Committee confirmed the Article 4 Direction. However, additional comments for the Committee to take into account were also detailed as below.

1. The full original representation from Thrings Solicitors on behalf of the owners of Crookwood Farm together with the officer's response to it was provided to the Committee as an agenda Supplement. In addition to the summary of this representation in the report, the Committee was asked to take into account the following specific points:
 - (a) On paragraphs 1.1-1.2 of the representation, there is no requirement in the General Permitted Development Order (GPDO) for the sub-paragraphs referred to in Article 4(1) to be referred to in the Direction, and so this does not render the Direction defective;
 - (b) On paragraph 1.3, the procedures for Article 4 Directions set out in the GPDO state that "*.... notice of any direction made under article 4(1) of this Order must, as soon as practicable after the direction has been made, be given by the local planning authority*". In this case the notice was given as soon as practicable after the direction was made back in March, this in accordance with the Order. The Thrings letter refers to Planning Practice Guidance saying that "*in all cases the local planning authority must have already begun consultation processes towards the making [of] a non-immediate article 4 direction*". This is guidance and not the law as referenced from the Order itself; but in any event consultation had commenced by virtue of prior notification to interested parties of the intended consideration of the matter by the Committee in March.

- (c) On paragraphs 2.1 to 2.3, the harm that the Direction is intended to address is set out in the minutes of the original committee meeting and the officer's original report. The reasons for the immediate Direction are:
- In view of the unsuccessful attempts to obtain a meaningful events management plan to ensure the safety of all users of the highways hereabouts, including emergency services, and to safeguard the amenities of nearby residents from noise and general disturbance; and
 - In view of the immediate impact of the events themselves on local amenity and the well-being of the area in terms of the traffic generation and the resulting implications for highway safety, and in view of the general disturbance caused by noise in an otherwise tranquil location.

The Committee came to these reasons for an immediate Direction having regard to the content of the officer's report which set out responses from other Council services, and having regard to the public speaking and the debate during the Committee meeting itself. Taken together the Committee considered that these considerations amounted to a strong justification for an immediate Direction. Indeed, the Committee placed great importance on these having regard to the circumstances of the use, it being a leisure use, this entirely in accordance with both Planning Practice Guidance and the NPPF. It follows that the Committee did not act erroneously as it complied with these requirements, and what's more will continue complying with these requirements in considering the confirming report today.

- (d) On paragraph 4 of the Thrings letter, this states that there is no evidence base that the motocross activities constitute an immediate threat to local amenity and so there has been misapplication of Article 4. This is not agreed as the original officer's report sets out the 'threats' as referred to by the highways and public protection officers, and the Committee was able to reasonably determine these as being immediate. It follows that there was no misapplication of powers.

2. The second matter the Committee was reminded of following the late representations which have been circulated to them prior to the meeting, is that the Council had received a Judicial Review claim from Thrings on behalf of the landowners challenging the decision to make an immediate Article 4 Direction. The grounds largely cover the matters detailed above and are not agreed by officers for the reasons listed. The fact that a Judicial Review has been lodged does not, and should not, prevent the Committee considering the report and confirming or otherwise the Article 4 Direction. The therefore remained that the Committee confirms the Direction now. Notwithstanding the Thrings second representation circulated to the Committee, it is not considered that the Committee would be acting prematurely or inappropriately in moving forward now under the circumstances..

3. The third matter to which the Committee was made aware was the other late representations from Potterne Parish Council and Nick Irwin of MX Nationals Ltd, both of which were circulated.

Potterne's representation supports in the strongest terms the Committee's decision to make an immediate Article 4 Direction.

Mr Irwin's representation stated that there are inaccuracies in the original report, although these are not clearly set out, and as far as officers were concerned there were no inaccuracies. Certainly it could not be said that the highways officer and the public protection officers did not raise concerns, as these were clearly set out in the original committee report

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

Members of the public then presented their views to the Committee, as detailed above.

At the request of the Committee Andrew Guest provided further clarifications on the period of consultation for the Article 4 Direction and other matters, in response to comments from the public.

In discussion it was stated that it was not considered that there had been any changes to the situation that would lead the Committee to reconsider its position on the immediate Article 4 Declaration, and the legal advice on taking the decision was noted.

Councillor Mark Connolly moved the officer's recommended, seconded by Councillor Stuart Dobson, and at the end of discussion it was,

Resolved:

That the Council CONFIRM the Direction under Article 4(1) of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) to remove permitted development entitlement in Schedule 2, Part 4, Class B.

At the request of the Committee it was noted that the decision was unanimous.

29. **Planning Applications**

The following planning applications were considered.

30. **17/12461/OUT - Tottenham House & Estate, Grand Avenue, Savernake, Marlborough, Wiltshire, SN8 3BE**

Public Participation

George Saumarez-Smith, architect, spoke in support of the application.

Andrew Guest, Major Projects and Performance Manager, presented a report which recommended that permission be granted to the hybrid planning application for Tottenham House and Estate as follows: 'Full application' for change of use and some extension/alteration of Tottenham House and grounds to residential use (C3 use) from educational use (C2 residential institution) and ancillary leisure development, related staff accommodation, and associated landscape works; 'outline application' for outlying related family houses and further related staff accommodation.

Details were provided of late correspondence received since the publication of the Committee report, including comments from the Canals and Rivers Trust in relation to use of the Canal bridge for access to the site.

The history of the site, its location in the Area of Outstanding Natural Beauty, and the dilapidated state of the Grade I Listed main house and the other Listed structures on the estate was detailed, along with national planning policy for the preservation of irreplaceable heritage assets. The high cost of any restoration was highlighted, with the additional amenities and construction on the site assessed as necessary in order to deliver that restoration, along with the neutral to positive impacts of the other new builds on the site, structures and local amenities.

It was also noted that previous permission had been granted for a golf resort hotel on the site in order to reverse the decline of the heritage assets, which would have had a significant impact on the assets compared to the proposal to return the site to a private dwelling, which was seen as a sustainable proposal. Extensive details were provided for all proposed planning works across the site.

Members of the Committee had the opportunity to ask technical questions of the officer. Details were sought on a traffic management plan during the restoration of the site, the hybrid nature of the application and the conditions and legal agreement proposed to accompany permission, which included clauses to prevent the break-up of the site.

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

A debate followed, where members congratulated the applicants for the detail and depth of the proposals, recognising the exceptional nature of the estate and the need to arrest the decline of the heritage assets. It was considered clear that the proposals would provide benefits to the estate and county as a whole.

Councillor Mark Connolly, seconded by Councillor Nick Fogg MBE, moved the officer's recommendation, and at the conclusion of debate it was,

Resolved:

That permission be DELEGATED to the Head of Development Management authority to GRANT planning permission subject to the

applicant and Wiltshire Council first entering into a legal agreement covering the following matters:

1. To tie the beneficial freehold ownerships of all proposed estate buildings and houses/cottages shown on the Site Masterplan to the 'Tottenham House & Estate' estate (with the exception of the Deer Park, 'Upper Wolfhall Farm' (no. 41), 'Seymour Grange' (no. 42) and the Upper Wolfhall Farm estate cottages and buildings (nos. 23-26 & 28) at Upper Wolfhall Farm) to prevent potential fragmentation of the estate; and
2. To require the applicant to make a financial contribution towards education provision within the locality.

And subject to the following conditions (with revisions as appropriate):

- 1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or, where relevant, 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 With regard to those elements of the application in outline form, no development shall commence on those part of the site until details of the following (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:
 - (a) The scale of the development;
 - (b) The layout of the development;
 - (c) The external appearance of the development;
 - (d) The landscaping of the site;
 - (e) The means of access to the site.

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

REASON: The application was made in part 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 With regard to those elements of the application in outline form 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 outline elements of the development hereby approved shall make provision for the following:**
- (i) At 'Lower Barn', no more than 1 'Family House' and 2 'Estate Cottages', to be designed in accordance with the parameters and principles set out in the Design Brief by Adam Architecture dated March 2018;**
 - (ii) At 'Upper Wolfhall Farm', no more than 2 'Family Houses' and 4 'Estate Cottages', to be designed in accordance with the parameters and principles set out in the Design Brief by Adam Architecture dated March 2018.**

The 'layout of the development' to be approved under condition no. 2 shall include details/extent of the areas for gardens/domestic curtilages for each of the houses and cottages.

At Lower Barn the houses/cottages and their gardens/domestic curtilages shall be sited no closer than 20m from the hedge line forming part of the 'blue' bat foraging / commuting route identified in the Ecological Assessment and Biodiversity Enhancement Report by Naturally Wild, dated December 2017. For the Upper Wolfhall Farm site, prior to commencement of development here a further local ecology survey shall be carried out to determine the extent of any wildlife corridor within the vicinity of the canal and railway line; the results of the survey shall determine the need (or otherwise) for an ecology 'buffer zone' between the canal and railway line and the approved developments at Upper Wolfhall Farm, and, if relevant, the dimensions of this buffer zone. The Lower Barn bat foraging / commuting route and the Upper Wolfhall Farm ecology buffer zone shall be retained for these purposes in perpetuity thereafter.

REASON: To clarify the terms of the planning permission, and to ensure an appropriate design and form of development having regard to the sensitivity of the site within the setting of heritage assets, within an Area of Outstanding Natural Beauty, and within an area with known ecological interests.

- 5 The full elements of the development hereby permitted shall be carried out strictly in accordance with the drawings as listed in the schedules of drawings attached as annex 1 to this decision notice.**

REASON: For the avoidance of doubt and to ensure the proper planning of the development.

- 6 The development shall be carried out strictly in accordance with the Phasing Plan set out at annex 2 of this decision notice (and references to a Phase in this decision notice shall be read in accordance with the Phasing Plan).**

For the avoidance of doubt approved elements not

specifically identified in the Phasing Plan may be carried out at any time subject to otherwise complying with the terms of this planning permission.

REASON: Elements of the overall development are permitted exceptionally to ensure delivery of the repairs/restorations of 'at risk' heritage assets also forming part of the development. In view of the exceptional nature of the other elements a phased approach is required - to achieve the repairs/restorations of heritage assets in advance of some/all other development. This is in the interests of conserving heritage assets.

- 7 The occupation of the estate cottages at 'Lower Barn' (no. 29 on the 'Site Masterplan' drawing no. 200D) and at 'Upper Wolfhall Farm' (nos. 25 & 26) shall be limited to households including at least one person (or the surviving partner or dependent(s) of such a person) solely or mainly working, or last working, at Tottenham House & Estate, or solely or mainly working, or last working, in the locality in agriculture or in forestry.

REASON: The site is in an area where residential development for purposes other than the essential needs of the Tottenham House & Estate or agriculture or forestry is not normally permitted and this permission is only granted on the basis of an essential need for a new dwelling/residential accommodation in this location having been demonstrated.

- 8 The occupation of the staff accommodation at the 'Stable Belt' and 'North Belt' (nos. 4, 8, 9, 14, 20 and 32 on the 'Site Masterplan' drawing no. 200D) shall be limited to households including at least one person (or the surviving partner or dependent(s) of such a person) solely or mainly working, or last working, at Tottenham House & Estate.

REASON: The site is in an area where residential development for general occupation is not normally permitted and this permission is only granted on the basis of an essential need for new dwellings/residential accommodation in this location for the purposes of estate management having been demonstrated.

- 9 The guest accommodation at the 'Guest House' (no. 39 on the 'Site Masterplan' drawing no. 200D), the 'Shoot Guest & Temporary Staff Accommodation' (no. 6) and the 'Banqueting House' (no. 40) shall be occupied by guests visiting Tottenham House & Estate or for other residential purposes ancillary to Tottenham House & Estate only and for no other purposes.

REASON: The site is in an area where residential development for general occupation is not normally permitted and this permission is only granted on the basis of an essential need for new dwellings/residential accommodation in this location for the purposes of estate management and operation having been demonstrated.

- 10 The staff accommodation within the 'Main House & Shoot Hall' (no. 1 on the 'Site Masterplan' drawing no. 200D) and within 'The Old Stables' (no. 2) shall remain an ancillary and integral part of the Main House & Shoot Hall and The Old Stables, and shall be occupied by households including at least one person (or the surviving partner or dependent(s) of such a person) working within the Tottenham House & Estate. Likewise, any staff accommodation to be provided within the extended family houses ('Lower Barn' (no. 43), 'Upper Wolfhall Farm' (no. 41) and 'Seymour Grange' (no. 42)) shall remain ancillary and integral to each of these respective houses, and shall be occupied by households including at least one person (or the surviving partner or dependent(s) of such a person) working within the Tottenham House & Estate or working within the respective houses.**

REASON: The site is in an area where residential development for general occupation is not normally permitted and this permission is only granted on the basis of an essential need for new dwellings/residential accommodation in this location for the purposes of estate and/or house management and operation having been demonstrated.

- 11 No development in any Phase or Sub Phase hereby approved shall commence within the Phase or Sub Phase until a site specific Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting during construction. The CEMP should include, but not be limited to:**
- Procedures for maintaining good public relations including complaint management, public consultation and liaison**
 - Arrangements for liaison with the Council's Public Protection Team**
 - All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:**
 - 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.**
 - Construction deliveries to and removal of plant, equipment, machinery and waste from the site must**

only take place within the permitted hours detailed above.

- Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.
- Control measures for dust and other air-borne pollutants.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes.
- Construction traffic routing details.

The CEMP shall be implemented as approved at all times during the demolition and construction phases of the approved development.

REASON: In the interests of the amenities of surrounding occupiers during the construction of the development.

- 12 With the exception of works to the Main House & Shoot Hall (Tottenham House), The Old Stables and The Octagon Pavilion, no development within any Phase or part thereof shall commence on site until the exact details of the materials to be used in that Phase or part thereof for the external walls and roofs, and for any hardstandings, 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.

- 13 With the exception of works to the Main House & Shoot Hall (Tottenham House), The Old Stables and The Octagon Pavilion, no development within any Phase or Sub-Phase 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 for all buildings within the Phase or Sub-Phase 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, conservation and the character and appearance of the area.

- 14 No development shall commence within a particular Phase or part thereof of the application site until (in relation to such Phase or part thereof):
- 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, for the Phase or part thereof has been submitted to and approved by the Local Planning Authority; and
 - b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to enable the recording of any matters of archaeological interest.

- 15 With the exception of works to the Main House & Shoot Hall (Tottenham House), The Old Stables and The Octagon Pavilion, no development within any Phase or part thereof shall commence on site until details of the proposed ground floor slab levels for development within the Phase or part thereof 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 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.

