

## NORTHERN AREA PLANNING COMMITTEE

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### MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 4 JANUARY 2017 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

#### Present:

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice Chairman), Cllr Christine Crisp, Cllr Mollie Groom, Cllr Toby Sturgis, Cllr Chuck Berry, Cllr Howard Greenman, Cllr Howard Marshall and Cllr Chris Hurst

#### Also Present:

Cllr John Thomson

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#### 1 Apologies

Apologies were received from Cllr Glenis Ansell and Cllr Terry Chivers.

#### 2 Minutes of the Previous Meeting

The minutes of the meeting held on Wednesday 7<sup>th</sup> December 2016 were presented.

#### RESOLVED:

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

#### 3 Declarations of Interest

Cllr Toby Sturgis declared an interest in agenda item 7c, Mays Farm. He informed the Committee that his son's firm may be the selling agent of the property in question, Mays Farm. In respect of item 7a Church Farm applications, the councillor stated that he knew many of people on both the applicants and objectors side. In respect of the above-named items, the councillor declared that he would participate in the debate and vote on each item with an open mind.

Cllr Howard Greenman also declared an interest in agenda item 7c Mays Farm, stating that he knew the applicants however, he declared that he would participate in the debate and vote on each item with an open mind.

#### 4 Chairman's Announcements

There were no Chairman's announcements.

5 **Public Participation**

The Committee noted the rules of public participation which would apply to agenda items no. 7b and 7c.

However, the Chairman explained that he would use his discretion to change the procedure for agenda item 7a- 16/05721/FUL- 16/05729/FUL: 9 Church Farm, Easton Grey, Malmesbury.

Due to the applications having a cumulative impact and common representations having been submitted in relation to many of the applications, the public participation would take place under the first application only. Although for this agenda item, the public speakers would have 4 minutes, instead of the usual 3 and speakers from the Town/Parish Council would have 5 minutes instead of the usual 4.

The Chairman proposed that item 7c on the agenda be brought forward for determination first and that the applications 16/05721/FUL-16/05729/FUL Church Farm be considered in a different order, as detailed in the late items.

**RESOLVED:**

**To change the order of the agenda, as detailed above.**

6 **Planning Appeals and Updates**

The Committee noted the contents of the appeals update.

7 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of the ordering of the agenda and applications 7a) 16/09965/LBC: Mays Farm, Hullavington and 7b) 9 Church Farm, Easton Grey, Malmesbury:-16/05721/FUL-16/05729/FUL, as listed in the supplementary reports and 7c 15/10712/FUL: Land North of Baydons Lane, Chippenham.

8 **16/09965/LBC: Mays Farm, Hullavington.**

The applicant Kim Swithinbank spoke in favour of the application.

The Conservation Officer introduced the application for Listed Building Consent on a Grade-II Listed farmhouse building, a retrospective application to include replacement of bedroom timber floors with plywood, replacement of living room, sitting room and dining room floors and hearths, alterations to master bedroom partitions, installation of freestanding bath on raised platform, alterations to kitchen window, removal of second floor bedroom ceiling, and reinstatement of recently blocked up gate in the garden boundary wall.

The officer detailed some of the planning history of the property, explaining that in 2012 it had come under new ownership however some of the work undertaken by the owners had not been in accordance with permission granted, for which retrospective approval was now sought. Pictures were shown to the Committee demonstrating the works done in contravention to consent. These works were considered to give a false impression of the history of the building

and result in the unjustified loss of historic fabric. It was highlighted that the applicant had not given justification as to why much of the contravening work had been necessary or why alternative materials, from existing or agreed under the approved scheme, had been used. It was noted that some of the works undertaken, although beyond the permission granted, could be deemed acceptable, given information secured by the site inspection, however other elements were considered wholly unacceptable. The officer explained the recommendation for refusal, by reason of the harm caused to the historic fabric of the building.

There were no technical questions.

Public speakers, as listed above, were then invited to make representations by the Chairman.

Cllr Toby Sturgis spoke on behalf of the local member, Baroness Jane Scott of Bybrook. The councillor considered the matter as a balance between benefit and harm, noting that some good work had been undertaken to what had been a building in a very poor condition, but agreeing that it had been done in contravention of planning permissions and no justification had been given for this.

Cllr Toby Sturgis moved the officer's recommendation to refuse the application which was seconded by Cllr Peter Hutton.

During the debate that followed, members considered that, whilst some of the works were of good quality, they had been against the advice and permissions given by the officers and without sufficiently robust and detailed supporting historical and structural/condition survey evidence to justify doing so. It was noted that in particular the plywood floor was not suitable for the listed building and should be removed and that if permission was granted it would cover all of the works, including the plywood. On balance, members considered that to approve the application would set a dangerous precedent for all listed buildings in Wiltshire and noted that if the application was refused, the applicant could begin to negotiations again on the works undertaken to resolve the situation appropriately, including the provision of necessary supporting evidence and information.

**RESOLVED:**

**That Listed Building Consent be REFUSED for the following reason:**

**The works, by reason of its design, size and location fails to conserve the character and special interest of the heritage asset and the setting of adjacent heritage assets. This harm is not otherwise justified by any public benefit so the proposals are therefore contrary to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraphs 131, 132, 134 and 207 of the National Planning Policy Framework and Core Policy 58 of the adopted Wiltshire Core Strategy.**

**9a 16/05728/FUL: 9 Church Farm, Easton Grey, Malmesbury.**

John Heathcock, Henry Jodrell and Keith Waterhouse spoke against the application. The Chairman of Easton Grey Parish Council, John Tremayne, also spoke against the application. Simon Tomlinson, Ian Firth and Marc Willis spoke in support of the application.

The Planning Officer gave an overview of the 9 concurrent applications at the site, seeking various agricultural buildings to allow for the consolidation of the applicant's beef and dairy businesses, including the creation of an agricultural workers dwelling and an Anaerobic Digester for use by the applicant's business. A site location plan, its proximity to the road and photographs of the site were shown. A comparison between the current layout of the site and proposed layout of the site was provided. It was highlighted that the 9 concurrent applications would have a cumulative impact on the site, all were located within an Area of Outstanding Natural Beauty (AONB) and outside of a defined settlement.

The Planning Officer then proceeded to introduce the application in respect of the Anaerobic Digester.

The officer introduced the report, showing pictures and diagrams which identified the proposed location and specifications of the Anaerobic Digester (AD). The officer confirmed the applicant was looking to consolidate his existing business and explained that the Anaerobic Digester was to be built with the intention of minimalizing the impact on the area.

The officer explained the proposed conditions and identified that screening would be provided by landscaping and, in part, existing structures at the site. It was advised that a slurry lagoon was already in existence on the site and neighbours would likely see a reduction in odour disturbance, as a result of the proposed development, due to the modern model. An Odour Protection Management Plan would also mitigate any potential impacts.

