

AGENDA

Meeting: Western Area Planning Committee
Place: Council Chamber - County Hall, Trowbridge BA14 8JN
Date: Wednesday 25 February 2015
Time: 3.00 pm

Please direct any enquiries on this Agenda to Will Oulton, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713935 or email william.oulton@wiltshire.gov.uk

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

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Membership:

Cllr Christopher Newbury (Chairman)	Cllr Magnus Macdonald
Cllr John Knight (Vice-Chair)	Cllr Horace Prickett
Cllr Trevor Carbin	Cllr Pip Ridout
Cllr Ernie Clark	Cllr Jonathon Seed
Cllr Andrew Davis	Cllr Roy While
Cllr Dennis Drewett	

Substitutes:

Cllr Nick Blakemore	Cllr Gordon King
Cllr Rosemary Brown	Cllr Stephen Oldrieve
Cllr Terry Chivers	Cllr Jeff Osborn
Cllr Fleur de Rhé-Philippe	Cllr Graham Payne
Cllr Russell Hawker	Cllr Jerry Wickham
Cllr Keith Humphries	

AGENDA

1 **Apologies for Absence**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 5 - 26*)

To approve and sign as a correct record the minutes of the meeting held on 4 February 2015,

3 **Chairman's Announcements**

To receive any announcements through the Chair.

4 **Declarations of Interest**

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

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 2.50pm 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 Corporate Director) no later than 5pm on Wednesday 18 February 2015. 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 Planning Applications

To consider and determine the following planning applications:

6a **14/11880/FUL - Whaddon Grove Farm, Whaddon Lane, Hilperton, Trowbridge, BA14 6NR** *(Pages 27 - 34)*

6b **14/12030/DP3 - Holt Primary School, The Gravel, Holt, BA14 6RA** *(Pages 35 - 44)*

6c **14/11269/REM - Garden of 27 Forest Road, Melksham, SN12 7AA** *(Pages 45 - 60)*

7 Urgent Items

Any other items of business which, in the opinion of the Chairman, should be taken as a matter of urgency.

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WESTERN AREA PLANNING COMMITTEE

**DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING
HELD ON 4 FEBRUARY 2015 IN THE COUNCIL CHAMBER - COUNTY HALL,
TROWBRIDGE BA14 8JN.**

Present:

Cllr Christopher Newbury (Chairman), Cllr John Knight (Vice Chairman),
Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Dennis Drewett,
Cllr Horace Prickett, Cllr Pip Ridout, Cllr Jonathon Seed, Cllr Roy While and
Cllr Gordon King (Substitute)

10 Apologies for Absence

Apologies for absence were received from Councillor Magnus MacDonald, who was substituted by Councillor Gordon King.

11 Minutes of the Previous Meeting

The minutes of the meeting held on 14 January 2015 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 14 January 2015.

12 Chairman's Announcements

There were no Chairman's Announcements.

The Chairman gave details of the exits to be used in the event of an emergency.

13 Declarations of Interest

Councillor Andrew Davis stated that although he had considered application 14/05980/FUL - Fiarview House, Gypsy Lane, Warminster - as a member of the Planning Committee of Warminster Town Council, he would be considering the application with an open mind.

As declared at the previous meeting, Councillor John Knight that although he had considered application 14/02929/FUL - Ravenscroft Nursing Home, 44 Hilperton Road, Trowbridge - as a member of the Planning Committee of Trowbridge Town Council, he would be considering the application with an open mind.

14 Public Participation and Councillors' Questions

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

The following written councillor question and response was received and noted:

Question from Councillor Ernie Clark, Hilperton Division:

Condition 10 of planning application (W)04/01389/FULES provides:

10 *Notwithstanding the details shown on the submitted drawings no development shall take place until details of the pedestrian crossings where footways and footpaths cross the road, and details of the pedestrian and bridleway crossing at Middle Lane have been submitted to, and approved in writing by, the Local Planning Authority.*

“ Zebra crossings will be provided on the new road adjacent to the "Fieldways roundabout and to the "Wyke Road" roundabout. The development shall be carried out in accordance with the approved details before the road is opened to traffic..... “

REASON: In the interests of highway safety, in order to safeguard amenity, and to facilitate access for all

What was the wording for this condition as it appeared in the officers recommendation in the agenda papers for the meeting when this condition was agreed? i.e. I wish to find out whether the wording of the condition was amended during the course of the planning meeting.'

Response

Condition 10, as agreed by the meeting (minute 294 refers) reads as follows:

Amendment of condition 10 to read as follows: -

Notwithstanding the details shown on the submitted drawings, no development shall take place until details of the pedestrian crossings where footways and footpaths cross the road, and details of the pedestrian and bridleway crossing at Middle Lane have been submitted to, and approved in writing by, the Local Planning Authority. Zebra crossings will be provided on the new road adjacent to the "Fieldways" roundabout and to the "Wyke Road" roundabout. The development shall be carried out in

accordance with the approved details before the road is opened to traffic. Kissing gates suitable for disabled use shall be provided where footpaths intersect the road.

REASON: In the interests of highway safety, in order to safeguard amenity, and to facilitate access for all.

Condition 10, as recommended by the officer reads as follows:

Notwithstanding the details shown on the submitted drawings no development shall take place until details of the pedestrian crossings where footpaths cross the road, and details of the pedestrian and bridleway crossing at Middle Lane have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details and the crossings shall be complete and operational before the road is opened to traffic.

REASON: In order to safeguard amenity.

15 **Right of Way Applications**

The Committee considered the following right of way application:

15a Proposed Extinguishment of a Section of West Ashton Footpath 1 (Part) and Creation of Footpath in Substitution

Public Participation

Francis Morland spoke in objection to the application.

The Right of Way Officer presented the report which outlined the recommendation that the order be confirmed by the Secretary of State.

Members of the Committee had the opportunity to ask technical questions regarding the proposed order.

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

The Local Member, Councillor Horace Prickett, spoke in support of the proposals, and following a motion being proposed it was,

Resolved

That the Wiltshire Council West Ashton 1 (part) Extinguishment Order 2014 and the Wiltshire Council West Ashton 1 (part) Creation Order 2014 be submitted to the Secretary of State for Environment, Food and Rural Affairs with the recommendation that the Orders be confirmed and the objection is dealt with under the written representation scheme.

Reason for decision:

Officers believe it is expedient to extinguish the path through Manor View and its garden as in the light of a satisfactory alternative there is no need for the public to use this route. It is necessary to confirm the concurrent Creation Order providing for a footpath in substitution for the section of footpath to be extinguished to ensure public access along West Ashton Footpath 1 is maintained.

16 **Planning Applications**

The Committee considered the following applications:

17 **14/05980/FUL - Fairview House, Gypsy Lane, Warminster**

Public Participation

Mr Michael Knight spoke in objection to the application.

Mr Martin Somervell MBE spoke in objection to the application.

Rev Denis Brett spoke in objection to the application.

Mr Paul Walsh spoke in support of the application.

Cllr Sue Fraser spoke on behalf of Warminster Town Council in objection to the application.

The Senior Planning Officer outlined the report which recommended the application for approval subject to conditions. Key issues were stated to include the principle of the development, and impacts upon the character and appearance on the area and local amenity. A committee site visit took place prior to the meeting.

Members of the Committee then had the opportunity to ask technical questions of the officer, where it was confirmed that as Fairview House was not a Listed Building, the process for demolition was simpler than would otherwise be the case.

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

The local Unitary Member, Councillor Andrew Davis, then spoke in objection to the application.

