

STRATEGIC PLANNING COMMITTEE

MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 13 SEPTEMBER 2017 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Fleur de Rhé-Philippe (Chairman), Cllr Clare Cape, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Stewart Dobson, Cllr David Jenkins, Cllr Christopher Newbury, Cllr James Sheppard, Cllr Tony Trotman and Cllr Fred Westmoreland

Also Present:

Cllr Toby Sturgis and Cllr Jerry Wickham

48 Apologies

An apology for absence was received from Cllr Derek Brown OBE.

49 Minutes of the Previous Meeting

Resolved:

To confirm and sign the minutes of the previous meeting held on 19 July 2017.

50 Declarations of Interest

There were no declarations of interest made at the meeting.

51 Chairman's Announcements

There were no Chairman's announcements.

52 Public Participation

The questions submitted by Cllr Ernie Clark and the responses included in the agenda papers were noted.

It was also noted that a supplementary question submitted had been recently submitted as follows:-

“On what basis therefore can the statement ‘At this stage, it is not envisaged that any sites will be listed in Part 2 of the Register’ be justified? Does this not clearly show the predetermination of this LPA against any brownfield sites especially within the Trowbridge Community Area?”

The Head of Development Management responded by stating that sites could only be listed in Part 2 of the Brown Fields Register if agreed and granted in principle by the Council. There was a detailed process to be undertaken and it had to be demonstrated that such areas of land were available, achievable and suitable for residential development of a minimum size. Furthermore, a consultation and publicity exercise similar to that of a planning application had to be carried out at the Council's expense. It would not be feasible for this to be undertaken by the publication deadline of 31 December 2017.

53 The rules of public participation were noted.

Planning Appeals and Updates

An update on planning appeals and decisions was received.

Resolved:

54 **To note the update.**
17/03219/REM - Land at Junction of Blenheim Road And Salisbury Road, Marlborough, SN8 4FD - Construction of 168 new 1,2 3,4 & 5 bedroom dwellings (to include 67 (40%) affordable homes) and associated highways and engineering works, landscaping and open space

Public Participation

Mr David Pocock, a local resident, spoke in opposition to the application.

Cllr Peter Cairns, representing Marlborough Town Council, spoke in support of the application.

The Committee received a presentation from the Case Officer which set out the issues in respect of the application, with a recommendation that reserved matters consent be granted.

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

Members then heard the views of Cllr Stewart Dobson, an adjoining local Member, who stated that whilst he reluctantly accepted the need for additional housing in Marlborough, did express concern regarding resulting increased traffic and air quality. He also drew attention to the urgent need for a second hotel in Marlborough. The Head of Development Management informed the Committee that both resultant traffic volumes and air quality had been addressed as part of the outline application and no problems had been raised by appropriate technical officers.

Cllr Dobson also questioned why public access could not be allowed to the Ecological Mitigation Area and whether controlled access could be permitted.

The Council's Ecologist explained the need for the ecological mitigation area and outlined the reasons why this area needed to remain private. She did, however, indicate that allowing controlled access for educational or research purposes was a good idea.

After some discussion, on the proposal of Cllr Andrew Davis, which was seconded by Cllr Ernie Clark,

Resolved:

To grant reserved matters consent, subject to the following conditions:-

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans and documents:**

Drawing no.RHSW.5333.SL001 Rev A (Site Location Plan), received 12.04.17

Drawing no.PL-03 Rev H (Planning Layout), received 30.08.17;

Drawing no.PL-04 (Materials Plan), received 03.08.17;

Drawing no.PL-05 (Affordable Distribution Plan), received 03.08.17;

Drawing no.PL-06 (Storey Heights Plan), received 03.08.17;

Drawing no.PL-07 Rev A (Enclosure and Surface Materials Plan), received 22.08.17;

Drawing no.PL-08 (Presentation Layout), received 03.08.17;

Drawing no.SS-01 (Site Sections and Street Scenes), received 03.08.17;

Drawing no.RED20987-03C Sheets 1 to 10 (Tree Protection Plan), received 30.08.17;

Drawing no.RED20987 10 (Landscape Masterplan), received 03.04.17;