Attention was drawn to objections raised by residents in respect of surrounding highways and drainage issues. The officer advised that these concerns had been addressed by the conditions set out in the report. In respect of drainage, a strategy had been submitted utilising and expanding upon the existing drainage ditches at the site, and it was also identified that the site and land ownership were sufficient to accommodate any additional requirements and proposals that may prove necessary following detailed site assessment of drainage requirements as required by the conditions. It was identified that Drainage Engineers were satisfied with the proposals. It was noted that the proposals to consolidate operations at the site would reduce traffic movements in the locality overall and would be sustainable by reducing inter-site travel. The officer drew attention to the late observations in respect of the AD Unit and other applications for Church Farm, which had been published as a supplement to the agenda and proposed an additional condition in respect of the Dairy Parlour. The officer verified that 15 objections had been received in respect of the application, in addition to an objection from the parish council. In response to

the public concern that feedstock would be brought in to feed the AD unit, it was confirmed that the applicant had demonstrated he could provide sufficient feedstock for the AD.

The Chairman invited members to ask technical questions, in response to which officers confirmed the proposed locations of new buildings on the site location plan.

The Chairman invited members of the public to make representations, as detailed above.

The local member, Cllr John Thomson, cited traffic, drainage and landscaping concerns that had been raised by local residents. The Councillor considered that if members were minded to approve all applications at Church Farm, there would need to be strong condition control.

In response to statements from the public and local member it was confirmed that the development would reduce vehicle movement, a flare stack for the AD unit was not necessary, and that drainage, landscaping and odour issues were addressed by conditions. The officer addressed planning conditions suggested in the public participation and explained those that would not be acceptable and those which would be acceptable if the Committee wished to attach them to permission.

Cllr Toby Sturgis moved the officer's recommendation to grant planning permission subject to additional conditions in respect of ingredients used in the AD unit to derive ingredients from within the site/landholding unless otherwise agreed in writing by the Local Planning Authority, and to provide additional passing spaces for traffic, utilising expanded field access to the adjacent highway. This proposal was seconded by Cllr Howard Greenman.

In the debate that followed, members discussed the benefit of deferring for a site visit to see a working example of the AD unit. It was considered that the application was acceptable, subject to the additional conditions suggested which would help to reduce traffic and improve the sustainability of the development.

**RESOLVED:**

**That planning permission be GRANTED subject to the following conditions:**

- 1. The anaerobic digestion plant forming part of the development hereby approved shall use ingredients (including dairy slurry, animal bedding / FYM, grass silage and other farm produced manures) derived from the land marked in yellow under plan reference 'Tomlinson Farms.mpd' and related contract farmed land only, and from no other source unless otherwise agreed in advance in writing by the Local Planning Authority.**

**REASON:** To accord with the terms of the application and to ensure that traffic generated by the development does not exceed the levels set out in the application particulars as justification for the development, in the interests of amenity and highway safety

2. No development shall take place until plans showing the provision of at least two passing spaces being provided within enlarged field openings in the highway to the north of the application site have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the passing spaces shall be laid out in strict accordance with the approved plans prior to the first operation of the Anaerobic Digester and shall be retained for no other use, apart from vehicular access to the adjoining fields, in perpetuity.

**REASON:** In the interests of highway safety

3. 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.

4. The development hereby permitted shall be carried out in accordance with the following approved plans:
  - Site Location Plan - 2663/01A - Received 13th July 2016;
  - Proposed Block Plan - PA400 - Received 2nd December 2016;
  - Proposed North Elevation - PA102 - Received 30th November 2016;
  - Proposed West Elevation - PA103 - Received 30th November 2016;
  - Proposed South Elevation - PA104 - Received 30th November 2016;
  - Proposed East Elevation - PA105 - Received 30th November 2016;AD Unit Statement - 16-10211 - Received 30th November 2016.

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

5. No development shall commence on site until a scheme of hard and soft landscaping to mitigate against the impacts of the development on the Area of Outstanding Natural Beauty has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :
  - location and current canopy spread of all existing trees and hedgerows on the land;
  - full details of any to be retained, together with measures for their protection in the course of development;

- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- retained historic landscape features and proposed restoration, where relevant.

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

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 an Ecological Mitigation and Enhancement Plan has been submitted to and approved in writing by the Local Planning Authority. The plan will address the loss of grassland and trees and the potential disturbance to wildlife using hedgerows and trees around the site boundary. It will offer gains for biodiversity by aiming to help meet targets in the Wiltshire Biodiversity Action Plan for named 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 adequate protection,

mitigation and compensation for protected species, priority species and priority habitats.

8. No development shall commence on site until a comprehensive scheme for the discharge of surface water from the wider site (including surface water from the access/driveways/service areas), 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 the surface water drainage has been constructed in accordance with the approved scheme.

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

9. No development shall commence on site until a scheme of acoustic insulation and noise control has been submitted to and approved in writing by the Local Planning Authority. The scheme should specify the acoustic insulation and other measures to be put in place to prevent and control the emission of noise from the development including noise from the anaerobic digester, grain drying plant and any mechanical ventilation.

The approved scheme shall be implemented in full before use commences and maintained at all times thereafter. In discharging this condition the applicant should engage an Acoustic Consultant. The consultant should carry out a thorough background noise survey and noise assessment in accordance with BS4142:2014 (or any subsequent version) and demonstrate that the rating noise level is at or below the background noise level.

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

10. No development shall commence on site until an odour management plan has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include measures for the control of odours from the site arising from the use of the anaerobic digester. Thereafter, the scheme shall be implemented and maintained in strict accordance with the approved details for as long as the anaerobic digester is operational.

**REASON:** To ensure the retention of an environment free from intrusive levels of odour disturbance in the interests of the amenity of the area.

11. No development shall commence on site until a construction management plan has been submitted to and approved in writing by

the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:

- (i) The movement of construction vehicles;
- (ii) The cutting or other processing of building materials on site;
- (iii) Wheel washing and vehicle wash down facilities;
- (iv) The transportation and storage of waste and building materials;
- (v) The recycling of waste materials (if any)
- (vi) The loading and unloading of equipment and materials
- (vii) The location and use of generators and temporary site accommodation
- (viii) Pile driving (If it is to be within 200m of residential properties)
- (ix) Schedules for any plans to float polish flooring

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

**REASON:** The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

12. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

**REASON:** In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

**13. INFORMATIVE TO APPLICANT:**

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

**14. INFORMATIVE TO APPLICANT:**

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

**15. INFORMATIVE TO APPLICANT:**

**The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.**

**16. INFORMATIVE TO APPLICANT:**

**The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.**

**17. INFORMATIVE TO APPLICANT:**

**The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.**

**18. INFORMATIVE TO APPLICANT:**

**The proposed Anaerobic Digester (AD) Plant will require a permit under the Environmental Permitting Regulations 2010. The operator is advised to contact the EA's Permitting Centre on 03708 506 506 to discuss an installation pre application enquiry.**

**9b 16/05722/FUL: 9 Church Farm, Easton Grey, Malmesbury**

Public Participation was conducted as outlined above.

The Planning Officer explained that the application was one of 9 concurrent applications at the site, seeking various agricultural buildings to allow for the consolidation of the applicant's beef and dairy businesses, including the

creation of an agricultural workers dwelling and an Anaerobic Digester for use by the applicant's business. This application related only to the erection of the beef building.

