

AGENDA

Meeting: Strategic Planning Committee
Place: Council Chamber - County Hall, Trowbridge BA14 8JN
Date: Wednesday 13 November 2013
Time: 10.30 am

Please direct any enquiries on this Agenda to Kieran Elliott, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718504 or email kieran.elliott@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

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Briefing Arrangements:	Date	Time	Place
PARTY SPOKESMEN	13 November	0945	Council Chamber

Membership:

Cllr Glenis Ansell	Cllr Christopher Newbury
Cllr Terry Chivers	Cllr Anthony Trotman
Cllr Andrew Davis (Chairman)	Cllr Nick Watts
Cllr Jose Green (Vice Chairman)	Cllr Fred Westmoreland
Cllr Charles Howard	Cllr Graham Wright
Cllr Bill Moss	

Substitutes:

Cllr Trevor Carbin	Cllr George Jeans
Cllr Ernie Clark	Cllr Gordon King
Cllr Stewart Dobson	Cllr Howard Marshall
Cllr Mary Douglas	Cllr Paul Oatway
Cllr Dennis Drewett	Cllr Ian West
Cllr Russell Hawker	Cllr Philip Whalley

PART I

Items to be considered when the meeting is open to the public

1 Apologies for Absence

To receive any apologies or substitutions for the meeting.

2 Minutes of the Previous Meeting (*Pages 1 - 22*)

3 Declarations of Interest

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

4 Chairman's Announcements

To receive any announcements through the Chair.

5 Public Participation and Councillors' Questions

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register in person no later than 10.20am on the day of the meeting.

The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application and up to 3 speakers on any other item on this agenda. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered. The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda (acting on behalf of the Director of Resources) no later than 5pm on Wednesday 6 November 2013. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

- 6 **13/03187/WCM: Units 3-5 No 2 Porte Marsh Road, Porte Marsh Industrial Estate, Calne, SN11 9BW** (*Pages 23 - 32*)

PART II

Item(s) during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

None

STRATEGIC PLANNING COMMITTEE

DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 23 OCTOBER 2013 AT MAIN FUNCTION ROOM, SALISBURY RUGBY CLUB.

Present:

Cllr Glenis Ansell, Cllr Terry Chivers, Cllr Andrew Davis (Chairman), Cllr Jose Green (Vice Chairman), Cllr Charles Howard, Cllr Bill Moss, Cllr Christopher Newbury, Cllr Nick Watts, Cllr Fred Westmoreland and Cllr Ian West (Substitute)

Also Present:

Cllr Richard Clewer

40 **Apologies for Absence**

Apologies for absence were received from Councillors Graham Wright and Tony Trotman.

Councillor Wright was substituted by Councillor Ian West.

41 **Minutes of the Previous Meeting**

The minutes of the meetings held on 11 September 2013 and 25 September 2013 were presented for consideration. It was,

Resolved:

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

42 **Declarations of Interest**

There were no declarations.

43 **Chairman's Announcements**

The Chairman announced that application N/11/02320/WCM - Hills Waste Recovery Facility, Lower Compton, Calne - had not been ready to come to the Committee for the meeting, but it was hoped it would be able to be scheduled for the next meeting of the Committee in November 2013.

44 **Public Participation and Councillors' Questions**

The rules on public participation were noted.

45 **Planning Applications**

Attention was drawn to the updated list of late observations, including an amendment to the suggested conditions for application 13/00673/OUT, which is attached to the council website with the rest of the agenda papers.

46 **13/00673/OUT: Site adjacent A345 road and Longhedge Cottages**

Public Participation

Mr Richard Greenwood spoke in objection to the application.

Mr Paul Brocklehurst, on behalf of the applicants, spoke in support of the application.

Mr Greg Mitchell, planning consultant to the applicants, spoke in support of the application.

Cllr Ron Champion, Laverstock and Ford Parish Council, spoke in support of the application.

The Planning Officer introduced a report which detailed two schemes for the application site, and recommended both for delegation to the Director of Development Services to approve subject to the securing of an appropriate s.106 legal agreement. Key issues for both schemes included the principle of the proposed housing development and its impact upon the area, links to the neighbouring developing in construction at Old Sarum, provision of affordable housing and the heads of terms for any proposed s.106 agreement.

It was noted that the application was for outline permission only, and that detailed specifics presented were indicative, with permission for those specifics on design and layout and other matters being required at a future date should the principle of the development, with either scheme, be approved. A proposed roundabout access for the site was included as part of the outline application, and it was noted that an underground gas main running through the site could not be constructed over, and this had been taken into account with proposed designs and layout.

The key difference between scheme A and scheme B was stated to be that scheme A encompassed a larger area, and with a proposed upper limit of 673 houses against 475 for scheme B, as well as the provision of an area of community open space to the north of the site and further employment space.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought of the number of dwellings being constructed in the adjoining Old Sarum development to enable consideration of the total impact from each scheme for the Longhedge site, along with details of the archaeological investigation as part of condition 22. Attention was also drawn to proposed condition 21 as detailed in the late submission papers, which limited the scale of proposed retail units within the site, and the existence of a 1m strip of land surrounding the Old Sarum development which was owned by a third party, and its impact on any proposed linkage between the two developments.

In response to queries it was also confirmed that a large portion of scheme A and smaller section of scheme B included areas that were a departure from

local planning policy as being identified for housing development, and should permission be approved this would need to be advertised as such and referred to the Secretary of State. There were also queries regarding the width of the roads in the proposed development and parking concerns, and it was stated that final details would come with later permissions, but that initial designs had been made to encourage less on-street parking and for roads to be of a suitable width. Additionally, it was stated that it was planned most dwellings would be two storey, although there would be one and three storey dwellings within the site.

The Chairman then announced that as the report presented two different schemes for approval, following legal advice the Committee would consider each scheme separately and vote upon each scheme.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

Mrs Natalie Moss then read a statement on behalf of the Local Member, Councillor Ian McLennan, who was unable to be present, in support of option A of the application, subject to the imposition of suitable additional conditions.

A debate followed, where the importance of precise wording to limit the number of dwellings permitted on the site was raised, to prevent future additional development. The need for the infrastructure for the site to be suitable for future purposes was noted, with some members having concerns that where an upper limit had not been set or where an unviable amount of dwellings had been initially approved in other applications, and was subsequently expanded upon, infrastructure including roads, schools and green space had become insufficient.

