

Western Area Planning Committee

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 13 APRIL 2022 AT KENNET ROOM - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Cllr Christopher Newbury (Chairman), Cllr Bill Parks (Vice-Chairman), Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Edward Kirk, Cllr Stewart Palmen, Cllr Antonio Piazza, Cllr Pip Ridout, Cllr David Vigar and Cllr Suzanne Wickham

Also Present:

Cllr Mel Jacob and Cllr Gordon King

31 **Apologies**

There were no apologies.

32 **Minutes of the Previous Meeting**

The minutes of the previous meeting of the Western Area Planning Committee held on 9 March 2022 were considered. Following which, it was:

Resolved

The Committee approved the minutes of the previous meeting of the Western Area Planning Committee held on 9 March 2022 as a true and correct record.

33 **Declarations of Interest**

Cllr Antonio Piazza declared a non-pecuniary interest in Agenda Item 8a by virtue of his position on Trowbridge Town Council.

34 **Chairman's Announcements**

The Chairman asked that all phones were switched off or turned to silent mode to minimise any potential disturbances and explained the procedure if a fire alarm were to sound.

35 **Public Participation**

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

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

36 **Planning Appeals and Updates**

The Chairman invited Kenny Green, Development Management Team Leader, to update the Committee on any pending and determined appeals as per the appeals report included within the Agenda Pack.

Members were advised of the summary decision of the appeal at Land on the South West side of Black Dog Hill, at Chapmanslade, for a gypsy and traveller pitch which officers had refused in March 2021 under delegated powers, and the committee were advised that two grounds for refusal succeeded at appeal which was dismissed and that there was no costs award.

Following which, it was:

Resolved:

The Committee noted the appeals report for the period 25 February 2022 to 1 April 2022.

37 **Rights of Way Applications**

The Committee considered the following Rights of Way application:

38 **Highways Act 1980 Section 119 - Westbury 29 & Dilton Marsh 20 Diversion and Definitive Map and Statement Modification Order 2021 and Highways Act 1980 Section 118 - Westbury 28 and Dilton Marsh 19 Extinguishment and Definitive Map and Statement Modification Order 2021**

Public Participation

Mr Francis Morland, local resident, spoke in objection to the application.

Mr Rob Taylor, applicant, spoke in support of the application.

Cllr Gordon King, on behalf of Westbury Town Council, spoke in objection to the application.

Ali Roberts, Definitive Map Officer, introduced the report which recommended that the Committee forward the application to the Secretary of State for the Environment, Food and Rural Affairs with the recommendation that it be confirmed as made.

Reference was made to the presentation slides (Agenda Supplement 1) and officers explained that the application was made in the interests of the landowner and proposed a diversion to the footpaths away from Dilton Vale Farm as there were five rights of way in total culminating in the garden of the dwelling, passing in close proximity to both sides of the home in touching distance of the windows. Officers explained that the applicants were proposing the diversions to allow an opportunity for increased privacy and security for the family home. The proposed new routes were explained with supporting photographs and maps. The tests to make an order to divert and the tests to confirm an order to divert were then detailed.

Members of the Committee were given the opportunity to ask technical questions to the officer. The main points of focus included: the length of the proposed diversions, proximity to other dwellings and any Council costs in the event an inquiry was held.

Officers confirmed that the rights of way had not changed in the 11 years since the applicant had moved into the property, the diversions added a few extra minutes onto the routes and that there would be no additional costs if an inquiry were to be held.

Members of the public, as detailed above, had the opportunity to address the Committee and speak on the application. In response to points raised during the statements, officers reiterated that the dwelling was very isolated, and the applicant and his family held genuine concerns for the safety, security and privacy of their family home.

Local Unitary Member, Cllr Suzanne Wickham, addressed the Committee and detailed her support for the application stating that she had walked the existing routes and had felt uncomfortable with the proximity to the dwelling. It was also noted that she had also walked the proposed routes and found them to be easy and offered better views of the house. Cllr Wickham then moved to forward the application to the Secretary of State for Environment, Food and Rural Affairs with the recommendation that it be confirmed as made, which Cllr Antonio Piazza seconded.