The Planning Officer introduced the report, showing pictures and diagrams of the proposed build, featuring 12 pens with a capacity of up to 280 animals. It was explained that conditions in respect of landscaping and drainage were suggested, as with other applications on the site. The Planning Officer highlighted that an agricultural dwelling was appropriate development within the AONB.

In response to technical questions, officers clarified that it the usage of the building would not be classed as intensive farming. The Chairman questioned whether there would be conditions against light disturbance, in response to which, it was confirmed that there was a proposed condition on every application for Church Farm to cover external site over the whole site.

Local Member, Cllr John Thomson, suggested that any lighting on site should be low-level.

Cllr Peter Hutton proposed the officer's recommendation which was seconded by Cllr Toby Sturgis.

In the debate that followed, members noted that the Council's Agricultural Consultant was satisfied with the application.

**RESOLVED:**

**That planning permission be GRANTED subject to the following conditions:**

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

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

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans:**
  - i. Site Location Plan - 2663/01A - Received 13th July 2016;**
  - ii. Proposed Block Plan - 2663/02 - Received 13th July 2016;**
  - iii. Proposed Floor Plans - 2663/03A - Received 24th June 2016**
  - iv. Proposed Elevations - 2663/03 - Received 24th June 2016**

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

- 3. No development shall commence on site until a scheme of hard and soft landscaping to mitigate against the impacts of the development**

on the Area of Outstanding Natural Beauty has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :

- i. location and current canopy spread of all existing trees and hedgerows on the land;
- ii. full details of any to be retained, together with measures for their protection in the course of development;
- iii. a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- iv. finished levels and contours;
- v. means of enclosure;
- vi. car park layouts;
- vii. other vehicle and pedestrian access and circulation areas;
- viii. all hard and soft surfacing materials;
- ix. minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- x. proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- xi. retained historic landscape features and proposed restoration, where relevant.

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

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.

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**disturbance to wildlife using hedgerows and trees around the site boundary. It will offer gains for biodiversity by aiming to help meet targets in the Wiltshire Biodiversity Action Plan for named species.**

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- 6. No development shall commence on site until a comprehensive scheme for the discharge of surface water from the wider site (including surface water from the access/driveways/service areas), 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 the surface water drainage has been constructed in accordance with the approved scheme.**

**REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.**

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**The approved scheme shall be implemented in full before use commences and maintained at all times thereafter. In discharging this condition the applicant should engage an Acoustic Consultant. The consultant should carry out a thorough background noise survey and noise assessment in accordance with BS4142:2014 (or any subsequent version) and demonstrate that the rating noise level is at or below the background noise level.**

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noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:

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- ii. The cutting or other processing of building materials on site;
- iii. Wheel washing and vehicle wash down facilities;
- iv. The transportation and storage of waste and building materials;
- v. The recycling of waste materials (if any)
- vi. The loading and unloading of equipment and materials
- vii. The location and use of generators and temporary site accommodation
- viii. Pile driving (If it is to be within 200m of residential properties)
- ix. Schedules for any plans to float polish flooring

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

**REASON:** The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

9. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

**REASON:** In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

10. **INFORMATIVE TO APPLICANT:** The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

**11. INFORMATIVE TO APPLICANT:** The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

**12. INFORMATIVE TO APPLICANT:** Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

**13. INFORMATIVE TO APPLICANT:** The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

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

**9c 16/05723/FUL: 9 Church Farm, Easton Grey, Malmesbury**

Public participation was conducted as outlined above.

The Planning Officer explained that the application was one of 9 concurrent applications at the site, seeking various agricultural buildings to allow for the consolidation of the applicant's beef and dairy businesses, including the creation of an agricultural workers dwelling and an Anaerobic Digester for use by the applicant's business. This application related only to the erection of a hardstanding and shed for the storage of implements and machinery which would be used across the site.

The Planning Officer introduced the report and showed pictures and diagrams of the proposed site, giving details about the specifications and materials to be used. It was explained that conditions in respect of landscaping and drainage were suggested, as with other applications on the site.

The Chairman invited technical questions and there were none.

Cllr Chuck Berry moved the officer's recommendation; this was seconded by Cllr Peter Hutton.

**RESOLVED:**

**That planning permission be GRANTED subject to the following conditions:**

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

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

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans:
  - i. Site Location Plan - 2663/01 - Received 30th June 2016;**
  - ii. Proposed Block Plan - 2663/02 - Received 30th June 2016;**
  - iii. Proposed Floor Plans and Elevations - 2663/05 - Received 30th June 2016.****

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

- 3. No development shall commence on site until a scheme of hard and soft landscaping to mitigate against the impacts of the development on the Area of Outstanding Natural Beauty has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :
  - i. location and current canopy spread of all existing trees and hedgerows on the land;**
  - ii. full details of any to be retained, together with measures for their protection in the course of development;**
  - iii. a detailed planting specification showing all plant species, supply and planting sizes and planting densities;**
  - iv. finished levels and contours;**
  - v. means of enclosure;**
  - vi. car park layouts;**
  - vii. other vehicle and pedestrian access and circulation areas;**
  - viii. all hard and soft surfacing materials;**
  - ix. minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);**
  - x. proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);**
  - xi. retained historic landscape features and proposed restoration, where relevant.****

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

- 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 development shall commence on site until an Ecological Mitigation and Enhancement Plan has been submitted to and approved in writing by the Local Planning Authority. The plan will address the loss of grassland and trees and the potential disturbance to wildlife using hedgerows and trees around the site boundary. It will offer gains for biodiversity by aiming to help meet targets in the Wiltshire Biodiversity Action Plan for named 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 adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

- 6. No development shall commence on site until a comprehensive scheme for the discharge of surface water from the wider site (including surface water from the access/driveways/service areas), 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 the surface water drainage has been constructed in accordance with the approved scheme.**

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the

**matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.**

- 7. No development shall commence on site until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:**
  - i. The movement of construction vehicles;**
  - ii. The cutting or other processing of building materials on site;**
  - iii. Wheel washing and vehicle wash down facilities;**
  - iv. The transportation and storage of waste and building materials;**
  - v. The recycling of waste materials (if any)**
  - vi. The loading and unloading of equipment and materials**
  - vii. The location and use of generators and temporary site accommodation**
  - viii. Pile driving (If it is to be within 200m of residential properties)**
  - ix. Schedules for any plans to float polish flooring**

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

**REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.**

- 8. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.**

**REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.**

- 9. INFORMATIVE TO APPLICANT:** Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.
- 10. INFORMATIVE TO APPLICANT:** Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
- 11. INFORMATIVE TO APPLICANT:** The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.
- 12. INFORMATIVE TO APPLICANT:** The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.
- 13. INFORMATIVE TO APPLICANT:** The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

**9d 16/05724/FUL: 9 Church Farm, Easton Grey, Malmesbury.**

Public participation was conducted as outlined above.

The Planning Officer explained that the application was one of 9 concurrent applications at the site, seeking various agricultural buildings to allow for the consolidation of the applicant's beef and dairy businesses, including the creation of an agricultural workers dwelling and an Anaerobic Digester for use by the applicant's business. This application related only to the erection of the Farm Office and Workshop.