The preference for affordable homes to be available for local residents was mentioned, along with issues of Highway safety and the proposal that any public art financial contribution be utilized for a new changing room facility to serve the playing pitch on the development.

The granting of permission to a site which was a departure from local planning policy was discussed, and how likely it was that the site would inevitably be marked for development considered.

At the conclusion of debate, it was,

Resolved:

That subject to:

- a) **The advertisement of the application as a Departure to Development Plan policies;**
- b) **The referral of the application to the Secretary of State as a Departure from Development Plan policies and the agreement of the said to the issuing of planning permission;**
- c) **Subject to all parties entering into a S106 legal agreement which secures:**

- **Public open space facilities/financial contributions and timing of provision, including a contribution commensurate with the Public Art contribution towards the provision of changing room facilities which incorporate public art.**
- **Provision of on-site affordable housing and timing of provision**
- **Provision of waste and recycling facilities/financial contributions**
- **Provision of educational contributions towards the provision of new school building and land for that new school, and timing of that provision**
- **Financial Contributions towards Stone Curlew project**
- **Financial contribution towards cemetery facilities**
- **Financial contribution towards Wiltshire Fire and Rescue facilities**
- **Transportation contributions and sustainable initiatives and timing of that provision as referred to by WC Highways comments above**
- **Provision of a new roundabout, and associated bus stops and pathways prior to the commencement of any other works**
- **Provision of land for a new retail and neighbourhood centre building and the construction and provision of that facility prior to occupation of 50 percent of the planned development.**
- **A suitably surfaced pedestrian and cycle link to be provided up to the boundary of the application site with the adjacent Old Sarum site including a commuted sum of money for the Council to deal with future linkage provision, and the details of such works.**
- **Provision and timing/phasing of the commercial/industrial land and uses**

To delegate to the Director of Development Services to APPROVE Planning permission for schemes A and B.

Subject to the following conditions:

01. Approval of the details of the layout, scale, appearance of the buildings, the means of access thereto (excluding the roundabout and associated access works subject of this application) and the landscaping of the site (herein called the reserved matters) shall be obtained from the Local Planning Authority in writing, for each housing and employment phase of the development prior to commencement of that phase.

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.

02. Plans and particulars of the reserved matters referred to in condition 01 above, relating to the layout, scale, appearance of any building to be erected, the means of access to the site (excluding the roundabout and associated access works subject of this application) and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

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.

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

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.

04. 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.

05. The number of dwellings hereby permitted on this site shall be limited to a maximum of 673 dwellings in the case of option A, or limited to a maximum of 425 dwellings in the case of option B.

REASON: To ensure that the overall density and layout of the final scheme accords with the mitigation and details agreed as part of this permission and associated legal agreement.

06. The development shall be carried out in general accordance with the illustrative Master Plans and the parameters for the development provided in the Design and Access statement, including the list of general design principles contained in the Development Specification document submitted on 17th September 2013, namely:

Option A

Drawing No. 3281 501 Option A – Site location plan

Drawing no 3821 502 Option A illustrative master plan

Drawing No. 3281 505 Option A Green Infrastructure

Drawing No. 3281 504 Option A Building Heights

Drawing no. 3281 506 Option A Access and movement

Drawing No. 3281 503 Option A Land Use plan

Option B

Drawing No. 3281 501 Option B – Site location plan

Drawing no 3821 502 Option B illustrative master plan

Drawing No. 3281 505 Option B Green Infrastructure

Drawing No. 3281 504 Option B Building Heights

Drawing no. 3281 506 Option B Access and movement

Drawing No. 3281 503 Option B Land Use plan

REASON: For the avoidance of doubt

07 The access to both Option A and Option B schemes shall be carried out in accordance with approved Plan no SK004 Rev A – Access and roundabout arrangements.

REASON: For the avoidance of doubt

Highways

08. The development hereby approved shall accord with the details shown on access roundabout drawing no drawing SK004/A. The roundabout and associated works, including two bus laybys including shelters and real time bus information electronic display boards and pathways and street lighting, shall be provided and made available for use, prior to the first occupation of any the dwellings hereby approved. Notwithstanding any landscaping/planting or drainage details submitted pursuant to the reserved matters applications, and before any works are commenced with regards the highway access works, a scheme for the discharge of surface water from the highway and landscaping works, including timing of works, associated with the highway access works hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the access arrangements, and associated drainage and landscaping has been constructed in accordance with the approved scheme.

REASON: To ensure that an acceptable access and egress is provided prior to occupation of any of the proposed dwellings, in the interest of sustainable development and highway safety and the interests of providing safe and convenient access to public transport for occupiers of the development. Also, to ensure that any highway access works are appropriately landscaped and drained in order to reduce the visual impacts of the works on the wider countryside.

09. Prior to first occupation of any dwelling, a 2 metre wide footway shall have been constructed and made permanently available for use by pedestrians, in accordance with details to be first submitted to and approved by the Local Planning Authority, over the entire frontage of the site, along the western boundary with the A345 road.

REASON: In the interests of safe and convenient pedestrian access to the development.

10. Prior to occupation of the 50th dwelling a temporary bus loop to enable buses to turn within the site shall have been constructed and made available for use, in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority.

REASON: In the interests of enabling public transport to serve the development from an early stage.

Linkages

11. The pedestrian and cycle paths proposed across the site allowing access to Old Sarum along the eastern boundary shown on the indicative layout shall be surfaced, provided, and made available for safe use concurrently with the development being completed, and prior to any of the residential units, school/community facilities/open space/land, or commercial /industrial units first coming into operation or being first occupied. The pathway shall remain available for public use in perpetuity until its formal adoption by the Local Authority.

REASON: In order to ensure that access from and to the wider area is provided at an early stage, so as to enhance the connectivity of the wider community and to allow access to and from facilities and services.

12. The footpath link with Monarchs Way right of way shall be fully constructed and provided prior to occupation of any of the dwellings hereby approved, or as agreed in accordance with an alternative scheme approved in writing by the Local Planning Authority.

REASON: In order to ensure that access from and to the wider area is provided at an early stage, so as to enhance the connectivity of the wider community and to allow access to and from facilities and services.

Protection of amenity

13.No development shall commence until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details the measures that will be taken to reduce and manage the emission of noise and dust during the construction phase of the development and shall specifically address the following:

- i. The movement of construction vehicles**
- ii. Wheel washing and vehicle wash down facilities**
- iii. The storage, transport and management of waste materials and building materials.**
- iv. The recycling of waste materials**
- v. The loading and unloading of plant and materials**
- vi. The location and use of generators and temporary site accommodation**

The approved construction management plan shall be complied with throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction management plan without the prior written permission of the Local Planning Authority.

