

## STRATEGIC PLANNING COMMITTEE

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### DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 21 OCTOBER 2015 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

#### **Present:**

Cllr Andrew Davis (Chairman), Cllr Tony Trotman (Vice Chairman), Cllr Glenis Ansell, Cllr Trevor Carbin, Cllr Terry Chivers, Cllr Stewart Dobson, Cllr Charles Howard, Cllr Bill Moss, Cllr Christopher Newbury and Cllr Fred Westmoreland

#### **Also Present:**

Cllr Julian Johnson

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#### 71 **Apologies for Absence**

An apology for absence was received from Cllr David Jenkins.

#### 72 **Minutes of the Previous Meeting**

##### **Resolved:**

**To confirm and sign the minutes of the previous meeting held on 23 September 2015.**

#### 73 **Declarations of Interest**

There were no declarations of interest made at the meeting.

#### 74 **Chairman's Announcements**

There were no Chairman's announcements.

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

There were no questions received from members of the Council.

Members of the public addressed the Committee as set out in Minute Nos. 76 and 77 below.

76 **14/11642/DP3 - Downton C of E Primary School, Gravel Close, Downton, SP5 3LZ - Change of use of Memorial Gardens to provide an enlarged playground area, incorporating a hard games court area. Bridge over The Bunney, proposed 2 storey classroom extension and extension to main hall.**

**The following people spoke against the application**

Mr Bryan Morris, a local resident  
Mr Rick Ladds, a local resident  
Ms Nicola Wilson, representing Downton Society

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

Mr Andy Townsend, a Governor of Downton Primary School  
Cllr David Mace, Chairman of Downton Parish Council (qualified support)

The Committee received a presentation from the Case Officer which set out the main issues in respect of the application, with a recommendation that subject to the Environment Agency lifting their objection, to grant planning permission, subject to conditions. He explained that a communication had still not been received from the Environment Agency withdrawing their objection to the proposal, the Agency intimating that the application was being considered by consultants and they did not anticipate being able to send a formal response to the Council for at least a further two weeks.

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

Members then heard the views of Cllr Julian Johnson, the local Member, in which he explained that, although in principle he supported the proposal, he did have some reservations in particular regarding the proposed cladding of the extension to the school, water storage and the flood defence ditch and water-retaining channel, called The Bunny.

After discussion,

**Resolved:**

**Subject to the Environment Agency withdrawing their objections, to delegate to the Area Development Manager authority to grant planning permission, subject to the following conditions and any further conditions requested by the Environment Agency:-**

- 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:

Drawing number P008a Revision A dated Nov 2014, as deposited with the local planning authority on 14.08.15, and  
Drawing number P014b Revision B dated Nov 2014, as deposited with the local planning authority on 14.08.15, and  
Drawing number P004 Revision C dated July 15, as deposited with the local planning authority on 14.08.15, and  
Drawing number P006 Revision A dated Nov 2014, as deposited with the local planning authority on 14.08.15, and  
Drawing number P002 Revision C dated Nov 2014, as deposited with the local planning authority on 14.08.15, and  
Drawing number P007 dated Nov 2014, as deposited with the local planning authority on 14.08.15, and  
Drawing number P003 dated Nov 2014, as deposited with the local planning authority on 14.08.15, and  
Drawing number P005b Revision B dated Nov 2014, as deposited with the local planning authority on 14.08.15, and  
Drawing number P015c Revision C dated Nov 2014, as deposited with the local planning authority on 14.08.15, and  
Drawing number P013b Revision B dated Nov 2014, as deposited with the local planning authority on 14.08.15, and  
Drawing number P016c Revision C dated Nov 2014, as deposited with the local planning authority on 14.08.15.

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

3. 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.

4. No development shall commence on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being brought into use.

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

5. 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) indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (d) finished levels and contours;
- (e) means of enclosure;
- (f) car park layouts;
- (g) other vehicle and pedestrian access and circulation areas;
- (h) hard 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.

6. 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.

7. No development shall commence on site until a scheme of works/mitigation measures for noise attenuation along the northern boundary of the playground area (existing and proposed) has been

submitted to and approved in writing by the Local Planning Authority. Any works which form part of the approved scheme shall be completed prior to the extended playground area being first brought into use and shall be maintained in accordance with the approved details at all times thereafter.

**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. No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 on weekdays and 08:00 to 13:00 on Saturdays. No burning of waste shall take place on the site during the construction phase of the development.

*REASON: In the interests of neighbouring amenities*

(Cllr Christopher Newbury requested that his vote against the Motion be recorded.)