During the debate Members discussed increases in rural crime; the principle of recommending approval for applications in the interest of the land-owner; the proximity of the rights of way to Honey Lane; and any businesses such as wedding venue hire associated with the property which officers confirmed there were not. Officers further confirmed that the majority of representations of support received stated that they were walkers who were in favour of the diversion. Following from this, Members discussed the lack of information that they felt was relevant, such as addresses, attached to the representations and as such it was unclear where the members of public making representations lived. The Chairman asked that in future the Rights of Way team consider changing their procedures to establish this information ahead of any Committee meetings.

At the conclusion of the debate a vote was taken on the motion to forward the application to the Secretary of State for Environment, Food and Rural Affairs with the recommendation that it be confirmed as made.

Following which, it was:

Resolved

The Committee resolved that the Wiltshire Council Parish of Westbury 29 and Dilton Marsh 20 Definitive Map and Statement Modification Order 2021 and the Wiltshire Council Parish of Westbury 28 and Dilton Marsh 19 Definitive Map and Statement Modification Order 2021 be forwarded to the Secretary of State for the Environment, Food and Rural Affairs with the recommendation that it be confirmed as made.

Cllr Ernie Clark requested that his vote against the motion be recorded.

39 **Planning Applications**

The Committee considered the following applications:

40 **18/04656/FUL & 18/05278/LBC - Courtfield House, Polebarn Road, Trowbridge, BA14 7EG**

Public Participation

Dr Farrimond, local resident, spoke in objection to the application
Ms Teresa Bishop, local resident, spoke in objection to the application.
Mr Chris Beaver, agent to the applicant, spoke in support of the application.
Cllr Mel Jacob, on behalf of Trowbridge Town Council, spoke in objection to the application.

Steven Sims, Senior Planning Officer, introduced the report which recommended that the Committee delegate and defer the issuing of planning permission/listed building consent to the Head of Development Management for 18/04656/FUL, subject to planning conditions, and following the sealing of a s106 legal agreement covering the matters set out within Section 10 of the report, and for 18/05278/LBC, following the sealing of a s106 legal agreement to secure the requisite developer obligation and triggers for the renovation works to safeguard the listed building at Courtfield House as set out within Section 10 of the report.

The case officer informed the committee, that additional representations had been received since the publication of the agenda but that no fresh material planning matters had been raised that were not dealt with in the main report. Members were also advised that since the agenda publication, the Council had published an updated Housing Land Supply Statement with a baseline of April 2021, and that the figures cited on p.153 of the report were therefore outdated. However, as set out within a briefing note sent to Members in early April, the Council regrettably continues to be unable to demonstrate a 5-year housing

land supply and the officer comments set out within the report remained relevant for the purposes of appraising the development proposal at Courtfield House.

Reference was made to the presentation slides and photographs (included within Agenda Supplement 1) and the case officer described the planning history and site circumstances, which included the increasing dereliction of the grade II* listed building which had suffered a spate of vandalism and arson in recent years.

A committee member site visit had taken place prior to the committee meeting which was referenced by the case officer as part of his summary of the case and the site constraints, which included a BAP habitat orchard that was subject to a Group TPO.

Officers confirmed that through negotiated revisions, officers had secured the applicants commitment to safeguard the orchard and keep it free from development and to secure an Orchard Management Plan and have it protected through a s106 legal agreement.

Members were advised that three trees would be lost as part of the proposed development, but these would be compensated for by the planting of 13 new native trees, and that the trees to be lost was accepted by the Council's arboricultural officer and ecologist.

The Committee was informed of the extent of demolition works proposed within the site, and with the aid of various slides, Members were shown the illustrated proposed dwellings, floor plans and vehicular access point alongside aerial maps, photographs and elevations.

