

## NORTHERN AREA PLANNING COMMITTEE

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

#### Present:

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice Chairman), Cllr Chuck Berry, Cllr Howard Greenman, Cllr Gavin Grant, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Toby Sturgis, Cllr Brian Mathew, Cllr Ashley O'Neill and Cllr Jacqui Lay (Substitute)

#### Also Present:

Cllr Alan Hill

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#### 87 Apologies

Apologies were received from Cllr Christine Crisp who was substituted by Cllr Jacqui Lay.

#### 88 Minutes of the Previous Meeting

The minutes of the meeting held on Wednesday 6 September 2017 were presented.

#### **Resolved:**

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

#### 89 Declarations of Interest

Cllr Toby Sturgis declared an interest in agenda item no 8i- 17/02820/OUT - Land south of Brook Farm, Great Somerford, Chippenham. He stated that he did not have a direct pecuniary interest in the item, but due to being a neighbouring land owner, would speak only as the Local Member and leave the room prior to the debate and vote taking place.

#### 90 Chairman's Announcements

There were no Chairman's announcements.

91 **Public Participation**

The Committee noted the rules on public participation.

92 **Planning Appeals and Updates**

The Committee noted the contents of the appeals update.

93 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications; agenda no 7- Application to Register Land as a Town or Village Green- Land Adjacent to Vowley View and Highfold, Royal Wootton Bassett, agenda no 8a- 17/03112/FUL - Land adjacent to Barton Piece, Silver Street, Colerne, SN14 8DY, agenda no 8b- 17/06735/FUL - Northwood Barn, Doncombe Lane, North Colerneand, agenda no 8c- 17/07011/FUL - Land South of Shoe Cottage, The Shoe, North Wraxall, Wiltshire, agenda no 8d- 17/06617/FUL - Blarney Cottage, Biddestone Lane, Yatton Keynell, Nr Chippenham, SN14 7BD SN14 8SG, agenda no 8f- 17/05460/FUL - Land at Cedar Lodge, 3 Cove House Gardens, Ashton Keynes, Wiltshire, SN6 6NS, agenda no 8g- 17/05672/FUL - Land to West of Forest Lane, Forest Lane, Chippenham, Wiltshire, SN15 3PX, agenda no 8h- 17.07192.FUL - Land off Abberd Lane, Abberd Lane, Abberd, Nr Calne, Wiltshire, SN11 8TE, and agenda no 8i- 17/02820/OUT - Land south of Brook Farm, Great Somerford, Chippenham, Wiltshire, SN15 5JA, as listed in the agenda pack.

94 **Application to Register Land as a Town or Village Green- Land Adjacent to Vowley View and Highfold, Royal Wootton Bassett**

There were no public speakers.

The Rights of Way Officer introduced the Town Green application, to allow consideration of the evidence submitted with an application made under Sections 15(1) and (3) of the Commons Act 2006, to register land adjacent to Vowley View and Highfold, Royal Wootton Bassett, as a Town Green. The Officer gave an overview of the planning history of the site, explaining that since 2002, there had been 4 planning applications, and that there was currently a further application on the land. It was explained that the land had been used by those in the community for various activities, over a number of years, until May 2015, when a gate that had been installed, along with a fence in 2006, was locked. A brief overview of the Legislation was given, namely Sections 15(1) and (3) of the Commons Act, whereby Land may be registered as a Town or Village Green where a significant number of inhabitants of any locality, or of any neighbourhood within a locality, have indulged as of right in lawful sports and pastimes on the land for a period of at least 20 years and they have ceased to do so, the application being made within one year of the cessation of user. The two objections were explained to the Committee. Firstly, regarding the timescales/validity of the application. Secondly, whether a planning trigger event was in place over the land, by reference to the Wiltshire Core Strategy

document, which would extinguish the right to apply. Both objections had been raised by the landowner, as legal points against registration. However, Councillors were advised that the correct procedures had been followed in the application and the Council, as the Commons Registration Authority, were satisfied that the application was valid and there was no planning trigger event in place, on the date the application was submitted to the Council. It was noted that there was no challenge to the user evidence submitted with the application.