A debate followed, where the potential loss of amenity and extent of any overlooking was assessed within the context of the site and local area was discussed, along with restriction of working hours during construction and details regarding affordable homes provision, in the event permission was approved.

At the conclusion of debate, it was

Resolved

To delegate authority to the Area Development Manager to grant planning permission subject to a legal agreement to secure the following:

- a) 4 units of affordable housing
- b) A financial contribution of £16,700 towards public open space;
- c) A financial contribution of £4,501 towards swimming pools and/or upgrades to boathouse in Warminster Park;
- d) A financial contribution of £5,158 towards sports halls; and
- e) A financial contribution of £1,320 towards the Wessex Stone Curlew Project; and, that permission be 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 a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-
- a) location and current canopy spread of all existing trees and hedgerows on the land;
 - full details of any to be retained, together with measures for their protection in the course of development;
 - b) a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
 - c) the finished levels and contours;
 - d) the means of enclosure;
 - e) car park layouts;
 - f) other vehicle and pedestrian access and circulation areas;
 - g) all hard and soft surfacing materials;
 - h) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc); and,
 - i) all proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

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

- 4** All soft landscaping comprised in the approved details of

landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

- 5** No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction - Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and;

The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work – Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to

be retained on the site or adjoining land.

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

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity and ecology.

- 6** No development shall commence on site until details of the screen fences to be located on the western boundary of the site have been submitted to and approved in writing by the Local Planning Authority. The screen fences shall be erected in accordance with the approved details prior to the occupation of the dwellings hereby permitted and shall be retained and maintained as such at all times thereafter.

REASON: To prevent unacceptable overlooking & loss of privacy to neighbouring property.

- 7** The development hereby permitted shall not be first occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

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

REASON: In the interests of highway safety.

- 9** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

- 10** The development hereby approved shall not be first occupied until the refuse and recycling facilities shown on the approved plans have been provided and made available for use. These facilities shall be maintained in accordance with the approved details thereafter.

REASON: To ensure the provision of satisfactory facilities for the storage of refuse and recycling.

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

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

- 12** The development hereby approved shall be carried out in accordance with the recommendations made in Section 6 of the Nocturnal Emergence and Dawn Re-Entry Bat Surveys report (no. RT-MME-117290-01) dated August 2014 and Sections 6.2 and 6.3 of the Preliminary Ecological Appraisal report (no. RT-MME-116887-01) dated June 2014 both prepared by Middlemarch Environmental, unless otherwise agreed in writing with the local planning authority.

REASON: to ensure adequate protection and mitigation for protected species / priority species / priority habitats.

- 13** Bat boxes erected in suitable trees shall be at a minimum height of 4 metres from the ground.

REASON: to ensure adequate installation of bat boxes, as an enhancement for biodiversity

- 14** Prior to the commencement of any works associated with the development hereby approved, an Amphibian and Reptile Method Statement for site clearance and a Reptile and Amphibian Mitigation Strategy shall be submitted to the local planning authority for approval by the Council Ecologist. The approved method statement and mitigation strategy shall be implemented in full.

REASON: To ensure protection of priority and protected species.

- 15** Prior to the commencement of works associated with the development hereby approved, details of the replacement trees (10 trees) on the southern boundary, including species and container

sizes, shall be submitted to the local planning authority for approval. Trees shall be of British origin and local provenance. The tree replacement planting shall be carried out in accordance with the approved details within 12 months of the completion of the development.

REASON: to ensure mitigation for loss of trees along the southern boundary, which is used by foraging/commuting bats.

- 16** Prior to the commencement of any works associated with the development hereby approved, details of the mitigation for house sparrows shall be submitted to the local planning authority for approval by the Council Ecologist. The approved details shall be implemented in full before the dwellings hereby approved are occupied.

REASON: to provide mitigation for the loss of nesting sites of a priority species, the House sparrow.

- 17** No development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.

REASON: In the interests of visual amenity.

- 18** No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- h) measures for the protection of the natural environment.

i) hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

19

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

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

3732/001 Rev H Site Plan and Location Plan, received 21 October 2014

3732/002 Rev B Plots 1 and 2 Plans and Elevations, received 21 October 2014

3732/003 Rev C Plots 1 and 2 Plans and Elevations, received 21 October 2014

3732/004 Rev C Plots 3 to 8 Plans and Elevations received 21 October 2014

3732/005 Rev B Plots 9 to 12 Plans and Elevations, received 21 October 2014

516/7343/1 Topographical Survey, received 18 June 2014

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

INFORMATIVE: Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Bats are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). Please be advised that, if bats are discovered, all works should stop immediately and Natural England should be contacted for advice on any special precautions before continuing (including the need for a derogation licence).

INFORMATIVE: New water supply and waste water connections will be required from Wessex Water to serve this proposed development. Application forms and guidance information is available from the Developer Services web-pages of their website www.wessexwater.co.uk.

Please note that DEFRA intend to implement new regulations that will require the adoption of all new private sewers. All connections subject to these new regulations will require a signed adoption agreement with Wessex Water before any drainage works commence. Further information can be obtained from the Wessex Water New Connections Team by telephoning 01225 526222 for Water Supply and 01225 526333 for Waste Water.

INFORMATIVE: Separate systems of drainage will be required to serve the proposed development. No surface water connections will be permitted to the foul sewer system. If any further information is required please contact Wessex Water.

INFORMATIVE: The attention of the applicant is drawn to the contents of the attached letter from Wiltshire Fire and Rescue Service.

INFORMATIVE: This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the [insert date of future s106 agreement].

18 14/02929/FUL - Ravenscroft Nursing Home, 44 Hilperton Road, Trowbridge

Public Participation

Mrs Angela Clements spoke in objection to the application.

Mr Richard Borrows, agent, spoke in support of the application.

The Senior Planning Officer outlined the report which recommended the application for approval subject to conditions and a s.106 legal agreement. Key issues were stated to include the scale of the proposed development and visual impact. A committee site visit took place prior to the meeting.

Members of the Committee then had the opportunity to ask technical questions of the officers, where details were sought on the differences in land levels between the application site and neighbouring properties.

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

A debate followed, where the level of parking provision on the site was considered and assessed, along with the suitability of amenity space and the impact on the wider area.

At the conclusion of debate it was,

Resolved:

That permission be GRANTED, subject to the following conditions:

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

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

- 2 No development shall commence on site until details and samples of the materials to be used 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 of all windows (including head, sill and window reveal details) 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, the character of the host building and the character and appearance of the area.

- 4 No part of the development hereby permitted shall be occupied until the parking spaces have been constructed and marked out in accordance with the details shown on the approved plans, and the cycle racks provided. The parking and turning areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety and amenity.

- 5 Before works commence, a report shall be submitted to and approved in writing by the local planning authority approval detailing the results of sufficient bat surveys to confirm the location, status, species and access points of all bat roosts in buildings affected by the development hereby approved. The report shall illustrate the locations of roosts and access points on the approved architect drawings and assess the impacts of the proposed scheme on each roost and access point. The report shall provide recommendations for mitigation of any loss of ecological function of roosts or access points and any other safeguards that need to be put in place such as methods of working and revised survey and will recommend whether or not a European Protected Species licence will be required for works to proceed. The works shall be undertaken in accordance with the recommendations of the approved report.

REASON: In order to ensure the protection of Bat Species.