Drawing no,RED20987 11C Sheets 1 to 9 (Landscape Proposals), received 30.08.17;

Drawing no,RED20987 15C Sheets 1 to 5 (Open Space Proposals), received 30.08.17;

Drawing no.RED20987-20C (Play Area Proposal), received 30.08.17;

Drawing no.P17136-01 Sheet 1 Issue B (Adoptable Area Lighting Environmental Calc), received 03.08.17;

Drawing no.P17136-01 Sheet 2 Issue B (Adoptable Area Lighting Environmental Calc), received 03.08.17;

Drawing no.P17136-02 Sheet 1 Issue B (Private Area Lighting Environmental Calc), received 03.08.17;
Drawing no.P17136-02 Sheet 2 Issue B (Private Area Lighting Environmental Calc), received 03.08.17;
Drawing no.P17136-03 Issue B (Private Area Lighting Environmental Calc), received 03.08.17;

Drawing no.440-P-100 Rev B (Drainage Strategy), received 30.08.17;
Drawing no.440-P-200-01 Rev B (Engineering Layout Sheet 1 of 4), received 30.08.17;
Drawing no.440-P-200-02 Rev B (Engineering Layout Sheet 2 of 4), received 30.08.17;
Drawing no.440-P-200-03 Rev B (Engineering Layout Sheet 3 of 4), received 30.08.17;
Drawing no.440-P-200-04 Rev B (Engineering Layout Sheet 4 of 4), received 30.08.17;
Drawing no.440-P-300-01 Rev A (Road Longitudinal Sections Sheet 1 of 2), received 30.08.17;
Drawing no.440-P-300-02 Rev A (Road Longitudinal Sections Sheet 2 of 2), received 30.08.17;
Drawing no.440-P-400-01 Rev B (Refuse Vehicle Tracking), received 30.08.17;
Drawing no.440-P-400-02 Rev B (Fire Tender Vehicle Tracking), received 30.08.17;
Drawing no.440-P-500 Rev D (Infiltration Basin Layout and Cross Sections), received 30.08.17;
Drawing no.440-P-600 Rev B (Flood Exceedance Routing), received 30.08.17;

Drawing no.HT-Ludlow-01 (House type Ludlow), received 03.08.17;
Drawing no.HT-Ludlow-02 (House type Ludlow), received 03.08.17;
Drawing no.HT-Ludlow-03 (House type Ludlow), received 03.08.17;
Drawing no.HT-Ludlow-04 (House type Ludlow), received 03.08.17;
Drawing no.HT-Warwick-01 (House type Warwick), received 03.08.17;
Drawing no.HT-Warwick-02 (House type Warwick), received 03.08.17;
Drawing no.HT-Amberley-01 (House type Amberley),

received 03.08.17;
Drawing no.HT-Amberley-02 (House type Amberley),
received 03.08.17;
Drawing no.HT-Sherbourne-01 (House type Sherbourne),
received 03.08.17;
Drawing no.HT- Sherbourne-02 (House type Sherbourne),
received 03.08.17;
Drawing no.HT-Marlow-01 (House type Marlow), received
03.08.17;
Drawing no.HT-Marlow-02 (House type Marlow), received
03.08.17;
Drawing no.HT-Shaftesbury-01 (House type Shaftesbury),
received 03.08.17;
Drawing no.HT- Shaftesbury -02 (House type Shaftesbury),
received 03.08.17;
Drawing no.HT-Camebridge-01 (House type Camebridge),
received 03.08.17;
Drawing no.HT-Camebridge-02 (House type Camebridge),
received 03.08.17;
Drawing no.HT-Canterbury-01 (House type Canterbury),
received 03.08.17;
Drawing no.HT-Canterbury-02 (House type Canterbury),
received 03.08.17;
Drawing no.HT-Henley-01 (House type Henley), received
03.08.17;
Drawing no.HT- Henley -02 (House type Henley), received
03.08.17;
Drawing no.HT-Richmond-01 Rev A (House type
Richmond), received 22.0

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

- 2 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 any dwelling or in accordance with a programme to be agreed in writing with the Local Planning Authority; 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.