REASON: In order to limit the impact of the development on surrounding amenity

14.Before the development hereby permitted commences a scheme for the acoustic insulation and protection of residential properties against

road traffic noise and noise from the approved business/commercial uses shall be submitted to and approved by the Local Planning Authority. This scheme shall include details of glazing, ventilation and the measures to be taken to protect external amenity space from noise. All works within the approved scheme shall be implemented before the residential properties are first occupied and shall be maintained at all times thereafter.

REASON: In order to limit the impact of the development on surrounding amenity

Non residential development

15. Before the development hereby permitted commences a scheme of acoustic insulation shall be submitted to and approved by the Local Planning Authority specifying the measures that will be taken for the purposes of preventing and controlling the emission of noise from externally mounted plant and equipment. The approved scheme shall be implemented before the development is first brought into use and shall be maintained at all times thereafter in accordance with the approved details.

REASON: In order to limit the impact of the development on surrounding amenity

16. Before the development hereby permitted commences a scheme of acoustic insulation shall be submitted to and approved by the Local Planning Authority specifying the measures that will be taken for the purposes of preventing and controlling the emission of noise and vibration from the approved commercial/business uses. The approved scheme shall be implemented before the development is first brought into use and shall be maintained at all times thereafter in accordance with the approved details.

REASON: In order to limit the impact of the development on surrounding amenity

17. Before the development hereby permitted commences a scheme for the discharge and control of fumes, gasses and odours from the approved commercial/business uses shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented before the development is first brought into use shall be maintained at all times thereafter in accordance with the approved details.

REASON: In order to limit the impact of the development on surrounding amenity

18. Before the development hereby permitted commences a schedule for the times of deliveries to and/or collections from the approved commercial/business uses shall be submitted to and approved by the Local Planning Authority. Deliveries and/or collections shall only take place in accordance with the approved schedule and shall not take place at any other time.

REASON: In order to limit the impact of the development on surrounding amenity

19. Before the development hereby permitted commences a schedule for the operating times of the approved commercial/business uses shall be submitted to and approved by the Local Planning Authority. The approved commercial/business uses shall only operate in accordance with these agreed times and shall not operate at any other time.

REASON: In order to limit the impact of the development on surrounding amenity

Neighbour amenity – Longhedge cottages and Longhedge House

20. Prior to any construction works commencing, a construction management plan shall be submitted to and approved in writing by the Local Planning Authority which details the measures to be taken to protect the residential amenities of the occupiers of dwellings directly adjacent to the proposed works during construction. The scheme so agreed shall be carried out in strict accordance with the agreed details.

REASON: In order to limit and reduce the impact of the construction works on the occupiers of residential properties located within immediate proximity of the proposed works.

Restriction of uses within neighbour centre

21. The neighbourhood centre shall be arranged as shown on the submitted indicative layout plan and design and access statement, and shall comprise of a main retail use, limited to Class A1 as defined by the Town and Country Planning use Classes Order 1995 as amended, which shall have a gross floor area of 550sqm. The ancillary neighbourhood uses shall be limited to Class A1, A3, A4, A5, or D1 as defined by the Town and Country Planning use Classes Order 1995 as amended uses only, and any unit or use shall be limited to a maximum of 200 sqm gross floor area. No use shall commence until a scheme for the carrying out, operation, and construction of that use/building has been submitted to and approved by the Local Planning Authority as part of a reserved matters application.

REASON: In order to limit the impact of the development on residential amenity and the impact on the vitality and viability of the city centre.

Archaeology

22. With regards Option A & B, no development shall take place within the application site until a written programme of archaeological investigation, has been submitted to, and approved in writing by the Local Planning Authority. The approved programme of archaeological mitigation has been carried out in accordance with the approved details.

REASON: To safeguard the identification and recording of features of archaeological interest.

Archaeology management plan for community open space

23. With regards Option A, no development shall commence on site until such a time that a management plan to ensure the preservation in situ of the archaeological features/remains described in the Environment Statement to include the provision of archaeological information panels and a timetable for the implementation of the management plan, has been submitted to and agreed in writing by the Local Planning Authority. The management plan shall thereafter be implemented in accordance with the approved plans.

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

Ecology

24. Before development commences, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority which secures protection of habitats and species during the construction period, including pollution prevention measures. The development shall be carried out in accordance with the agreed CEMP.

REASON: In order to prevent pollution of the water environment and to protect habitats and species during the construction period so as to limit the impacts of the development

25. Before development commences, a scheme for water efficiency shall be submitted to and approved by the Local Planning Authority. The scheme should Development shall be carried out in accordance with the agreed schemes.

REASON: In order to improve the sustainability of the scheme in line with Core Policy 19 of the South Wiltshire Core Strategy.

Surface water drainage scheme

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

REASON: To ensure that the development can be adequately drained

Lighting

27. No development shall commence until a lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be designed to minimise light spill and sky glow, and to minimise light levels along site boundaries and internal transverse planting corridors to below 1 LUX.

REASON: In order to limit the impact of lighting on protected species and habitats

EMP

28. No development shall commence on site, including site clearance, until an Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority which covers the following points:

- a) Landscape framework plan (demonstrating responsibilities for long term management)**
- b) Detailed proposals for habitat retention and creation, methods for establishing new meadows and wetland habitat, design and locations for bat and bird boxes, and habitat management plan.**

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

REASON: To limit the impact of the development on visual and residential amenity and the surrounding natural habitat.

Tree protection during construction

29.No development shall commence (including any works on the highways access hereby approved) until the existing trees and hedging to be retained adjacent to the site boundaries have been protected by means of a scheme submitted to and agreed in writing with the Local Planning Authority prior to works commencing. Development shall be carried out in accordance with the agreed scheme.

The Tree Protection Plan shall show the areas which are designated for the protection of trees, shrubs and hedges, hereafter referred to as the Root Protection Area (RPA). Unless otherwise agreed, the RPA will be fenced, in accordance with the British Standard Guide for Trees in Relation to Construction (BS.5837: 2012) and no access will be permitted for any development operation.

The Arboricultural Method Statement should specifically include details of how the hard surfacing within the RPA of any retained trees can be implemented, if necessary, without causing root damage.