- 6** No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:
- a) location and current canopy spread of all existing trees and hedgerows on the land;
 - b) full details of any to be retained, together with measures for their protection in the course of development;
 - c) a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
 - d) finished levels and contours;
 - e) means of enclosure;
 - f) car park layouts;
 - g) other vehicle and pedestrian access and circulation areas;
 - h) all hard and soft surfacing materials;
 - i) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
 - j) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

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

- 7** All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

- 8** 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 the trees to be retained in accordance with the approved plans has been 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 shall provide the following:

- A specification for protective fencing to trees during both demolition and
- construction phases which complies with BS5837:2005 and a plan indicating the alignment of the protective fencing;
- A specification for scaffolding and ground protection within tree protection zones in accordance with BS5837:2005
- 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 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.

- 9 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.

- 10 All building services plant shall be so sited and designed in order to achieve a Rating level of -5dB below the lowest measured background noise level, determined at the nearest noise sensitive receptor. Measurements and assessment shall be carried out in accordance with BS4142:1997.

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

- 11** No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- the parking of vehicles of site operatives and visitors;
 - loading and unloading of plant and materials;
 - storage of plant and materials used in constructing the development
 - the erection and maintenance of any security hoarding;
 - measures to control the emission of dust and dirt during construction; and
 - a scheme for recycling/disposing of waste resulting from demolition and construction works.

REASON: In order to avoid harm to surrounding amenity in terms of noise, storage areas and restricted access arising during the development.

- 12** Hours of work for all demolition, site clearance and construction shall be within the following times:
Monday to Friday 0730 to 1800; Saturday 0800 to 1300 and at no time on Sundays or Bank Holidays.

REASON: In the interests of those residents in the cul-de-sac area and nearby the site the hours of working should be controlled.

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

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

- 14** The development and accommodation hereby permitted shall be used for residential care and ancillary facilities within the definition of Class C2, Residential Institutions, and for no other purpose (including any other purpose in Class C2); of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: In order to define the terms of this permission and because other C2 uses may not be appropriate in this context.

- 15** The development hereby permitted shall be carried out in accordance with the following approved plans:
L5800 (05) 70 Existing Site Plan with Topo survey received on 18.09.2014
L5800 (05) 74A Proposed Lower Ground Floor Plan received on 18.09.2014
L5800 (05) 75A Proposed Ground Floor Plan received on 18.09.2014
L5800 (05) 76A Proposed First Floor Plan received on 18.09.2014
L5800 (05) 77A Proposed Roof Plan received on 18.12.2014
L5800 (05) 78C Proposed Elevations 1 received on 18.12.2014
L5800 (05) 79C Proposed Elevations 2 received on 18.12.2014
L5800 (05) 80 Proposed Courtyard Elevations received on 18.09.2014
L5800 (05) 83B Proposed Site Layout Plan with 25/45 degree analysis received on 18.09.2014
L5800 05 3D 001-004, Sun Path Analysis received on 18.09.2014
L5800 (05) 95 South West Progressive Elevations received on 18.09.2014
L5800 (05) 96 South East Progressive Elevations received on 18.09.2014
L5800 (05) 97 North East Progressive Elevations received on 18.09.2014

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

- 16** **Informatives:**
The details provided in the submitted Arboricultural Report and Tree Protection and Tree Survey plans are accepted as base information for incorporation into the plans/reports to be provided in respect of the landscaping and arboricultural method statement conditions.
The applicant is advised that this permission relates to development within the red-line application site area. There is a question of land ownership over the narrow strip of land adjacent to the access which it is proposed to utilise for access widening.

19 **14/06682/FUL - 64 Wingfield Road, Trowbridge**

Public Participation

Mr Michael Oleszynski spoke in objection to the application.

Mr Robert Hillman spoke in objection to the application.

Mr Trevor Barclay Jenkins spoke in objection to the application.

Mr Chris Beaver, agent, spoke in support of the application.

The Senior Planning Officer introduced a report which recommended that planning permission be granted subject to conditions and a s.106 legal agreement. Key issues were stated to include the principle of the proposed development of 8 dwellings, the impact on neighbouring amenity and access and parking considerations.

Members of the Committee then had the opportunity to ask technical questions of the officer, where clarity was requested over the proposed conditions and informatives, and in response to queries it was stated that in response to new government guidance, affordable homes provision could not be requested on sites with fewer than 10 dwellings.

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

The local Unitary Member, Councillor John Knight, then spoke in support of the application.

A debate followed, where the principle of the number of dwellings on the site was considered, along with the extent and nature of the s.106 contributions recommended, and an assessment of the impact on the neighbouring area.

At the conclusion of debate, it was,

Resolved:

To delegate authority to the Area Development Manager to grant planning permission subject to a legal agreement to secure an index-linked financial contribution of £3,296 towards the provision of open space facilities, and subject to the following conditions:

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

REASON:

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

- 2 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 Subject to the further requirements of Condition 4, all soft landscaping comprised in the approved details of landscaping on Plan 3631/01 Rev H shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.**

REASON:

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

- 4 The hedgerow along the north-eastern boundary of the development hereby approved and as shown on Plan 3631/01 Rev H shall not be removed without the prior written approval of the Local Planning Authority. If, contrary to this condition, the hedge or part of the hedge is removed or destroyed, details of new hedging shall be submitted to the local planning authority and the approved details shall be implemented during the first available planting season after the date of approval.**

REASON:

To protect a flight line for Lesser Horseshoe bats.

- 5 Notwithstanding any other approved plan and prior to the commencement of development a plan shall be submitted showing existing and proposed finished land levels and finished floor and ridge levels to all new buildings for written approval by the Local Planning Authority. There shall be no raising of existing ground levels on the site by importation of materials. The development shall be implemented in accordance with the approved levels.**

REASON:

In the interests of visual amenity.

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

REASON:

In the interests of highway safety.

- 7 The development hereby permitted shall not be first occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel) and visibility splays have been provided in accordance with the details shown on drawing GAO1 REV A as contained within the "Transport Statement" dated July 2014. The access shall be maintained as such thereafter.

REASON:

In the interests of highway safety.

- 8 No development shall commence on site until details of all boundary treatments, which shall include the retention of the stone materials to the Wingfield Road frontage to include the reconstruction of the wall to be re-aligned under Condition 6, 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.

- 9 The development hereby approved shall be carried out in accordance with the 'Discussion and Conclusions' section on pages 11 - 12 of the Bat Survey report by Stark Ecology dated August 2014 and drawing 3631/04 REV B received on 22 December 2014, as modified by any relevant Natural England bat licence for the development, or unless otherwise agreed in writing with the local planning authority.

REASON:

To ensure adequate mitigation for a European protected species - Lesser horseshoe bat.

- 10 Only passive infrared sensor lights shall be used on the exterior eastern elevation of Plot 6 and no external lighting shall be installed to the rear of the garages containing the Lesser Horseshoe bat roost (Plots 6 and 7), as modified by any relevant Natural England bat licence for the development. No other external lighting shall be installed without the prior approval of the Council's Ecologist.

REASON:

To maintain the eastern boundary as a dark corridor for bats.

- 11 The development hereby approved shall be carried out in accordance with the 'Discussions and Conclusions' section on

pages 14 - 15 of the Ecological Appraisal and Initial Bat Survey report by Stark Ecology dated July 2014 in relation to reptiles, badgers and nesting birds, unless otherwise agreed in writing with the Council's Ecologist.

REASON:

To ensure adequate mitigation for UK protected species

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

REASON:

To ensure that the development can be adequately drained.

- 13 The development hereby permitted shall be carried out in accordance with the following approved plans:
3631-001 REV H Received on 22 December 2014;
3631-011 REV A Received on 26 November 2014;
3631-013 REV B Received on 22 December 2014;
3631-018 REV B Received on 26 November 2014;
3631-019 REV A Received on 26 November 2014;
3631-020 REV B Received on 26 November 2014; and
3631-040 REV B Received on 3 January 2015.