77 **14/06561/FUL - Land to the west of Salisbury Road, Salisbury Road, Downton - Erect 99 dwellings (83 houses and 16 flats) together with garages, timber pergolas, garden sheds and refuse/cycle stores and associated works**

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

Mr Cliff Lane, the agent

Ms Jane Brentor, Downton Neighbourhood Plan

Cllr David Mace, Chairman of Downton Parish Council (qualified support)

The Committee received a presentation from the Area Development Manager which set out the main issues in respect of the application with a recommendation that planning permission be granted, subject to the satisfactory completion of a Section 106 Agreement and conditions.

Members had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning applications.

Members then heard the views of Cllr Julian Johnson, the local Member, in which he explained that, although in principle he supported the proposal, he did have some concerns regarding:

- Drainage, considering that the existing sewage and drainage infrastructure was insufficient to support current housing.
- Highways, stating that a solution was required for vehicles from the proposed new development accessing the already-congested Road A338.

The Area Development Manager considered that these concerns were fully covered in Condition Nos. 10, 14 and 15.

The Committee also received:-

- late representations from the Council's Ecologist concerning the impact of the proposal on the New Forest Special Protection Area (SPA) and stating that further information had been presented by the developer demonstrating that a mechanism to offset impacts on the New Forest SPA was likely to be forthcoming.
- Representations from Mrs Sandra Moody and Mrs Saxby, local residents.

After discussion,

**Resolved:**

**To delegate authority to the Area Development Manager to grant planning permission, provided:-**

- 1) Planning application 14/11642/DP3 (Downton C of E Primary School, Gravel Close, Downton, SP5 3LZ - Change of use of Memorial Gardens to provide an enlarged playground area, incorporating a hard games court area. Bridge over The Bunney, proposed 2 storey classroom extension and extension to main hall) first gaining planning permission;**
- 2) The proposed mitigation measures in respect of the impact on the New Forest Special Protection Area are agreed to the satisfaction of the Area Development Manager (South), which shall be the subject of an 'appropriate assessment' having regard to the Habitat Regulations; and**
- 3) All interested parties enter into a Section 106 Agreement under the Town and Country Planning Act 1900 in respect of the following matters:-**
  - **Affordable Housing**
  - **Public Open Space**
  - **Educational Facilities**
  - **Early Years Education**
  - **Community Facilities**
  - **Refuse Collection/Recycling**
  - **New Forest Special Area of Protection**

**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 The development hereby permitted shall be carried out in accordance with the approved plans listed in the attached schedule.**

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

- 3 Prior to commencement of the development hereby approved a phasing plan for its delivery shall be submitted to the local planning authority for approval in writing. In particular the phasing plan shall specify that no more than 75% of the open market houses shall be occupied prior to completion of all of the following – the affordable houses, the on-site Locally Equipped Area of Play and the two on-site Local Areas of Play, and the off-site highways works (comprising the right hand turn lane from the A338 (and associated verge and central relief works), the on-site pedestrian / cycle links to Wick Lane, the off-site puffin crossing and the off-site A338 footpath works). The development shall be carried out strictly in accordance with the approved phasing plan.**

**REASON:** To ensure appropriate phased delivery of the development and related infrastructure in the interests of amenity in general.

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

**REASON:** The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

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

**REASON:** The application contained insufficient information

to enable this matter to be considered prior to granting planning permission and/or [DELETE as appropriate] the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity.

- 6** No development shall commence on site until a scheme of phasing of landscaping has been approved in writing by the Local Planning Authority. The landscaping shall be carried out in the first planting and seeding season following occupation of the building(s) or the completion of the development, whichever is the sooner within that particular phase; any trees or plants which within a period of five years, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species.

**REASON:** The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting.

- 7** Prior to commencement of the development hereby approved details of any proposed diversion of the overhead cables shall be submitted to the local planning authority for approval in writing. The diversion works shall be carried out in accordance with the approved details.

**REASON:** The application contains insufficient detail to address this matter at this time.

- 8** 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]

**REASONS:** To safeguard the amenities of the area.

- 9** No development shall commence on site until a landscape management plan / Landscape Environmental Management Plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

**REASON:** The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure the proper management of the landscaped areas in the interests of visual amenity and ecological enhancement.

- 10** The development hereby approved shall be carried out strictly in accordance with the 'Foul Water Drainage' and 'Surface Water Drainage' specifications set out in the report by Tribach Associates dated 26 November 2014. With specific regard to the upsizing of the off-site foul water sewer, this shall be completed prior to the first occupation of any dwelling on the site.

**REASON:** To ensure adequate foul and surface water drainage at the site, and to ensure the wider foul water infrastructure is sufficient in capacity to accommodate the approved development.