- 3** The development hereby permitted shall be carried out in strict accordance with the Arboricultural Impact Assessment & Method Statement by ACD Environmental (ref RED20987aia-ams / Rev C: 29.08.2017).

REASON: 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.

- 4** 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 the tree protective fencing has been 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 with British Standard 3998: 2010 "Tree Work - Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practice.

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: 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.

- 5 Notwithstanding the details of earthworks shown on drawings number.RED20987 15C Sheets 1 to 5 (Open Space Proposals), no development shall commence on the residential part of the site until full details of the proposal to dispose of waste soils in the wildflower meadow / ecological mitigation area to the south of the site, including a soil management strategy and disposal plan, has been submitted to and approved in writing by the Local Planning Authority. These details shall include existing and proposed cross-sections and contour plans, and the nature and source of the material. The development shall be carried out in accordance with the details approved under this condition.**

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 to ensure sub soil and top soil are properly separated and layered during any necessary re-profiling/re-contouring of land to protect the integrity of existing soil structure.

NOTE: The surplus soils should be evenly distributed across

the site to maintain the character of the existing valley slope.

- 6** No development shall commence on the residential part of the site until a programme and timetable for the delivery of the wildflower meadow / ecological mitigation area to the south of the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details approved under this condition.

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

- 7** 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 garages hereby permitted shall not be converted to habitable accommodation.

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

- 8** 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/extensions or external alterations to any building forming part of the development hereby permitted.

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

- 9** 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 window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the roofslopes of the dwellings hereby permitted.

REASON: In the interests of residential amenity and privacy and to protect the character of the built environment.

INFORMATIVE TO APPLICANT:

The attention of the applicant is drawn to the contents of the consultation response from the Council's Public Right of Way Officer, which can be viewed on the Council's website at www.wiltshire.gov.uk

INFORMATIVE TO APPLICANT:

Your attention is also drawn to the conditions imposed on the outline planning permission reference 15/02026/OUT and dated 29 July 2016.

INFORMATIVE TO APPLICANT:

This approval of matters reserved refers only to condition 2 of outline planning permission 15/02026/OUT for the residential part of the site only, but does not by itself constitute a planning permission.

INFORMATIVE TO APPLICANT:

The applicant is requested to permit controlled access into the private ecological mitigation area i.e. accompanied access for educational or research purposes. This issue should be addressed within the Ecological Management Plan which needs to be submitted to and approved in writing by the Local Planning Authority in accordance with the requirement of condition 13 of the outline planning permission.

- 55 **17/02371/FUL - Land to the rear of The Paddock, Heath Lane, Startley, Chippenham, Wiltshire, SN15 5HH - Change of use of land to a residential Gypsy and Traveller caravan site, consisting of 3 permanent pitches, including construction of utility/dayroom and associated works**

Public Participation

Mr Mike Lewis, a local resident, spoke in opposition to the application.

Dr Murdoch, the agent, spoke in favour of the application.

The Committee received a presentation by the Head of Development Management which set out the main issues in respect of the application. He

explained that since the preparation of the report, it had been discovered that the site was directly accessed from a bridleway where no public vehicular rights existed. Thus there was doubt that the site could be served by a safe and convenient vehicular access and therefore the recommendation for approval was now being withdrawn.

Members then had the opportunity to ask technical questions after which they heard statements from members of the public as listed above, expressing their views regarding the planning application.

Members then heard the views of Great Somerford Parish Council objecting to the proposal which were read out by Cllr Toby Sturgis, the local Member. Cllr Sturgis then expressed his own concerns that doubling the size of the gypsy and traveller site would be a disproportionate addition for such a small rural community. This expansion in size would also have implications with regards to landscape impact. He went on to explain that he had met with the residents of Startley who had serious concerns about the proposal. They drew attention to the lack of a safe vehicular access to the site and that vehicles were likely to be parked in green open space. There was no evidence that soakaways would work efficiently in view of the clay soil and furthermore the septic tank did not function correctly, foul water discharging into the lane. There was no mains water supply to the site.

During discussion, Members considered in detail the concerns that had been raised.