There were no technical questions.

Cllr Chris Hurst spoke as Local Member and gave his support to the application. He read out a statement from the applicant Mr Gosnell. Cllr Hurst spoke of the Council's aims to build strong and resilient communities, and maintained that community green spaces were important in this respect. He also referred to his own experience of the area being used for community activities and said that it had been a community asset for many years. Cllr Hurst did, however, declare that he had already made statements in support of this application, and so declared that he would not vote in the application.

In the debate that followed, Cllr Tony Trotman proposed the Officer's recommendation, which was for approval, this was seconded by Cllr Hutton, and approved by the Committee.

**Resolved:**

**To GRANT the application to register land at Vowley View and Highfold, Royal Wootton Bassett, as a Town or Village Green, and to register the land in full under Sections 15(1) and (3) of the Commons Act 2006.**

95 **17/03112/FUL - Land adjacent to Barton Piece, Silver Street, Colerne, SN14 8DY**

The applicant's agent Ivan Lazzaroni spoke in favour of the application. Cllr Tom Hall from Colerne Parish Council spoke against the application.

The Team Leader introduced the application, which was for the conversion of an existing dilapidated garage into a 2 bedroom house, situated within the Colerne Conservation Area and Cotswolds AONB. A presentation was delivered, which displayed a site plan, photographs of the existing site, and proposed plans. It was also confirmed that the existence of covenant dispute was a civil matter and not a planning consideration for the Committee. It was also clarified that permitted development rights had been removed from the property. Attention was drawn to the Late Observations, which amended conditions 3 and 4 of the Officer's recommendation for approval.

There were no technical questions.

Members of the public spoke as detailed above.

Cllr Brian Mathews spoke as Local Member. He said that the area was being overdeveloped and that the application would lead to additional parking issues.

In the debate that followed, Cllr Tony Trotman proposed the Officer's recommendation for approval. This was seconded by Cllr Ashley O'Neil and approved by the majority.

**Resolved:**

**To GRANT 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:**

**Existing Ground Floor Plan, Dwg No: A 0.10, Dated: 02/09/2015;**

**Existing Roof Plan, Dwg No: A 0.11, Dated: 02/09/2015;**

**Existing Elevations, Dwg No: A 0.20, Dated: 27/07/2015;**

**Existing Sections: Dwg No: A 0.30, Dated: 02/09/2015;**

**Proposed First Floor Plan, Dwg No: A 1.01, Dated: 02/09/2015;**

**Proposed Roof Plan, Dwg No: A 1.02, Dated: 02/09/2015;**

**plans as received by the LPA 27/03/2017;**

**Proposed Elevations, Dwg No: A 2.00, Rev: 01, Dated: 27/07/2015;**

**Proposed Sections, Dwg No: A 3.00, Rev: 01, Dated: 02/09/2015;**

**plans as received by the LPA 14/06/17; and**

**Location Plan and Site Plan, Dwg No: 0.01, Rev: 04, Dated: 02/09/2015;**

**plan as received by the LPA 25/07/17; and**

**Proposed Ground Floor Plan, Dwg No: A 1.00, Rev: 01, Dated: 02/09/2015; and**

**Proposed SW Elevation, Dwg No: A 2.01, Dated: 26/07/2017; plans as received by the LPA 26/07/2017.**

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

**3 No part of the development hereby approved shall be first brought into use until the garage on the approved plans (A 1.00 REV 01) has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.**

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

**4 "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 hereby permitted shall not be converted to habitable accommodation.

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

**5** Notwithstanding the approved drawings, no works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:

(i) Full details and samples of external materials, including rainwater goods.

The works 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 preserving the character and appearance of the conservation area.

**6** The natural stonework to be used externally on the proposed development shall match that of the existing building in terms of type, colour, size, dressing and bedding of stone, coursing, type of pointing and mortar mix.

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

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

a) the parking of vehicles of site operatives and visitors;

b) loading and unloading of plant and materials;

c) storage of plant and materials used in constructing the development; and

d) 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, and dangers to highway safety, during the construction phase.