The Arboricultural Method Statement shall include provision for the supervision and inspection of the tree protection measures. The fencing, or other protection which is part of the approved statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the Local Planning Authority has been given in writing.

REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction.

Strategic planting programme

30. Before any development commences (including the highway access works hereby approved), a detailed Landscaping scheme, showing the proposed strategic planting including the tree belts, intended to help reduce the wider visual impact of the development, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of native species, specimen sizes, and long term maintenance and ownership. Such planting shall be carried out in accordance with the agreed scheme.

All new planting and landscaping shown on the agreed plans, shall be provided/planted out on site within 1 calendar year of the commencement of development, unless a scheme of timing of provision is otherwise agreed in writing with the Local Planning Authority.

REASON: In order to ensure that strategic planting areas are provided as soon as practicable following commencement of development, and that any such planting is able to mature to provide an effective screen to the development in the longer term.

Ground water protection

31.The development hereby permitted shall not be commenced until such time as a scheme:

- a) To agree sewage pipework specification
- b) Agree pollution prevention for storage of pollutants
- c) For drainage

has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved.

REASON: To prevent the pollution of controlled waters.

Surface Water management

32.Before development commences, details of a surface water drainage masterplan shall be submitted to and agreed in writing by the Local Planning Authority. The masterplan shall be in accordance with the Flood Risk Assessment (Option A, RSK, Ref:131658, R1(0) dated 18th April 2013, or Option B , RSK, Ref: 131658, R2 (0) 18TH April 2013) and include details of the phasing of surface water drainage infrastructure including source control measures, the hydrological and hydrogeological context of the development, and details of the future responsibility and maintenance. The development shall be implemented in accordance with the approved scheme.

REASON: To prevent the increased risk of flooding as a result of the development in accordance with the NPPF

INFORMATIVES

- 1) As part of any future reserved matters application for landscaping details, an Ecology and Landscape Enhancement Scheme for buffer land adjacent to the River will be submitted. The Scheme will be prepared by a professional ecologist and provide a detailed programme of enhancement measures that will be achieved on land allocated for landscaping in the Landscape Strategy Plan (dwg No. 06136-PO.04). The Enhancement Scheme will be carried out in full and within the timetable laid out within the approved document.**
- 2) The surface water management scheme shall be in accordance with recommendations and findings of the FRA Bradbrook Consulting Revision C November 2012.**
- 3) With regard to the archaeology conditions above the work should be conducted by a professionally recognized archaeological contractor in accordance with a written scheme of investigation agreed by this office and there will be a financial implication for the applicant.**
- 4) The applicant should ensure that they have thoroughly investigated ground conditions and levels of vibration on the development site and use appropriate construction methods and materials to ensure that the occupants of the houses concerned are not adversely affected by vibration and or/reradiated noise caused by Equinox prior to any of the properties being sold or occupied.**
- 5) With respect to the condition related to noise issues, I would highlight that as per correspondence with the acoustic consultants we are not entirely satisfied with the existing noise surveys for this area and in particular due to the use of noise mapping calculations to estimate some noise levels used in the acoustic report. We would advise that further measurements are required to either replace or confirm the predictions concerned when this condition is subject of an application to discharge. We would also highlight that based on the existing data available we consider that the residential properties on the western edge of the residential development are likely to need acoustically treated mechanical ventilation.**
- 6) With respect to conditions above, and as per correspondence and agreement with the acoustic consultant, we would recommend that an appropriate target would be that the cumulative rating noise level should not exceed background and assessed as per BS4142.**

- 7) **With respect to the conditions above if any of the businesses uses may produce significant levels of vibration this issue will need special consideration and should be discussed with this department.**
- 8) **With respect to conditions above the appropriate times for deliveries/collections and operating times will be dependent on the final design and layout. If the applicant wishes to have greater flexibility with opening times / deliveries/collections we would encourage them to carefully consider the layout of the development. Including consideration of the separation of residential from commercial/business uses, the orientation of noisy parts of the development away from residential properties and the use of some commercial/business premises as acoustic barriers.**
- 9) **With regards the affordable housing S106 heads of terms, it is considered that where allowed by Council policy, Laverstock and Ford residents should have priority in relation to the affordable housing stock on this site.**

Councillor Christopher Newbury requested that his objection to the approval for scheme A be recorded.

Councillors Charles Howard and Terry Chivers requested that their abstention from the approval for scheme A be recorded.

Councillor Jose Green requested that her abstention from the approval for scheme B be recorded.

The Committee also commended the Local Member for their detailed and comprehensive assessment of the applications as read to the meeting.

47 **13/02254/FUL: Five Rivers Leisure Centre, Hulse Road, Salisbury, SP1 3NR**

Public Participation

Patricia Fagan, Shadow Community Operations Board, spoke in support of the application.

The Planning Officer introduced a report which recommended that planning permission be granted. Key issues were stated to include the principle of the proposed extensions to the current Leisure centre as part of the transformation into a community campus, the impact upon local amenity and the local highways, and the design and appearance. It was noted that the building contained significant amounts of parking spaces to the rear, and that no objection had been received from the Highways officers.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought regarding new entrances, including for the police teams that would be based in the building, and details of how the site's historic use as a landfill site prevented the complete parking areas to be covered in tarmac.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Richard Clewer, then spoke in support of the application.

A debate followed in which the access to the site was acknowledged as an existing concern, and whether the alterations to the use of the site would adversely impact the highways issue to a significant degree. The expanded facilities for disabled users was noted, and the design of the proposed extensions was assessed for suitability.

After debate, it was,

Resolved:

That Planning Permission be GRANTED for the following reason:

The proposed development is considered to be an acceptable redevelopment of an existing leisure centre for similar extended and enhanced purposes. Subject to the imposition of relevant and necessary planning conditions, the development would not have an unacceptable impact upon highway safety, amenity, ecology or the landscape and would have the effect of enhancing sports, leisure and community facilities to the local community as well as improving the appearance of the site and wider public realm. The proposal is considered to comply with the provisions of the National Planning Policy Framework as well as saved policies G1, G2, D1, C10, R1A and R1B of the adopted South Wiltshire Core strategy.

Subject to the following conditions:

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

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

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

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

- 3. No development shall commence on site until details showing ventilation and extraction equipment within the site (including details of its position, appearance and details of measures to prevent noise emissions) have been submitted to and approved in writing by the**

Local Planning Authority. The ventilation/extraction equipment shall be installed prior to the building/extension hereby approved being first occupied and shall thereafter be maintained in accordance with the approved details.