REASON:

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

- 14 **INFORMATIVES:**

- a) There is a low risk that great crested newts could occur in suitable terrestrial habitats on the application site. Great crested newts are legally protected by The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). Please be advised that, if great crested newts are discovered, all works should stop immediately and Natural England should be contacted for advice on any special precautions before continuing, as a derogation licence may be required.
- b) Any noise during the construction phase should be limited to 0730-1800hrs Monday to Friday and 0800-1300 on Saturdays and not at all on Sundays and Public Holidays.
- c) The entire site frontage will be subject to parking restrictions by a Traffic Regulation Order (TRO) (parking

restrictions currently existing either side of the site), this will ensure that the maximum visibility is achieved at all times.

20 **14/10385/VAR - Land South West of 429 Redstocks, Melksham**

Public Participation

Mrs Margaret Ryan spoke in objection to the application.

Mrs Audrey Hill spoke in objection to the application.

Mr Ben Pearce spoke in support of the application.

The Senior Planning Officer presented a report which recommended that the proposed variation to the originally proposed conditions be granted to permit changes to storage of materials on the application site.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought on Highways concerns, and it was clarified that Wiltshire Council Highways officers had made initial objections to the proposed variation, but that these had been withdrawn.

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

The local Unitary Member, Councillor Roy While, then spoke in objection to the application.

A debate followed, where the impact on Highways of the proposed variation, and whether that impact was severe was considered, and whether an increase in generated traffic would have an unacceptable impact on neighbouring amenity.

At the conclusion of debate, it was,

Resolved:

That Planning Permission be REFUSED for the following reason:

The proposed variation to conditions imposed on application W/12/01907/FUL would have an unacceptable and inappropriate impact on Redstocks lane and neighbouring amenities. The increased on-site storage proposal would result in an increased generation of traffic using the narrow lane located off the A365, and whilst there is an established use for the site, the proposed expansion for the use of the site has had and would continue to have consequential and detrimental unsustainable highway impact contrary to the provisions contained within the second and third bullet points of paragraph 32 of the National Planning Policy Framework.

Councillor Jonathon Seed left the meeting after this item.

21 **14/09952/FUL - 221 Melksham Road, Holt**

Public Participation

Mr Martin Williams spoke in objection to the application.

The Planning Officer introduced a report which recommended that planning permission be approved subject to conditions. Key issues were stated to include the principle of the proposed two storey extension, the design and scale of the proposals and impact on neighbouring amenity.

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

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

The local Unitary Member, Councillor Trevor Carbin, then spoke in objection to the application.

A debate followed, where the scale of the proposal was assessed within the context of the surrounding area and its impact on the neighbouring properties. Details on parking provision were also sought.

At the conclusion of debate, it was,

Resolved:

To REFUSE planning permission for the following reason:

The rear extension by reason of its size, mass, bulk and height would result in a substantial addition to the dwellinghouse which accommodates a narrow plot; and it would lead to an unacceptable level of overbearing and overlooking to the immediate neighbours at No 220 and No 222 Melksham Road which would result in loss of amenity and privacy contrary to the requirements of Adopted Wiltshire Core Strategy Core Policy 57.

The Committee requested it be recorded that the resolution to refuse permission was unanimous

22 **Urgent Items**

Councillor Ernie Clark's submitted question and response was received, and it was agreed to include it under Item 14 of these Minutes.

(Duration of meeting: 3.00 - 5.00 pm)

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

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

REPORT FOR WESTERN AREA PLANNING COMMITTEE

Report No. 1

Date of Meeting	25 th February 2015
Application Number	14/11880/FUL
Site Address	Whaddon Grove Farm, Whaddon Lane, Hilperton, Trowbridge Wiltshire, BA14 6NR
Proposal	Retrospective change of use of domestic outbuilding to class B2 use comprising processing of aircraft materials to create furniture
Applicant	Mr Benjamin & Harry Tucker
Town/Parish Council	HILPERTON
Ward	HILPERTON
Grid Ref	388430 161362
Type of application	Full Planning
Case Officer	Alison Hall

Reason for the application being considered by Committee

This application has been called in by Councillor Ernie Clark in relation to the impact on neighbouring amenity and impact on the environment/highway.

1. Purpose of Report

To consider the above application and to recommend that planning permission is granted subject to conditions.

2. Report Summary

This is a retrospective application for the change of use of a domestic outbuilding to B2 use.

3. Site Description

The building is located to the north of Whaddon Grove Farm and is single storey stone built with bi-folding timber framed doors along the northern elevation of the building. Attached to the southern elevation of the building is a double garage used by Whaddon Grove Farm. An area of hardstanding has been installed to the north of the building. The site is accessed via a separate access from Whaddon lane which is located to the east of the site. The nearest residential dwellings are Shire Hall Barn

which is located approximately 32m to the east of the building on the opposite side of Whaddon Lane. Home Farm Cottage is located approximately 92m to the north and Whaddon Grove Farm House to which this building is located within the curtilage of is located approximately 14m to the south.

4. Planning History

W/93/00989/FUL Extension and conversion to form an additional dwelling

5. The Proposal

The domestic outbuilding was converted in March 2014 with minimal alterations and has been operating as a B2 use since. The building has an existing access and parking for 2 vehicles. The building has been converted to provide a workshop, office, store and toilet. The business converts old aeroplane parts into bespoke furniture and is operated by the grandsons of the occupier of the residential dwelling to which the building is located within the curtilage of.

6. Local Planning Policy

Wiltshire Core Strategy (WCS) Adopted 20th January 2015
CP2 Delivery Strategy
CP57 Ensuring High Quality Design and Place Shaping
CP48 Supporting Rural Life

National Planning Policy Framework 2012 (NPPF)

Planning Practice Guidance 2014 (PPG)

7. Summary of consultation responses

HILPERTON PARISH COUNCIL – Objects on the impact on the highway and neighbouring amenity.

WILTSHIRE COUNCIL HIGHWAYS – No objection subject to a condition limited the proposal to a temporary or personal condition.

WILTSHIRE COUNCIL ENVIRONMENTAL HEALTH – No objection subject to conditions

WILTSHIRE FIRE AND RESCUE – No objection but suggest an informative relating to sprinklers

8. Publicity

One letter of objection has been received from a neighbouring resident (Shire Hall Barn) which raises concerns relating to the working hours, noise levels, dust and use of outdoor areas for storage of materials.

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

9.1 Principle of development

Core Policy 48 sets out the approach to be taken to support rural communities outside of the settlement limits. The approach to development within small settlements is set out in Core Policy 2. Proposals to convert existing buildings to employment use must satisfy the criteria set out in CP48. This includes that the building is structurally sound and requires minimal works to convert the building, the use would not detract from the character of the landscape or settlement, it would not adversely impact on the neighbouring amenity and that the building is served by suitable access and infrastructure.

The domestic outbuilding was converted in March 2014 with minimal alterations and has been operating as a B2 use since. The building has an existing access and parking for 2 vehicles. The building has been converted to provide a workshop, office, store and toilet. The business converts old aeroplane parts into bespoke furniture and is operated by the grandsons of the occupier of the residential dwelling to which the building is located within the curtilage of. It is considered that subject to the other criteria of CP48 which are discussed further below that the principle of the conversion of the rural building to a business use is in line with the principles of CP48.