**8** No development shall commence on site until a scheme for the discharge of foul water from the site, including any third party permissions, has been submitted to and approved in writing by the Local Planning Authority.

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

**9** The development shall not be first occupied until foul 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 site, incorporating any required third party permissions, has been submitted to and approved in writing by the Local Planning Authority.

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

**11** The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

**12** 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, enlargements or external alterations 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 garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

**REASON:** To safeguard the character and appearance of the area.

**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 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.

**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:**

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.

**18 INFORMATIVE TO APPLICANT:**

There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species Regulations 2010 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact the Bat Advice Service on 0845 1300 228, email [enquiries@bats.org.uk](mailto:enquiries@bats.org.uk) or visit the Bat Conservation Trust website.

**19 INFORMATIVE TO APPLICANT:**

The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage and destroy a nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act. Trees, scrub and other vegetation, such as dense ivy, are likely to contain nesting birds between 1st March and 31st August. It should be assumed that onsite vegetation contains nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

**20 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)

96 **17/06735/FUL - Northwood Barn, Doncombe Lane, North Colerne**

The applicant Ben Harraway, and his agents Vic Moore and Chris Dance, spoke in favour of the application. Cllr Paul Joppins also spoke in favour of the application.

The Team Leader introduced the application, which was for the erection of a replacement dwelling on the site, within the Cotswold AONB. A presentation was delivered which displayed a site location plan, photographs of the existing site and the proposed plans. It was explained that the application was the demolition of the existing stone built house and for the erection of an eco-build, modular home, which would be timber clad, with a slate roof. Attention was drawn to the Late Observation. The Officer's recommendation was for approval.

Councillors were invited to ask technical questions and in response Officers confirmed that the house had a certificate of lawfulness to be used as a dwelling, having previously been a holiday let. Furthermore, it was confirmed that the property would be a dwelling in its own right, and would not be attached to another dwelling.

Members of the public spoke as detailed above.

Cllr Brian Mathews spoke as Local Member. He explained that the applicant was from a local farming family and that the Council should be supporting them to live in sustainable eco-homes, in area.

In the debate that followed, Councillors discussed the principal of development and the fact that they could support the erection of a new dwelling in principle, but expressed concerns as to the proposed design of this application. Cllr Peter Hutton proposed the Officer's recommendations. This was seconded by Cllr



Ashley O'Neil. In the vote, with one Members abstention, it was a 5/5 split, with the Chairman Cllr Tony Trotman having the casting vote, in favour of the Officer's recommendation for refusal.

**Resolved:**

**To REFUSE the application for the following reasons:**

**That planning permission be refused for the following reasons:**

**1. The proposed development, by reason of its location would be contrary to the settlement, delivery and community area strategies and residential development in the open countryside policy and is unacceptable in principle. The proposal fails to accord with Core Policy 1, 2 and 11 of the adopted Wiltshire Core Strategy (Jan 2015), as well Saved Policy H4 of the North Wiltshire Local Plan 2011 and Paragraphs 14 and 17 of the NPPF.**

**2. The proposed development, by reason of loss of the existing building, which entirely appropriate to the distinctive character of the Cotswold AONB, and its replacement with a pre-fabricated bungalow would adversely impact the character and appearance of the Cotswold AONB. The proposal fails to accord with Core Policy 51 (ii and ix) and 57 (i, iii and vi) of the Wiltshire Core Strategy (Jan 2015), and Paragraphs 14, 17 and 115 of the NPPF.**

97 **17/07011/FUL - Land South of Shoe Cottage, The Shoe, North Wraxall, Wiltshire, SN14 8SG**

Member of the public Mr Decks spoke against the application. The applicant Neil Edwards, and his agent Richard Harlow, spoke in favour of the application.

The Senior Planning Officer introduced the application, which was for a change of use to a dog kennelling business, erection of dog kennels and conversion of existing building to a small retail unit. A presentation was delivered, which displayed a site location plan, photographs of the existing site and proposed plans. It was explained that part of the application was part retrospective, in that the applicant sought permission for an existing outbuilding to be used as a pet supplies business and reception area. Attention was drawn to the Late Observations, which amended conditions to the Officer's recommendation of approval.

There were no technical questions.