- 16 No external lighting shall be installed on site within any Phase of Sub-Phase until plans for the Phase or Sub-Phase 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

thereafter.

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

INFORMATIVE TO APPLICANT: The lighting scheme must avoid any light spill in areas of woodland and/or other areas where there are known wildlife interests, such as bat commuting corridors.

17 Notwithstanding the details set out in the Landscape Management Plan and Planting Principles reports by Balston Agius dated December 2017, no development shall commence on site in any particular Phase or part thereof until further more detailed schemes of hard and soft landscaping for the Phase or part thereof have 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 trees to be retained, together with, where relevant, measures for their protection in the course of development;
- a detailed planting specification (Tree and Plant Planting Strategy) showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- detailed car park and access (internal estate road) 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;
- detailed plans and proposals for the future management of the overall estate, to be set out in the more detailed Landscape Management Plan.

Where site specific development is not proposed within a particular Phase or part thereof landscaping shall be carried out in accordance with the broad principles and Planting Principles report by Balston Agius dated December 2017 in

any event.

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.

- 18 All soft landscaping for a particular Phase or part thereof 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 within the Phase or part thereof 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 within the Phase or part thereof or in accordance with a programme to be agreed (or revised) 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, and to ensure appropriate future management.

- 19 Notwithstanding the details set out in the Landscape Management Plan and Planting Principles reports by Balston Agius dated December 2017, no development shall commence on site other than that set out in Phase 1 of the Phasing Plan until an Estate Management Plan [including long-term design objectives, management responsibilities and maintenance schedules; details of habitat creation and management] for the estate has been submitted to and approved in writing by the Local Planning Authority. The Estate Management Plan shall thereafter be carried out in accordance with the approved details and timescales.**

REASON: To ensure the proper management of the estate in the interests of amenity, conservation and ecology.

- 20 Prior to commencement of construction of the lakes hereby approved detailed design information shall be submitted to the local planning authority for approval in writing. This information shall include plans showing existing and**

proposed ground levels, the grading of the lake profiles and edges, dam structures and associated earthworks, volumes of material excavated and where excess is to be spread, proposed final method(s) of supplying the lakes, proposed outfalls, existing trees to be removed, and proposed planting including marginal planting. The lakes shall be constructed strictly in accordance with the approved information.

REASON: The application contained insufficient information to enable this matter to be approved in advance, and the information is required to safeguard the amenities of the landscape and settings of heritage assets.

- 21 The development hereby approved shall be carried out strictly in accordance with the 'Recommendations for Construction' and 'Biodiversity Enhancements' set out in the Ecological Assessment and Biodiversity Enhancement Report by Naturally Wild dated December 2017.

Prior to commencement of construction of the lakes a specific scheme setting out how the works will create new habitats for wildlife shall be submitted to the local planning authority for approval in writing. Thereafter the lake shall be constructed in accordance with the approved scheme.

REASON: To accord with the terms of the application and to safeguard wildlife interests.

- 22 Surface and foul water drainage arrangements for the development hereby approved shall be implemented strictly in accordance with the details set out in the Flood Risk Assessment by Price & Myers dated December 2017.

REASON: To ensure satisfactory drainage of the site in accordance with an agreed scheme.

- 23 Water supply arrangements to the development hereby approved shall be implemented strictly in accordance with the conclusions / recommendations of the Water Usage Report by Peter Deer & Associates dated December 2017 and the Ground Water Supply Feasibility Report by Ground Source Consult Ltd dated 26 March 2016.

REASON: To ensure a satisfactory and managed supply of water to the development, in accordance with an agreed scheme.

- 24 Prior to first 'family' occupation of Tottenham House the measures to remove the oil tanks as set out in the Phase 1 Environmental Review by Environ dated December 2017 shall have been implemented.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing immediately to the local planning authority. An investigation

and risk assessment shall then be undertaken, and a scheme of de-contamination presented to the local planning authority for approval in writing. The approved scheme will then be implemented as approved.

REASON: To accord with the terms of the application and to ensure the creation of a safe environment; and in relation to potential unknown contamination, the matter is required to be agreed with the local planning authority in order that the development is undertaken in an acceptable manner, in the interests of public health and safety.

- 25 No Phase or part thereof of the development hereby permitted shall be first occupied or first brought into use until the access (as shown on Access and Circulation drawing no. 397#PLG-255A) and, where relevant, the turning head(s) and parking space(s) for the Phase or part thereof 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.

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

REASON: To safeguard the character and appearance of the area, and in particular its designation as a registered park and garden and/or within an area of outstanding natural beauty.

- 27 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.

- 28 **INFORMATIVE TO APPLICANT:**
It is understood that asbestos may be present in existing buildings. An Asbestos Removal Plan should be prepared by an approved contractor, and then actioned by the approved contractor. Further advice can be obtained from Wiltshire Council's Public Protection team.

- 29 **INFORMATIVE TO APPLICANT:**

This planning permission should be read in conjunction with Listed Building Consent no. 18/00195/LBC and a Section 106 agreement.

30 INFORMATIVE TO APPLICANT:

The Estate Management Plan required by condition no, 19 should divide the site into appropriate 'compartments' depending on the particular heritage, landscape and/or ecological interests of the various parts of the site. For each compartment, the Plan should identify the heritage, landscape and ecological objectives, with management prescriptions and schedules for works, and with an annual programme to cover at least 25 years. Where appropriate It is recommended that the Plan is informed by advice from Historic England and the AONB team.

31 INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. The CIL contribution shall be that as agreed with the Council's CIL Officer – [document date reference].

Should the applicant require further information or to download the CIL forms please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

At the request of the Committee it was noted that the decision was unanimous.

31. Urgent items

There were no urgent items.

(Duration of meeting: 3.00 - 4.00 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services, direct line 01225 718504, e-mail kieran.elliott@wiltshire.gov.uk

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

SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 31 MAY 2018 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Fred Westmoreland (Chairman), Cllr Richard Britton (Vice-Chairman), Cllr Brian Dalton, Cllr Matthew Dean, Cllr Christopher Devine, Cllr Jose Green, Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian McLennan, Cllr John Smale and Cllr Robert Yuill (Substitute)

Also Present:

Cllr Pauline Church, Cllr Bridget Wayman, Cllr Tony Deane

279 **Apologies**

Apologies had been received from:

- Cllr Sven Hocking – Who was substituted by Cllr Robert Yuill

280 **Minutes of the Previous Meeting**

The minutes of the meeting held on 12 April 2018 were presented.

Resolved:

To approve as a correct record and sign the minutes.

281 **Declarations of Interest**

There were none.

282 **Chairman's Announcements**

The Chairman explained the meeting procedure to the members of the public.

The order on the agenda would be changed, with the applications from Wilton coming first.

283 **Public Participation**

The committee noted the rules on public participation.

284 **Rights of Way Path No. 16 - East Knoyle**

Public Participation

Mrs J Hockham spoke in objection to the Order
Stephen Dawson spoke in support of the Order
Liz Reeve spoke in support of the Order
Adam Cleal spoke in support of the Order

The Rights of Way Acting Team Leader, Sally Madgwick introduced the report detailing two Orders. The Wiltshire Council parish of East Knoyle Footpath No.16 (part) Diversion Order and Definitive Map and Statement Modification Order 2017 and the Wiltshire Council East Knoyle Footpath 16(a) Creation and Definitive Map Modification Order 2017.

During the consultation, the responses received from the public were largely in agreement with the order.

The farmer and land owner had agreed to dedicate points a to b to enable walkers to see the view from the highest point.

The definitive line of the footpath pre-dated the residential property which was formerly a farmyard. The path has been variously unavailable and available over the years and in recent times the public have shown a clear preference to not walking through the garden but instead have chosen to walk an alternative route provided in the field.

The neighbouring property owners had not objected to the diversion.

If the diversion went ahead it would require a minute of walking on a quiet lane.

11 representations had been received in support and 3 there were objections outstanding.

The committee must base the decision on the legal tests as detailed in the agenda.

The recommendation was that the Orders be forwarded to the Secretary of State for Environment, Food and Rural Affairs with the recommendation that they be confirmed as made.

There were no technical questions to the Officer.

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

The Division Member Cllr Wayman then spoke in support of the Officer recommendation. She noted that the proposed route was almost an elegant solution, however she was not sure about the spur point to the lookout.

Cllr Westmoreland moved the motion to support the Officers recommendation, this was seconded by Cllr Smale.

The Members then voted on the motion to support Officer recommendation.

Resolved

That the Wiltshire Council parish of East Knoyle Footpath No.16 (part) Diversion Order and Definitive Map and Statement Modification Order 2017 and the Wiltshire Council East Knoyle Footpath 16(a) Creation and Definitive Map Modification Order 2017 be forwarded to the Secretary of State for Environment, Food and Rural Affairs with the recommendation that they be confirmed as made.

285 **Planning Appeals and Updates**

The committee received details of the appeal decisions as detailed in the agenda.

Resolved

That the appeals report for the period 22/02/18 to 18/05/18 be noted.

286 **Planning Applications**

286a 18/01233/FUL - Land adj to Kings Farm, Livery Road, Winterslow, Salisbury

Public Participation

Tony Allen (Agent) spoke in support of the application
Mick Brown spoke on behalf of Winterslow Parish Council

The Senior Planning Officer, Warren Simmonds introduced the report which detailed an application for two dwellings and associated access, car parking and Landscaping.

Plot 1 already built. Plots 2 and 3 were detailed in this application. The Back Drove was a byway which would be used as access to the site.

There were no consultee objections subject to conditions. There was one objection from a neighbour on the opposite side of the road, due to overlooking, however as the neighbour was over the road, it was considered that there was not an undue degree of overlooking, therefore, this was not considered sufficient to constitute a reason for refusal.

Winterslow was a large village and this site was outside of the settlement boundary.

The Winterslow Neighbourhood Plan (NP) was in a development stage and had not yet been adopted. It was understood that all of the housing allocations previously listed had been removed from the upcoming NP.

The application was recommended for refusal

Members then had the opportunity to ask technical questions of the Officer, where it was noted that the proposed development was not considered as infill.

Members of the Public then had the opportunity to present their views, as detailed above.

The Parish Council representative spoke in support of the application. He drew attention to the map which had been circulated within the late correspondence at the meeting. The Parish felt that the development should be considered on merit, on location, and the type of construction materials, as he felt the application ticked all of the boxes.

The Division Member Cllr Devine then spoke in support of the application, noting that small scale development was wanted in Winterslow, and that the development reflected what was in the emerging NP. This was a site that had already been chosen for development by the NP Group.

The school was under subscribed, and Winterslow needed family sized homes to bring more families to the village. The back drove could be upgraded.

Cllr Devine then moved the motion of Approval, against Officers recommendation, this was seconded by Cllr Hewitt.

A debate then followed, where the key issues raised included the support of the village, and whether the development would help to make the local school and community more viable. However as the NP was in the developmental stage and had not been adopted, it could not be given any weight.

The report noted that the track leading to the second property would require repair and construction, and that would be included as a condition, should the application be approved.

The Committee voted on the motion of approval against officer's recommendation.

Resolved

That application 18/01233/FUL be approved against Officer's recommendation, as the proposed development was considered to constitute a sustainable form of development that would align with local aspirations for the provision of small scale housing development in and around the settlement, 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:

Site location plan 1:5000 (undated), as deposited with the local planning authority on 06.02.18, and

Drawing number Hww/p/01 dated Feb 18, as deposited with the local planning authority on 06.02.18, and

Drawing number Hww/p/02 dated Feb 18, as deposited with the local planning authority on 06.02.18, and

Drawing number Hww/p/03 dated Feb 18, as deposited with the local planning authority on 06.02.18.

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

3 The development referred in the approved drawings as plot 2 shall not be first occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

4 Any gates to the entrance of plot 2 shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.

5 No part of the development referred in the approved drawings as plot 2 shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

6 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include details of a scheme for the improvement and maintenance of the access track serving plot 3 (from the junction of Livery Road to the entrance of the curtilage of plot 3) has been submitted to, and approved in writing by, the Local Planning Authority. 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.

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

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

8 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 of plot 2), 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.

9 No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 on weekdays and 08:00 to 13:00 on Saturdays. No burning of waste shall take place on the site during the construction phase of the development.

REASON: In the interests of neighbouring amenities

286b 18/01046/OUT - Land adj to The Mill House, Donhead St Mary, SP7 9DS

Public Participation

Sally Kay spoke in support of the application

Diccon Carpendale spoke in support of the application

Tom Rossiter spoke on behalf of the Parish Council

The Planning Officer, Christos Chrysanthou introduced the report which detailed an application for the erection of single dwelling and detached garage – outline application to determine access. The application was recommended for refusal.

As part of the development, trees and frontage of the site would be removed, to create access, thus changing the character.

On a site opposite, approval had been granted for a new dwelling, and a further new dwelling at Donhead St Andrew shared similarities to the proposed development.

Members then had the opportunity to ask technical questions of the Officer, where it was noted the Highways had not raised any objections to the planned access.

Members of the Public then had the opportunity to present their views, as detailed above.

Tom Rossiter of Donhead St Mary Parish Council spoke in support of the application, noting that the Parish considered the development to be infill. He drew attention to there being no objection from any consultees. He confirmed that during the 1950s the site had formed part of a deer park, the shrubs and trees to the front of the site, were immature elm trees and brambles. There were no large trees. The Parish Council felt that the development would enable the applicant to downsize and remain in a village she loved.

The Division Member Cllr Deane then spoke in support of the application, noting that the report refers to the village as a small village, however there was a shop and a school and only a technicality classed it as a small village.

The proposed development was in line with what Area Board Councillors in South West Wiltshire feel should happen in these villages, a smaller house for people to downsize thus freeing up larger houses for families.

He supported this outline application. This could add to the charm of the village in this part of the Donheads.

The Chairman then moved the motion of Approval, against Officers recommendation, this was seconded by Cllr Hewitt.

A debate then followed, where the key issues raised included that the Officer had considered the development was not infill.

There was some concern regarding the removal of the hedge to the front of the development site, however it was felt that Officers would have picked up any restrictions relating to hedge removal if there had been any.

The villagers and Parish Council were in support the proposals.

The Committee then voted on the motion of approval.

Resolved

That application 18/01046/OUT be approved against Officer recommendation on the grounds that there was local and parish council support and the development could be considered as infill.