The Planning Officer introduced the report and showed pictures and diagrams of the proposed site, giving details about the specifications and materials to be used. It was explained that conditions in respect of landscaping and drainage were suggested, as with other applications on the site.

The Chairman invited technical questions and Cllr Toby Sturgis asked if there could be any conditions to remove permitted rights to convert the office to residential use in the future. The Planning officers confirmed that this was an option.

Cllr Sturgis moved that authority be delegated to officers to grant permission subject to the conditions in the report, and an additional condition to restrict conversion of the office into residential use, the wording of which to be determined by officers. This was seconded by Cllr Peter Hutton.

**RESOLVED:**

**To DELEGATE authority to the Head of Service for Development Management to GRANT planning permission subject to the conditions below and an additional condition to restrict conversion of the approved office wholly or in part, to residential use, either through removal of any Permitted Development Rights or other legislative and policy measures. Authority is delegated to the Head of Service to prepare an appropriately worded condition in this regard.**

- 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:
  - i. Site Location Plan - 2663/01 - Received 10th June 2016;**
  - ii. Proposed Floor Plans and Elevations - 2663/04 - Received 10th June 2016.****

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

3. No development shall commence on site until a scheme of hard and soft landscaping to mitigate against the impacts of the development on the Area of Outstanding Natural Beauty has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:
  - i. location and current canopy spread of all existing trees and hedgerows on the land;
  - ii. full details of any to be retained, together with measures for their protection in the course of development;
  - iii. a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
  - iv. finished levels and contours;
  - v. means of enclosure;
  - vi. car park layouts;
  - vii. other vehicle and pedestrian access and circulation areas;
  - viii. all hard and soft surfacing materials;
  - ix. minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
  - x. proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
  - xi. retained historic landscape features and proposed restoration, where relevant.

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

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 development shall commence on site until an Ecological Mitigation and Enhancement Plan has been submitted to and approved in writing by the Local Planning Authority. The plan will address the loss of grassland and trees and the potential disturbance to wildlife using hedgerows and trees around the site boundary. It will offer gains for biodiversity by aiming to help meet targets in the Wiltshire Biodiversity Action Plan for named 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 adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

6. No development shall commence on site until a comprehensive scheme for the discharge of surface water from the wider site (including surface water from the access/driveways/service areas), 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 the surface water drainage has been constructed in accordance with the approved scheme.

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

7. No development shall commence on site until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:
  - i. The movement of construction vehicles;
  - ii. The cutting or other processing of building materials on site;
  - iii. Wheel washing and vehicle wash down facilities;
  - iv. The transportation and storage of waste and building materials;
  - v. The recycling of waste materials (if any)
  - vi. The loading and unloading of equipment and materials
  - vii. The location and use of generators and temporary site accommodation
  - viii. Pile driving (If it is to be within 200m of residential properties)
  - ix. Schedules for any plans to float polish flooring

Has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with

in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

**REASON:** The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

8. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

**REASON:** In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

9. **INFORMATIVE TO APPLICANT:** The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.
10. **INFORMATIVE TO APPLICANT:** The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.
11. **INFORMATIVE TO APPLICANT:** Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

**12. INFORMATIVE TO APPLICANT: Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.**

**9e 16/05725/FUL: 9 Church Farm, Easton Grey, Malmesbury**

Public participation was conducted as outlined above.

The Planning Officer explained that the application was one of 9 concurrent applications at the site, seeking various agricultural buildings to allow for the consolidation of the applicant's beef and dairy businesses, including the creation of an agricultural workers dwelling and an Anaerobic Digester for use by the applicant's business. This application related only to the erection of the grain and straights store.

The Planning Officer introduced the report and showed pictures and diagrams of the proposed site, giving details about the specifications and materials to be used. The proposed floor plans were highlighted and it was explained that conditions in respect of landscaping and drainage were suggested, as with other applications on the site.

The Chairman invited technical questions, in response to which officers explained that traffic to and from the farm for grain delivery would be reduced as a result of the development.

Cllr Peter Hutton proposed the officer's recommendation which was seconded by Cllr Chuck Berry.

**RESOLVED:**

**That planning permission be GRANTED subject to the following conditions:**

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

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

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans:**
  - i. Site Location Plan - 2663/01 - Received 24th June 2016;**
  - ii. Proposed Block Plan - 2663/02 - Received 24th June 2016;**
  - iii. Proposed Floor Plans and Elevations - 2663/06 - Received 10th June 2016.**

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

- 3. No development shall commence on site until a scheme of hard and soft landscaping to mitigate against the impacts of the development on the Area of Outstanding Natural Beauty has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :**
- i. location and current canopy spread of all existing trees and hedgerows on the land;**
  - ii. full details of any to be retained, together with measures for their protection in the course of development;**
  - iii. a detailed planting specification showing all plant species, supply and planting sizes and planting densities;**
  - iv. finished levels and contours;**
  - v. means of enclosure;**
  - vi. car park layouts;**
  - vii. other vehicle and pedestrian access and circulation areas;**
  - viii. all hard and soft surfacing materials;**
  - ix. minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);**
  - x. proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);**
  - xi. retained historic landscape features and proposed restoration, where relevant.**

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

- 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 development shall commence on site until an Ecological Mitigation and Enhancement Plan has been submitted to and approved in writing by the Local Planning Authority. The plan will address the loss of grassland and trees and the potential disturbance to wildlife using hedgerows and trees around the site boundary. It will offer gains for biodiversity by aiming to help meet targets in the Wiltshire Biodiversity Action Plan for named 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 adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

6. No development shall commence on site until a comprehensive scheme for the discharge of surface water from the wider site (including surface water from the access/driveways/service areas), 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 the surface water drainage has been constructed in accordance with the approved scheme.

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

7. No development shall commence on site until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:
  - i. The movement of construction vehicles;
  - ii. The cutting or other processing of building materials on site;
  - iii. Wheel washing and vehicle wash down facilities;
  - iv. The transportation and storage of waste and building materials;
  - v. The recycling of waste materials (if any)
  - vi. The loading and unloading of equipment and materials
  - vii. The location and use of generators and temporary site accommodation
  - viii. Pile driving (If it is to be within 200m of residential properties)
  - ix. Schedules for any plans to float polish flooring

Has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with

in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

**REASON:** The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

8. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

**REASON:** In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

9. **INFORMATIVE TO APPLICANT:** The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.
10. **INFORMATIVE TO APPLICANT:** Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
11. **INFORMATIVE TO APPLICANT:** Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.
12. **INFORMATIVE TO APPLICANT:** The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory

protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

**13. INFORMATIVE TO APPLICANT:** The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

**9f 16/05726/FUL: 9 Church Farm, Easton Grey, Malmesbury.**

Public participation was conducted as outlined above.

The Planning Officer explained that the application was one of 9 concurrent applications at the site, seeking various agricultural buildings to allow for the consolidation of the applicant's beef and dairy businesses, including the creation of an agricultural workers dwelling and an Anaerobic Digester for use by the applicant's business. This application related only to the erection of the straw barn.