On the proposal of Cllr Tony Trotman which was seconded by Cllr Christopher Newbury,

Resolved:

To refuse planning permission for the following reasons:-

The site lies in a rural location outside of the defined limits of development for any nearby settlement. The relevant development plan policy for assessing proposals for new gypsy and traveller pitches in such locations is CP47 of the Wiltshire Core Strategy. When assessed against this policy, the proposal conflicts with criteria (ii); (iii); (vi) and (viii) of CP47. In relation to criteria (ii), the site is directly accessed from a bridleway where no public vehicular rights exist and therefore the site is not served by a safe and convenient vehicular access; in relation to criteria (iii), the site is not supplied with essential services; in relation to criteria (vi), the proposal would have an unacceptable impact on the character and appearance of the landscape, being seen in conjunction with the adjacent authorised site and creating an unacceptable erosion of the countryside scene; in relation to criteria (viii), the development would result in a conjoined gypsy and traveller site of 5 pitches in a rural location that is out of scale and character in this situation where the closest settlement at Startley is so small that it is not recognised in the Wiltshire Core Strategy as a settlement where even infill development is

permitted. The Council does not consider that there are any material circumstances in this case that outweigh this conflict with the development plan.

16/11850/FUL - Land At White Horse View, Hisomley, Dilton Marsh, Wiltshire - Application for the change of use of land to accommodate two additional Gypsy pitches comprising, 2 mobile homes, 2 touring caravans, 2 dayrooms and associated works

Public Participation

Dr Simon Ruston, the agent, spoke in support of the application.

Cllr Francis Morland, representing Dilton Marsh Parish Council, spoke in opposition to the application.

The Committee received a presentation from the Case Officer which set out the issues in respect of the application, with a recommendation that planning permission be granted subject to conditions.

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

Members then heard the views of Cllr Jerry Wickham, the local Member, who expressed a number of concerns regarding this application. He raised concerns regarding:-

- The need for additional pitches in this area
- Its location in or near to existing settlements within reasonable distance of a range of local services and community facilities, in particular schools and essential health services.
- The need for the site to be served by a safe and convenient vehicular and pedestrian access and that the proposal would not result in serious harm to other road users.
- The need for the proposal not to have an unacceptable impact on the character and appearance of the landscape and the amenity of neighbouring properties, and was sensitively designed to mitigate any impact on its surroundings.

After some discussion, on the proposal of Cllr Fred Westmoreland, which was seconded by Cllr Andrew Davis,

Resolved:

To grant planning permission, 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:
Location and Block Plan 2361/1 REV B received on 5 June 2017; and
Proposed Dayroom Plan and Elevations registered on 19 January 2017.

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

- 3 No development shall commence on site until the details of the materials to be used for the external walls and roofs of the 'Day Rooms' 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.

- 4 Prior to the commencement of development a scheme of hard and soft landscaping shall have been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-
 - a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
 - details of hard and soft surfacing with on-site parking and turning provision.

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.

- 5 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 site 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.

- 6** The access to the existing and new sites shall be maintained in accordance with Condition 4 to the Planning Inspector's Appeal Decision issued under reference No, APP/F3925/C/08/2088696 dated 23 February 2009.

REASON: In the interests of highway safety.

- 7** The site shall not be permanently occupied by persons other than gypsies and travellers as defined in Annex 1 of Planning policy for traveller sites, August 2015.

REASON: Planning permission has only been granted on the basis of the provision of accommodation for gypsies and travellers and it is necessary to keep the site available to meet that need.

- 8** Occupation and use of the Mobile home and touring caravan hereby permitted for each pitch shall be limited solely to and by close family members of the occupants of the application site. Close family members defined as dependents, sons, daughters and grandchildren.

REASON: Planning permission has only been granted on the basis of a demonstrated unmet need for accommodation for gypsies and travellers and it is therefore necessary to keep the site available to meet that need.

- 9** There shall be no more than three permanent pitches on the application site, including the existing pitch.

REASON: In the interests of visual amenity and the amenity of occupants of the site.

- 10** No more than one commercial vehicle shall be kept on each of the three sites for use by the occupiers of the caravans hereby permitted, and they shall not exceed 3.5 tonnes in weight and no commercial activity or use, including the

storage of materials and waste, shall be carried out on the site.

REASON: In the interests of residential amenity, highway safety and the character of the countryside.