Subject to conditions:

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

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

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

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

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

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

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

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

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

Drg. no. 1306/101/C Site Location Plan Date rec. 31/01/18 Drg. no. 17103-01 B Proposed Site Plan Date rec. 31/01/18

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

5 The development hereby permitted shall not be first occupied until the 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.

6 Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.

7 The gradient of the access way shall not at any point be steeper than 1 in 15 for a distance of 4.5 metres from its junction with the public highway.

REASON: In the interests of highway safety.

8 No part of the development hereby permitted shall be occupied 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.

9 No development shall commence on site until a scheme for the discharge of foul water from the site to main sewer (via gravity or pumped system) has been submitted to and approved in writing by the Local Planning Authority.

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

REASON: To ensure that the development can be adequately drained

10 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365 and location of top ground water level (where soakaway disposal is proposed), 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

11 The development hereby permitted shall not be occupied until the area between the nearside carriageway edge and a line drawn 2metres parallel thereto over the entire site frontage has been cleared of any obstruction to visibility at and above a height of 1 meter above the nearside carriageway level. That area shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

12 **INFORMATIVE:**

The application involves an extension to the existing/creation of a new dropped kerb. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352.

INFORMATIVE:

If the applicant finds that soakaways cannot be achieved with at least 1m clearance from its base to the agreed top level of ground water, taking into account seasonal variation and the applicant decides to discharge storm flows to a watercourse then a separate application (LDC) will need to be made to and gain the approval of the LLFA

13 **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/communityinfrastucturelevy.

287 **18/03084/VAR - Caddens, Lower Road, Homington, Wiltshire, SP5 4NG**

Public Participation

David Sharpe (Agent) spoke in support of the application

Stephen Gledhill spoke on behalf of Coombe Bissett Parish Council

The Planning Officer, Joe Richardson introduced the report which detailed an application for the variation of condition 2 of planning permission 17/07475/FUL to allow for the garage roof to be linked to the house and loft room created in roof void above garage. The application was recommended for approval subject to conditions.

The site was in an AONB. At present the dwelling was a 6 bedroom dwelling. This further variation sought to join the detached garage to the dwelling to create a further room.

There had been four letters of objection on the grounds of over development, as detailed in the late correspondence circulated at the meeting.

There were no technical questions to the Officer.

Members of the Public then had the opportunity to present their views, as detailed above.

The Parish Council representative noted that neighbours and the Parish Council (PC) had consistently objected to the development. It was felt that the scale of the development was wrong for the site, and did not fit with neighbouring housing.

It was noted that in July 2017, the Committee had unanimously refused the application. In October it then considered an amended application, which was still opposed by PC and neighbours. That application was approved by one vote.

In March this year a further application for a variation to add a sixth bedroom was put forward. Now there is a third variation to link the garage to the house creating another bedroom.

If approved the house would be larger than the original application which had been refused. The PC felt that this was exploiting the planning system.

The Division Member Cllr Clewer was not in attendance.

Cllr Hewitt then moved the motion of refusal, in line with Officers recommendation, this was seconded by Cllr Britton.

Cllr Hewitt then spoke noting that the developer had come back after first refusal to add variations to the prop to increase the room size.

The Committee then voted on the motion of refusal against Officers recommendation on the grounds of over development.

Resolved

That application 18/03084/VAR be refused against Officers recommendation for the following reason:

The proposed works combined with the permitted works of the previous planning permissions would provide a substantially larger property in massing and scale, with the resultant proposal considered to be overdevelopment that would be unsympathetic to the modest traditional character of the settlement, and thus, sets an undesirable precedent for similar development within the surrounding Conservation Area and wider Area of Outstanding Natural Beauty.

288 **18/00457/FUL - Court Farm, Lower Woodford, SP4 6NQ**

Public Participation

Joe Studholm spoke in Objection to the application
John Kirkman CPRE spoke in Objection to the application
Martin Giles spoke in Objection to the application
Rob Foster spoke on behalf of Durnford PC
Richard Soar spoke on behalf of Woodford PC

The Senior Planning Officer, Richard Nash introduced the report which detailed an application for an Energy Storage Capacity Mechanism Plant to Support the National Grid. The application was recommended for approval with conditions.

It was explained that a list of specific sites that the applicant had looked at had not been provided. The applicant had tried to use the contours and existing plantations of the land to try and screen the site as much as possible.

The site was supported by an Ecology report, a Noise report, a Heritage Impact Assessment and Landscaping appraisal.

The site was currently mainly grade 3 agricultural land.

In addition to the security fencing to the boundaries, the Ecologist had requested some additional screening along one side.

The system worked by responding to variations in grid frequency. It was said to be able to deliver power to the locality as well as further afield, however this was not verified.

Late correspondence was circulated at the meeting.

There had been a high level of local objection. There had been amendments to conditions 4,6,7 & 8.

Members then had the opportunity to ask technical questions of the Officer, where he noted that he was not aware whether Highways had physically attended site prior to submitting their response.

The proposed installation was believed to be capable of directing the stored energy to wherever it was needs on the national grid.

Central Government was supportive in principle of installations such as this, however the applicant was not obliged to provide a list of alternative sites and the reasons for discounting them.

This type of installation was new in the south of the county however, some other sites had been approved in northern areas of Wiltshire.

Any extension of the site would require further planning permission. Members of the Public then had the opportunity to present their views, as detailed above. Some of the main points included that many of the parishioners had written to oppose the scheme, not one had supported it.

The noise created by the equipment would be intrusive to all around, forever.

There had been no evidence of alternative local sites which had been considered. Such as brown sites or other pylon sites.

The proposed site was in a prominent rural location.

The gap between supply and demand with electricity continues to grow. Battery storage systems like this play a good role in bridging that gap.

The Division Member Cllr Hewitt then spoke in objection to the application, noting that the applicant has not stated whether they had looked at other brownfield sites. He felt that there was no more prominent position than this.

He highlighted issues associated with the large vehicular movements required during construction.

Cllr Westmoreland then moved the motion for a site visit. This was seconded by Cllr Hewitt. The Committee requested that a Highways Officer and a Landscape Officer also attend.

Resolved

That application 18/00457/FUL be deferred pending a site visit with a representative from Highways and a Landscape Officer in attendance.

289 **18/00842/FUL & 18/00652/LBC - 2 South Street, Wilton, Salisbury, Wiltshire, SP2 0JS**

Public Participation

Peter Grist (Agent) spoke in support of the application

Ian Pratt spoke in support of the application

The Senior Planning Officer, Lucy Minting introduced the report which detailed two applications.

18/00842/FUL for the conversion of part of ground floor Hair & Beauty Salon into 2 bedroom flat, internal and external works including alteration to shopfront and changing rear window at rear to a pair of doors.

And 18/00652/LBC for Internal and external works including changing window at rear to a pair of doors & alteration to shopfront (replacement shop front and separate door to FF flat approved under S/2005/0251) to facilitate conversion of part of ground floor Hair & Beauty Salon

The rear outside area would be divided to enable both the flat and the retail space to have access to an outside space.

No off-street parking was provided, however Highways had not raised an objection.

The required marketing was carried out for a period of 6 months and had been unsuccessful.

The applications were recommended for approval with conditions.

Members then had the opportunity to ask technical questions of the Officer, where it was noted that there were no policies regarding density for flats, it would be a judgement call. All would have an outside area and officers considered the proposals acceptable.

The retail element of the development was 34m².

Members of the Public then had the opportunity to present their views, as detailed above.

The Division Member Cllr Church had declared a conflict of interest and was represented by Cllr Wayman. Cllr Wayman then spoke in objection to the application, noting that with the housing development at the Berskin barracks and the additional houses at St Peters Place to be built, the catchment area was increasing, it was important that Wilton had a selection of amenities for residents.

Wilton Town Council had a policy of not recommending any application for commercial to non-commercial. The application did not completely do away with the retail space yet the size of the provision was too small.

Cllr Dean then moved the motion of approval, in line with Officers recommendation, this was seconded by Cllr Hewitt.

A debate then followed, where they key issues raised included the applicants attempt to market the space for the required period.

Although there were no parking spaces included in the proposals there would be parking available in the carpark further up the road.

It was noted that the nature of retail was changing, and small units did tend to find occupants.

The Committee then voted on the motion of approval in line with Office's recommendation.

Resolved

That application 18/00842/FUL be approved in line with Officer's recommendation, subject to conditions:

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

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

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

Plan Reference: 1:100 scale Proposed South West elevation, received by this office 29/01/2018

Plan Reference: 1:100 scale Proposed South East elevation and Ground floor plan, received by this office 29/01/2018

Plan Reference: 1:1250 scale Location Plan, received by this office 29/01/2018

Plan Reference: 1:2 scale Joinery Section Plans, received by this office 29/01/2018

Plan Reference: 1:20 scale Front Screen Detail, received by this office 29/01/2018

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

(3) 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.

The statement shall include details of the following:

a) the parking of vehicles of site operatives and visitors;

b) loading and unloading of plant and materials;

c) storage of plant and materials used in constructing the development;

d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

e) wheel washing facilities;

f) measures to control the emission of dust and dirt during demolition and construction;

g) a scheme for recycling/disposing of waste resulting from demolition and construction works;

h) measures for the protection of the natural environment;

i) hours of construction, including deliveries

The approved Statement shall be adhered to during the construction period.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

INFORMATIVE: Private Property/Access Rights

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.

The applicant is advised to consider the third party comments re private rights and the developers should satisfy themselves/resolve matters before development commences.

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: Community Infrastructure Levy

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

In relation to application 18/00652/LBC, Cllr Westmoreland then moved the motion of approval in line with Officer's recommendation, this was seconded by Cllr Hewitt.

The Committee then voted on the motion of approval.

Resolved

That application 18/00652/LBC be approved in line with Officer's recommendation, subject to 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) The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Reference: 1:100 scale Proposed South West elevation, received by this office 29/01/2018

Plan Reference: 1:100 scale Proposed South East elevation and Ground floor plan, received by this office 29/01/2018

Plan Reference: 1:1250 scale Location Plan, received by this office 29/01/2018

Plan Reference: 1:2 scale Joinery Section Plans, received by this office 29/01/2018

Plan Reference: 1:20 scale Front Screen Detail, received by this office 29/01/2018

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

290 **17/10715/FUL & 17/11125/LBC - 2 South Street, Wilton, Salisbury, Wiltshire, SP2 0JS**

Public Participation

Peter Grist (Agent) spoke in support of the application

Ian Pratt spoke in support of the application

The Senior Planning Officer, Lucy Minting introduced the report which detailed two applications.

17/10715/FUL for the Conversion of ground floor Hair and Beauty Salon into two residential flats, internal and external works including alteration to shopfront to create separate door to first floor flat and changing rear window at rear to a pair of doors (resubmission of 16/10286/FUL).

And 17/11125/LBC for the conversion of ground floor Hair and Beauty Salon into two residential flats, internal and external works including changing window at rear to a pair of doors & alteration to shopfront (replacement shop front and separate door to first floor flat approved under S/2005/0251) resubmission of 16/10439/LBC.

The bedsit has a window over South Street, the window was required to be triple glazed.

Marketing evidence had been provided.

The applications were recommended for approval with conditions.

There were no technical questions to the Officer.

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

The Division Member Cllr Church was represented by Cllr Wayman. Cllr Wayman spoke in objection to the application, noting that the population increase in Wilton associated with the extra new homes would result in an increase of catchment by a further 50% next year, and had already increased by 20% over the last 2 years. Once premises were converted from commercial to residential they were changed forever. The lack of parking in the town meant that the proposal would put further strain on the area.

Cllr Dean noted that the last application appeared to be a compromise, with the retail element kept. This application would remove the retail element entirely. The applicant did not have the ability to test the previously approved retail provision. He felt this application was over development. There was pressure on on-street parking in that area. The proposals did not enhance the conservation area or the listed building.

Cllr Dean then moved the motion of refusal, against Officers recommendation, this was seconded by Cllr Hewitt.

A debate then followed, where they key issues raised included that the small retail unit should be marketed before the applicant attempted to change the use to residential.

The Committee then voted on the motion of refusal against Officer recommendation.

Resolved

That application 17/10715/FUL be refused for the following reasons:

(1) At the heart of the NPPF is a presumption in favour of sustainable development and the Adopted Wiltshire Core Strategy seeks to build resilient communities and support rural communities but this must not be at the expense of sustainable development principles. The Settlement and Delivery Strategies of the Core Strategy are designed to ensure new development fulfils the fundamental principles of sustainability. This means focusing growth around settlements with a range of facilities, where local housing, service and employment needs can be met in a sustainable manner.

Core Policy 49 is the policy of the adopted Wiltshire Core Strategy that is considered to carry the most material weight in this case. Core policy 49 sets out several key tests against which applications for planning

permission resulting in a change of use of a local facility must be assessed. The overall objective of this policy is the retention of existing facilities and services as they are very important to communities and thus, their retention is strongly encouraged.

The site is also centrally located within Wilton close to all other shops and range of facilities and is therefore especially desirable to retain as a community service or facility.

Core Policy 49 states *'Redevelopment for non-community service/ facility use will only be permitted as a last resort and where all other preferable options have been exhausted'*.

The policy requires demonstration via marketing that the building is no longer economically viable for an alternative community use before proposals involving the loss of a community service or facility will be supported. The policy states that preference will be given to retaining the existing use in the first instance, then for an alternative community use and where this is not possible, a mixed use, which still retains a substantial portion of the community facility/service will be supported.

Planning permission has been granted under 18/00842/FUL for conversion of part of the ground floor retail unit into a 2 bedroom flat, but retaining a smaller retail unit to the South Street frontage. Whilst No 2 South Street has been marketed in its entirety, the smaller retail unit as approved under 18/00842/FUL has not been marketed.

Insufficient evidence has therefore been submitted (in the form of comprehensive marketing) to demonstrate that the smaller retail unit granted under 18/00842/FUL is not economically viable for use as an A1 use or an alternative community service/facility use.

The loss of this use undermines the retail character and harms the viability and vitality of Wilton and is contrary to Core Policy 49 which aims to protect rural services and community facilities to ensure that settlements meet the needs of their residents.

It is also considered that the proposals for conversion of the ground floor into two residential units will result in a total of 3 residential units on a constrained site with limited outdoor amenity space also amounts to an overdevelopment of the site.

It follows that the proposal is contrary to Core Policies 1, 2, 4, 49 and 57 in that it would deliver development which does not accord with the Settlement and Delivery Strategies of the Core Strategy. The Strategies are designed to ensure new development fulfils the fundamental principles of sustainability and so it follows that where development such as this would not accord with the Strategies, it is unsustainable in this defining and overarching context.