- 11** The development hereby permitted shall not be occupied or first brought into use until the area between the nearside

carriageway edge of Wick Lane and a line drawn 2.0 metres parallel thereto over the entire site frontage has been cleared of any obstruction to visibility at and above a height of 900mm above the nearside carriageway level. That area shall be maintained free of obstruction at all times thereafter.  
**REASON:** In the interests of highway safety.

- 12 The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.  
**REASON:** To ensure that the development is served by an adequate means of access.
- 13 No individual dwelling shall be first occupied until its parking space(s) together with the access thereto, have been provided in accordance with the approved plans.  
**REASON:** In the interests of highway safety and the amenity of future occupants.
- 14 The development hereby permitted shall not be first occupied until a Management Plan for the future maintenance of the roads and other communal areas has been submitted to, and approved in writing by, the Local Planning Authority. The development shall be maintained thereafter in accordance with the approved Management Plan.  
**REASON:** To ensure that satisfactory arrangements for the future maintenance of those areas are in place.
- 15 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:
- a) the parking of vehicles of site operatives and visitors;
  - b) loading and unloading of plant and materials;
  - c) storage of plant and materials used in constructing the development;
  - d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - e) wheel washing facilities;
  - f) measures to control the emission of dust and dirt during construction;
  - g) a scheme for recycling/disposing of waste resulting from demolition and construction works;
  - h) measures for the protection of the natural environment;
  - i) hours of construction, including deliveries;
  - j) the routing of construction traffic to and from the site

(which shall not include via Wick Lane other than in connection with initial construction of the A338 access to the site);

k) The location and use of generators and temporary site accommodation

- 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 development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

**REASON:** To minimise detrimental effects neighbours' 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.

16 No development shall commence on site until details of the stopping up of all existing accesses, both pedestrian and vehicular, from the A338 and Wick Lane, shown to be stopped up have been submitted to and approved in writing by the Local Planning Authority. These stopping ups shall take place in accordance with the approved details within one month of the first use of the approved estate access from the A338. No later than one month after the first occupation of the development, the sole means of vehicular and pedestrian access to the development shall be as shown on the plans hereby approved.

**REASON:** The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of highway safety.

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

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

18 1) The floors, walls, ceilings, roofs, glazing and ventilation systems for plots 1-4 hereby approved shall be constructed and maintained at all times thereafter in accordance with Schedule 12/6220/SCH2 of the submitted Cole Jarman Planning Noise Assessment Report 12/6220/R2 revision 1 Dated 30 July 2015.

2) The east and north facing windows of Plot 1-4 hereby approved shall be non-openable / sealed closed and maintained in that way at all times thereafter. System 3 compliant mechanical ventilation systems shall be installed and at all times thereafter maintained in these properties.

3) The ceilings, glazing and ventilation systems for Plot 99 hereby approved and the ceilings, glazing systems and ventilation systems for the first floor bedrooms of Plot 5 to 17 inclusive hereby approved shall be constructed and maintained at all times thereafter in accordance with Schedule 12/6220/SH3 of the submitted Cole Jarman Planning Noise Assessment Report 12/6220/R2 revision 1 Dated 30th July 2015.

4) A 1.8m close boarded fence with a minimum density of 10kg/m<sup>2</sup> shall be erected along the boundary to the south of plots 1-4 and the eastern boundary of the site as shown in Figure 12/6220/FI1-2 of the submitted Cole Jarman Planning Noise Assessment Report 12/6220/R2 revision 1 Dated 30th July 2015. The final 1m section of the fence adjacent to the A338 shall reduce from 1.8m to no less than 0.9m in height. The fence so erected shall be retained and maintained in perpetuity thereafter.

**REASON:** To safeguard the amenities of the occupiers of these houses from potential noise disturbance.

19 No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment has been carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii)

indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

**REASON:** The application contained insufficient information to enable this matter to be considered.

**20** No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

**REASON:** In the interests of residential amenity.

**21** The dwellings hereby approved shall achieve Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate for it has been issued and submitted to, and approved in writing by, the local planning authority certifying that Code Level 4 has been achieved.

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

**22** No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

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

**23** No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

**REASON:** To prevent pollution of the water environment

**24** **INFORMATIVE TO APPLICANT:** This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the [INSERT].

**[Plus any additional ecology conditions which may be required by the WC Ecologist].**

**78 Date of the Next Meeting**

**Resolved:**

**To note that the next scheduled meeting of the Committee was due to be held on Wednesday 11 November 2015, at County Hall, Trowbridge, starting at 10.30am.**

**79 Urgent Items**

There were no item of urgent business.

(Duration of meeting: 10.30 am - 12.25 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic & Members' Services, direct line 01225 713035, e-mail [roger.bishton@wiltshire.gov.uk](mailto:roger.bishton@wiltshire.gov.uk)

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