Russell Brown, who was the Senior Conservation Officer and consultee for these applications was invited by the Chairman to explain his knowledge of the site and the preservation of Courtfield House. Members were advised that the buildings had fallen into such a serious state of disrepair that the proposal constituted more of a rescuing function than restoration. The Committee was also reminded that Courtfield House was listed on the heritage asset at risk register and with the support of Historic England, the revised applications were considered acceptable in heritage terms and that the extent of demolition to outbuildings and modern adaptations was justified in order to protect and preserve as much as possible.

Key issues highlighted included: the scale of development; the relationship to adjoining properties; the environmental and highways impacts; car parking; and the future safeguarding of the orchard.

Members of the Committee were given the opportunity to ask technical questions to officers. The main points of focus included: the boundaries of the scheme; the relationship with neighbouring properties, the proposal to widen the road and access point, to extent of the land within the control of the applicant to deliver the highway improvement works; the procedures followed for the site

viability assessment; the extent of remaining internal historic features, the heating system to be used; and public access to the orchard.

In response to the above, officers advised that the applicants were still engaged in discussions with the owners of the Court Mills development with regard to widening the road and delivering an improved vehicular access. Members were advised that in accordance with the adopted WCS, the developer submitted a viability assessment which was sent out for independent review, instructed by the Council but paid for by the applicant that confirmed site viability issues with this scheme – to which the committee report fully explained.

In terms of the orchard, officers advised that the site is privately owned by the applicant, and therefore the public do not have the right to access the orchard and that any historic public access would have been at the discretion of the previous owners. As Members would have seen at the Committee site visit, the site is not safe for public access at present and the condition of the orchard is considered very fragile, and as set out within the committee report, the orchard requires careful management and time to heal.

It was also highlighted that the Council's ecologist and tree officer would be very concerned if the orchard was to have open public access which would likely cause further harm to the trees, and it was strongly recommended that any future public access should be kept to a minimum. The Orchard Management Plan was referenced, and it was noted that the orchard would be monitored and assessed regularly over the next 10 years to ensure that it is preserved and brought back from its current state of disrepair.

Members of the public, as detailed above, had the opportunity to address the Committee and speak on the application. In response to points raised during the statements, officers explained that alongside the planning conditions the proposal for a Construction Environmental Management Plan would detail how the applicants would protect the assets on site during development. Furthermore, it was reiterated that there had been no objections raised from Highways officers.

Following comments made by Cllr Mel Jacob representing Trowbridge Town Council, officers advised the Committee that it was open for the applicants to negotiate with the Town Council (or another party) to take over the responsibilities and management of the orchard and be secured through the s106 legal agreement.

Local Unitary Member, Cllr Stewart Palmen, addressed the Committee and confirmed having some misgivings with the application in terms of only providing 1 affordable unit and the reduced car parking space provision. Cllr Palmen also expressed an eagerness for the orchard to be preserved and rescued and noted that the Town Council could be involved in its future maintenance and hoped that limited public access could be negotiated in the future. Cllr Palmen recognised the site viability aspects and the revisions that had been made to the initial scheme and moved the officer recommendation that the Committee delegate and defer the issuing of planning permission to the

Head of Development Management for 18/04656/FUL, subject to planning conditions, following the sealing of a s106 legal agreement covering the matters set out within Section 10 of this report, alongside the rewording of Paragraph 10, Point 3, p.169 (i.e. the summary heads of terms for the required s106) as suggested by Kenny Green.

During the debate, Members discussed Core Policy 51 and enquired if it could be used to secure public access to the orchard. Officers reiterated the earlier points made regarding the Orchard Management Plan and the ecology and tree officers concerns as well as confirming that the orchard is in private ownership and any agreement to allow members of the public access would be a matter for the applicants/landowner to discuss and agree outside of the planning regime.

Members also asked what would happen if the applicant failed to reach an agreement with the owners of the land that is required to deliver highway improvements. In response, officers highlighted that that would represent a worst case scenario and reaffirmed that it was in the applicant's interests to come to an agreement with the Court Mills development owners as soon as possible in order to discharge the planning conditions the developer is committed to delivering.