In relation to application 17/11125/LBC, Councillor Westmoreland then moved the motion of approval in line with Officer recommendation. This was seconded by Cllr Hewitt.

The Committee then voted on the motion of approval.

Resolved

That application 17/11125/LBC be approved in line with Officer recommendation, with 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) The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Reference: 1:100 scale Proposed South West elevation, received by this office 01/11/2017

Plan Reference: 1:100 scale Proposed South East elevation and Ground floor plan, received by this office 01/11/2017

Plan Reference: 1:1250 scale Location Plan, received by this office 01/11/2017

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

(3) No development shall commence on site until large scale details of the acoustic triple glazing with acoustic trickle vents to be installed to the bedsit facing South Street Wilton (1:2 scale vertical and horizontal cross-sections through the frame and glass and 1:10 scale elevations) have been submitted to and approved in writing by the local planning authority. The agreed acoustic glazing shall be installed in accordance with the approved details prior to the first occupation of the bedsit hereby approved and shall be maintained at all times thereafter.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting listed building consent 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.

291 **Urgent Items**

There were no urgent items

(Duration of meeting: 3.00 - 6.35 pm)

The Officer who has produced these minutes is Lisa Moore of Democratic Services,
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WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 30 MAY 2018 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Christopher Newbury (Chairman), Cllr Jonathon Seed (Vice-Chairman), Cllr Phil Alford, Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Peter Fuller, Cllr Sarah Gibson, Cllr Edward Kirk, Cllr Stewart Palmen and Cllr Pip Ridout

Also Present:

Cllr Horace Prickett

12 Apologies

There were no apologies.

13 Minutes of the Previous Meeting

The minutes of the meeting held on 7 March 2018 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 7 March 2018.

14 Declarations of Interest

Councillor Ernie Clark referred to his register of interest.

15 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.

16 Public Participation

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.

17 **Planning Appeals and Updates**

The Planning Appeals Update Report for 23/02/2018 and 18/05/2018 was received.

Resolved:

To note the Planning Appeals Update Report for 23/02/2018 and 18/05/2018

18 **Planning Applications**

The Committee considered the following applications:

19 **17/04707/FUL: Land at Whaddon Lane, Hilperton, BA14 6NR**

Public Participation

Martyn Jones spoke in support of the application.

Steve Yalland, applicant, spoke in support of the application.

Cllr Fisher of Hilperton Parish Council, spoke in objection to the application.

Steve Sims, Senior Planning Officer, introduced the report following its deferment from the December 2017 meeting, and recommended approval be granted for Siting of a temporary rural workers dwelling and access track.

Key issues included; the scale of the development, the visual impact upon the surrounding area, the design - bulk, height, general appearance, the environmental and highway impacts, the financial viability of the proposed development, that areas of the 'rented land' seem to have only informal grazing rights at limited times of the year; and the amount of land owned by the applicant was not large enough to warrant any type of agricultural dwelling.

Members of the Committee had the opportunity to ask technical questions of the officer. Details were sought on the viability of the business, the need for accommodation year round and on which piece of land the accommodation would be located.

Members of the public, as detailed above, had the opportunity to speak on the application.

Local Member Councillor Ernie Clark spoke on the application noting that he supported the business however he expressed concerns about whether there was an essential need for the proposed on site accommodation.

A motion was moved to refuse the application by Councillor Ernie Clark and seconded by Councillor Andrew Davis.

A debate followed and the members were informed that officers had obtained an updated appraisal from the Council's agricultural consultant who had concluded that the on-site farming practice justified a temporary dwelling, especially in terms of the lambing husbandry responsibilities,

A vote was taken and the motion was lost.

Motion to move the officer's recommendation, with a note that the temporary accommodation would be available for three years from the date of the decision made, was moved by Councillor Jonathon Seed and seconded by Councillor Sarah Gibson.

At the end of the debate it was;

Resolved:

To approve temporary planning permission subject to the following conditions:

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

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

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

Proposed Site Location Plan; Site plan scale 1:500 received 19 May 2017;
Proposed Layout and Elevations Plan (dwg no. 2629/02) received 19 May 2017;
Septic Tank details received 19 May 2017; Attenuation treatment details received 19 May 2017; Visibility splay details received 27 July 2017.

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

3 The occupation of the temporary dwelling hereby approved shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

REASON: The site is in an area where residential development for purposes other than the essential needs of agriculture or forestry is not normally permitted and this permission is only granted on the basis of an essential need for a new dwelling/residential accommodation in this location having been demonstrated.

4 The temporary dwelling hereby approved and all external residential paraphernalia associated with the residential unit shall be removed and the land restored to its former condition on or before 30 May 2021 in accordance with a scheme to be submitted to and approved by the Local Planning Authority.

REASON: Permission is granted on a temporary basis only to establish whether there is a functional need for permanent on site residential accommodation at this agricultural holding.

5 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: 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.

6 The development hereby permitted shall not be occupied until the means of foul water drainage for the temporary dwelling (i.e. the septic tank details received 19 May 2017) have been completed in accordance with the submitted details.

REASON: To ensure that the development is provided with a satisfactory means of drainage.

7 The development hereby approved shall not be first occupied until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 90 metres in both directions from the centre of the access. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

8 The development hereby approved shall not be first occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

9 Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.

10 Within 1 month of the occupation of the temporary agricultural workers dwelling hereby approved the existing unauthorised caravan shall be permanently removed from the site.

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit additional permanent residential accommodation in tandem with the approved.

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

20 **18/01841/FUL: Land Adjoining Hatch House, Up Street, Upton Lovell, BA12 OJP**

Public Participation

Lucy Bray spoke in objection to the application.
Lucy Street spoke in support of the application.
Mark Street spoke in support of the application.
Patricia Molyneux spoke in support of the application.
Cllr Maria Ironside, Upton Lovell Parish Council, spoke in objection to the application.

David Cox, Senior Planning Officer, introduced the report which recommended approval be granted subject to conditions for a change of use from agricultural land to a dog exercise area with retention of a small paddock for agricultural use.

As part of the case officer's verbal presentation, Members were informed that two 'late' written representations both in support of the application had been received. Members were also advised that the shepherds hut was no longer a constituent part of the application.

The key issues were identified as; the principle of the development, impact on neighbouring amenity, impact on the visual amenity and the Area of Outstanding Natural Beauty, drainage and flood risk, highway safety and parking, impact on ecology and the impact on designated heritage assets.

Members of the Committee had the opportunity to ask technical questions of the officer. Details were sought on the monitoring and any lodged complaints received to date from dogs barking and the disposal of dog waste.

Members of the public, as detailed above, had the opportunity to speak on the application.

A motion to approve a temporary permission for two years was moved by the Chairman and seconded by Councillor Trevor Carbin

A debate followed and the key points included: that if the land was open, many dog walkers could use it, many more than proposed.

At the end of the debate it was;

Resolved:

To approve temporary permission for two years from the date of decision subject to the following conditions:

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

Design and Access Statement; Ecological Statement; Location Plan and Site Plan - all received 5 March 2018

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

- 2 The use hereby permitted shall be discontinued on or before 30 May 2020 unless an extended timeframe is approved under a separate application.**

REASON: In the interests of amenity.

- 3 The use hereby permitted shall be restricted to dog exercise and training purposes only taking place between the hours of 0900 - 1700 on Mondays to Fridays. The use shall not take place at any time on Saturdays, Sundays or during Bank or Public Holidays.**

REASON: To define the terms of this permission and in order to protect residential and local amenities.

- 4 No more than 9 dogs shall be brought onto or be exercised at the site at any one time.**

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

- 5 Within 1 month of this decision, details of the proposed dog waste bin container and composting for the site shall be submitted and approved in writing by the local planning authority. The bin location shall be restricted to the siting as shown on the approved site plan in perpetuity for as long as the dog exercise/training land use operates.**

REASON: In the interests of protecting the nearby SSSI from contaminated waste.

- 6 No external lighting shall be installed anywhere on site.**

REASON: In the interests of preserving the scenic beauty of the Area of Outstanding Natural Beauty and to protect neighbouring amenity.

21 **18/01851/FUL: Barney Lodge Day Nursery, 5 Westbury Road, Warminster, BA12 0AN**

Public Participation

Lyn Ashton, applicant, spoke in support of the application.

Cllr Sue Fraser, Warminster Town Council, spoke in objection to the application.

David Cox, Senior Planning Officer, introduced the report which recommended approval be granted subject to conditions for a change of use to part of the existing building from residential to nursery uses (Part Retrospective) and Variation of Condition 3 of planning consent W/06/00806/FUL to change the permitted number of children at the nursery from 45 to 70.

The key issues were identified as; the principle of the development, impact on neighbouring amenity, impact on highway safety and the impact on designated heritage assets.

Members of the Committee had the opportunity to ask technical questions of the officer. Details were sought on: Access in and out of the setting, highways concerns and details on the lack of childcare spaces in the town.

Members of the public, as detailed above, had the opportunity to speak on the application.

The local unitary member, Councillor Pip Ridout then spoke in relation to the application noting the excellent work provided by the nursery and expressed concern over the number of children that would be accommodated within the premises and the increased amount of traffic.

A motion was moved by the Chairman to approve temporary permission for two years which was seconded by Councillor Jonathon Seed.

A debate followed and the key points included: that the number of the childcare spaces was too high and the need to monitor the application over the two year period to assess the successfulness of the changes including changes of the staff parking being proposed by the nursery owner.

At the end of the debate it was;

Resolved:

To approve temporary permission for two years from the date of decision 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, Block Plan and Design and Access Statement - all received 8 March 2018; Consolidated Transport Statement, Children Space Requirement Statement, Noise Mitigation Statement - all received 9 April 2018; Further Children's Space Requirement and Garden Use Statement - Received 18 April 2018; Garden Zone Plan - received 8 May 2018; Proposed Plans and Elevations - received 11 May 2018

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

- 3 The use hereby permitted shall be discontinued on or before 30 May 2020 unless an extended timeframe is approved under a separate application.

REASON: In the interests of amenity.

- 4 The nursery shall not accommodate any more than 70 children at any one time.

REASON: In the interests of Highway Safety and neighbouring amenity

- 5 The extended nursery hereby permitted shall only operate between the hours of 0700 in the morning and 1800 in the evening Monday to Friday. The use shall not take place at any time on Saturdays, Sundays and Bank or Public Holidays.

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

- 6 The extended use of the nursery shall not commence until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan should include measures to be adopted pursuant to actively encouraging parents to use sustainable modes of transport when accessing and using the nursery and to reduce private car dependency levels as well as require the applicant to submit full details of the Plan's implementation and its monitoring. Thereafter, the on-site use should operate in accordance with the agreed details. Future monitoring reviews of the Travel Plan should be submitted 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.

NOTE: The applicant should make contact with the Council's green travel plan officer Ruth Durrant to assist with its preparation and to ensure best practices are employed.

- 7 The extended use of the nursery shall not commence until the 6 on-site car parking spaces and a centre line at the site's intersection with the public footpath (i.e. on the nursery site land) have been white line painted. Thereafter, all the line painting shall be maintained in perpetuity.

REASON: In the interests of road safety.

- 8 The outside play area, shown as ZONE 1 on the submitted garden plan shall only be used during the hours of 0930 to 1130 and 1430 to 1630.

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

21a 17/12066/FUL: Land to the Rear of 1 Frome Road, Trowbridge, BA14 ODB

Public Participation

Philip Bradley spoke in objection to the application.

David Pringle spoke in objection to the application.

Robert Gillespie, agent, spoke in support of the application.

Steven Vellance, Planning Officer, introduced the report which recommended approval be granted for a change of use of former car park land to a car wash facility with the erection of an enclosed sound proofed building, with new drainage and associated works (Resubmission of 17/05075/FUL).

As part of the case officer's verbal presentation, Members were advised that the references made to 'revocation' on page 85 at paragraphs 4 and paragraph 5 on page 86 should instead have read as 'nullification'

The key issues were identified as; the principle of the development, impact on neighbouring amenity, impact on highway safety, impact on drainage and the impact on designated heritage assets.

At 17:20, due to unforeseen circumstances the meeting had to move to another venue, at which point, the meeting paused and resumed at 17.30 in the Kennet room.

On the resumption of the meeting, Members of the Committee had the opportunity to ask technical questions of the officer. Details were sought on the proposed operating protocols; whether the doors in the new building would be shut whilst the cars were being washed; the amount of noise from the new car wash; what the proposed generators would be used for; what the temperature controls would be during the summer months; clarifying increased pollution levels from cars waiting to go into the car wash; what the land would be used for beyond the fenced off part of the site; whether the size and design of the development would fit in with the local area; and in addition, details were sought on the existing permission on the land and the system for waste water.

Officers reported that the car wash would be able to accommodate up to two cars at a time, the door would open to let the cars in and out and close during the cleaning process operations. That the noise levels would be significantly lower than the current provision as it would be enclosed compared to the existing open air facility; and would be located further from residential boundaries; and that a noise survey had been completed and based on doors being open, there would be an overall betterment compared to the existing arrangements and processes. Members were informed that the generators were required to operate the valeting equipment. No information had been received on temperature controls during the summer months, although experts had inspected the plans and were satisfied. Members were advised that the site was a former car park and is currently used for cars parked up awaiting car wash and valeting. The size and design of the proposed bespoke car wash facility building had been negotiated by officers. The height of the building would be lower than the adjacent barn on the neighbouring land and would not appear out of keeping or visually obtrusive from the public realm or nearby conservation area. The building materials were also subject to officer negotiation and the use of brick would reflect the material used for the housing nearby. Officers advised Members that the building would be sympathetic to the surroundings.

Members were also informed that in addition to the consented car wash facility, the site also benefited from two residential permissions, once comprising the conversion and adaption of the former Ship Inn public house and the construction of a block of flats at the rear of the site.

Members were informed that if this current application was to be supported it would be essential for the Council to secure the applicants/land owners agreement to surrender the extant planning permission for the open air car wash facility upon the commencement on any implemented development pursuant to this development to avoid two car wash facilities operating on the site.

Members of the public, as detailed above, had the opportunity to speak on the application.

The local member Councillor Steven Palmen spoke on the application noting that the Town Council were concerned that the area was being over industrialised and that he had concerns about the intensification of the use of the site by virtue of the proposed extended hours of operation and having concerns about the design of the new building.

A motion was moved to refuse the application by Councillor Stewart Palmen and was seconded by Councillor Edward Kirk.

A debate followed which included a discussion about potentially amending the hours of operation.