Members of the public spoke as detailed above.

Local member Cllr Baroness Jane Scott of Bybrook OBE was not present but had requested Cllr Toby Sturgis represent her views in Committee. He stated that the principle concern was the retail unit, with a view that once a retail permission had been granted, this could be extended. He also expressed concerns as to the suitability of such an enterprise in the Cotswold AONB, along

with concerns as to the acoustic insulation and increased traffic congestion in the area.

In the debate that followed, Cllr Peter Hutton proposed the Officer's recommendation of approval, with an additional condition against the external storage of paraphernalia and outside storage of any materials related to the dog kennelling and retail business, which was seconded by Cllr Greenman. However, this motion was withdrawn by Cllr Hutton when it was highlighted that a consultation from the Parish Council had not been received by Officers. Cllr Hutton then proposed a motion to delegate authority to Head of Development Management to approve the application, with an additional condition against the external storage of paraphernalia and outside storage of any materials related to the dog kennelling and retail business, subject to confirmation that the Parish Council's consultation representations do not raise any material planning matters not addressed at the Committee meeting, but with delegated authority to determine the application if any and if new material planning considerations are raised. This was seconded by Cllr Greenman but voted against by the majority.

Cllr Gavin Grant proposed a motion, which proposed to delegate Authority to Head of Development Management to approve, with an additional condition against the storage of paraphernalia, subject to confirmation that the Parish Council's consultation representations do not raise any material planning matters not addressed at the Committee meeting, but in the event that new material planning considerations are raised by the Parish Council representation to bring the application back to Committee for determination. This was seconded by Cllr Sturgis and approved by the majority.

**Resolved:**

**To DELEGATE Authority to Head of Development Management to Approve subject to confirmation that the Parish Council's consultation representations do not raise any material planning matters not addressed at the Committee meeting. In the event that new material planning considerations are raised by the Parish Council representation to bring the application back to committee for determination.**

**In the event of approval under delegated authority, to apply the additional conditions referenced in late terms and debate. In the latter respect and additional condition to restrict external paraphernalia and outside storage of any materials related to the dog kennelling and retail business.**

**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 proposal and site (including the house) shall be used for the kennelling of no more than a total of 12 dogs at any one time.**

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

**3** The retail facility at the site shall be limited to the building shown on approved plan Drwg AH2017/56 1of 2 and limited to a maximum of 30sqm of retail and storage space. The products sold shall be limited to dog food and associated dog care products.

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

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

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

**5** 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 dogs. The approved scheme shall be implemented in full before the development is occupied/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:

**BS8233: 2014** and demonstrate that the noise generated by the development will not cause an exceedance of the guideline noise levels contained in Section 7.7

**BS8233:2014** at any residential or other noise sensitive property near to the development. The report should also demonstrate that internal maximum noise levels in bedrooms will not normally exceed 45dB LAmax between the hours of 23:00 and 07:00.

**REASON:** To protect residential amenity.

**6** No development shall commence on site until a scheme of works for the control and dispersal of atmospheric emissions, and in particular: dust has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working condition at all times thereafter.

**7** No external lighting shall be installed on site until a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, has been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall be designed so as to meet the criteria for Environmental Zone E2 as defined by the

**Institute of Lighting Professionals ‘Guidance Notes for the Reduction of Obtrusive Light’ 2012. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working order at all times thereafter.**

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

**8 Former agricultural use of the site/buildings may have given rise to potential sources of land contamination e.g. oil storage, pesticides or herbicides, asbestos etc. As it is now intended to use the site for residential purposes a statement/letter report must be provided which confirms the historical uses of the site/buildings and how development works will address any potential for land contamination which may exist.**

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

**9 The development hereby permitted shall be carried out in accordance with the following approved plans: Drwg AH2017/56 sheet 1 of 2 and sheet 2 of 2 received 1st August 2018.**

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

**10 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365, has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be fully implemented prior to the first use of the development.**

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

**11 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.**

**12 No portable buildings, van bodies, trailers, vehicles or other structures used for storage, shelter, rest or refreshment, shall be stationed on the site without the prior approval in writing of the Local Planning Authority.**

**REASON: In order to protect the living conditions of nearby residents and/or the rural character of the area.**

**INFORMATIVES:**

**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.**

**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.**

**98 17/06617/FUL - Blarney Cottage, Biddestone Lane, Yatton Keynell, Nr Chippenham, SN14 7BD**

Members of the public Claire Lawrence and Ralph Whittaker spoke against the application. The applicant Hugh Rogers and his agent Sharon White spoke in favour of the application. Cllr Alistair Parker from Yatton Keynell Parish Council spoke against the application.