At the conclusion of the debate a vote was taken on the motion to delegate and defer the issuing of planning permission to the Head of Development Management for 18/04656/FUL, subject to planning conditions, following the sealing of a s106 legal agreement covering the matters set out within Section 10 of this report, alongside the rewording of Paragraph 10, Point 3, p.169 (summary heads of terms for the required s106) as suggested by Kenny Green.

Cllr Stewart Palmen then moved to delegate and defer the issuing of listed building consent to the Head of Development Management for 18/05278/LBC following the sealing of a s106 legal agreement to secure the requisite developer obligation and triggers for the renovation works to safeguard the listed building at Courtfield House as set out within Section 10 of the report, seconded by Cllr David Vigar.

A vote was taken on the above motion.

Following which, it was:

Resolved:

The Committee APPROVED that the issuing of planning permission for 18/04656/FUL be delegated and deferred to the Head of Development Management, following the sealing of a s106 legal agreement covering the matters set out within Section 10 of the report; and subject to planning conditions.

The Committee unanimously APPROVED that the issuing of listed building consent be delegated and deferred to the Head of Development

Management, following the sealing of a s106 legal agreement to secure the requisite developer obligation and triggers for the renovation works to safeguard the listed building at Courtfield House as set out within Section 10 of the report.

Recommended Planning Conditions Pursuant to 18/02656/FUL –

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 scale 1:1250 drg no. 021 rev B

Proposed site plan scale 1:250 drg no. 020 rev M

Demolition plan scale 1:250 drg no. 022 rev B

Plots 17-20 Courtfield House ground and first floor plans scale 1:100 drg no. 030 rev B

Plots 17-20 Courtfield House second floor and roof plans scale 1:100 drg no. 031 rev B

Plots 17-20 Courtfield House front elevation scale 1:100 drg no. 032 rev E

Plots 17-20 Courtfield House rear/side elevations scale 1:100 drg no. 033 rev D

House types – plots 1-5 scale 1:100 drg no. 001 rev D

House types – plots 6-9 scale 1:100 drg no. 002 rev E

House types – plots 10-13 scale 1:100 drg no. 003 rev E

House types – plots 14-16 scale 1:100 drg no. 004 rev I

Site section elevations scale 1:100 drg no. 005 rev E

Materials palette drg no. 007 rev B

Landscape masterplan scale 1:500 drg no. 238101 F

Detailed hard landscaping proposals scale 1:200 drg no. 238102 D

Detailed planting proposals scale 1:200 drg no. 238103 G

Landscape specification details drg no. 238104

Proposed access and parking bay scale 1:250 drg no. 20032-GA04

Orchard Management Plan v3 by Johns Associates dated 26 January 2022

Drainage strategy scale 1:250 drg no. D01 rev E

Extended Phase 1 Ecological Survey (Stark Ecology, July 2019)

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 (as amended by the Town and Country Planning (General Permitted Development)

(Amendment) (No.3) (England) Order 2020 (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 and in the interests of the character of adjacent listed buildings and the character and appearance of the Conservation Area.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.

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

5. The dwellings hereby approved to be accommodated at plots 13, 14 and 15 shall not be brought into use or occupied until the windows in the southern and northern gable upper floor elevations (plot 13) and northern rear upper floor elevation (plots 14 and 15) that serve en-suite and bathrooms are glazed with obscure glass only [to an obscurity level of no less than level 4] and thereafter, the windows shall be maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

6. The dwellings hereby approved to be accommodated at plots 6-9 shall not be brought into use, until the full specification details of the first-floor balcony screens have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved screens shall be erected in accordance with the approved plans and shall be retained, maintained or replaced on a like for like basis in perpetuity.

REASON: In the interests of residential amenity and privacy.

Highway Matters

7. No development shall commence on site (excluding works pursuant to the demolition and site clearance) until full engineering details of the access road, passing bay and site access, as shown generally on plan 20032-GA04, have been submitted to and approved in writing by the Local Planning Authority; and the dwellings hereby approved to be accommodated at plots 1-13 shall not be occupied, until the access road, passing bay and the site access have been completed in accordance with

the approved details. Thereafter, the approved arrangements shall be maintained free from other obstructions in perpetuity.