At the end of the debate it was;

Resolved

To refuse planning permission for the following reasons:

- 1. The proposed intensification of use of the site and of the hours of operation, to include weekend working, would have an adverse impact on the amenities of nearby residents arising from the activities on site, such that they would be contrary to Core Policy 57 of the adopted Wiltshire Core Strategy."**
- 2. The proposed car wash building size, height, mass and unrelated design in a prominent location would create a visually incongruous and discordant feature that would be contrary to Core Policy 57 of the Wiltshire Core Strategy, as adopted 2015".**

21b 18/01371/FUL: Yew Tree House, Brokerswood, BA13 4EG

Public Participation

Mr Cassidy spoke in support of the application.

Kenny green, Team Leader, introduced the report which recommended refusal for an erection of a detached building.

The key issues were identified as; the principle of the development, development plan policy conflict, impact on the character of the area, impact on residential amenity, sustainability and highways matters.

Members of the Committee had the opportunity to ask technical questions of the officer. Details were sought on whether the site would be classed as a brownfield site and whether the site could be supported as an infill opportunity.

The Officer informed Members that the site was not part of a designated settlement and that it was classed as being located in the open countryside and in such locations; the adopted Wiltshire Core Strategy required a planning justification for new housing. Members were informed that the applicant had recently converted the former Kicking Donkey public house and had taken over its former car park and submitted this application seeking to build a new house for himself arguing in part, that the site was too large for a domestic garden. Members were informed that this was insufficient grounds to justify a grant of planning permission. Members were also advised that following the conversion of the former pub, the land which is now within residential curtilage is not considered brownfield land.

Members of the public, as detailed above, had the opportunity to speak on the application.

The local unitary member, Councillor Horace Prickett spoke in support of the application. He gave an outline of the history of the site noting that the development would match the street scene, no consultees had rejected the plans, no one from the community area had objected to the development, that

the community had a need for new builds and the village had a desire to reasonably expand.

A motion to move the officers recommendation was moved by the Chairman and seconded by Councillor Trevor Carbin.

A debate followed whereby the adopted policies of the WCS were duly noted.

At the end of the debate it was;

Resolved

To refuse planning permission for the following reasons:

- 1. The proposed site is located in the open countryside outside any identified limits of development which has not been allocated for residential development within the Wiltshire Core Strategy (January 2015), a Housing Site Allocations DPD or Neighbourhood Plan. The development fails to satisfy the policy based criteria which support the delivery of additional residential units in the open countryside, and in the absence of a robust planning justification, the proposal is not considered to be a sustainable form of development and is contrary to Core Policies 1, 2, 29, 60 & 61 of the Wiltshire Core Strategy.**
- 2. The proposed development would constitute as unwarranted encroachment of the open countryside, without any justification. The proposal would lead to the loss of a spatial gap between existing buildings that would introduce an urbanising effect that would harm the rural character and appearance of the area, contrary to Core Policies 1 and 51 of the Wiltshire Core Strategy and Paragraph 17 of the National Planning Policy Framework which seek to preserve the intrinsic character of the countryside.**

22 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 3.00 - 6.50 pm)

The Officer who has produced these minutes is Jessica Croman of Democratic Services, direct line 01225 718262, e-mail jessica.croman@wiltshire.gov.uk

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STANDARDS COMMITTEE

MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON 20 JUNE 2018 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Derek Brown OBE, Cllr Peter Evans, Cllr Peter Fuller, Cllr Howard Greenman (Vice-Chairman), Cllr Ruth Hopkinson, Cllr Bob Jones MBE, Cllr Paul Oatway QPM (Chairman), Cllr Sue Evans (Substitute), Mr Richard Baxter, Mr Michael Lockhart and Miss Pam Turner

Also Present:

21 Apologies

Apologies were received from Councillors Allison Bucknell, Ernie Clark, Fred Westmoreland, Stuart Wheeler and Mr Philip Gill MBE.

Councillor Westmoreland was substituted by Councillor Sue Evans.

Following the annual meeting of Council, Councillors Ernie Clark and Stuart Wheeler were added to the Committee, and Councillors Anna Cuthbert and Russell Hawker were removed from the Committee.

22 Minutes

The minutes of the meeting held on 18 April 2018 were presented for consideration and it was,

Resolved:

To approve and sign as a true and correct record.

23 Declarations of Interest

There were no declarations.

24 Chairman's Announcements

It was announced that the Local Government Ombudsman had upheld a complaint of maladministration against the council in relation to a matter of adult

care. The Cabinet would be reporting on how it would be responding to the issues raised on 3 July 2018. As Ombudsman complaints fell within the remit of the Standards Committee it was requested that an update report be provided at the next meeting to assess the council's response.

It was also announced that the Committee's response to the stakeholder consultation on local government ethical standards had been submitted, and updates would follow as the review by the Committee for Standards in Public Life progressed.

25 **Public Participation**

There were no questions or statements submitted.

26 **Status Report on Code of Conduct Complaints**

A report was received from the Monitoring Officer detailing the total number of Code of Conduct complaints submitted since the start of the year, how many had been referred for investigations and the outcomes. It was stated there had been a large number of complaints submitted in May, but that the overall figure was in line with previous years.

Clarification was sought on two complaints from 2017 which had not yet been resolved. It was explained that lengthy investigations had resulted in delays in the process, but that it was expected the complaints would be concluded by the next meeting of the Committee.

A further report was received as detailed in Agenda Supplement 1 on proposed changes to the Assessment Criteria for complaints, and procedure notes for Review Sub-Committees. In particular these related to complaints not automatically failing to be investigated if a councillor resigned from the relevant council, lack of attendance at review meetings and a specific procedure for reviews following an investigation. It was also confirmed that the documents did not form part of the Constitution and could be amended by the Committee itself.

At the conclusion of discussion, it was,

Resolved:

- 1) **To note the Code of Conduct Complaints Update.**
- 2) **To approve the changes to the Assessments Criteria and Review Sub-Committee Meeting Procedure as set out in the Appendix 1 and Appendix 2 of the supplementary report.**
- 3) **To approve the Meeting Procedure set out in Appendix 3 in relation to reviews following an investigation.**

27 **Constitution Focus Group Update**

A report was received from the Monitoring Officer detailing a proposed change to Part 3C of the Constitution, Delegation of Executive Functions, recommended by the Constitution Focus Group.

The change was in relation to the role of Portfolio Holders, councillors appointed by the Leader of the Council to assist Cabinet Members with their responsibilities but who did not hold any decision-making authority. The positions received a special responsibility allowance but had not to date been defined within the Constitution, and wording had been proposed to address this.

In discussion it was clarified there was no upper limit set on the number of Portfolio Holders at present, and some members considered that this should be clarified when it was before Full Council.

Resolved:

To recommend the changes detailed at Appendix 1 to the report for approval by Full Council.

28 **Code of Conduct Training and Register of Interests Update**

At its last meeting on 18 April 2018 the Standards Committee were advised that the Monitoring Officer had written to all parish, town and city clerks in line with the Committee's wishes seeking information on their codes of conduct, registration of interests, training and invited them to share any responses they had submitted in respect of the review of local government ethical standards being undertaken by the Committee on Standards in Public Life.

A report was received outlining responses received to the letter, and training provision that was available. It was noted that current provision for training for parishes was limited in both scope and resources, and that there was no obligation for Wiltshire Council to provide training. However, the Committee considered that it was useful for parishes and Wiltshire Council to encourage best practice where it could, without overburdening local councils, and was supportive of discussions on provision of e-learning platforms.

In relation to Codes of Conduct 64% of councils had responded to confirm which Code they had adopted, with around half of those using the Wiltshire Council Code. The Committee expressed its disappointment that there had not been confirmation from all councils as it was a legal requirement to adopt a Code, and discussed using the area boards to encourage parishes to meeting their obligations.

The Committee was also informed that only 9 council had confirmed they had fully updated their registers of interest, with 83 saying they were reminding their councillors. Given the potentially criminal sanctions for non-declaration of interests the Committee considered that further work was needed to encourage

parishes to meet this requirement, recognising that parishes were their own legal entities, including further work with clerks, whom many parishes were heavily reliant upon to meet their obligations.

At the end of discussion, it was,

Resolved:

To note the position regarding the responses received to date in relation to the matters covered in the letter to parish, town and city councils and to seek to develop e-learning platforms for parish training, and pursue further action to encourage parishes to meet their Code of Conduct and Register of Interest obligations.

29 **Date of Next Meeting**

The date of the next meeting was confirmed as 26 September 2018.

30 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 4.00 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services, direct line 01225 718504, e-mail kieran.elliott@wiltshire.gov.uk

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HEALTH AND WELLBEING BOARD

MINUTES OF THE HEALTH AND WELLBEING BOARD MEETING HELD ON 17 MAY 2018 AT KENNET COMMITTEE ROOM, COUNTY HALL, TROWBRIDGE.

Present:

Cllr Baroness Scott of Bybrook OBE (Chair), Dr Richard Sandford-Hill (Vice-Chairman), Dr Toby Davies, Dr Andrew Girdher, Cllr Laura Mayes, Cllr Ian Thorn, Cllr Jerry Wickham, Cllr Ben Anderson, Terence Herbert, Prosser, Kier Pritchard, , James Scott and Nerissa Vaughan

Also Present:

Tim Gray – Dorset & Wiltshire Fire Service

35 Chairman's Welcome and Introduction

It was noted that the meeting would be managed by the Vice-Chair.

36 Apologies for Absence

Apologies were noted from Tracey Dasziewisz, Angus MacPherson, Nerissa Vaughan, Paul Birkett-Wendes

37 Minutes

The minutes of the meeting held on the 29 March 2018 were considered.

Resolved

To approve the minutes as a correct record.

38 Declarations of Interest

There were no declarations of interest.

39 Chairman's Announcements

The meeting's attention was drawn to the announcement regarding the award of contract for Health Watch Wiltshire.

The Chair asked that a letter be sent to the previous contract holders and to their Chair for the hard work and contribution to the Wiltshire.

40 **Public Participation**

There were no questions from the public.

41 **Update on Integration**

Cllr Jerry Wickham and Linda Prosser stated that they were working towards an approve for a governance framework, and were seeking to address the issues arising from the recent CCG visit. A further meeting would be taking place with NHS England.

42 **Integrated Personal Health Budgets**

Ted Wilson, Wiltshire CCG, presented the report which outlined the progress made during 17/18 by Wiltshire CCG to increase the offer of Personal Health Budgets.

Matters highlighted in the course of the presentation and discussion included: how the programme built on the personalisation agenda developed largely in the local government sector; the ambitions to drive the programme on further in the health sector and the local targets for that; that progress was in excess of those targets and that forecasts had been adjusted to take account; the desire to focus on those with long-term conditions with health and social care needs; that personal budgets are a choice; the better outcomes for individuals and how barriers can be overcome; the support, through brokerage, that can be offered.

In response to a question from Cllr Ian Thorn, Ted Wilson stated that budgets could be for up to five years and were for a range of amounts. It was noted that less complex cases had been the focus for support.

At the end of the debate, the meeting;

Resolved

1. **To note the progress made during 17/18**
2. **To note Wiltshire CCG's commitment to expand the offer of the number of personal health budgets and integrated social care and health budgets currently offered in Wiltshire**
3. **To request a report back with a six month update as appropriate.**

43 **Families and Children Transformation Programme**

Terence Herbert, Corporate Director, presented the report which provided an update to the Board on the Families and Children's Transformation (FACT) programme.

Matters highlighted in the course of the presentation and discussion included: How the Health and Wellbeing Board could provide oversight in terms of governance of the programme; the ambitions for ensuring all children, targeted at those in most need, have the opportunity to thrive; the benefits of partnership working; the need to invest in staff to ensure a flexible and responsive workforce; the number of projects being undertaken under the programme; the shared outcomes framework; the seven golden threads running through the programme including: co-production.

In response to an issue raised by the Vice-Chairman, it was confirmed that performance information could be reported along with information about how data had been used to focus resources on priorities.

In response to an issue raised by Cllr Thorn, it was confirmed that less progress had been made on the education work stream, but that the Education, once set up, would be diverse.

In response to an issue raised by the Chief Inspector, it was confirmed that data sharing with partners will be a specific project within the programme.

Resolved

- 1. To notes and agree that the FACT Board will be overseen by the Health and Wellbeing Board.**
- 2. To note the scale and ambition of this transformation programme – and support its delivery as required;**
- 3. To request regular updates and/or items of interest from the FACT Board**

44 Adult Social Care Transformation Programme

Terence Herbert, Corporate Director, presented the report which provided an update to the Board on the Families and Children's Transformation (FACT) programme.

Matters highlighted in the course of the presentation and discussion included: How the Health and Wellbeing Board could provide oversight in terms of governance of the programme; the ambitions for ensuring all children, targeted at those in most need, have the opportunity to thrive; the benefits of partnership working; the need to invest in staff to ensure a flexible and responsive workforce; the number of projects being undertaken under the programme; the

shared outcomes framework; the seven golden threads running through the programme including: co-production.

In response to an issue raised by the Vice-Chairman, it was confirmed that performance information could be reported along with information about how data had been used to focus resources on priorities.

In response to an issue raised by Cllr Thorn, it was confirmed that less progress had been made on the education work stream, but that the Education, once set up, would be diverse.

In response to an issue raised by the Chief Inspector, it was confirmed that data sharing with partners will be a specific project within the programme.

Resolved

- 1. To notes and agree that the FACT Board will be overseen by the Health and Wellbeing Board.**
- 2. To note the scale and ambition of this transformation programme – and support its delivery as required;**
- 3. To request regular updates and/or items of interest from the FACT Board**

45 **Better Care Plan**

Jeremy Hooper presented the report which proved a status report for the Better Care Fund Programme, including an update on the Section 75 agreement.

Matters highlighted in the course of the presentation and discussion included: the changes in performance and the underlying reasons for that; the reablement opportunities for those coming out of hospital; the efforts to address information governance issues to identify performance information.

Resolved

- 1. To note the performance levels contained in the Integration and Better Care Fund Dashboard;**
- 2. To note the progress being made to further improve our whole system governance and leadership for Wiltshire residents.**

46 **Delayed Transfers of Care**

The meeting received a presentation, appended to these minutes, regarding the Delayed Transfers of Care work.