The Planning Officer introduced the report and showed pictures and diagrams of the proposed site, giving details about the specifications and materials to be used. It was explained that conditions in respect of landscaping and drainage were suggested, as with other applications on the site.

The Chairman invited technical questions and there were none.

Cllr Anthony Trotman proposed the officer's recommendation which was seconded by Cllr Peter Hutton.

**RESOLVED:**

**That planning permission be GRANTED subject to the following conditions:**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
  - i. Site Location Plan - 2663/01A - Received 13th July 2016
  - ii. Proposed Block Plan - 2663/02 - Received 13th July 2016
  - iii. Proposed Floor Plans and Elevations - PA-100 - Received 10th June 2016.

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

3. No development shall commence on site until a scheme of hard and soft landscaping to mitigate against the impacts of the development on the Area of Outstanding Natural Beauty has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :
  - i. location and current canopy spread of all existing trees and hedgerows on the land;
  - ii. full details of any to be retained, together with measures for their protection in the course of development;
  - iii. a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
  - iv. finished levels and contours;
  - v. means of enclosure;
  - vi. car park layouts;
  - vii. other vehicle and pedestrian access and circulation areas;
  - viii. all hard and soft surfacing materials;
  - ix. minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
  - x. proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
  - xi. retained historic landscape features and proposed restoration, where relevant.

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

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 development shall commence on site until an Ecological Mitigation and Enhancement Plan has been submitted to and approved in writing by the Local Planning Authority. The plan will address the loss of grassland and trees and the potential disturbance to wildlife using hedgerows and trees around the site boundary. It will offer gains for biodiversity by aiming to help meet targets in the Wiltshire Biodiversity Action Plan for named 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 adequate protection, mitigation and compensation for protected species, priority species and priority habitats.**

- 6. No development shall commence on site until a comprehensive scheme for the discharge of surface water from the wider site (including surface water from the access/driveways/service areas), 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 the surface water drainage has been constructed in accordance with the approved scheme.**

**REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.**

- 7. No development shall commence on site until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:**
  - i. The movement of construction vehicles;**
  - ii. The cutting or other processing of building materials on site;**
  - iii. Wheel washing and vehicle wash down facilities;**
  - iv. The transportation and storage of waste and building materials;**
  - v. The recycling of waste materials (if any)**

- vi. The loading and unloading of equipment and materials
- vii. The location and use of generators and temporary site accommodation
- viii. Pile driving (If it is to be within 200m of residential properties)
- ix. Schedules for any plans to float polish flooring

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

**REASON:** The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

- 8. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

**REASON:** In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

- 9. **INFORMATIVE TO APPLICANT:** Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
- 10. **INFORMATIVE TO APPLICANT:** Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.
- 11. **INFORMATIVE TO APPLICANT:** The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic

importance, available access and the ground conditions appertaining to the sewer in question.

**12. INFORMATIVE TO APPLICANT:** The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

**13. INFORMATIVE TO APPLICANT:** The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

**9g 16/05727/FUL: 9 Church Farm, Easton Grey, Malmesbury.**

Public participation was conducted as outlined above.

The Planning Officer explained that the application was one of 9 concurrent applications at the site, seeking various agricultural buildings to allow for the consolidation of the applicant's beef and dairy businesses, including the creation of an agricultural workers dwelling and an Anaerobic Digester for use by the applicant's business. This application related only to the erection of the grain dryer.

The Planning Officer introduced the reports and showed pictures and diagrams of the proposed site, giving details about the specifications and materials to be used. It was highlighted that this building would be higher in elevation compared to neighbouring buildings. Conditions in respect of landscaping and drainage were suggested, as with other applications on the site, and a condition was also proposed in respect of noise control.

The Chairman invited technical questions in response to which the officer confirmed that an intention of the applicant was that fuel from the AD unit would be used to power the grain dryer; it would not be reasonable to condition this, however an informative could be added.

Cllr Anthony Trotman proposed the officer's recommendation, subject to an additional informative on usage of fuel from the Anaerobic Digester unit to

power the grain dryer, the wording of which to be delegated to officers. The motion was seconded by Cllr Peter Hutton.

**RESOLVED:**

**That planning permission be GRANTED subject to the conditions below and an additional Informative to request that the applicant investigate the possibility of servicing the Grain Dryer hereby approved with power generated by the AD unit approved under application reference 16/05728/FUL. Authority is delegated to the Head of Service to prepare an appropriately worded informative in this regard.**

- 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:
  - i. Site Location Plan - 2663/01 - Received 10th June 2016;**
  - ii. Proposed Block Plan - 2663/02 - Received 10th June 2016;**
  - iii. Proposed Floor Plans and Elevations - 2663/09 - Received 10th June 2016.****

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

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

- xii. retained historic landscape features and proposed restoration, where relevant.

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

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 development shall commence on site until an Ecological Mitigation and Enhancement Plan has been submitted to and approved in writing by the Local Planning Authority. The plan will address the loss of grassland and trees and the potential disturbance to wildlife using hedgerows and trees around the site boundary. It will offer gains for biodiversity by aiming to help meet targets in the Wiltshire Biodiversity Action Plan for named 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 adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

6. No development shall commence on site until a comprehensive scheme for the discharge of surface water from the wider site (including surface water from the access/driveways/service areas), 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 the surface water drainage has been constructed in accordance with the approved scheme.

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

7. No development shall commence on site until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:
  - i. The movement of construction vehicles;
  - ii. The cutting or other processing of building materials on site;
  - iii. Wheel washing and vehicle wash down facilities;
  - iv. The transportation and storage of waste and building materials;
  - v. The recycling of waste materials (if any)
  - vi. The loading and unloading of equipment and materials
  - vii. The location and use of generators and temporary site accommodation
  - viii. Pile driving (If it is to be within 200m of residential properties)
  - ix. Schedules for any plans to float polish flooring

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

**REASON:** The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

8. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

**REASON:** In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

- 9. No development shall commence on site until a scheme of acoustic insulation and noise control has been submitted to and approved in writing by the Local Planning Authority. The scheme should specify the acoustic insulation and other measures to be put in place to prevent and control the emission of noise from the development including noise from the anaerobic digester, grain drying plant and any mechanical ventilation. The approved scheme shall be implemented in full before use commences and maintained at all times thereafter. In discharging this condition the applicant should engage an Acoustic Consultant. The consultant should carry out a thorough background noise survey and noise assessment in accordance with BS4142:2014 (or any subsequent version) and demonstrate that the rating noise level is at or below the background noise level.**
- 10. INFORMATIVE TO APPLICANT: The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.**
- 11. INFORMATIVE TO APPLICANT: The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.**
- 12. INFORMATIVE TO APPLICANT: The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.**
- 13. INFORMATIVE TO APPLICANT: Please note that Council offices do not have the facility to receive material samples. Please deliver**

**material samples to site and inform the Planning Officer where they are to be found.**

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

**9h 16/05729/FUL: 9 Church Farm, Easton Grey, Malmesbury.**

Public participation was conducted as outlined above.