- 11** There shall be no more than two caravans as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 on each of the three sites, of which no more than one shall be a static caravan or mobile home and no more than one shall be a touring caravan, shall be stationed on the site at any time.

REASON: It is important for the local planning authority to retain control over the number of caravans on the site in order to safeguard interests of visual and residential amenity in accordance with CP47 of the Wiltshire Core Strategy 2015.

- 12** Prior to the commencement of development details of the extension to the works for the disposal of sewerage shall be submitted to and approved in writing by the Local Planning Authority. The approved sewerage details shall be fully implemented in accordance with the approved plans prior to the first occupation of either of the new pitches.

REASON: 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

- 13** The development shall be carried out in strict accordance with the recommendations stipulated in section 4 of the Preliminary Ecological Appraisal (TP-Ecology Ltd, 23rd July 2017) and the ecological enhancement measures proposed in section 4.19 shall be implemented.

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

- 14** Prior to the installation of any new external artificial lighting a lighting plan shall be submitted to Wiltshire Council for approval in writing. The lighting plan shall illustrate the location of proposed external lighting and shall specify the type, height and position of luminaire(s) and other fixtures/fittings such as cowls, louvres or baffles; and shall demonstrate that the proposed lighting will not illuminate the hedgerows and treelines along the site boundaries through provision of a lux plot/lighting contour plan.

REASON: To minimise light spillage and to maintain dark foraging and commuting corridors for bats.

15 INFORMATIVES:

For the avoidance of doubt the requirements of Condition 4 to the Planning Inspector's Appeal Decision issued under reference No, APP/F3925/C/08/2088696 dated 23 February 2009 were as follows:

"No development shall commence and no caravans shall be brought onto the site until a new vehicular access has been constructed and laid out as follows:

- i. The new vehicular access shall be constructed to a width of 5m from the western boundary of the site;**
- ii. Any gates to this access shall be set back 5m from the edge of the carriageway and hung to open inwards;**
- iii. Visibility splays with intervisibility between points on X and Y axes at a height of 600mm above the adjacent carriageway/drive level shall be provided at the new point of access; the X distance measured into the site from the edge of the carriageway on the centreline of the new access shall be 204m and Y distance measured along the carriageway in both directions shall be 140m.**

The access shall be retained as such thereafter."

The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that planning permission 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.

57 16/11414/FUL - Land opposite 6 Hawkeridge Road, Heywood, Wiltshire, BA13 4LE - 1 no. Gypsy Traveller pitch and associated works including, 1 no. mobile home, 1 no. touring caravan, 1 no. dayroom and amendments to the existing dayroom.

Public Participation

Dr Simon Ruston, the agent, spoke in support of the application.

Cllr John Masson, representing Heywood Parish Council, spoke in opposition to the application.

The Committee received a presentation from the Case Officer which set out the issues in respect of the application, with a recommendation that planning permission be granted subject to conditions.

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

Members then heard the views of Cllr Jerry Wickham, the local Member, who expressed a number of concerns regarding this application. He raised concerns regarding:-

- Barriers to development existed in terms of flooding, poor drainage, poor ground stability etc
- The proposal's impact on the character and appearance of the landscape and the amenity of neighbouring properties.
- The absence of a condition to prevent burning on the site.

The Head of Development Management pointed out that neither the Environment Agency nor the Water Authority had raised any objection to the proposal or made no comment on a possible flood risk at the site.

During discussion Members considered that there should be additional conditions regarding landscaping, the burning of waste and the number of commercial vehicles allowed on the site.

On the proposal of the Chairman, which was seconded by Cllr Andrew Davis,

Resolved:

To grant planning permission, 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:
Drawing reference PBM16-SLP Site Location Plan registered on**

12.01.2017

Drawing reference 16114/01 Site Survey registered on 12.01.2017

Drawing reference 16114/02B Proposed Site Layout received on 24.08.2017

Drawing reference 16114/03RPL Dayroom plan and Elevations received on 29.08.2017

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

- 3 The site shall not be occupied by persons other than gypsies and travellers as defined in Annex 1 of DCLG Planning Policy for Gypsies and Travellers, August 2015.**

REASON: This planning permission has been granted on the basis that the site is occupied by gypsies and travellers and it is therefore necessary to keep the site available to meet the need.