The building is located to the north of Whaddon Grove Farm and is single storey stone built with bi-folding timber framed doors along the northern elevation of the building. Attached to the southern elevation of the building is a double garage used by Whaddon Grove Farm. An area of hardstanding has been installed to the north of the building.

It is acknowledged that this application is retrospective and there have been items associated with the business stored outside of the building. However one of the conditions suggested by the applicants and Environmental Health Officer is that there shall be no storage of materials outside of the building. This would allow control over this issue and ensure that the character of the area is not affected by the use of the building. The minimal changes to the original building are in keeping with the character of the building and the rural location. Officers consider that subject to a condition requiring no storage of materials outside of the building, the building would be viewed as ancillary to the main dwelling house and therefore would not detract from the character of the landscape or settlement in accordance with CP48 of the WCS.

The impact on the highway and access and neighbouring amenity are discussed in further detail below.

Site specific considerations

9.2 Impact on the highway

The application site is accessed off Whaddon Lane. Whaddon Lane is a narrow road with passing places. The building subject to this application is served by a separate access to that of Whaddon Grove Farm and provides parking for 2 vehicles. The Highways Officer has been consulted on the proposals and considers that due to the nature of the specific business using the building the vehicle movements associated with it would not result in an adverse impact on the highway. It is therefore considered reasonable that a personal condition be imposed to ensure that should the business cease use of the building then it would revert back to being an ancillary domestic building. Officers therefore consider that the proposal subject to conditions is in accordance with CP48.

9.3 Impact on neighbouring amenity

It is acknowledged that the nature of the use may give rise to potential adverse impact on neighbouring amenity in relation to noise and dust.

The nearest residential dwellings are Shire Hall Barn which is located approximately 32m to the east of the building on the opposite side of Whaddon Lane. Home Farm Cottage is located approximately 92m to the north and Whaddon Grove Farm House to which this building is located within the curtilage of is located approximately 14m to the south.

The Environmental Health Officer visited the site while the business was operating to assess the impacts of the proposal. They commented that the applicant demonstrated to them the worst case scenario noise-wise of the equipment they would use. The Environmental Health Officer raised no objections to the proposal subject to conditions relating to the hours of working, the use is only carried out within the building, that external windows and doors remain closed other than for access and egress, noise levels and a personal use condition. The Environmental Health Officer considered that dust would not result in an adverse impact on neighbouring amenity however suggests an informative to ensure that the provision of suitable dust extraction is installed to ensure the health and safety of employees. It is therefore considered that the proposal subject to conditions is in accordance with CP48.

10. S106 contributions

No S106 contributions are sought.

11. Conclusion (The Planning Balance)

It is considered that the proposed development would not result in an adverse impact on neighbouring amenity, the highway or the character of the area in accordance with CP48 of the Wiltshire Core Strategy.

RECOMMENDATION: Approval subject to conditions

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: LDC.1873_002, LDC.1873_001, LDC.1873_003 and LDC.1873_004 received the 16th December 2014.

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) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions / extensions/external alterations to any building forming part of the development hereby permitted and no plant or machinery shall be installed outside any such building on the site on the approved plans.

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, or the installation of any outdoor plant/machinery.

4. No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site.

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

5. No industrial processes, plant or machinery shall be carried out/installed outside any building on the site.

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

6. The use hereby permitted shall only take place between the hours of 08:00 and 18:00 from Mondays to Fridays and shall not take place at any time on Saturdays, Sundays and Bank or Public Holidays.

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

7. All external windows and doors as detailed on Drawing Number LDC.1873_004 shall be kept closed at all times apart from when allowing access and egress.

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

8. All building services and machinery shall be so sited, designed and maintained so that the noise does not exceed 5dB below the existing background level as measured at the nearest noise-sensitive dwelling and assessed in accordance with BS4142 2014

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

9. No sound-amplifying equipment, loudspeaker, or public address system shall be installed/operated or music played within the premises hereby approved or its curtilage.

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

10. The occupation of the site hereby permitted shall only be by the following persons Benjamin Tucker and Harry Tucker in association with the business known as Fallen Furniture. When the site ceases to be occupied by Benjamin Tucker or Harry Tucker for the use of the building in association with the business known as Fallen Furniture, the use hereby permitted shall cease [and all materials and equipment brought on to the premises in connection with the use shall be removed and the land/building restored to its former condition in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

REASON: Permission would not normally be granted for this development, but regard has been paid to the personal circumstances of the applicant which are considered, exceptionally in this case, to be sufficient to outweigh the normal planning policy considerations which would normally lead to a refusal of planning permission.

INFORMATIVE

The applicant is advised to seek professional advice with regard to the provision of suitable dust extraction equipment in order to further protect the health and safety of employees.

Item 1 - 14/11880/FUL - Whaddon Grove Farm, Whaddon Lane, Hilperton, Trowbridge BA14 6NR



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REPORT FOR WESTERN AREA PLANNING COMMITTEE

Report No. 2

Date of Meeting	25 February 2015
Application Number	14/12030/DP3
Site Address	Holt Primary School, The Gravel, Holt, BA14 6RA
Proposal	Single storey two classroom extension with group room and servery
Applicant	Mr Wayne Robson
Town/Parish Council	HOLT
Ward	HOLT AND STAVERTON
Grid Ref	386607 162055
Type of application	Full Planning
Case Officer	Jemma Foster

Reason for the application being considered by Committee

The application has been submitted by Wiltshire Council and one letter of objection has been received raising material planning considerations. As such the application is not able to be dealt with under delegated powers.

1. Purpose of Report

To consider the application and recommend approval

2. Report Summary

The main issues to consider are:

- Principle
- Impact upon the character and appearance of the area
- Impact upon neighbouring amenity
- Access and highways
- Other

3. Site Description

Holt Primary School is located within the limits of development and adjacent to the conservation area. The school is surrounded by existing residential properties.

4. Planning History

No relevant planning history to the erection of an extension.

5. The Proposal

The proposal is for a single storey extension to provide two classrooms. The proposal also sees the relocation of the exterior play area and a small expansion of the existing car park. The reasoning behind the proposed extension is to accommodate the Schools legal requirement to provide the Universal Free School Meal Initiative. This will allow the library to return to its former use. Food is currently delivered to the School by an external provider in heat thermal containers which will then be served to the children via the servery and no food will be cooked on site The number of staff is to remain the same (25) because the extension will be replacing an existing temporary mobile classroom.

6. Planning Policy

Wiltshire Core Strategy (WCS) Adopted 20th January 2015

CP1 – Settlement Strategy, CP2 – Delivery Strategy, CP7 – Spatial Strategy Bradford on Avon Community Area, CP41 – Sustainable construction and low-carbon energy CP51 – Landscape, CP52 – Green Infrastructure, CP57 – Ensuring High Quality Design and Place Shaping, CP58 – Ensuring the Conservation of the Historic Environment

Other

National Planning Policy Framework 2012 (NPPF)

Planning Practice Guidance 2014 (PPG)

7. Consultations

Holt Parish Council: No Objection

Wessex Water: No Objections

8. Publicity

The application was advertised by a site notice and neighbour notification letters. The deadline for any correspondence was 6th February 2015. Two letters of concern were received highlighting the following (summarised)

Principle

- What is a severy and why is the floor space not registered on the application form? Perhaps the use could be changed to a small library freeing up the current library for more expansion.
- Holt School is already over capacity and extension is proposed to accommodate an increasing demand = from where? and where do these children come from, why can't we just have smaller classes to give a better education?
- Why is the library not considered to be a classroom
- Why do we need 128 sq.m more floorspace if the demographic of Holt is older

persons? Where are the children coming from (future development?)