The Planning Officer explained that the application was one of 9 concurrent applications at the site, seeking various agricultural buildings to allow for the consolidation of the applicant's beef and dairy businesses, including the creation of an agricultural workers dwelling and an Anaerobic Digester for use by the applicant's business. This application related only to the erection of the dairy parlour only.

The Planning Officer introduced the report and showed pictures and diagrams of the proposed site, giving details about the specifications and materials to be used. It was explained that conditions in respect of landscaping and drainage were suggested, as with other applications on the site, a condition on noise was also included and attention was drawn to the additional condition proposed in the late items.

The Chairman invited technical questions, members questioned the stopping of the Dairy vehicles on the highway to service the building and the potential for a hardstanding layby to be provided. It was confirmed that the proposed conditions should address landscaping on the site and the site was located further from the highway than other agricultural buildings on site. Local member Cllr John Thomson expressed concern that access arrangements for servicing the building had not been fully considered in the application.

Cllr Toby Sturgis moved that authority be delegated to officers to grant planning permission, subject to the conditions in the report and further conditioning for suitable, hardstanding/layby to be provided to service the dairy, the wording of which to be determined by officers. This was seconded by Cllr Peter Hutton.

In the debate that followed, councillors agreed that hardstanding should be provided in the interests of highway safety, and retained free of obstruction or other usage, for the purposes of servicing the proposed Dairy Parlour. Members also noted the proposed landscaping of the site.

**RESOLVED:**

**To DELEGATE authority to GRANT planning permission to the Head of Service for Development Management subject to the conditions below and an additional condition to require the submission and approval of details for the provision of an off road (off the metalled highway/carriageway)**

**hardstanding/layby suitable for the servicing of the Dairy Parlour hereby approved. Authority is delegated to the Head of Service to provide an appropriately worded condition in this regard.**

- 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:**
  - i. Site Location Plan - 2663/01A - Received 13th July 2016;**
  - ii. Proposed Block Plan - 2663/02 - Received 13th July 2016;**
  - iii. Proposed Floor Plans and Elevations - 2663/10A - Received 13th July 2016;**

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

- 3. No development shall commence on site until a scheme of hard and soft landscaping to mitigate against the impacts of the development on the Area of Outstanding Natural Beauty has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:**
  - i. location and current canopy spread of all existing trees and hedgerows on the land;**
  - ii. full details of any to be retained, together with measures for their protection in the course of development;**
  - iii. a detailed planting specification showing all plant species, supply and planting sizes and planting densities;**
  - iv. finished levels and contours;**
  - v. means of enclosure;**
  - vi. car park layouts;**
  - vii. other vehicle and pedestrian access and circulation areas;**
  - viii. all hard and soft surfacing materials;**
  - ix. minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);**
  - x. proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);**
  - xi. retained historic landscape features and proposed restoration, where relevant.**

**REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development**

is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

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 development shall commence on site until an Ecological Mitigation and Enhancement Plan has been submitted to and approved in writing by the Local Planning Authority. The plan will address the loss of grassland and trees and the potential disturbance to wildlife using hedgerows and trees around the site boundary. It will offer gains for biodiversity by aiming to help meet targets in the Wiltshire Biodiversity Action Plan for named 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 adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

6. No development shall commence on site until a comprehensive scheme for the discharge of surface water from the wider site (including surface water from the access/driveways/service areas), 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 the surface water drainage has been constructed in accordance with the approved scheme.

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in

an acceptable manner, to ensure that the development can be adequately drained.

7. No development shall commence on site until a scheme of acoustic insulation and noise control has been submitted to and approved in writing by the Local Planning Authority. The scheme should specify the acoustic insulation and other measures to be put in place to prevent and control the emission of noise from the development including noise from the anaerobic digester, grain drying plant and any mechanical ventilation. The approved scheme shall be implemented in full before use commences and maintained at all times thereafter. In discharging this condition the applicant should engage an Acoustic Consultant. The consultant should carry out a thorough background noise survey and noise assessment in accordance with BS4142:2014 (or any subsequent version) and demonstrate that the rating noise level is at or below the background noise level.

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

8. No development shall commence on site until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:
  - i. The movement of construction vehicles;
  - ii. The cutting or other processing of building materials on site;
  - iii. Wheel washing and vehicle wash down facilities;
  - iv. The transportation and storage of waste and building materials;
  - v. The recycling of waste materials (if any)
  - vi. The loading and unloading of equipment and materials
  - vii. The location and use of generators and temporary site accommodation
  - viii. Pile driving (If it is to be within 200m of residential properties)
  - ix. Schedules for any plans to float polish flooring

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

**REASON:** The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general,

detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

9. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

**REASON:** In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

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

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

11. **INFORMATIVE TO APPLICANT:** Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

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

13. **INFORMATIVE TO APPLICANT:** The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

**14. INFORMATIVE TO APPLICANT:** The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

**15. INFORMATIVE TO APPLICANT:** The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

**9i 16/05721/FUL: 9 Church Farm, Easton Grey, Malmesbury.**

Public participation was conducted as outlined above.

The Planning Officer explained that the application was one of 9 concurrent applications at the site, seeking various agricultural buildings to allow for the consolidation of the applicant's beef and dairy businesses, including the creation of an agricultural workers dwelling and an Anaerobic Digester for use by the applicant's business. This application related only to the erection of the agricultural farmers dwelling and heifer shed.

The Planning Officer introduced the report and showed pictures and diagrams of the proposed site, giving details about the specifications and materials to be used. It was explained that conditions in respect of landscaping and drainage were suggested, as with other applications on the site. It was highlighted that there was a functional need for the dwelling on the site, as identified by the Council's Agricultural Consultant, and that other buildings near the site were unable to be used. The officer identified that the dwelling had been designed to reflect the financial and functional requirements of the operation as proposed. The officer advised that it was conditioned that the dwelling would not be occupied until the beef and dairy element of the farm was in use and would be restricted to use by agricultural workers and their dependents. Following submissions in by the applicant team, it was clarified that the Council's agricultural consultant had identified that part of the functional need for a

dwelling related to the provision and operation of the dairy herd facilities and therefore the conditional restriction in this respect was necessary.

The Chairman invited technical questions and it was confirmed that the dwelling was necessitated by the agricultural work and not maintenance of the AD unit.

Cllr Anthony Trotman proposed the officer's recommendation, which was seconded by Cllr Peter Hutton.

**RESOLVED:**

**That planning permission be GRANTED, subject to the following conditions:**

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

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

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans:**
  - i. Site Location Plan - 2663/01 - Received 24th June 2016;**
  - ii. Proposed Heifer Shed - 2663/07 - Received 10th June 2016;**
  - iii. Proposed Dwelling Elevations - 2663/11A - Received 30th November 2016**
  - iv. Proposed Dwelling Floor Plans - 2663/12A - Received 30th November 2016**

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

- 3. No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs of the dwelling hereby approved 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.**

- 4. The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.**

**REASON:** The site is in an area where residential development for purposes other than the essential needs of agriculture or forestry is not normally permitted and this permission is only granted on the basis of an essential need for a new dwelling/residential accommodation in this location having been demonstrated.