Matters highlighted in the course of the presentation and discussion included: that further improvements required to meet targets for lost bed days; the reasons for delays and the changes, including that delays accessing domiciliary care had reduced but remained significant; that some others areas around choice and assessment had increased; the acknowledgement that some progress had been made but more to do; the need to pay attention to specific location based issues; the changes to widen the focus on all patients overstaying in beds; the work undertaken to co-ordinate the work around discharge; the need to discuss how to reduce, appropriately, unnecessary medical interventions; the need to support more exercise in hospitals so people are healthier to support a more successful discharge; the needs of the wider cohort and how their needs are best assessed for them to be cared in the best setting; the role of Wiltshire Health and Care, and the need to strengthen links to social care and establishing the pathway to seamless handover; the need for further capacity.

Resolved

- 1. That an update be given in the autumn regarding reablement to be included as part of a wider discussion on winter preparedness;**
- 2. That the September and November meetings be cancelled and an October meeting date be arranged as this would be a better time.**

47 Sexual Health and Blood Borne Virus Strategy

Steve Maddern, Consultant in Public Health, presented the report which, brief the Health and Wellbeing Board on the Sexual Health and Blood Borne Virus Strategy (SHBBVS).

Matters highlighted in the course of the presentation and discussion included: that that the strategy had been approved by Wiltshire Council's Cabinet; the scope of the strategy and its focus on preventing infection and unwanted pregnancies; the work on reducing hepatitis and HIV; the consequence of poor sexual health including widening health inequalities; the cost implications from infection and unwanted pregnancies; how best to identify groups at risk; the assessments undertaken and how this targets action; that some issues of sexual violence are low but still being targeted as they have significant impacts on individuals; the importance of health promotion and information in reducing harm and targeting information to at risk groups; the links to national guidance and evidence; the work being undertaken with other stakeholders in the sector; the strategy's key milestones for implementation and governance; the opportunities for measuring performance and identifying progress.

In answer to questions raised, Steve Maddern responded that: prevention work and improving sexual education in schools is key to reducing unwanted

pregnancies, and work was helping to focus on those vulnerable groups that were not accessing contraception and sexual health services.

In answer to questions raised, Steve Maddern responded that: safeguarding issues, including efforts to prevent Child Sexual Exploitation, were included in the plan and gave the example of how frontline staff like pharmacists will be provided with risk assessment tools to identify information to feed into the MASH.

At the conclusion of the debate, the meeting;

Resolved

- 1. To note and acknowledge the Sexual Health and Blood Borne Virus strategy document**
- 2. To welcome an opportunity to receive an update in year but asked officers to consider a possible update within 6 months**

48 **Date of Next Meeting**

The next meeting of Board would be 12 July 2018

49 **Urgent Items**

(Duration of meeting: 10.00 - 11.47 am)

The Officer who has produced these minutes is Will Oulton, of Democratic & Members' Services, direct line 01225 713935, e-mail william.oulton@wiltshire.gov.uk

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LOCAL PENSION BOARD

PART 1 MINUTES OF THE LOCAL PENSION BOARD MEETING HELD ON 15 MARCH 2018 AT THE USHER SUITE, TROWBRIDGE CIVIC CENTRE, ST STEPHEN'S PLACE, TROWBRIDGE BA14 8AH.

Present:

David Bowater, Cllr Richard Britton, Mike Pankiewicz (Vice-Chairman), Howard Pearce (Chairman) and Barry Reed

Also Present:

Cllr Tony Deane, Cllr Tony Jackson, Michael Hudson, Andy Cunningham, Richard Bullen and Jennie Green.

1 Welcome

The Chairman welcomed those present to the meeting.

2 Apologies

Apologies for absence had been received from Sarah Holbrook.

The Chairman advised that Lynda Croft has resigned from the Board since she was no longer in post at Wiltshire College. The Board expressed their thanks to Lynda for her contribution to the work of the Board over the last 3 years.

3 Minutes

The minutes of the last meeting were presented, alongside the Board's Action Log.

Resolved:

To confirm the minutes of the meeting held on 18 October 2018.

To make the following changes to the action log:

- 4.7 is complete – remove
- 7.15 and 7.20 – defer until September
- 8.4 is complete – remove

- 8.5 – defer until April 2018 and further report in September 2018
- 8.6 is complete – remove
- 8.7 – include reference to statutory timeframes and defer until October 2018
- 8.8 – defer until April 2019
- 8.12 –defer until October 2018
- 9.5 – mark as complete
- 9.9 – defer until September 2018
- 9.13- defer until October 2018
- 10.5 – defer until September 2018
- 10.8 – mark as complete
- 10.9- mark as complete
- 10.11- defer until July 2018

4 **Declarations of Interest**

There were no declarations of interest.

5 **Chairman's Announcements**

The Chairman reminded members of the remit of the Local Pension Board and made the following announcements:

- The Pensions Regulator was to increase scrutiny of Funds and the Board would have a role supporting this;
- Board members should update Richard Bullen (Fund Governance and Performance Manager) on training they had undertaken and an update on training plans would be provided to the next meeting;
- The Pensions Advisory Service has been merged with the Pensions Ombudsman and it was recommended the fund update its Internal Dispute Resolution Process accordingly.

6 **Public Participation and Councillors Questions**

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

7 **Minutes and Key Decisions of the Wiltshire Pension Fund Committee**

The Board considered the minutes of the last Committee meeting and was updated that at the meeting of the Committee earlier that morning, the Board's budget had been agreed as part of the wider Administration Budget.

Resolved:

To note the minutes of the Wiltshire Pension Fund Committee meeting held on 23 November 2017 and verbal update from the meeting on 15 March 2018.

8 **Training Item: WPF Annual Reporting Requirements**

The Head of Pensions Administration and Relations presented a training session providing an overview of Wiltshire Pension Fund's annual reporting requirements as detailed in the report.

The majority of reporting requirements were statutory, and the Board noted the requirement seemed to be increasing. It was agreed as Brunel Pension Partnership became established, the Fund should compare performance on statutory and periodic reporting against other funds within BPP.

Resolved:

To note the Fund's Annual Reporting Requirements and benchmarking the performance of the fund against other funds within BPP be included in the LPB work plan.

9 **Annual Business Plan Update**

An update from the Head of Pensions Administration was provided on the progress of implementing items on the Annual Business Plan. Two actions were high priority and with medium resource risk, these related to the implementation of performance reporting and covenant reviews for employers and the GMP reconciliation project. These workstreams were both in progress and resources had been prioritised to ensure their completion. The first phase of the GMP reconciliations project was expected to be completed by the end of the year.

It was explained some other, lower- priority, Business Plan action had been delayed due to recent changes in personnel and vacancies in the structure. It was noted the contract review of the Independent Governance Adviser was considered low priority, and therefore had been delayed, since this was one of many different sources of advice for the Fund. The establishment of a formal process for reviewing the performance of other advisors was also delayed since performance was already monitored informally. The Chairman advised the Pensions Regulator expected advisors to be regularly reviewed and requested this be allocated a higher priority.

A question was raised as to why completed actioned remained on the Business Plan and it was confirmed this was to demonstrate that action had been taken. It was noted the Business Plan was to be reviewed for 2019 as the current Plan ran until the end of 2018. Officers acknowledged that preparations for the General Data Protection Regulations were not included in the Plan, however this was captured on the Fund's Risk Register and pensions team were taking steps to prepare.

The Board discussed a self-service portal for members, officers advised this had been delayed due to a need to link this work up with a review of pensions

administration software that was to be completed later in 2018. On discussion of item 35 in respect of ESG arrangements, the Interim Investment Manager explained this had been raised with the Responsible Investment Officer at Brunel, and the Committee would receive further training on this.

Resolved:

To note the progress of implementing items on the Annual Business Plan and to recommend item 12 be upgraded to medium priority.

To request that future Business Plan updates include new items which have occurred since the business plan was first produced, and include on going work items that have rolled-forward from previous plans, to capture the full picture of existing and new work.

10 **Local Pension Board Budget**

It was explained the Board's total budget had been agreed earlier in the day by the Pension Fund Committee, and since publication of this agenda the budget had been updated to include provision for an extension of the indemnity insurance policy. Despite this change, the overall budget remained the same, the updated budget is attached to these minutes.

The Chairman encouraged members to make the most of the training budget.

Resolved:

To note the Board's budget.

11 **Scheme Legal, Regulatory and Fund update**

The Head of Pensions Administration and Relations presented the Fund, Scheme, Legal and Regulatory update for the Committee to consider. Key updates included that the Government had extended the temporary arrangements on Guaranteed Minimum Pensions (GMP), and a Private Member's Bill on reforms to public sector exit payments was expected in May 2018. Members also heard it was now confirmed the age for auto-enrolment into the LGPS would be lowered to 18, this was to take effect from the mid-2020s. The Officer also advised a pensions 'Dashboard' was planned for 2019 and this project was being led by the Department for Work and Pensions.

Following questions on preparations for the implementation of the General Data Protection Regulation it was confirmed the Fund was working with Wiltshire Council and other LGPS Funds to share best practice and preparatory work. It was highlighted the Fund now had a Governance and Performance Manager, Richard Bullen, now in post who would lead on this work.

The Chairman advised the Scheme Advisory Board was to start 3 projects in 2018 relating to: improving member data to meet the Pensions Regulator requirements, identifying regulations requiring statutory guidance and the drafting of such guidance, and the potential benefits of further increasing the level of separation between the host authority and scheme manager role.

Resolved:

To note the changes highlighted within the report and request the three Scheme Advisory Board projects be included in future updates.

12 Pension Fund Risk Register

The Head of Pensions Administration and Relations updated he had decreased one risk in the Fund's Risk Register, PEN023 'Resources of Officers and Members to meet the expansion of business items' since a Fund Governance and Performance Manager was now in post to support the Committee and the Board. Two high risks remained: PEN012 'Over-reliance on key officers', due to Treasurer leaving the Fund in May 2018, and PEN020: 'Pooling of LGPS assets' due to the resource required to produce the accounts and support Brunel Pension Partnership.

In respect of PEN021, it was noted the Risk Register should be updated to reflect the latest review date. It was also requested PEN019 be updated to reflect the establishment of the LPB.

Resolved:

To note the Risk Register and request PEN021 and PEN019 be updated as detailed above.

13 Administration Key Performance Indicators

An update was provided from the Head of Pensions Administration and Relations on the latest administrative KPIs for members to consider. The number of refund of contributions and leavers to deferred status processed within target time had fallen, this was due to the Fund processing a high number of backlog cases, therefore affecting the short-term performance indicator. It was however noted that performance on the active to retirement metric was down and improvement was need, therefore additional resources was to be deployed to these areas. The Head of Pensions advised he planned to develop the methodology for KPIs to provide more detail on the cause of delays by the October 2018 report, and would then progress work to link KPIs to statutory time limit requirements.

In response to questions, it was confirmed the Fund aspired to compare its KPIs against other funds, however this would not be a simple comparison as funds used different measures. The Chairman suggested CIPFA should be requested

to update their guidance. Officers confirmed the team working to support key tasks were trained to complete this specialist work and there was a good level of resilience within the service.

Resolved:

To note the Fund's performance against Key Performance Indicators and the improvement work taking place.

14 **Review of the LPB Code of Conduct and Conflict of Interest Policy**

The Board was presented with its Code of Conduct and Conflict of Interest Policy which was due to be reviewed. No changes were proposed other than to review the document bi-annually instead.

Resolved:

To endorse the Code of Conduct and Conflict of Interest Policy Guidelines to the Wiltshire Pension Fund Committee, subject to an amendment that these guidelines will be reviewed and approved by the Committee at least every two years, or upon any material changes to the Regulations, relevant legislation and scheme guidance.

15 **Governance Compliance Statement**

The Board was presented with the Fund's Governance Compliance Statement for review. It was suggested that information on the delegation of asset management to Brunel Pension Partnership be included, and also a link to the LPB Terms of Reference. Cllr Richard Britton suggested there was a requirement for the Pension Fund Committee to report into the Council's Audit Committee and recommended clarity on this matter be sought prior to final agreement of the Governance Compliance Statement.

Resolved:

To note the Governance Compliance Statement and make the following recommendations to officers:

- **That section 1A be updated to reflect the delegation of asset management to Brunel Pension Partnership**
- **That a hyperlink be added to the Board's Terms of Reference.**
- **In section Fc) TPR requirements be added at the end**

To request that officers seek clarity on any requirement for the Pension Fund Committee to report into the Audit Committee, prior to consideration of the Governance Compliance Statement by the Committee.

16 **How did the Board do?**

Members commented they were satisfied with the workplan of the Board.

17 **Urgent items**

There were no urgent items.

18 **Date of next meeting and Forward Plan**

It was noted the next meeting was planned for 18 April 2018, subject to there being sufficient business. An updated Forward Look would be presented to the next meeting.

19 **Exclusion of the Public**

Resolved:

That in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Minutes Numbers 20-22 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.

20 **Brunel Pension Partnership Update**

The Interim Investment Manager updated on the progress of implementing asset pooling and minutes from the last meeting of Brunel Oversight Board were attached to the agenda.

Resolved:

To note the update on the progress of Brunel Pension Partnership

21 **Minutes and Key Decisions of the Wiltshire Pension Fund Committee and Investment Sub Committee**

Resolved:

To note the confidential update from the Wiltshire Pension Fund Committee, Investment Sub Committee and Brunel Oversight Board

22 **Minutes**

Resolved:

To confirm the Part 2 minutes from 18 October 2017.

(Duration of meeting: 2.00 - 3.45 pm)

The Officer who has produced these minutes is Libby Johnstone, of Democratic Services, direct line 01225 718214, e-mail libby.johnstone@wiltshire.gov.uk

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WILTSHIRE COUNCIL

WILTSHIRE PENSION FUND LOCAL PENSION BOARD

15 March 2018

Local Pension Board Budget**Purpose of the Report**

1. The purpose of this report is to present a proposed Local Pension Board Budget for 2018-19 for the Board to consider and recommend to the Pension Fund Committee for inclusion in the Wiltshire Pension Fund Administration Budget 2018-19.
2. The Wiltshire Pension Fund Committee will consider the Fund's Administration budget at its meeting on the morning of this meeting – 15th March 2018.
3. As such any decisions of the Board which require amendment to the budget will have to be subsequently reflected in the full Wiltshire Pension Fund Administration Budget at a later date.

Background

4. To ensure good governance, budgets are required to monitor the stewardship of the Fund's expenditure and financial plans assist in mitigating risks by allocating necessary resources to develop the service. The Wiltshire Pension Fund Committee approves the Pension Fund Administration budget each year.
5. The Scheme regulations state that the operational cost of the Local Pension Board must be borne as an expense to the administering Fund's budget.
6. Therefore, the Local Pension Board's budget is approved by the Pension Fund Committee when setting its budget for the year. Should any further expenditure be required beyond this, then approval must be obtained from the Wiltshire Council Associate Director, Finance.