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

- 4. In complete accordance with the submitted details, use of the all weather pitch, including operation of the associated floodlighting, shall cease at 22:00hrs each day and shall not resume use and operation until the following day at 08:30hrs, unless otherwise agreed with the Local Planning Authority in the form of a new and separate planning permission in that regard.**

REASON: So as to avoid unnecessary and unacceptable noise and disturbance from the use and operation of the all-weather pitch.

- 5. No demolition, site clearance or development shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees shall be submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following:**

- A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2012 and a plan indicating the alignment of the protective fencing;**
- A specification for scaffolding and ground protection within tree protection zones in accordance with BS5837:2012**
- A schedule of tree works conforming to BS3998.**
- Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;**
- Plans and particulars showing the siting of the service and piping infrastructure;**
- A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification;**
- Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and**
- Details of all other activities, which have implications for trees on or adjacent to the site.**

REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

6. The development shall be carried out as specified in the approved Arboricultural Method Statement (AMS), and shall be supervised by an arboricultural consultant.

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

7. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

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

REASON: To enable the local planning authority to ensure the retention of trees on the site in the interests of visual amenity.

8. The development hereby permitted shall be carried out in accordance with the following approved plans:
Location Plan no 2904(L) 001

Existing Site photographs no 2904(L)005
Existing site plan no 2904(L)010
Proposed site plan no 2904(L)011 rev B
External Works plan no 2904(L)012 rev D
Proposed All Weather pitch plan 2904(L)020 rev B
Existing Basement floor plan 2904(L)040
Existing Ground Floor Plan 2904(L)041
Existing first floor plan 2904(L)042
Existing Roof Plan 2904(L)043
Proposed ground floor plan 2904(L)050
Proposed first floor plan 2904(L)051
Proposed Roof plan 2904(L)052
Existing South Elevation 1 plan 2904(L)101
Existing South Elevation 2 plan 2904(L)102
Existing North Elevation 1 plan 2904(L)103
Existing North Elevation 2 plan 2904(L)104
Existing West and East elevations plan no 2904(L)105
Existing Minor elevations 2904(L)106
Proposed 3D views plan no 2904(L)110
Proposed elevations plan no 2904(L)111
Proposed elevation 1 plan no 2904(L)112
Proposed elevation 2 plan no 2904(L)113
Proposed elevation 3 Plan no 2904(L)114
Proposed elevations 4,5 and 6 plan no 2904(L)115
Police compound fencing detail plan no 2904(L)116
Bin Store detail plan no 2904(L)117
Screen entrance wall plan no 2904(L)118
Cycle shelter details plan no 2904(L)119
Existing site sections plan no 2904(A)170
Proposed site sections plan no 2904(A)171
473477/P003 – Revision P2 : External Lux Levels for Planning –
Football Pitch

All plans are revision A unless stated.

Additional documents

Flood risk assessment by Hydrock dated May 2013
Noise and Acoustic report reference 5520/DO/pw dated July 2013 by
Acoustic consultants Ltd
Transport assessment by Key transport consultants Ltd dated July
2013 including appendices
Design and Access statement by the Bush Consultancy dated 23rd
July 2013
External Lighting statement by Halcrow dated 22nd July 2013
Preliminary ecological appraisal by Alec French architects dated
September 2012
Biodiversity Enhancement Strategy dated October 2013 by the
landmark practice
Construction Working Method statement dated October 2013 by the
landmark practice

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

9. The development hereby approved shall be carried out in accordance with the details and recommendations of the biodiversity Enhancement Strategy and Construction Method statement dated October 2013 and produced by the landmark practice.

REASON: In order to protect wildlife within the vicinity of the site.

10. Prior to the occupation of any of the new buildings, the subject of this application, a car parking management plan shall be submitted to and approved by the local planning authority. The plan shall set out measures for ensuring that long stay parking on the site does not arise, as well as measures for dealing with offenders. The car parking shall at all times be managed in accordance with the approved plan.

REASON: To ensure that adequate parking provision exists on the site to accommodate forecast demand.

11. All 345 parking bays on the site, as indicated on the approved drawings, with the exception of the 50 space overspill parking area on the proposed reinforced grass area, shall be clearly permanently marked for each parking bay, before the beneficial use of any of the additional uses proposed on the site. All car parking spaces shall be provided before the beneficial use of any of the additional uses proposed on the site.

REASON: To ensure that individual parking bays can be readily identified, and in the interest of efficient use of sufficient parking provision.

12. 56 cycle parking spaces shall be provided in accordance with the approved drawings before the beneficial use of any of the additional uses proposed on the site.

REASON: In the interests of encouraging sustainable transport to the site.

13. Prior to the occupation of any of the new buildings, the subject of this application, details of the provision of the proposed community bus, its funding arrangements and its proposed route and timetabling shall be submitted to and approved in writing by the local planning authority. The Community bus shall be operated in accordance with the agreed routeing and timetabling, unless alternative arrangements are agreed by the local planning authority.

REASON; In the interests of encouraging use of sustainable transport modes to access the site.

14. Prior to the commencement of the development, details of the parking provision and fencing and gating arrangements for the secure police parking area shall be submitted to and agreed by the local planning authority.

REASON: In order to ensure that no parking spaces in the vicinity of the secure compound gates are obstructed.

15. Prior to the commencement of the development a construction traffic management plan shall be submitted to and approved by the local planning authority. Construction traffic shall be managed in accordance with the plan throughout the construction period. The plan shall include provision to restrict peak hour construction traffic to and from the site, as well as details of the routes proposed for access and egress for lorries.

REASON: In the interest of highways safety and local amenity.

16. No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1. A preliminary risk assessment which has identified:**
 - a) all previous uses**
 - b) potential contaminants associated with those uses**
 - c) a conceptual model of the site indicating sources, pathways and receptors**
 - d) potentially unacceptable risks arising from contamination at the site.**
 - 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.**
 - 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.**
 - 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.**
- Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.**

REASON

Due to past site uses as a landfill site; construction could mobilise contaminants with the potential to pollute controlled waters.

17. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set

out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

REASON

Due to past site uses as a landfill site; construction could mobilise contaminants with the potential to pollute controlled waters.

18. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

REASON

Due to past site uses as a landfill site; construction could mobilise contaminants with the potential to pollute controlled waters.