5. The dwelling hereby approved shall not be first occupied until the agricultural buildings approved under application reference 16/05722/FUL (Beef Building) & 16/05729/FUL (Dairy Parlour) have been erected in strict accordance with the approved plans, occupied and the associated agricultural business be operational at the site.

**REASON:** To ensure that the dwelling is required for a key worker for the agricultural land use at the site.

6. No development shall commence on site until a scheme of hard and soft landscaping to mitigate against the impacts of the development on the Area of Outstanding Natural Beauty has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :
  - i. location and current canopy spread of all existing trees and hedgerows on the land;
  - ii. full details of any to be retained, together with measures for their protection in the course of development;
  - iii. a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
  - iv. finished levels and contours;
  - v. means of enclosure;
  - vi. car park layouts;
  - vii. other vehicle and pedestrian access and circulation areas;
  - viii. all hard and soft surfacing materials;
  - ix. minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
  - x. proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
  - xi. retained historic landscape features and proposed restoration, where relevant.

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

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(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.

8. No development shall commence on site until An Ecological Mitigation and Enhancement Plan has been submitted to and approved in writing by the Local Planning Authority. The plan will address the loss of grassland and trees and the potential disturbance to wildlife using hedgerows and trees around the site boundary. It will offer gains for biodiversity by aiming to help meet targets in the Wiltshire Biodiversity Action Plan for named 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 adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

9. No development shall commence on site until a comprehensive scheme for the discharge of surface water from the wider site (including surface water from the access/driveways/service areas), 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 the surface water drainage has been constructed in accordance with the approved scheme.

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

10. No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer (if required) have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in acceptable manner, to ensure that the development can be adequately drained.

- 11. No development shall commence on site until a plan showing space for the parking of 3 vehicles has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the parking spaces shall be provided in strict accordance with the approved plan prior to the occupation of the dwelling and shall not be used other than for the parking of vehicles or for the purpose of access.**

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

- 12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-H shall take place on the dwelling house(s) hereby permitted or within their curtilage.**

**REASON:** In the interests of the amenity of the Area of Outstanding Natural Beauty and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements to an agricultural workers dwelling.

- 13. No development shall commence on site until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:**
  - i. The movement of construction vehicles;**
  - ii. The cutting or other processing of building materials on site;**
  - iii. Wheel washing and vehicle wash down facilities;**
  - iv. The transportation and storage of waste and building materials;**
  - v. The recycling of waste materials (if any)**
  - vi. The loading and unloading of equipment and materials**
  - vii. The location and use of generators and temporary site accommodation**
  - viii. Pile driving (If it is to be within 200m of residential properties)**
  - ix. Schedules for any plans to float polish flooring**

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

**REASON:** The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

14. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

**REASON:** In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

15. **INFORMATIVE TO APPLICANT:** The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.
16. **INFORMATIVE TO APPLICANT:** Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.
17. **INFORMATIVE TO APPLICANT:** The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should

**seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.**

**18. INFORMATIVE TO APPLICANT: The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.**

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

10 **15/10712/FUL: Land North of Baydons Lane, Chippenham.**

Michael Sammes, Vanessa Robshaw and Michael Gibbons spoke against the application. John Bostock spoke in favour of the application.

The Planning Officer introduced the report which was an application for the erection of 6 dwellings, which had been reported to Committee on 26 October 2016 and deferred for further consideration of three issues: the possibility for an environmental corridor, an assessment of the Japanese Knotweed issues on the site, and vicinity, and the possibility of traffic calming measures sympathetic to the character of the conservation area. Officers explained that all issues had been considered and addressed by the proposed conditions in the report.

The officer showed pictures and diagrams which identified proposed location and specifications of the build, it was highlighted that slight alterations had been made to the layout, moving the proposed houses further into the site and therefore further away from neighbours, alterations had also been made to avoid the root zone of a beech tree on the site. The environmental corridor was now included in the plans with minor alterations and with minimal impact. The Knotweed issue had been addressed by a condition to ensure the removal of the species prior to commencing the building works. The traffic calming measures were to be dealt with by a revised road layout and protection zones, alternative materials appropriate to the conservation area status of the site had been proposed by the applicant and agreed by officers.

The Chairman invited members to ask technical questions and there were none.

The Chairman invited members of the public to make representations, as detailed above.

In response to statements from the public, the Planning Officer explained that the Committee was already familiar with the application; members were considering the three issues deferred from a previous Committee meeting, and key changes to the proposed consent were in response to the matters Committee had sought further clarity on when it was last debated. It was explained that public consultation on the revised plans had not been undertaken since the overall impact of the proposed development on neighbours had been lessened in comparison to the previous proposals. The proposed condition on Knotweed had been considered appropriate by the Council's Ecologist.

Cllr Peter Hutton moved the officer's recommendation, subject to the conditions in the report and a requirement that a completion survey be carried out post eradication of the Knotweed, and an informative referring the applicant to the maximum fine for allowing Knotweed to spread, the wording of which to be determined by officers. This was seconded by Cllr Howard Greenman.

In the debate that followed members considered the impact of the Japanese Knotweed and agreed the development to be acceptable and an improvement to the previous proposal.

**RESOLVED:**

**That authority is DELEGATED to the Head of Development Management to GRANT planning permission, subject to conditions listed below and completion of a S106 legal agreement within six months of the date of the resolution of this Committee, and subject to an amendment to the proposed condition in respect of Knotweed in order to secure a completion survey of the land in question post eradication and removal works to confirm removal and also an Informative to be added referring the applicant to the maximum fine permissible if Knotweed is allowed to spread. Authority is delegated to the Head of Service to prepare appropriate wording in this regard.**

**In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Head of Development Management to REFUSE planning permission for the following reason:-**

**The application proposal fails to provide the necessary mitigation in line with Policies CP50, CP51 and CP58 of the Wiltshire Core Strategy (Adopted January 2015) and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.**

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 No: 1631 - 01 (as submitted 20/09/2016) - Site Plan
  - Drawing No: 1631 - 02 REV H (as submitted 13/12/2016) - Site Layout
  - Drawing No: 1631 - 03 REV F (as submitted 13/12/2016) – Street Elevations & Sections
  - Drawing No: 1631 - 04 REV D (as submitted 13/12/2016) – Rear elevations & Sections
  - Drawing No: 1631 - 05 REV G (as submitted 13/12/2016) - Parking Provision
  - Drawing No: 1631 - 06 REV K (as submitted 16/12/2016) - Drainage Strategy
  - Drawing No: 1631 - 07 REV H (as submitted 13/12/2016) – Landscaping Layout
  - Drawing No: 1631 - Plot1fp (as submitted 13/12/2016) - Plot 1 Floor Plan and Elevations
  - Drawing No: 1631 - Plot2el (as submitted 13/12/2016) - Plot 2 Floor Plan and Elevations
  - Drawing No: 1631 REV A - Plot3fp (as submitted 13/12/2016) - Plot 3 Floor Plans
  - Drawing No: 1631 REV A - Plot3el (as submitted 13/12/2016) - Plot 3 Elevations
  - Drawing No: 1631 REV A - Plot4el (as submitted 13/12/2016) - Plot 4 Elevations
  - Drawing No: 1631 REV A - Plot4fp (as submitted 13/12/2016) - Plot 4 Floor Plan
  - Drawing No: 1631 REV B - Plot5/6fp (as submitted 13/12/2016) - Plot 5 & 6 Floor Plan
  - Drawing No: 1631 REV B- Plot5/6el (as submitted 13/12/2016) - Plot 5 & 6 Elevations
  - Drawing No: 1631 REV B - gar/encl (as submitted 13/12/2016) - Garages and Enclosure plans.
  - Drawing No: 1631 0700 Rev P5 (13/12/2016) Engineering Layout and Details
  - D37 36 P2 Rev A (13/12/2016)
  - D37 36 P1 (13/12/2016)
  - D37 36 P3 (13/12/2016)
  - Extended Phase 1 Habitat Survey and Assessment by Alder Ecology (May 2013)
  - Ecological Assessment by Tyler Grange (June 2016)
  - FRA Addendum Report by Craddys (June 2016)