Main Considerations for the Board

7. The main financial headings for the Local Pension Board Budget and key financial totals are presented in the table below.

Wiltshire Local Pension Board Proposed Budget 2018-19

	2016-17 Actual	2017-18 Budget	2017-18 Actual (Apr-Feb)	2017-18 Forecast	Changes	2018-19 Budget
	£	£	£	£	£	£
Independent Chair Remuneration	9,216	9,214	6,912	9,216	-	9,214
Independent Advisor Fees	5,000	7,000	3,205	4,905	-	7,000
Training	5,000	6,000	515	640	- 1,800	4,200
Printing	-	1,000	-	-	- 1,000	-
Committee Services Recharge	2,067	3,000	-	3,000	-	3,000
Travel & Subsistence & costs	331	800	790	1,053	-	800
Catering	-	400	87	87	-	400
Insurance	-	-	2,800	2,800	2,800	2,800
	21,614	27,414	14,309	21,701	-	27,414

8. The overall proposed budget for 2018-19 is £27,414, a continuation of the total budget for 2017-18.
9. The overall projection is for an underspend in 2017-18 circa £5,700.
10. During the year a Pensions Trustees Liability insurance premium including tax was paid totalling £2,800. As no provision was made in the budget for this it has been allocated a matching sum in the budget for 2018-19.
11. As the overall position seems to point to an underspend the insurance budget for 2018-19 has been made up from removing the Printing budget of £1,000 and reducing the training budget by £1,800.
12. We would propose retaining the £7,000 budget for an independent governance advice. The Terms of Reference entitles the Board to independent expert advice.

Environmental Impact of the Proposals

13. There are none.

Legal Implications

14. There are no known implications at this time.

Financial Considerations & Risk Assessment

15. In line with good governance practice, officers bring budget monitoring reports back to the Pension Fund Committee twice a year. In the interim, variations against budget will be monitored and if they become very significant, the Associate Director, Finance will approve variations to the budget and report these to Committee retrospectively for ratification.
16. a

Safeguarding Considerations/Public Health Implications/Equalities Impact

17. There are no known implications at this time.

Reason for Proposal

18. The recommendation of the Local Pension Board budget to the Pension Committee is in line with best practice and assists in mitigating a number of risks outlined in the Risk Register.

Proposal

19. The Board is asked to agree the draft Local Pension Budget and recommend to the Pension Fund Committee that this is included in the Fund's Administration budget for 2018-19.

MICHAEL HUDSON
Treasurer to Pension Fund

Report Author: Chris Ashton, Fund Accountant - Maternity

Unpublished documents relied upon in the production of this report: *None*

WILTSHIRE POLICE AND CRIME PANEL

**DRAFT MINUTES OF THE WILTSHIRE POLICE AND CRIME PANEL MEETING
HELD ON 22 MARCH 2018 AT WESSEX ROOM - THE CORN EXCHANGE,
MARKET PLACE, DEVIZES, SN10 1HS.**

Present:

Cllr Junab Ali, Cllr Abdul Amin, Cllr Richard Britton, Cindy Creasy, Cllr Anna Cuthbert, Cllr Ross Henning, Cllr Brian Mathew, Cllr Jonathon Seed, Cllr John Smale and Cllr Caryl Sydney-Smith

Also Present:

Angus Macpherson – Police & Crime Commissioner
Kier Pritchard - Acting Chief Constable
Kieran Kilgallen – OPCC
Naji Darwish – OPCC
Ryan Hartley - OPCC
Carolyn Filmore – OPCC

Emily Higson – Wiltshire Council
Kevin Fielding – Wiltshire Council

18 Apologies for Absence

Apologies were received from Cllr Peter Hutton and Mr Chris Henwood.

19 Minutes and matters arising

Decision:

- **The minutes of the meeting held on Thursday 1 February 2018 were agreed as a correct record and signed by the Chairman.**

It was noted that Cllr Anna Cuthbert had asked whether, at the time of his appointment, the Temporary Chief Constable was the subject of any investigations by the IOPC as to his conduct. The Chief Executive had replied that no such investigations were outstanding.

20 **Declarations of interest**

There were no declarations of interest.

21 **Chairman's Announcements**

There were no Chairman's Announcements.

22 **Public Participation**

There was no public participation.

23 **Introduction to new Acting Chief Constable - Kier Pritchard**

Kier Pritchard was Introduced to the PCP as the new Acting Chief Constable of Wiltshire Police.

Points made included:

- Was looking to build on the strong foundations of Wiltshire Police.
- Would be listening to both staff and the public to find out what was good, and what could be better.
- New threats to deal with as well as the more traditional areas of crime.
- That demands were rising all the time, and that Wiltshire Police had finite resources to deal with these demands.
- That Wiltshire Police needed to raise the level of awareness of the challenges that it faced.
- The Acting Chief Constable paid tribute to the hard work and professionalism of Wiltshire Police and the other forces that were working on the Salisbury incident.
- That compensation from Central Government would be paid to Wiltshire Police re Salisbury and its cost to the county of Wiltshire.
- That it was business as usual for Wiltshire Police.

Both the Chairman and the Commissioner paid tribute to the Acting Chief Constable and the staff of Wiltshire Police for their excellent professionalism in the wake of Salisbury.

The Chairman thanked Kier Pritchard for attending the meeting.

24 **Quarterly data (Q3)- Risk / Performance / Finance / Complaints**

The Commissioner outlined a report setting out his quarterly performance data – Quarter Three 2017-18 (1 October to 31 December 2017) contained in the agenda pack.

Points made included:

- The recorded crime rate per 1,000 population for Wiltshire in the year to December 2017 is 62.4 crimes. This was lower than most similar group (MSG) peers average of 67.9 crimes per 1000 population.
- That the Force continued to prioritise the increasing crime trend for residential burglary and the ability to provide the victim with a positive outcome. In doing so, an improvement plan was commissioned during quarter one and burglary was made a new force priority alongside the control strategy.

PCP members were concerned to hear that previous reports would have been written using information from iQuanta and ForceSight (a Microsoft Excel analytical product that compares forces on a regional and national scale).

ForceSight data had been produced by a member of staff in Lancashire Police Force. Since the publication of the last report, that individual had left their role and this information was no longer available. Because of this, no national or regional comparisons were able to be made using ForceSight.

PCP members requested that they would like to view the Wiltshire Police – Burglary Improvement Plan. The Commissioner advised that an extract of the plan would be made available to PCP members at the next meeting.

Concerns were raised re the lack of confidence in Wiltshire Police from the Asian and Turkish communities re dwelling burglaries in Swindon. It was agreed that a written response to these concerns would be provided by the OPCC.

The Chairman requested that a report re Wiltshire Police stress related absences was put on the forward work plan for the September 2018 meeting.

Deep Dive – Priority 3: Putting the victim at the heart of everything we do
The report was noted.

Risk Register – 2017-2021
The report was noted.

The Chairman thanked the Commissioner for his reports.

25 **Analysis of current CPT structure, establishment and staffing**

Kieran Kilgallen – OPPC outlined the report which gave an update on the impact of the 7% policing precept increase by CPT, and current deployability and resourcing levels in CPT. It was noted that a full report would be submitted for the June 2018 meeting.

Points made included:

- Under the implemented 2018/19 policing precept proposal of 7% (£12 for Band D property), the PCC committed to protecting frontline CPT officers and staff.
- That the PCC would be working with the Chief Constable to ensure this was delivered as a central part of his Police and Crime Plan. The PCC proposed that information in this area was added to the PCP performance report.

The Chairman thanked the OPCC for the report and looked forward to seeing the full report in June 2018.

It was agreed that Cllr Richard Britton and Naji Darwish – OPC would meet to discuss how the PCP could be involved in shaping the content of the final version of the report.

26 **Member questions**

The current outstanding member questions were noted.

27 **Forward Work Plan**

The Forward Work Plan was noted.

28 **Future meeting dates**

The next meeting of the Police and Crime Panel will be on Thursday 14 June 2018 at the Corn Exchange, Devizes.

Future meeting dates were:

- 27 September – County Hall, Trowbridge
- 6 December 2018 – Civic Offices, Swindon

(Duration of meeting: 10.30 am - 1.20 pm)

The Officer who has produced these minutes is Kev Fielding of Democratic Services, direct line 01249 706612, e-mail kevin.fielding@wiltshire.gov.uk

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WILTSHIRE POLICE AND CRIME PANEL

DRAFT MINUTES OF THE WILTSHIRE POLICE AND CRIME PANEL MEETING HELD ON 9 MAY 2018 AT COUNCIL CHAMBER, COUNTY HALL, TROWBRIDGE.

Present:

Cllr Junab Ali, Cllr Abdul Amin, Cllr Alan Bishop, Cllr Richard Britton, Cindy Creasy, Cllr Anna Cuthbert, Cllr Ross Henning, Cllr Peter Hutton, Cllr Brian Mathew and Cllr Caryl Sydney-Smith

Also Present:

Carolyn Filmore – OPCC

Emily Higson – Wiltshire Council
Kevin Fielding – Wiltshire Council

29 Apologies for Absence

Apologies were received from Mr Chris Henwood and Cllr Jonathon Seed

30 Declarations of interest

There were no declarations of interest

31 Chairman's Announcements

There were no Chairman's Announcements

32 Public Participation

There was no public participation

33 **Monitoring Public Confidence in Wiltshire's Police Force**

At the meeting of the Police and Crime Panel on 22nd March the OPCC invited the Panel to contribute to work of designing a methodology for assessing the extent of public confidence in Wiltshire Police.

Accordingly this single agenda item meeting was convened to take this forward.

The wide-ranging discussion covered: police visibility; confidence vs satisfaction; the problems of making a survey truly representative; the need to understand the public's level of confidence in the force etc.

Decisions:

- **That Emily Higson would research existing work on confidence surveys.**
- **That Cllr Richard Britton would document the three levels of research identified.**
- **That Cllr Richard Britton would produce draft generic questions.**

(Duration of meeting: 10.00 - 11.40 am)

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ELECTORAL REVIEW COMMITTEE

MINUTES OF THE ELECTORAL REVIEW COMMITTEE MEETING HELD ON 25 JUNE 2018 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Ian Blair-Pilling, Cllr Clare Cape, Cllr Richard Clewer (Chairman), Cllr Gavin Grant, Cllr Ian McLennan, Cllr Christopher Newbury, Cllr Ashley O'Neill, Cllr Stuart Wheeler, Cllr Graham Wright and Cllr Jacqui Lay (Substitute)

30 Apologies

An apology for absence was received from Councillor Jonathon Seed, who was substituted by Councillor Jacqui Lay.

31 Minutes

The minutes of the meeting held on 17 April 2018 were presented and it was,

Resolved:

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

32 Declarations of Interest

There were no declarations

33 Chairman's Announcements

There were no announcements.

34 Public Participation

No statements or questions were submitted.

35 Electoral Review Update

A report was presented outlining the progression of the Electoral Review since the last meeting.

Following the submission being provided to the Committee on 4 April 2018 the Local Government Boundary Commission for England informed the Council that it was not in a position to make a determination on council size. The

Commission requested a meeting with the Leader of the Council, which took place on 15 May 2018 along with the Chairman of the Committee. A separate meeting took place between the Commission and representatives of the Liberal Democrat Group, who had made a separate submission to the Commission.

Following that meeting a letter was received from the Commission on 31 May 2018 formally requesting supplementary information from the Council in relation to its submission, with a new deadline for the preliminary stage of the Electoral Review of 13 July 2018.

A workshop meeting was held for the Committee on 12 June 2018 at which it considered the letter from the Commission and how the Council should respond to the request for information. Additional evidence relating to the submission was also considered.

Agenda Supplement 1 was then discussed at the meeting, being a draft supplementary submission taking account of the points raised by the Committee at the workshop meeting. Further evidence on committee number assessment, councillor hours and other comparisons were also considered.

The Committee discussed the draft, including whether they considered the evidence still supported a recommended council size of 99, and at the conclusion of discussion, it was,

Resolved:

That on the basis of the evidence to recommend that Full Council continue to support a proposed council size of 99; and

To endorse the draft supplementary submission on council size to Council for recommendation to the LGBCE, subject to any minor drafting and consequential changes to be delegated to the Director of Legal and Democratic Services in consultation with the Chairman of the Electoral Review Committee.

36 Urgent Items

There were no urgent items.

(Duration of meeting: 12.00 - 1.25 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic Services, direct line 01225 718504, e-mail kieran.elliott@wiltshire.gov.uk

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STAFFING POLICY COMMITTEE

DRAFT MINUTES OF THE STAFFING POLICY COMMITTEE MEETING HELD ON 10 MAY 2018 AT THE KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Allison Bucknell (Chairman), Cllr Tony Jackson (Vice-Chairman), Cllr Richard Clewer, Cllr Mike Hewitt, Cllr David Jenkins, Cllr Ricky Rogers, Cllr Peter Evans (Substitute), Cllr David Halik (Substitute) and Cllr Ian Thorn (Substitute)

24 Apologies for absence

Apologies for absence were received from:-

Cllr Andy Phillips, who was substituted by Cllr David Halik
Cllr Baroness Scott of Bybrook OBE, who was substituted by Cllr Peter Evans
Cllr Hayley Spencer, who was substituted by Cllr Ian Thorn

25 Minutes of Previous Meeting

Resolved:

To confirm and sign as a correct record the minutes of the previous meeting held on 7 March 2018.

26 Declarations of Interest

There were no declarations of interest made at the meeting.

27 Chairman's Announcements

The following announcements were made:-

- **#EPIC** The Committee noted with pleasure that the HR team had been shortlisted for two HR Excellence Awards, one for outstanding employee engagement strategy and one for most innovative deployment of HR

technology. The team had been shortlisted mostly with teams from the private sector.

- **#EPIC Lecture** It was noted that an #EPIC talk would be given by Dr Ali Khavadi, Consultant Cardiologist at the Royal United Hospital, Bath on 30 May 2018 at 5.30pm at County Hall, Trowbridge entitled 'The Cardiologist's Kitchen'. The talk would explain how to improve one's health, blood pressure, cholesterol and weight through contemporary evidence-based dietary interventions.

Anyone interested in attending would be welcome but would need to register on line at epictalks.eventbrite.co.uk.

Members requested that a representative from #EPIC be invited to the next meeting to explain that team's work in more detail.