19. Piling or any other foundation designs / investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON

Piling or any other foundation designs / investigation boreholes using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater.

20. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, in accordance with the Flood Risk Assessment (Hydrock, Ref: R/2519/001, May 2013), has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details

before the development is completed. The scheme shall also include details of how the scheme shall be maintained and managed after completion.

REASON

To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system.

INFORMATIVE

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

INFORMATIVE

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

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

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

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>.

INFORMATIVE

It is requested that the applicant investigate further with Wiltshire Councils highways department, the need for and practicalities of the installation of traffic lights at the junction of the A345 (Castle Road) and Butts road in order to ease both existing and increased traffic from the new campus development.

(Duration of meeting: 2.10 - 4.10 pm)

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

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

Wiltshire Council Report to the Strategic Planning Committee

Date of Meeting	13 November 2013		
Application Number	13/03187/WCM		
Site Address	Units 3-5 No 2 Porte Marsh Road, Porte Marsh Industrial Estate, Calne, SN11 9BW		
Proposal	Section 73 application: Temporary Change of Use to a Recyclables Management Facility with ancillary activities without compliance with condition 5 of N.11.03354 (to allow loading outside of the building)		
Applicant	Hills Waste Solutions Ltd		
Town/Parish Council	Calne		
Electoral Division	Calne North	Unitary Member	Cllr Glenis Ansell
Grid Ref	400229 171979		
Type of application	County Matter		
Case Officer	Mark Henderson	01225 718598	mark.henderson@wiltshire.gov.uk

Reason for the application being considered by Committee

Councillor Glenis Ansell has requested that this application be determined by the Committee for the following reasons:

- Relationship to adjoining properties
- Environmental or highway impact
- Concern about why the alleged Health & Safety issue did not arise in the original application.

1. Purpose of Report

To consider the above application and to recommend that permission be GRANTED.

2. Report Summary

The main issues in the consideration of this application are as follows:

- Reasons for imposing Condition 5
- Noise and operating hours
- Impact on residential amenity and the local environment.

3. Site Description

The application site is located within the established Porte Marsh Industrial Estate, located on the northern fringe of Calne. It comprises an existing building situated at the southern end of the Estate.

The external yard area is hard surfaced and provides adequate space for vehicle turning and parking. Fencing that once enclosed the front of the site has been removed and it would appear that others are making use of the yard for parking.

A mix of B2/B8 uses neighbour the application site, with areas of residential development and a school to the south. Access is from Porte Marsh Road, the main distributor/link road through the Industrial Estate, onto the A3102 which links to the A4 to the south.

The site has been operating in its current use since 2011 for the reception, sorting and distribution of plastic and cardboard waste from the council's kerbside collection service.

4. Relevant Planning History

N/11/01816/WCM – Temporary Change of Use to a Recyclables Management Facility, with ancillary activities – approved September 2011.

N/11/03554/WCM - Section 73 application: Temporary Change of Use to a Recyclables Management Facility, with ancillary activities without compliance with condition 6 of N.11.01816 [to change operation hours] – approved 19 December 2011

5. Proposal

The application has been made under section 73 of the Town and Country Planning Act 1990 to carry out the previously approved development of the Recyclables Management Facility without complying with condition 5 of permission ref: N/11/03554/WCM in order to allow the loading of vehicles with sorted and baled plastic and cardboard recyclable waste outside of the building.

Condition 5 of the permission currently reads:

No deposition, processing, handling or transfer operations shall take place on site outside the confines of the building hereby approved for this purpose and no loose waste materials shall be deposited or stored on the adjacent open area.

The applicant proposes to amend the wording of condition 9 to read:

No deposition of untreated materials or processing shall take place outside of the building hereby approved for this purpose and no loose materials shall be deposited or stored on the adjacent open area

6. Planning Policy

Wiltshire and Swindon Waste Development Control Policies DPD

Policy WDC2: Managing the impacts of waste management

7. Consultations

Calne Town Council – Object. Members commented that Hills are already breaching some of the conditions placed on the earlier application. It was noted that the facility is operating outside of its agreed times with the doors open. Complaints have been received from residents in the vicinity. Members requested that a member of the enforcement team investigate these issues.

Members felt strongly that by moving the loading/unloading operations outside, the issues already experienced by local residents will surely worsen. There will almost certainly be an unacceptable increase in noise, pollution and littering.

Members felt strongly that if the facility cannot operate safely, in compliance with health & safety regulations as it currently does, then the building/site is not fit for purpose. Members strongly

objected to this application on the following planning grounds; Local Plan 2011 – Core Policy C3 (iii), (ix) and NE18 Noise & Pollution - para 6.50

Environment Agency - no objections, in principle, to the proposed development but recommends that if planning permission is granted an informative be included advising that the proposed development may require a variation to its current exemption or Environmental Permit from the Environment Agency.

Strategic Landscape Team – No comment

Environmental Health – No adverse comments

8. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

11 letters of objection were received in response to the application and 1 response in support of the proposal.

Summary of key relevant points raised:

- The temporary arrangement has been in operation now for approximately two years, with Hills Recycling seeming to manage adequately so far and we question the need to alter the existing arrangements.
- The facility has been operating past 22:30 hours causing a noise nuisance.
- The existing operations already cause a noise nuisance, including when the doors are left open.
- The prospect of allowing longer operating hours, combined with the inevitable increase in noise and detritus generated by outside loading will be intolerable
- This recycling operation, although of arguably inert materials, does already generate considerable smells from contaminated milk bottles; this was very evident to passersby and local residents during the hot weather this summer.
- The site operates close to residential properties, schools and amenities
- The proposal would result in an increased risk of litter, dust, odour, flies, rats and gulls.
- The existing planning permission requires the site to operate with doors closed
- Loading/handling of loose waste outside the building will considerably increase the risk of a litter problem on the adjacent public highway, especially during high winds
- Concern was expressed that permission being granted without particular conditions being attached and also rigorously enforced would really mean "carte blanche" for the applicant to do as suits them best without regard for the local environs or residents.
- It has been the cleanest and best organized on the estate. However in going past it virtually every night it seems to be running at virtually the physical limit of the factory now. Any increase in or outside will need the excellent management its got now with no slippage or fall in standards as very very quickly chaos would result.
- Since the arrival of Hills we have seen a steady deterioration to the immediate environment with increased rubbish on roads, smell, traffic noise, an increase in the seagull population and the damage to the road infrastructure
- increased health risks, such as our children developing Asthma and other lung disease as a result of dust pollution.