Impact upon the character and appearance of the area

- The proposed building looks well designed and will be better than currently available
- The hedgerow has only just grown up. When the hedgerow was replaced last time it was hastily planted with little regard by the workers.
- The materials are not locally sourced, they are modular and probably bought outside of our local area
- There is a perfectly good south facing roof that could accommodate solar panels, a large playing field for ground source heating system
- Trees and fencing has already started to be removed
- The planning approval should exclude any future expansion of the school

Impact on neighbouring amenity

- More traffic will result in increase in noise
- When will the extension be built – out of hours or else the risk to pupil safety is increased
- More pupils means more noise and more difficult to manage

Access and Highways

- Object to the access route via Bradley Close for construction traffic – if the mobile home is so old, surely it can be broken up on site and removed through the front gate (the official access to the school).
- More children means more traffic
- 4 more employees and only 2 parking spaces?

Other

- We have had no notification of the proposal
- There are concerns with the Local Authority expansion program via a future planning application for future village growth by Gladman Homes of Cheshire. We don't need more housing, it would be at the expense of local quality
- There is no Government money to invest in expansion at the moment. Perhaps the money is coming from local pending developments that have not yet been approved
- We suggest this application form is incorrectly filed and should be re-applied. We should be able to clearly see the allocated usage of the school space, who is the applicant for this proposal
- The planning applicants need a solid business and social profile to justify such tax payers spend on such a project.
- Concerns with the arrangement of the Planning Applicant and Planning Assessor being so close or intimate which prevents proper functioning
- This is wasting tax payers money, spending Wiltshire Council allocated monies outside of Wiltshire (ie the architects and companies from Coventry and Chichester)

- We are concerned that the extension is actually promoted more by outside of the area influence than Holt Village Local needs
- No opportunity to discuss the proposal with the school

The Headmistress of the school in question, Wiltshire Council and the planning Agent have responded to the objection letter received and form part of the report below.

9. Planning Considerations

9.1 Principle

The site is located within the limits of development of the large village of Holt where there is a presumption in favour of sustainable development and as such the proposal is considered to be in accordance with CP1, CP2 and CP7 of the Wiltshire Core Strategy.

Issues raised in the objection letter received highlight an increase in School numbers which there will not be as the proposal is to replace existing temporary accommodation. A question was also raised asking why the library is not capable of being used as a classroom. The Headmistress has confirmed that this is due to small numbers of children attending and using the library throughout the day.

9.2 Impact upon the character and appearance of the area

The single storey extension is to be located on an existing hard play surface which is to be relocated further to the west which is considered to be appropriate.

The proposed extension is single storey with a pitched roof. A single storey flat roof element is also proposed above the server which connects the existing School to the proposed extension. The extension is to be built with larch timber cladding, white render, aluminium roof and frames. The proposal is considered to be appropriate in terms of its design, height, size and materials and as such is considered to comply with CP57.

The School site lies adjacent to the Conservation Area but the extension is on the western side of the School which is away from the boundary with the Conservation Area and therefore views in and out of this area will be protected. The proposal is therefore considered to comply with Policy CP58.

The plans show solar panels on the southern elevation which are considered to be appropriate and comply with the principles of Policy CP41. However a condition will need to be added to ensure the extension complies with BREEAM Very Good status.

A conifer tree is to be removed to make way for the proposed extension, but as the tree is not protected and is not located within a conservation area, permission is not required to remove the tree. Additional and replacement planting are proposed on

the boundaries which are considered to be appropriate.

The proposed extension is to replace existing temporary accommodation which will be removed from the School site and it would therefore be appropriate to condition its removal. The School are hoping that the extension will be in place for the new School term in September 2015 and therefore the existing mobile classroom will need to be removed in a different School holiday period. It has been agreed with the School to condition that the existing mobile classroom shall be removed within 8 months of the extension being occupied which would allow the mobile to be removed by the Easter holiday. Some other ideas for locations of solar panels, ground source heat pumps etc were suggested in the public consultation period, however these are not what the application is requesting and therefore cannot be taken into consideration.

9.3 Impact upon neighbouring amenity

There are existing residential properties surrounding the existing School site but it is considered that due to the proposed extension being single storey and located approximately 20 metres from the nearest residential boundary, the proposal would not have an adverse impact upon neighbouring amenity in terms of overlooking, overshadowing and would not be overbearing. The proposal is therefore considered to comply with CP57.

A concern was raised regarding the increase in noise from more staff and children associated with this proposal. There would be no further noise issues as there would not be an increase in staff or children as the proposed extension is to replace existing temporary mobile classrooms. A condition can also be attached to ensure that any works are undertaken at sociable hours so not to impact upon the immediate neighbours. It is also not possible to prevent the School from applying for any further extensions as every application is decided on its own merits.

9.4 Highway Impact

Access to the school will remain the same and two extra parking spaces are proposed to help with current insufficient parking levels which is considered to be appropriate. It is therefore considered that the proposal would not have an adverse impact upon highway safety.

A concern has been raised regarding the location and access for the construction traffic Any construction access will be temporary and therefore is not a reason to refuse this application. I have been informed that the School and Wiltshire Council are in discussion with the concerned neighbour to reduce any impact upon their property.

9.5 Other

The majority of the objection letter received discusses a future residential application

which is currently being assessed by the Local Planning Authority (14/12109/OUT – Land off Melksham Road, Holt - Outline application for the erection of 98 dwellings with associated landscaping and open space). This application is not a material planning consideration when making a recommendation as every application is to be considered on its own merits.

There are several other issues highlighted in the 'Other' section of Section 8 of this report which are not material planning considerations that can be taken into consideration when making a recommendation on this application.

10. Conclusion

The proposal complies with the relevant policies of the Core Strategy and as such is recommended for Approval.

- 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 extension hereby approved shall be carried out in accordance with the materials detailed on the planning application form validated by the Local Planning Authority on 6th January 2015

REASON: In the interest of the character and appearance of the area

- 3 The mobile classroom to be removed as shown on drawing number 16975 G0 S1 1001 A received by the Local Planning Authority on 5th January 2015 shall be removed within 8 months of occupation of the extension hereby approved.

REASON: To improve the quality of the area

- 4 The extension hereby approved shall achieve BREAAAM 'Very Good' standards and shall not be occupied until a post construction stage certificate has been issued for it certifying that the 'Very Good' standard has been achieved.

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

- 5 Demolition or construction works shall only take place between 08:00 hours to 18:00 hours Mondays to Fridays and between 08:30 hours to 13:00 hours on Saturdays and no works shall be undertaken at any time on Sundays or Bank Holidays.

REASON: In the interest of neighbouring amenity

- 6 The construction works shall be carried out in accordance with Drawing Number 16975 G0 SI 1002 received by the Local Planning Authority on 16th February 2015. Once the extension has been completed, the construction works access shall be

stopped up, the hedge shall be replanted and the area highlighted in Green on Drawing Number 16975 G0 SI 1002 received by the Local Planning Authority on 16th February 2015 shall be made good.

7

REASON: In the interest of neighbouring amenity and impact upon the character and appearance of the area.