REASON: In the interests of highway safety.

8. The dwellings hereby approved to be accommodated at plots 1-13 shall not be occupied or brought into use, until the visibility splays as shown on the approved plan 20032-GA04 have been provided with no obstruction to visibility at or above a height of 60cm as measured above the nearside carriageway level. Thereafter, the visibility splays shall be maintained free of obstruction in perpetuity.

REASON: In the interests of highway safety.

9. No dwelling hereby approved shall be occupied or brought into use until the associated parking space(s) together with access thereto and as shown on the approved plans, have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter.

REASON: In the interests of highway safety.

10. No dwelling hereby approved shall be occupied or brought into use until a scheme for the future maintenance of the roads and other communal areas has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that satisfactory arrangements for the future maintenance of those areas are in place.

NOTE: The s106 shall secure the requisite clauses and developer obligations, but a planning condition is required to secure the maintenance scheme that would require officer review and approval before the condition can be discharged.

11. No development shall commence above ground floor slab level until details of secure covered cycle parking has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the cycling storage provision facilities shall be provided in accordance with the approved details and made available for use prior to the first occupation of any associated dwelling and shall be retained for such use in perpetuity.

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

NOTE: The submitted details shall accord with the dimensions, access, location, design and security principles as set out within Appendix 4 of Wiltshire's Local Transport Plan 2011-2026 Cycling Strategy

Ecology Matters

12. No development hereby approved shall commence on site (including works pursuant to the demolition and site clearance), until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature, to be shown on a 1:250 scaled plan within the relevant site boundaries, together with a mechanism for monitoring the success of management prescriptions, and incorporating a review and any necessary adaptive management procedures.

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

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

13. The development hereby approved shall be carried out in strict accordance with the Extended Phase 1 Ecological Survey (Stark Ecology, July 2019 or as modified by a Natural England European Protected Species Mitigation licence for bats.

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

14. No development hereby approved shall commence on site (including works pursuant to the demolition and site clearance), until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall provide details of the full suite of on-site mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- a) Identification of ecological protection areas/buffer zones and tree root protection areas shown on a plan along with the details of physical means of protection, e.g. exclusion fencing.**
- b) Working method statements for protected/priority species, such as nesting birds and reptiles.**
- c) Mitigation strategies already agreed with the local planning authority prior to determination, such as for great crested newts, dormice or bats; this should comprise the preconstruction/construction related elements of strategies only.**
- d) Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors;**

including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.

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

f) Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence.

Thereafter, the approved development shall be carried out in strict accordance with the approved CEMP.

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

15. No external lighting fixture or fitting shall be installed to any dwelling hereby approved or within the respective and associated domestic curtilages or communal open space unless and until detailed specifications of the lighting, the illuminance levels, mapped lighting direction and any shrouding to limit light exposure beyond the targeted direction, have been submitted to and approved by the Local Planning Authority in writing. The submitted details shall be required to demonstrate how the proposed lighting would impact on bat habitat compared to the existing pre-development lighting circumstances.

REASON: To define the terms of this consent and to avoid potentially harmful light pollution and causing detriment to bat interests.

16. The development hereby approved shall be carried out in strict accordance with the ecological on-site enhancements as shown on the Detailed Planting Proposals Drawing 2381 03 Rev. G (produced by Liz Lakes Associates, dated April 2020).

REASON: To ensure compliance with Core Policy 50 of the Wiltshire Core Strategy and the Framework (2021) and to ensure the long-term management of the landscape and ecological features to be retained.

17. No dwelling hereby approved shall be occupied or brought into use until details and the location of the bat tubes and bat boxes as detailed within the Extended Phase 1 Ecological Survey (Stark Ecology, July 2019) have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the bat tubes and boxes shall be installed in accordance with the approved details and shall be maintained in perpetuity.