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

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

**REASON:** The 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

4. No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:
  - 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 security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - measures to control the emission of dust and dirt during construction;
  - a scheme for recycling/disposing of waste resulting from demolition and construction works; and
  - hours of construction, including deliveries;

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

**REASON:** The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

5. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by, the Local Planning Authority before commencement of the development. The content of the LEMP shall include, but not necessarily be limited to, the following information:
  - Description and evaluation of features to be managed;

- Landscape and ecological trends and constraints on site that might influence management;
- Aims and objectives of management;
- Appropriate management options for achieving aims and objectives;
- Prescriptions for management actions;
- Preparation of a work schedule (including an annual work);
- Details of the body or organisation responsible for implementation of the plan;
- Ongoing monitoring and remedial measures;
- Details of how the aims and objectives of the LEMP will be communicated to future occupiers of the development.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery. The plan shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented. The LEMP shall be implemented in full 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 adequate protection, mitigation and compensation for protected species, priority

6. No development shall commence on site (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:
  - Protection of trees including details of root protection areas and fencing;
  - Mitigation for any potential tree bat roosts to be removed;
  - An updated badger survey and mitigation strategy;
  - A reptile mitigation strategy including methods to be applied during the construction phase and details of the proposed receptor site including long-term maintenance.
  - Protection of breeding birds.
  - Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

A report prepared by a competent person(s), certifying that the required mitigation and/ or compensation measures identified in the CEMP have been completed to their satisfaction, shall be submitted to the Local Planning Authority within 3 months of the date of

substantial completion of the development or at the end of the next available planting season, whichever is the sooner.

**REASON:** To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

7. No demolition, site clearance or development shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees 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 must provide the following:-

- A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2012 and a plan indicating the alignment of the protective fencing;
- A specification for scaffolding and ground protection within tree protection zones in accordance with British Standard 5837: 2012;
- A schedule of tree works conforming to British Standard 3998: 2010;
- 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. The detailed landscaped plan should be not less than 1:200 scale, showing the position of any trees proposed to be retained and the positions and routes of all proposed and existing pipes, drains, sewers, and public services, including gas, electricity, telephone and water.
- 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.
- Day and sunlight calculations must be submitted in accordance with Building
- Research Establishment guidance and British Standards 8206 Part 2: 2008 Light for Buildings Part 2 - Code of practice for daylighting.

- In order that trees to be retained on-site are not damaged during the construction works and to ensure that as far as possible the work is carried no demolition, site clearance or development should commence on site until a precommencement site meeting has been held, attended by the developer's arboricultural consultant, the designated site foreman and a representative from the Local Planning Authority, to discuss details of the proposed work and working procedures.
- Subsequently and until the completion of all site works, site visits should be carried out on a weekly basis by the developer's arboricultural consultant. A report detailing the results of site supervision and any necessary remedial works undertaken or required should then be submitted to the Local Planning Authority.
- Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant following that approval.

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

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 from the first occupation or the completion of the development, whichever is the later].**

**REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.**

- 9. 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 urban 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.**

- 10. No development shall commence on site until a scheme for the discharge of surface water from the highway fronting the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until the highway drainage scheme has been constructed in accordance with the approved scheme.**

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

- 11. No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.**

**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 that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

- 12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions 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.

- 13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no gates, fences, walls or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site.**

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

- 14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.**

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

- 15. There must be no ground raising or obstruction to flow on existing land at or below the 1 in 100 year flood level (45.57mAOD).**

**REASON:** In the interests of flood prevention

- 16. The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.**

**REASON:** To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.

**17. No development including vegetation removal / management, site clearance, ground works or intrusive site investigations, shall commence until a detailed method statement for the removal/eradication of Japanese knotweed on the site has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of Japanese Knotweed during any operations in accordance with best practice, and ensure the safe disposal of invasive plant material as required. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall be carried out in strict accordance with the approved method statement.**

**18. 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.**

**19. No development shall commence on site until details of the 'highway works' consisting of carriageway widening / traffic calming / lowered kerb to be formed at Baydon Lane have been submitted to, and approved in writing by, the Local Planning Authority. The highway works shall include the re-surfacing of the wearing course of the whole carriageway (ie after the widening). No part of the development shall be occupied until the 'highway works' have been provided in accordance with the approved details (numbered 1084\_0700 P5 and titled 'Engineering Layout and Details').**

**REASON: In the interests of highway safety.**

**20. No development shall commence on site until visibility splays at both access points have been provided between the edge of the carriageway and a line extending from a point 2m metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 25 metres from the centre of the access in accordance with the approved plans (numbered 1084\_0700 P5 and titled 'Engineering Layout and Details'). Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 0.6m above the level of the adjacent carriageway.**

**REASON: In the interests of highway safety.**

**21. 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), the garage(s) hereby permitted shall not be converted to habitable accommodation.**

**REASON:** To safeguard the amenities and character of the area and in the interest of highway safety.

**22. INFORMATIVE TO APPLICANT:** The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

**23. INFORMATIVE TO APPLICANT:** Please note that Japanese Knotweed waste (the plant itself or material containing its rhizomes) is classed as a controlled/special waste and therefore needs to be disposed of in accordance with the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991. It may be necessary to inform the Environment Agency of the intention to bury or burning Japanese Knotweed onsite. Any soils or material contaminated with Japanese Knotweed should be disposed of at an authorised landfill site or suitable disposal site. Please see government guidance for further details. <https://www.gov.uk/guidance/prevent-japanese-knotweed-fromspreading>

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

**25. 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].

**26. INFORMATIVE TO APPLICANT:** The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

- 27. INFORMATIVE TO APPLICANT:** The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.
- 28. INFORMATIVE TO APPLICANT:** Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.
- 29. INFORMATIVE TO APPLICANT:** The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website- [www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy).

11 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 6.35 pm)

The Officer who has produced these minutes is Edmund Blick of Democratic Services, direct line 01225 718059, e-mail [edmund.blick@wiltshire.gov.uk](mailto:edmund.blick@wiltshire.gov.uk)

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