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

1697-G0-S1-: 1000, 1001-A received on 5th January 2015

LG1666-D-: 001,002,003 received on 5th January 2015

1697-G2-GA-: 100-A, 101-A, 200, 201-A received on 5th January 2015

16975 G0 SI 1002 received on 16th February 2015.

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

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Item 2 - 14/12030/DP3 - Holt Primary School, The Gravel, Holt, BA14 6RA



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REPORT FOR WESTERN AREA PLANNING COMMITTEE

Report No. 3

Date of Meeting	25 February 2015
Application Number	14/11269/REM
Site Address	Garden of 27 Forest Road, Melksham, SN12 7AA
Proposal	Erection of detached dwelling (Reserved matters application pursuant of planning permission W/11/03043/OUT in relation to scale, layout, appearance & landscaping)
Applicant	Mr Les Edgar
Town/Parish Council	MELKSHAM (TOWN)
Ward	MELKSHAM NORTH
Grid Ref	390910 164447
Type of application	Full Planning
Case Officer	David Cox

Reason for the application being considered by Committee

In approving W/08/03092/OUT on 30 January 2009, the Planning Committee added an informative requesting that any subsequent reserved matters application be reported to and be considered by Elected Members.

1. Purpose of Report

To consider the above application and to recommend approval subject to conditions.

2. Report Summary

The main planning issues to consider are:

- The Principle of Development.
- Planning History of the site.
- Whether the reserved matters are acceptable.
- Other considerations.

3. Site Description

Many of the residential properties located on the north side of Forest Road in Melksham have long and deep rear gardens that face out onto open countryside. The plot of land that is subject to this reserved matters application was previously part of garden ground associated to No. 27, but since outline permission was granted (and renewed), the parcel of land has been fenced off from No.27 and functions as a standalone plot benefitting from extant outline planning permission for 1 house. The site is accessed off a cul-de-sac known as Murray Walk

to the east. The application site is located within Melksham's defined Limits of Development but is not subject to any other policy designation. The application site used to be the route for the restoration and reconstruction of the Wiltshire and Berkshire Canal through Melksham. However, the proposed route has since been altered and now passes through the fields behind Forest Road.

4. Planning History

- W/05/01175/OUT One dwelling on site in garden north west of 27 Forest Road – Approved.
- W/06/01294/REM New dwelling in rear garden – Refused.
- W/08/03092/OUT Renewal of outline planning permission 05/01175/OUT for new dwelling – Approved.
- W/11/03043/OUT Renewal of outline planning permission 05/01175/OUT for new dwelling (previously renewed under planning permission 08/03092/OUT) – Approved.

5. The Proposal

The proposal seeks the approval of reserved matters for layout, scale, appearance and landscaping following the Council's decision to renew outline permission under application W/11/03043/OUT. It is worth noting that the means of access and layout were originally approved by the Planning Committee under application W/05/00175/OUT application. However, since the 2011 renewal decision notice included layout as a reserved matter, it requires to be duly considered. The proposal would be for a two storey detached dwelling finished in render under a concrete tiled roof.

6. Planning Policy

The Wiltshire Core Strategy (WCS) was adopted at a special Council meeting on January 20th 2015; and as such, it can be afforded 'Full Weight' in planning terms although it is still subject to a 6-week potential challenge (which runs until early March). The following WCS policies have full weight:

CP2 – Delivery Strategy; CP16 – Melksham Link Project; CP53 – Wiltshire Canals; CP56 – Contaminated Land and CP57 – Ensuring High Quality Design and Place Shaping.

Wiltshire Local Transport Plan - Car Parking Strategy 2011-2026.

At the national level, the National Planning Policy Framework (NPPF) acts as a principal material consideration in the determination of planning applications; and it introduces the presumption in favour of sustainable development at paragraph 14 as a 'golden thread' which runs through plan making and decision taking.

7. Summary of consultation responses

Melksham Town Council – No objection.

Highways Officer – No objection.

Ecology Officer – No objection.

Environmental Health Officer – Notes that a condition is appended to the outline permission requiring land contamination investigations prior to any commencement.

Drainage Officer – The applicant/developer will need to agree drainage matters prior to any commencement on site.

Arboricultural Officer – Notes that conditions are appended to the outline permission requiring the future submission of an arboricultural method statement and implementation of landscaping.

Play and Leisure Officer – No comments.

8. Publicity

One site notice was erected on the entrance gate fronting the application site and facing Murray Walk. In addition to the site notice, individual notification letters were sent to No 11 Murray Walk and 4 properties on Forest Road. Following the public notification period, one letter of objection was received from the occupier of No 11 Murray Walk raising the following summarised points of concern:

- The ground is contaminated.
- There would be a severe loss of privacy and loss of light.
- Badgers are active in the area.
- The foundation footings would damage tree roots.
- Where will sewage go?
- The outline application has expired.

9. Planning Considerations

9.1 The Principle of Development:

The application site is located within the defined Limits of Development of Melksham and as such the principle for a new dwelling is supported by Wiltshire Core Strategy CP2. Additionally outline permission for erecting one dwellinghouse has been granted 3 times for this site – the most recent being application W/11/03043/OUT. Therefore the principle of development is fully supported subject to the reserved matters being acceptable.

9.2 Planning History of the Site:

The original outline scheme submitted under application 05/01175/OUT sought detailed permission for the access and layout with all other matters reserved. The outline permission was then time extended under application 08/03092/OUT. Application W/11/03034/OUT then followed with permission being granted once again in January 2012.

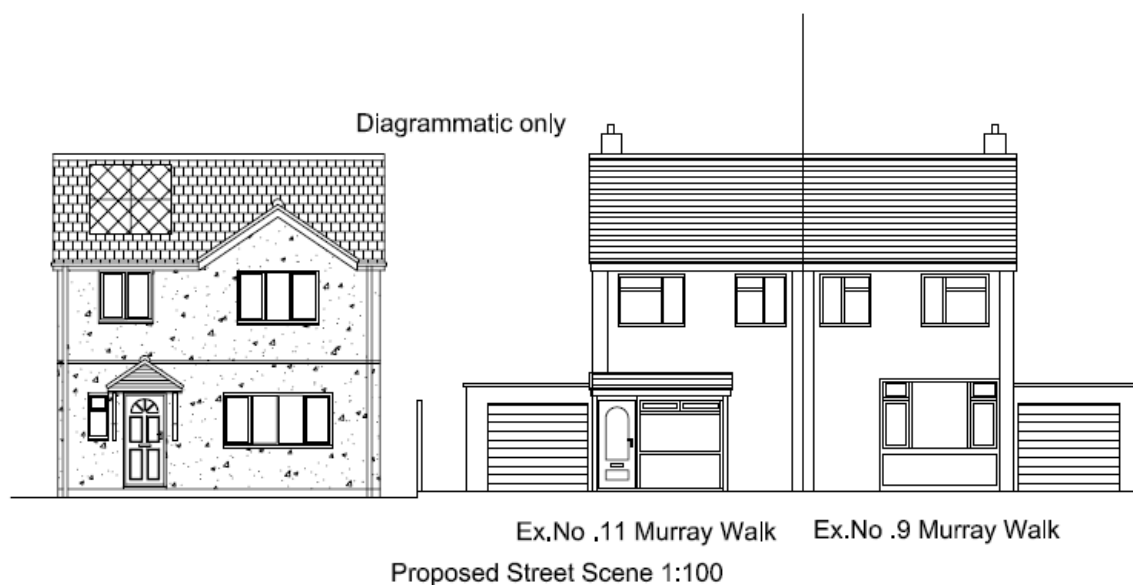
Since issuing the original outline permission, there has been one reserved matters application submitted for this site (06/101294/REM) which was for a 9 metre tall building and was refused for the following reason: *“the proposal by reason of its incongruous height, roof form, design, scale and appearance would be out of keeping with the existing dwellings and would harm the visual amenity of the street scene”*.