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

Public Protection Matters

18. No development hereby approved shall commence on site (including works pursuant to the demolition and site clearance), until a Construction Method Statement, has been submitted to and approved in writing by the Local Planning Authority which shall include the following:

- a) the parking of vehicles of site operatives and visitors during the construction period;**
- b) the locations for the loading and unloading of plant and materials;**
- c) the location for the storage of plant and materials during the construction period**
- d) the details of any security hoarding including decorative displays and facilities for public viewing, where appropriate;**
- e) the on-site wheel washing facilities;**
- f) the measures to control the emission of dust and dirt during the construction period;**
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works;**
- h) the measures to be used to protect the natural environment; and**
- i) the hours of construction, including deliveries.**

Thereafter, the approved Construction Method Statement shall be complied with in full throughout the construction period.

REASON: This 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.

Landscaping Matters

19. No development hereby approved shall commence beyond ground floor slab level until a detailed 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:-

- full scaled elevation details of any enclosures**
- all hard and soft surfacing materials**
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc)**

REASON: 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 and to protect the setting of the conservation area and listed buildings.

20. All the landscape planting hereby approved shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, 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 and to protect the setting of the conservation area and listed buildings.

Archaeology Matter

21. No development hereby approved shall commence on site (excluding works pursuant to the demolition and site clearance) until:

- a) A written programme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority, which shall include on-site work and off-site work such as the analysis, publishing and archiving of the results; and,**
- b) The approved programme of archaeological work has been carried out in accordance with the approved details.**

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to enable the recording of any matters of archaeological interest.

Drainage Matters

22. No development hereby approved shall commence above ground floor slab level until a detailed scheme for the discharge of foul water from the site, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: In order that the development is undertaken in an acceptable manner and to ensure that the development can be adequately drained.

23. No development hereby approved shall commence above ground floor slab level until a detailed 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 including all necessary permits, consents and

permissions, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: In order that the development is undertaken in an acceptable manner and to ensure that the development can be adequately drained.

Informatives to Applicant:

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

2. The applicant should note that if the intention is to offer the roads for adoption, the LLFA does not provide for the approval of drainage suitable for adoption by the Highway Authority. Further approval should be ascertained from the Highway Authority. To find out more about the processes required to secure road adoption, contact the Highway Authority at HighwaysDevelopment@wiltshire.gov.uk.

3. The applicant is advised to make contact with Wessex Water to discuss and agree connections for this development and to consider the following Wessex Water advice:
Some public sewers and laterals drains are not on our maps of public sewers because they were originally privately owned and transferred into public ownership under the Water Act (Schemes for Adoption of Private Sewers) Regulations 2011. We are continuously updating our records as new sewer information becomes available. Where there are sewers crossing into this site from adjoining properties that have subsequently transferred to Wessex Water, statutory easements will apply. Any sewers entering the site from neighbouring properties should be notified to Wessex Water and must be accurately located on site and marked on deposited plans by the developer.

Proposed Sewerage infrastructure - Foul and surface water shall be drained separately from the site.

Foul Drainage - Wessex Water acting as Statutory Undertaker for sewerage can agree a foul connection to the public foul sewer in Polebarn Road to discharge foul flows from this development. The point of connection to the public network is by application and agreement with Wessex Water and subject to satisfactory engineering proposals constructed to current adoptable standards. Redundant drains and laterals should be sealed at the point of connection to the public sewer.

Surface Water Drainage - Surface water flows shall be disposed of in accordance with Suds Hierarchy and NPPF Guidelines. The Surface Water Drainage Strategy (dated April 2018) proposes a connection to the public surface water sewer in Polebarn Road with a rate of discharge that provides betterment over the pre-development situation. This is acceptable in principle, the final discharge rates must be agreed with Wessex Water prior to any connections being made for this development which should provide evidence of how much of the existing site currently drains directly to the public surface water network.

Wessex Water will require details of the existing SW discharge rate to the public SW sewer compared to proposed rate and a 30% betterment achieved through SuDs arrangements shall be required.