- 4 There shall be no more than two permanent pitches on the application site, including the existing pitch.**

REASON: In the interests of clearly defining the extent of the permission

- 5 The location and siting of the mobile homes and day rooms hereby approved shall continue to be located outside of the flood zone 3 area at all times.**

REASON: In order to prevent any increase in the risk of flooding.

- 6 No additional 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 have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details.**

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

- 7 The hedgerow to the immediate north of the site adjacent to the sewage pumping station, as described within Planning Permission reference W/14/08114/FUL within Wessex Waters' letter of 15 October 2014 reference RS/CRT, shall be cut back to ground level height at all times, to aid highway visibility.**

REASON: In the interests of highway safety.

- 8 Contaminated water shall not be discharged into any stream, watercourse or underground strata, whether direct or via soakaways.**

REASON: In order to minimise the risk of pollution of the water environment

- 9 Occupation and use of the Mobile homes and touring caravans hereby permitted shall be limited solely to and by close family members of the occupants of the application site. Close family members defined as dependents, sons, daughters and grandchildren.**

REASON: In the interests of residential amenity.

- 10 Within three months of the granting of planning permission, a scheme for the repair of existing water bank erosion and for the prevention of further erosion, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Environment Agency. All works shall be carried out in accordance with the approved details.**

REASON: To protect the integrity of the main river, and prevent unnecessary flooding.

- 11 Within each of the two pitches, there shall be no more than one mobile home, one touring caravan and one day room, stationed on the site at any time.**

REASON: In order for the local planning authority to retain control over the number of caravans on the site, in order to safeguard interests of visual and residential amenity in accordance with CP47 of the Wiltshire Core Strategy 2015.

- 12 Within three months of the granting of planning permission, the applicant shall provide elevation details of the proposed raising of the brick piers and erection of metal railings, on the front wall of the site, as highlighted within plan reference 16114/02A. All works shall be carried in accordance with the approved details.**

REASON: In the interests of amenity of the area.

- 13 No more than one commercial vehicle shall be kept on each of the two pitches for use by the occupiers of the caravans hereby permitted, and they shall not exceed 3.5 tonnes in weight and no commercial activity or use, including the storage of materials and waste, shall be carried out on the site.**

REASON: In the interests of residential amenity, highway safety and the character of the countryside

- 14 There shall be no burning of waste or open fires on the site.

REASON: In the interests of public and highway safety as well as to ensure the on-site and boundary trees are safeguarded.

- 15 A scheme of soft landscaping to be sited adjacent to the raised front wall shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development.

- 16 All soft landscaping comprised in the approved details shall be carried out in the first planting and seeding season following the final completion of the front wall. The hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock and if within a period of five years, if it should die, be 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.

REASON: To ensure a satisfactory landscaped setting

- 17 **INFORMATIVE:** The European otter has been recorded on the watercourse adjacent to the development site, the Bitham Brook. The Otter is protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) 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:** Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:
- the use of plant and machinery
 - wheel washing and vehicle wash-down
 - oils/chemicals and materials

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

19 **INFORMATIVE:** In addition to any other permission(s) that you may have already obtained, e.g. planning permission, you may need an environmental permit for flood risk activities (formerly known as Flood Defence Consent prior to 6 April 2016) if you want to carry out work:

" in, under, over or near a main river (including where the river is in a culvert)

" on or near a flood defence on a main river

" in the flood plain of a main river

" on or near a sea defence

For further information and to check whether a permit is required please visit: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

For any further advice, please contact your local Environment Agency FRA Permitting Officer, daniel.griffin@environment-agency.gov.uk / yvonne.wiacek@environment-agency.gov.uk

58 **Date of Next Meeting**

Resolved:

To note that the next meeting of the Committee was scheduled to be held on Wednesday 11 October 2017, starting at 10.30am, in the Council Chamber at County Hall, Trowbridge.

59 **Urgent Items**

There were no items of urgent business.

(Duration of meeting: 2.30 - 5.25 pm)

The Officer who has produced these minutes is Roger Bishton of Democratic Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

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