9.3 Whether the reserved matters are acceptable?

Layout: The proposed siting of the dwelling is largely restricted by the access, the size of the plot and the building line of the dwellings on Murray Walk. Officers are of the opinion that the proposed siting of the house in line with No 11 is the most logical position.

Scale:

Application W/06/01294/REM was essentially refused due to its unacceptable scale/height/massing. This proposal has dropped from 9 metres to approximately 7.5 metres which is far more reflective of the dwelling heights along on Murray Walk (as is confirmed on the street scene elevation plan inserted below).



It is submitted that the proposed scale of the dwelling would be in keeping with the size and scale of the street scene. It is also submitted that there would be no adverse overbearing or overshadowing harm caused to No 11 Murray Walk or any other neighbouring property.

Appearance:

The proposed dwelling would have rendered walls split with a string course of brickwork, which would match the render of the dwellings on Murray Walk. Therefore no harm would be caused.

Landscaping:

The application has been submitted with a landscaping plan which includes the planting of a replacement tree to compensate for the Silver Birch that would need to be felled. The landscaping includes box hedges around the parking area which would help soften the impact of the proposal. The landscaping is acceptable and the development remains bound by the outline conditions attached to W/11/03043/OUT.

Outstanding issues:

There are a few outstanding issues that remain unresolved including the submission of a contamination report, arboricultural survey and badger survey. The way the conditions are worded in approving application W/11/03043/OUT only require these surveys before 'the

commencement of development' as part of the formal discharge of conditions procedures; and therefore do not explicitly have to be submitted with the application.

It is submitted that the trees to the north west, outside of the application site can be suitably protected during construction works, therefore maintaining the visual amenity of the area. There is however, an issue with a neighbouring tree as shown on the block plan near the rear corner of the proposed dwelling. It is unknown as to whether this tree will be required to be felled but it is not protected by a TPO and the site does not fall within a conservation area. It is considered that the tree contributes relatively little to the visual amenity of the area, and its loss would not warrant the refusal of the application.

It is further submitted that the tree may survive construction works as the foundations may require piling, due to ground conditions, instead of a traditional trench and in-fill foundation. This approach may be able to avoid key roots of the tree in which to allow it to remain in situ. The development is nevertheless subject to an arboricultural survey condition attached to the outline, which should consider the tree and means for its protection where possible.

10. Conclusion

The proposed reserved matters submission is considered to be acceptable and would not have an unacceptable impact on residential or visual amenity; and is hereby recommended for approval subject to conditions

RECOMMENDATION: Approve subject to the following conditions:

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

Revised All Plans – Received 9 February 2015

Design and Access Statement – Received 27 November 2014

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

INFORMATIVE:

1. The applicant is advised that all conditions and informative appended to W/11/03043/OUT (see attached decision notice) still apply and conditions 4, 5, 6, 7, 8 and 12 will be required to be discharged before the commencement of any development on site.

Town & Country Planning Act 1990

NOTIFICATION OF PLANNING DECISION

Application Reference Number: W/11/03043/OUT

Applicant:
Mr Les Edgar
Gosterwood
Forest Green
Dorking
Surrey
RH5 5RX

Agent:
A Harlow & Son
31 Roundponds
Melksham
Wiltshire
SN12 8DL

Parish: Melksham (Town)

Particulars of Development: Renewal of outline planning permission 05/01175/OUT for new dwelling (previously renewed under planning permission 08/03092/OUT)

At: Garden Of 27 Forest Road Melksham Wiltshire

In pursuance of its powers under the above Act, the Council hereby grants PERMISSION for the above development to be carried out in accordance with the application and plans submitted (listed below), subject to compliance with the condition(s) specified hereunder:

The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.

Subject to the following condition(s):

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

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

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

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

3 Approval of the details of the layout, scale, appearance and landscaping ("the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

REASON: In accordance with Section 92 of the Town & Country Planning Act 1990 as amended.

4 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted 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: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.

5 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure the appearance of the development is satisfactory.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

6 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. This shall include indications of all existing trees and hedgerows on the land, and details of any to be retained.

REASON: To provide a satisfactory landscape setting for the development.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

7 An arboricultural method statement prepared by an arboricultural consultant holding a nationally recognised arboricultural qualification providing comprehensive details of construction works in relation to trees shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of demolition/development. 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 BS5837:2005 and a plan indicating the alignment of the protective fencing;

- * A specification for scaffolding and ground protection within tree protection zones in accordance with BS5837:2005

- * 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-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.

POLICY: West Wiltshire District Plan- 1st Alteration 2004 - Policy C32.

8 All works relating to the demolition/development with implications for trees shall be carried out as specified in the approved arboricultural method statement, and shall be supervised by an arboricultural consultant holding a nationally recognised arboricultural qualification.

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

POLICY: West Wiltshire District Plan - 1st Alteration, 2004 - Policy C32.

9 The proposals for the landscaping of the site, as shown on the approved plans (including provision for landscape planting, the retention and protection of existing trees and other site features, walls, fencing and other means of enclosure and any changes in levels) shall be carried out as follows:

- * The approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive following occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- * All planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;
- * The scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and
- * The whole scheme shall be subsequently retained.

REASON: In the interests of visual amenity, to ensure that the approved landscaping scheme is carried out at the proper times and to ensure the establishment and maintenance of all trees and plants.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

10 The dwelling hereby approved shall not be occupied until the turning space shown on the submitted plan has been properly consolidated and surfaced to the satisfaction of the Local Planning Authority. Such turning space shall be kept clear of obstructions at all times.

REASON: In the interests of Highway safety

11 Prior to being brought into use the first 4.5m of the driveway shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of Highway safety

12 Development other than that required to be carried out as part of an approved scheme of remediation must not commence until requirements 1 to 4 (below) have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until requirement 4 has been complied with in relation to that contamination.

1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with requirement 1, and where remediation is necessary a remediation scheme must be prepared in accordance with requirement 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with requirement 3.

5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over an agreed period, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the

monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

West Wiltshire District Plan First Alteration 2004 Policy C37

13 Prior to the commencement of development, a Badger Survey will be undertaken by a suitably qualified and experienced ecologist. A report of the survey including a Badger Mitigation Strategy will be submitted to the LPA for written approval, and the development will be carried out in full accordance with the approved report.

REASON: To ensure that the existing badger and wildlife on the site are protected

Planning Policy Statement 9: Biodiversity and Geological Conservation

14 The finished ridge height of the new dwelling shall be no higher than the ridgeline of the adjoining dwelling at 11 Murray Walk based on ordnance survey datum. There shall be no rooms in the roofspace and notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, or any order revoking and re-enacting that Order with or without modification, no windows or rooflights shall subsequently be added to the roof of the dwelling.

REASON: In the interests of the amenity and privacy of neighbours and the streetscene.

POLICY: West Wiltshire District Plan - 1st Alteration – Policies H1, C31A & C38.

15 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

Site Plan received on 16 November 2011
AH2008/11 received on 16 November 2011

Reason: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

Informative(s):

1 The Applicants are advised that badgers in the vicinity of the site are protected under the Protection of Badgers Act 1992

2 The applicant should note Environmental Health comments with regards to contaminated land received 14 December 2011.

3 You are advised that the Planning Committee has requested that when a subsequent application for approval of reserved matters, or a full planning application for similar proposals, is submitted that the application is considered by the Committee.

Signed:

A handwritten signature in black ink, appearing to read "B A Fleet". The signature is written in a cursive style with a prominent initial "B".

Director for Development Services

Dated: 24 January 2012

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Item 3 - 14/11269/REM - Garden of 27 Forest Road, Melksham, SN12 7AA



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