- **Staff Voices Conference** Members were informed that there was due to be held a Staff Voices Conference later that day starting at 3.00pm in the Cotswold Space in the Atrium at County Hall, Trowbridge to which Members were invited to attend in addition to officers. The Conference was being held in celebration of the National Day for Staff Networks. Staff Voices was the banner name for staff networks (BME, LGBT+ and Carers and Disability).

28 **Public Participation**

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

29 **General Data Protection Regulations - GDPR**

Consideration was given to a report by the Director, HR & Organisational Development about the impact that the GDPR regulations would have on the HR & Organisational Development processes. The report also outlined the action being taken to prepare for this new legislation.

These regulations were due to come into effect on 25 May 2018 and, although they were EU regulations, the UK government had confirmed that they would form part of the UK law both pre and post Brexit.

Although the GDPR's data protection principles were similar to those under the Data Protection Act, the conditions for obtaining personal data would be stricter as follows:-

- ***There would be a greater focus on the legal basis for processing data.***
- ***There would be an increased obligation to provide information to employees and job applicants about the processing of their personal data.***
- ***Individuals would have increased rights to access their personal data.***

- *The processing and sharing of information would be limited to what was necessary for each purpose.*
- *There would be new record keeping obligations and greater transparency obligations in that employers would have to provide more information on what data they held and what they did with that data.*
- *Personal data should not be stored for any longer than necessary and there would be increased financial sanctions.*

Although these new regulations would come into force with effect from 25 May 2018, there was still much that was unclear. The Council's Information Governance Team was leading on this and a further progress report would be brought back to this Committee in due course.

During discussion, it was stressed that all staff and also councillors were required to carry out the training modules that were available to complete on line, failure to do so would result in the removal of IT facilities.

Resolved:

- (1) **To note the contents of the report and that the HR & Organisational Development Team were working towards compliance.**
- (2) **To note that an updated report would be provided in due course to outline any further GDPR developments in HR & Organisational Development as a result of receiving clarification on some aspects of the GDPR and Data Protection Bill being passed.**

30 **Agreement of Annual Pay Award (NJC) 2018/19**

The Committee received a report by the Director, HR & Organisational Development which provided information about the annual pay award 2018/19 which had recently been agreed by the National Joint Council (NJC). (Details of the 2018 and 2019 Payscale and Allowances are attached as an Appendix to these minutes.)

A two year pay award had been agreed nationally which would result in a pay increase of at least 2% on the majority of spinal column points but with higher increases of up to 10% at the lower end of the scale. This would result in the lowest spinal column point increasing to £8.50 per hour, which would be higher than the new national living wage of £7.83 which was implemented on 1 April 2018. From April 2019 the lower end of the pay scale would increase to at least £9.00 per hour in line with the Government's desire to see the living wage increase to £9.00 per hour by 2020.

The Committee was informed that on 1 April 2018 the freeze on incremental progression, previously agreed for a two year period, was lifted. As a consequence there were a higher than usual number of employees with

headroom to progress through the grade, resulting in salary costs increasing more than normal. As a result of the new pay spine to be introduced in 2019 salary costs could increase by between 5 and 6% for council staff and 6 and 7% for school support staff over the next two years even if there were no changes to the current grading structure. If there are any changes proposed to the current grading structure in 2019 this would involve negotiation with the trade unions.

During discussion, members noted that the 2% pay increase and the payment of increments had been factored into the current year's budget but there would be some impact on the budget for the following year.

Resolved:

To note the contents of the report and to request a further report later in 2018 outlining the options for consideration with the implementation of a new pay spine in April 2019.

31 **Apprenticeships Update**

A report by the Director, HR & Organisational Development was received which provided the Committee with an update on the progress made on apprenticeships within the Council's workforce since the implementation of the apprenticeship levy in May 2017. The report also outlined future plans to ensure the levy was maximised to support the development of the Council's workforce.

Members were reminded that in 2013 the Government announced a number of reforms to the national apprenticeship programme as a way of introducing more rigorous standards, being more responsive to the needs of employers and to meet the commitment of having three million apprenticeships in place by 2020. At the heart of these reforms was the aim to increase both the quantity and quality of apprenticeships.

The two elements of these reforms which would have the most impact for Wiltshire Council were the levy and the proposed public sector target.

The apprenticeship levy was charged at a rate of 0.5% of an employer's pay bill and was collected monthly by the HMRC through PAYE deductions. The Council's contribution was £470,000 for the first year and it was explained that the cost of the levy would be approximately £1M in any one year.

The public sector target was set for public sector bodies with more than 250 employees in England to employ an average of at least 2.3% of their staff as apprentices from 2017-2021. This would mean that the Council would need to have approx.106 apprentices in the workforce each year until 2021 and the schools approx.150 apprentices.

The current number of apprentices employed by Wiltshire Council was 90, of which 16 were newly recruited apprentices and 74 were existing staff who were accessing apprenticeship training to upskill and gain qualifications to support their personal development and career progression, and also the Council's succession plans.

In addition to the 90 apprentices currently in place there were a further 8 civil engineering, 3 data analyst and 3 residential care apprenticeships pending because the apprenticeship standards had only recently become available or were outstanding.

It was noted that the current number of apprentices and the 14 pending equated to 98% of the public sector target, this meaning that the Council employed 2.2% of its staff as apprentices.

The Committee noted the plans that had been developed to further increase apprenticeships and sustain the progress so far made.

It was pointed out that there were certain categories of staff, for example planning officers, where at present it was not possible to employ apprentices because apprenticeship standards were not yet available. Members hoped that this problem could be overcome before long.

It was noted that from April 2018, employers could transfer up to 10% of their apprenticeship levy to smaller firms who did not contribute to the levy. This had been designed to allow larger employers to support their supply chains and local small and medium size enterprises. For 2018/19, the Education and Skills Funding Agency (ESFA) had stated that employers could only transfer up to 10% of the levy to one employer but from 2019/20 employers would be able to transfer up to 10% to multiple employers. This would allow the Council to support the local economy and help local micro businesses and small and medium sized enterprises to grow. It was suggested that Area Boards be made aware of these new arrangements and to ask them to help in drawing this to the attention of suitable firms within their areas.

Resolved:

- (1) To note the contents of the report and to request that a further report be provided in 12 months to give a further update on the progress of apprenticeships.**
- (2) To congratulate the officers on the progress made to date.**

32 **Quarterly Workforce Report: January to March 2018**

The Committee received a workforce report, excluding fire, police and school staff, for the quarter ended 31 March 2018.

It was noted that grievances had increased during this period but, compared with the five-year average, the figure for the current quarter was not significantly elevated. This was set against the context of a downward trend over the last five years.

Members noted that staff absences had increased during the quarter and the Director stated that at least in part this was due to seasonal factors. She explained that work was being carried out by HR managers with the Waste Service to reduce levels of absence in that Service. The Director offered to bring back a report to the next meeting providing an in-depth analysis on short time absences during this period.

Resolved:

- (1) To note the Quarterly Workforce Report.**
- (2) To request the officers to prepare a report for the next meeting providing an in-depth analysis on short time absences.**

33 Date of Next Meeting

Resolved:

To note that the next scheduled meeting of the Committee was due to be held on Tuesday 24 July 2018 at County Hall, Trowbridge, starting at 10.30am.

34 Urgent Items

There were no items of urgent business.

(Duration of meeting: 10.30 - 11.45 am)

The Officer who has produced these minutes is Roger Bishton, of Democratic Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

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National Joint Council for Local Government Services

Employers' Secretary:
Simon Pannell

Trade Union Secretaries
Rehana Azam, GMB
Jim Kennedy, Unite
Heather Wakefield, UNISON

Address for correspondence:
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**To: Chief Executives in England, Wales and N Ireland
(copies for the Finance Director and HR Director)
Members of the National Joint Council**

10 April 2018

Dear Chief Executive,

2018 and 2019 PAYSCALES & ALLOWANCES

Agreement has been reached between the National Employers and the NJC Trade Union Side on rates of pay applicable from **1 April 2018** and **1 April 2019**.

UNISON and GMB both voted to accept whilst Unite voted to reject. However, in line with the Constitution of the NJC, Unite accepts the collective majority decision of the other unions that the pay award should now be implemented.

The new pay rates are attached at **Annex 1**.

The new rates for allowances up-rated by two per cent in each year are set out at **Annex 2**.

Yours sincerely

*Simon
Pannell*

Simon Pannell

*Rehana
Azam*

Rehana Azam

*Jim
Kennedy*

Jim Kennedy

Heather Wakefield

Heather Wakefield

Joint Secretaries

ANNEX 1

SCP	1 April 2017		1 April 2018		1 April 2019			Old SCP[s]
	£ per annum	£ per hour*	£ per annum	£ per hour*	New SCP	£ per annum	£ per hour*	
6	£15,014	£7.78	£16,394	£8.50	1	£17,364	£9.00	6/7
7	£15,115	£7.83	£16,495	£8.55				
8	£15,246	£7.90	£16,626	£8.62	2	£17,711	£9.18	8/9
9	£15,375	£7.97	£16,755	£8.68				
10	£15,613	£8.09	£16,863	£8.74	3	£18,065	£9.36	10/11
11	£15,807	£8.19	£17,007	£8.82				
12	£16,123	£8.36	£17,173	£8.90	4	£18,426	£9.55	12/13
13	£16,491	£8.55	£17,391	£9.01				
14	£16,781	£8.70	£17,681	£9.16	5	£18,795	£9.74	14/15
15	£17,072	£8.85	£17,972	£9.32				
16	£17,419	£9.03	£18,319	£9.50	6	£19,171	£9.94	16/17
17	£17,772	£9.21	£18,672	£9.68				
18	£18,070	£9.37	£18,870	£9.78	7	£19,554	£10.14	18
19	£18,746	£9.72	£19,446	£10.08	8	£19,945	£10.34	19
20	£19,430	£10.07	£19,819	£10.27	9	£20,344	£10.54	20
					10	£20,751	£10.76	
21	£20,138	£10.44	£20,541	£10.65	11	£21,166	£10.97	21
22	£20,661	£10.71	£21,074	£10.92	12	£21,589	£11.19	22
					13	£22,021	£11.41	
23	£21,268	£11.02	£21,693	£11.24	14	£22,462	£11.64	23
24	£21,962	£11.38	£22,401	£11.61	15	£22,911	£11.88	24
					16	£23,369	£12.11	
25	£22,658	£11.74	£23,111	£11.98	17	£23,836	£12.35	25
					18	£24,313	£12.60	
26	£23,398	£12.13	£23,866	£12.37	19	£24,799	£12.85	26
27	£24,174	£12.53	£24,657	£12.78	20	£25,295	£13.11	27
					21	£25,801	£13.37	
28	£24,964	£12.94	£25,463	£13.20	22	£26,317	£13.64	28
29	£25,951	£13.45	£26,470	£13.72	23	£26,999	£13.99	29
30	£26,822	£13.90	£27,358	£14.18	24	£27,905	£14.46	30
31	£27,668	£14.34	£28,221	£14.63	25	£28,785	£14.92	31
32	£28,485	£14.76	£29,055	£15.06	26	£29,636	£15.36	32
33	£29,323	£15.20	£29,909	£15.50	27	£30,507	£15.81	33
34	£30,153	£15.63	£30,756	£15.94	28	£31,371	£16.26	34
35	£30,785	£15.96	£31,401	£16.28	29	£32,029	£16.60	35
36	£31,601	£16.38	£32,233	£16.71	30	£32,878	£17.04	36

SCP	1 April 2017		1 April 2018		1 April 2019			Old SCP[s]
	<i>£ per annum</i>	<i>£ per hour</i>	£ per annum	£ per hour	New SCP	£ per annum	£ per hour	
37	£32,486	£16.84	£33,136	£17.18	31	£33,799	£17.52	37
38	£33,437	£17.33	£34,106	£17.68	32	£34,788	£18.03	38
39	£34,538	£17.90	£35,229	£18.26	33	£35,934	£18.63	39
40	£35,444	£18.37	£36,153	£18.74	34	£36,876	£19.11	40
41	£36,379	£18.86	£37,107	£19.23	35	£37,849	£19.62	41
42	£37,306	£19.34	£38,052	£19.72	36	£38,813	£20.12	42
43	£38,237	£19.82	£39,002	£20.22	37	£39,782	£20.62	43
44	£39,177	£20.31	£39,961	£20.71	38	£40,760	£21.13	44
45	£40,057	£20.76	£40,858	£21.18	39	£41,675	£21.60	45
46	£41,025	£21.26	£41,846	£21.69	40	£42,683	£22.12	46
47	£41,967	£21.75	£42,806	£22.19	41	£43,662	£22.63	47
48	£42,899	£22.24	£43,757	£22.68	42	£44,632	£23.13	48
49	£43,821	£22.71	£44,697	£23.17	43	£45,591	£23.63	49

*hourly rate calculated by dividing annual salary by 52.143 weeks (which is 365 days divided by 7) and then divided by 37 hours (the standard working week in the National Agreement 'Green Book')

Part 3 Paragraph 2.6(e) Sleeping-in Duty Payment:

1 April 2018	1 April 2019
£35.37	£36.08

**RATES OF PROTECTED ALLOWANCES AT 1 APRIL 2018 and 1 APRIL 2019
(FORMER APT&C AGREEMENT (PURPLE BOOK))**

Paragraph 28(3) Nursery Staffs in Educational Establishments - Special Educational Needs Allowance

1 April 2018	1 April 2019
£1,264	£1,289

Paragraph 28(14) Laboratory / Workshop Technicians

City and Guilds Science Laboratory Technician's Certificate Allowance:

1 April 2018	1 April 2019
£205	£209

City and Guilds Laboratory Technician's Advanced Certificate Allowance:

1 April 2018	1 April 2019
£149	£152

Paragraph 32 London Weighting and Fringe Area Allowances £ Per Annum

Inner Fringe Area:

1 April 2018	1 April 2019
£857	£874

Outer Fringe Area:

1 April 2018	1 April 2019
£597	£609

Paragraph 35 Standby Duty Allowance - Social Workers (1)(a)(i) Allowance - Per Session

1 April 2018	1 April 2019
£28.46	£29.03

FORMER MANUAL WORKER AGREEMENT (WHITE BOOK)

Section 1 Paragraph 3 London and Fringe Area Allowances £ Per Annum

Inner Fringe Area:

1 April 2018
£857

1 April 2019
£874

Outer Fringe Area:

1 April 2018
£597

1 April 2019
£609

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