The Drainage Strategy acknowledges that the landscaped areas currently drain overland to the adjoining park and only runoff from roofs and drained paved surfaces that connect to our sewer can be included when comparing pre and post development flows into the public SW system. It is also noted that a CCTV survey undertaken by the applicant indicated surface water downpipes connected to the foul drainage system. If there are any existing surface water connections to the existing foul water system these should be redirected upon re-development.

The Drainage Strategy plan 18004-DO1-Rev B shows a blue note on the surface water system stating "DISCHARGE TO EXISTING PUBLIC FOUL SEWER VIA NEW MANHOLE CONNECTION" which is considered to be typographical error and should be changed to read surface water sewer. Surface Water connections to the public foul sewer network will not be permitted. Land drainage run-off shall not be permitted to discharge either directly or indirectly to the public sewerage system.

Elements of the foul and surface water systems can be offered for adoption where they meet current standards. Where it is proposed to run sewers outside of public areas the applicant should be mindful of the requirements for access and layout by providing satisfactory easements widths with clearance from buildings, trees and root protection zones. The developer should contact the local development team development.north@wessexwater.co.uk to agree proposals and submit details for technical review prior to construction. For more information

refer to Wessex Water's guidance notes 'DEV011G – Section 104 Sewer Adoption' and 'DEV016G - Sewer Connections'.

Water Infrastructure A water supply can be made available from the local network in Polebarn Road with new water mains installed under a requisition arrangement. The point of connection will be reviewed upon receipt of a Section 41 Requisition Application. The applicant should consult the Wessex Water website for further information.
www.wessexwater.co.uk/Developers/Supply/Supply-connections-and-disconnections. Buildings above two storeys will require pumped storage.

4. The applicant/developer is required to obtain a bat licence from Natural England for this development proposal and the Council would appreciate receipt of a copy following its issuing.

5. 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 the commencement of work.

6. Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to the site and inform the Planning Officer where they are to be found.

Recommended Planning Conditions Pursuant to Listed Building Consent application 18/05278/LBC

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:

Location plan scale 1:1250 drg no. 021 rev B

Proposed site plan scale 1:250 drg no. 020 rev M

Demolition plan scale 1:250 drg no. 022 rev B

Plots 17-20 Courtfield House ground and first floor plans scale 1:100 drg no. 030 rev B

Plots 17-20 Courtfield House second floor and roof plans scale 1:100 drg no. 031 rev B

Plots 17-20 Courtfield House front elevation scale 1:100 drg no. 032 rev E

Plots 17-20 Courtfield House rear/side elevations scale 1:100 drg no. 033 rev D

Materials palette drg no. 007 rev B

Landscape masterplan scale 1:500 drg no. 238101 F

Detailed hard landscaping proposals scale 1:200 drg no. 238102 D
Detailed planting proposals scale 1:200 drg no. 238103 G
Landscape specification details drg no. 238104
Proposed access and parking bay scale 1:250 drg no. 20032-GA04
Drainage strategy scale 1:250 drg no. D01 rev E
Extended Phase 1 Ecological Survey (Stark Ecology, July 2019)

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

3. No works shall commence pursuant to the conversion of the Courtfield House property until full details of the following matters have been submitted to and approved in writing by the Local Planning Authority:

- **Large scale details of all external joinery (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels**
- **Large scale details of all internal joinery (1:5 elevation, 1:2 section)**
- **Full details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air**
- **Details of all new or replacement rainwater goods**
- **A full schedule and specification of repairs including a structural engineer's report setting out the nature of, and suggested remedial work to, structural defects**
- **A full schedule of internal finishes to walls, ceilings and floors**
- **Full details and samples of external materials**

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

REASON: In order that the development is undertaken in an acceptable manner and in the interests of preserving the character and appearance of the listed building and its setting.

41 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 3.00 - 5.30 pm)

The Officer who has produced these minutes is Ellen Ghey of Democratic Services, direct line 01225 718259 , e-mail Ellen.ghey@wiltshire.gov.uk

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