9. Planning Considerations

This is an application under Section 73 of the Town and Country Planning Act 1990. This section provides for applications to be made for planning permission without complying with conditions applied to a previous permission. Thus it is possible to apply for conditions to be struck out, or for their modification or relaxation.

The section 73 procedure for such applications requires the planning authority to consider only the question of the condition(s) subject to which planning permission should be granted. If it is decided permission should be granted subject to conditions differing from the previous permission the planning authority may grant planning permission accordingly. Alternatively, if the planning authority decides that permission should be granted subject to the same conditions as in the previous permission, then it should refuse the application.

In determining this application, it will be necessary to consider the condition, the reason for it, its function, the degree to which it makes the development acceptable, and therefore whether the variation would in this context be acceptable.

The Porte Marsh Recyclables Management Facility currently operates under a conditional planning permission granted in December 2011 (ref. N/11/03554/WCM). Condition 5 of that permission requires that all operations associated with the Facility take place inside the confines of the building. This application proposes the 'variation' of condition 5 to allow outside loading of processed and baled plastic and cardboard waste onto lorries for transportation to off-site reprocessing facilities for recovery or recycling.

Reasons for imposing Condition 5

Condition 5 reads "*No deposition, processing, handling or transfer operations shall take place on site outside the confines of the building hereby approved for this purpose and no loose waste materials shall be deposited or stored on the adjacent open area*".

The reason given for imposing the condition is "*to ensure an acceptable form of development is achieved in the interests of the appearance of the site and local amenity.*"

The reason is supported by policy WDC2 of the Wiltshire and Swindon Development Control Policies DPD which seeks to control significant adverse impacts of waste management development on, among other matters, amenity, visual aspects of development, vibrations, noise and light.

The applicant considers that the proposal would address health and safety concerns associated with loading operations that are currently required by the existing planning permission to take place within the building.

The health and safety concerns have arisen due to the Council's municipal plastic and cardboard collection service proving to be more successful than anticipated, leading to more cramped working conditions.

It must therefore be judged firstly whether there would be any adverse impact associated with outside loading and secondly if so whether the impact would be significant to the degree that it would outweigh the need to address the health and safety concerns.

Noise and operating hours

Calne Town Council and some members of the public that have responded to the planning application are of the view that the current planning permission restricts operating hours for the facility and requires the doors to remain shut. However, there are no requirements to keep the doors closed during operation.

The only related restrictions to the running of the facility are imposed by condition 6 which imposes restrictions on the days and times deliveries of waste to the site and the dispatch of materials may take place. Outside loading would be related to the dispatch of waste and consequently would be restricted to take place within the delivery and dispatch hours imposed by condition 6, should planning permission be granted.

The dispatch vehicles would be loaded using a forklift truck. Given that the context for the site is an industrial estate, where the use of forklift trucks for loading and unloading is commonplace and where HGVs will continue to arrive and depart from the site, it is considered extremely unlikely that the loading of vehicles outside of the facility as proposed, within the hours imposed by condition 6 would result in an excessive noise impact on sensitive receptors.

Impact on residential amenity and the local environment

The Town Council and members of the public have raised concerns about the potential for dust, odour, littering and the encouragement of vermin that would be caused by allowing operations to take place outside of the building.

Additional details submitted by the applicant show that outside loading of vehicles would take place two or three times per day. The loading activity would last 45 minutes to 1 hour. No changes are being proposed to the internal operations of the building. All deposition of plastic and cardboard when it arrives at the facility and all processing would still be carried out inside the confines of the building.

The site is used for the reception, sorting and bulking up of plastic and cardboard waste. No recycling of cardboard or plastic takes place at the site and no putrescible waste is received at the site. The plastic and cardboard would be compacted and baled inside the building. The bales would then be taken from inside the unit by forklift truck and loaded straight onto a lorry. Consequently the proposal to load vehicles outside is not considered to present a risk of an increase in vermin or flies and would be extremely unlikely to result in the creation of significant or excessive amounts of dust, litter or odour.

Given that there will be vehicles arriving and departing from the site during the same times that the loading would be taking place it is highly unlikely that the proposal to load vehicles outside would result in an excessive or significant impact on the visual appearance of the site or the privacy of neighbouring uses.

Although it does not appear to be intentional, the variation to the wording proposed by the applicant would (potentially) allow for the deposition and storage of materials outside of the building for prolonged periods. This flexibility and scope for using the outside hard standing as a storage area for reclaimed/baled materials is considered unnecessary to achieve the objective of addressing health and safety concerns. It could potentially also impact on the appearance of the local area.

It is considered that the loading of vehicles inside the building now presents a health and safety risk to site staff, and that this consideration should carry significant weight. However, whilst the anticipated impact of the proposed outside loading is considered negligible, this should not outweigh the need to maintain the visual appearance of the site when loading is not taking place, where it can be avoided. The time that the materials are outside of the building should therefore be restricted to those periods when loading is taking place, thereby minimising potential impact on residential amenity. It is therefore considered the wording proposed by the applicant should be amended so the condition reads as follows:

Except for the loading of reclaimed baled materials onto vehicles for dispatch, no deposition, processing, handling or transfer operations shall take place on site outside the confines of the building hereby approved for this purpose, and no loose waste materials shall be deposited or stored on the adjacent open area.

Conclusion

The changes to the Councils municipal waste collection service, to include separate plastic and cardboard collections, have been more successful than originally anticipated and is resulting in the building at Porte Marsh being operated to its limits. This has raised health and safety concerns for staff loading vehicles. Within the context of the Porte Marsh Industrial Estate, the loading of vehicles outside using a forklift is not out of keeping with the site surrounds. Any adverse impact associated with outside loading is considered to be negligible and would not outweigh the health and safety benefits achieved from doing so.

10. Recommendation:

Planning Permission be granted for the following reason(s):

The Council is of the opinion that the proposed development is in accordance with the Development Plan and that there are no material considerations that indicate the decision should be made otherwise. The proposal would improve health and safety working practices at the site, is of modest scale and temporary nature and is considered acceptable in this industrial area.

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

1. The use hereby permitted shall be discontinued and the site cleared of any plant, machinery or materials associated with the use on or before 31 October 2014.

Reason: To ensure the development is carried out in accordance with submitted application and approved details.

2. No development shall take place 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 Waste 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 safeguarding local amenity.

Policy: WDC2 and WDC11 of the Wiltshire and Swindon Waste Development Control Policies DPD.

3. No development shall take place until a Lorry Routeing Plan, detailing the routeing of HGVs to and from the site, has been submitted to and approved in writing by the Waste Planning Authority. The plan shall identify the arrangements for:

- i) monitoring of the approved arrangements;
- ii) ensuring that all drivers of vehicles under the control of the applicant are made aware of the approved arrangements, and;
- iii) the disciplinary steps that will be exercised in the event of default.

The approved plan shall be implemented for the duration of the development hereby permitted.

Reason: In the interests of safeguarding local amenity.

Policy: WDC2 and WDC11 of the Wiltshire and Swindon Waste Development Control Policies DPD.

4. No waste other than those waste materials defined in the application details shall enter the site.

Reason: Waste material outside of the aforementioned would raise alternate additional environmental concerns, which would need to be considered afresh.

Policy: WDC2 of the Wiltshire and Swindon Waste Development Control Policies DPD.

5. Except for the loading of reclaimed baled materials onto vehicles for dispatch, no deposition, processing, handling or transfer operations shall take place on site outside the confines of the building hereby approved for this purpose, and no loose waste materials shall be deposited or stored on the adjacent open area.

Reason: To ensure an acceptable form of development is achieved in the interests of the appearance of the site and local amenity.

Policy: WDC2 of the Wiltshire and Swindon Waste Development Control Policies DPD.

6. Deliveries of waste to the site and dispatch of materials, inclusive of movement of vehicles to and from the site, shall be confined to between the hours of:

07.00 to 18.00 Mondays to Fridays

07.00 to 13.00 on Saturdays

07.00 to 18.00 on Saturdays that follow Public/Bank Holidays

No waste shall be delivered or accepted or dispatched on Sundays or Bank or Public Holidays, other than as indicated below:

07.00 to 18.00 Good Friday, Easter Monday, Early May Bank Holiday, Spring Bank Holiday and Summer Bank Holiday, plus any special bank holidays announced in a particular year by HM Government;

13.00 to 18.00 on Saturdays immediately following the Christmas Day and Boxing Day Holidays; and

13.00 to 18.00 on two consecutive Saturdays that immediately follow New Years Day.

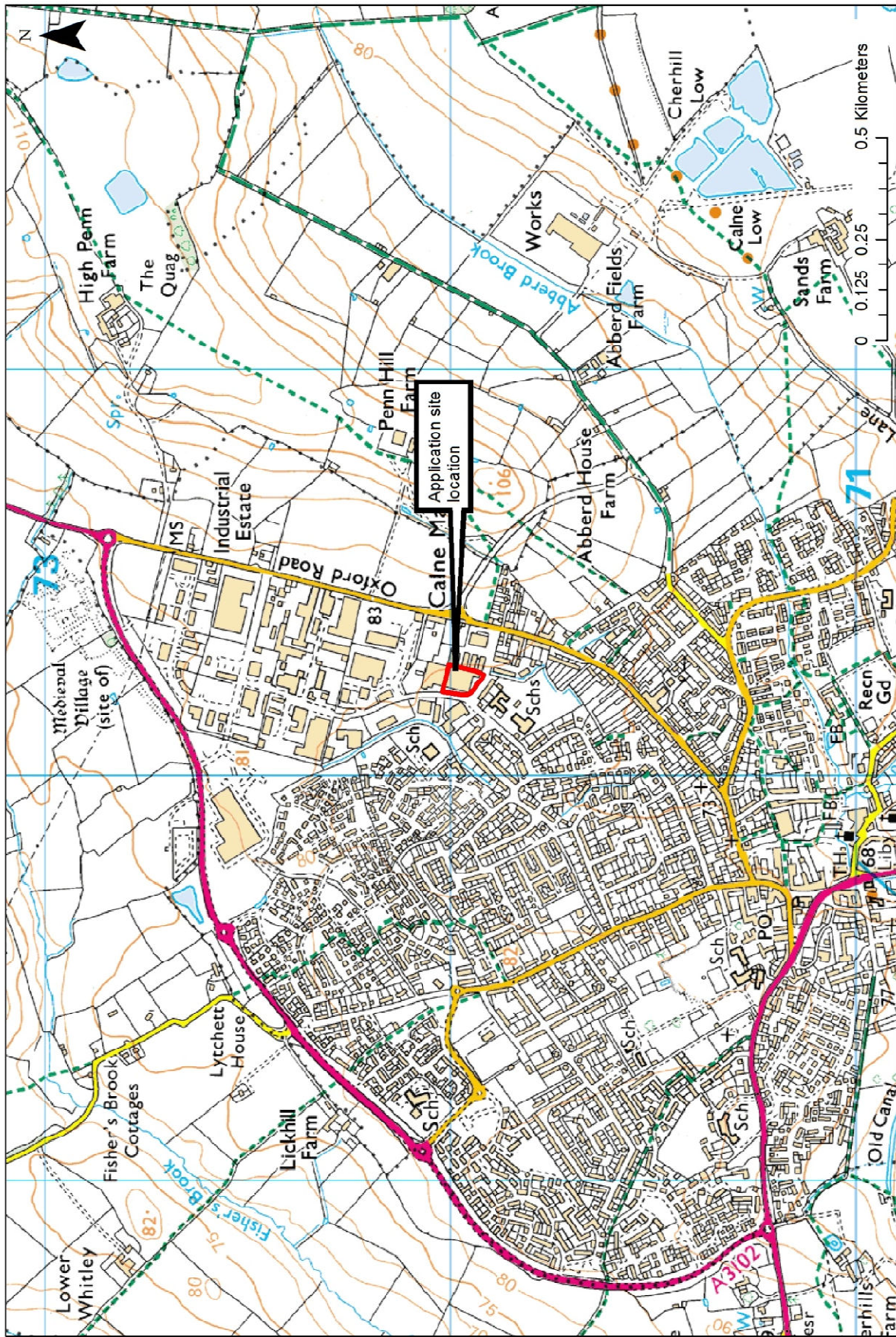
Operations shall not take place on Sundays or on Christmas Day, Boxing Day or New Year's Day.

Reason: In the interests of limiting the effects on local amenity.

Policy: WDC2 of the Wiltshire and Swindon Waste Development Control Policies DPD.

Appendices:	Appendix 1: Site Location Plan
Background Documents Used in the Preparation of this Report:	None

Appendix 1: Site Location Plan



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