The Team Leader introduced the application which was to regularise amendments to an original permission, including amendments to the windows, fascia boards, use of materials and dimensions of the approved extension. A presentation was delivered which displayed a site location plan, photographs of the existing site and proposed plans. It was explained that revisions had been negotiated with the applicant as a consequence of enforcement action taken, against changes made outside of the original permissions. Attention was drawn towards the Late Observations, which added an additional condition to the recommended approval.

Councillors were invited to ask technical questions and in response to questions, as to the necessity of the dormer window, Officers confirmed that all options had been considered and that the amendments were not considered to be significantly harmful to the Cotswold AONB, conservation area, setting of nearby listed buildings or existing neighbouring amenities.

Members of the public were invited to speak as detailed above.

Local Member Cllr Baroness Jane Scott OBE was not present in the meeting but had requested that Cllr Toby Sturgis represent her views in Committee. He explained that the cumulative total of the changes made were not acceptable and that the dormer window was particularly detrimental to the conservation area.

In the debate that followed, there was strong criticism of the dormer window and the development of the cottage, outside of previous permissions. Cllr Tony Trotman proposed the Officer's recommendation of approval, seconded by Cllr Hutton. This was voted against by the majority. Cllr Toby Sturgis moved a motion to delegate authority to the Head of Development Management to seek further scheme revisions to reverse the works to the first floor gable end window to the original size and position; and removal of the first floor rear dormer window and replacement with a conservation style rooflight. Subject to securing these amendments to delegate authority to approve as per the conditions in the report. Officers clarified with members that in the event the amendments were not agreed and secured, that permission ought to be refused due to harm to the character and appearance of the locality, including the conservation area and consequent policy conflict. This was seconded by Cllr Grant and approved by the majority.

**Resolved:**

**Delegate Authority to the Head of Development Management to seek further scheme revisions to reverse the works to the first floor gable end window to the original size and position; and removal of the first floor rear dormer window and replacement with a conservation style rooflight. Subject to securing these amendments to delegate authority to the Head of development Management to approve as per the conditions in the report revised as necessary by the revisions. In the event that these revisions are not agreed with the applicant to refuse permission for the following reason:-**

**The first floor rear fenestration treatment is out of character with the existing development in the locality resulting in harm to the character and appearance of the area including the Conservation Area. The development is in conflict with and contrary to Wiltshire Cores Strategy policies CP57 (i) and CP58; and paras 14, 17, 131, 134 of the NPPF.**

**Subject to conditions:**

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

**Site Location Plan YK01 L 001, Proposed Block Plan YK01- L 002 B, YK-01 EX01 A, Proposed Ground Floor and First Floor Plans YK-01 RS-010 A, Existing Elevations YK01 EX02 A (all received 10 July 2017), Proposed Elevation Revisions YK-01 RS-04 H and Proposed Flush Casement Windows YK-01 W-01 A (both received 30 August 2017)**

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

**2** No development shall commence on site until details of the windows and doors to be used on the development 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.

**3** No paint or stain finish shall be applied to external timber (including fascias, soffits, box ends, bargeboards and window joinery, until details of the paint or stain to be applied have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being first occupied.

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

**4** The roof tiles to be used in the development hereby permitted shall match those of the existing building in terms of their material, colour, texture, profile and pattern of laying.

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

**5** No render shall be applied to any building or walls on site until a sample panel of the render to be used on the external walls not less than 1 metre square, has been made available on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

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

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

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

**7** 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.**

**8 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.**

**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:**

**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.**

99 **17/06718/FUL - The Old Dairy, 2 Court Farm, Oaksey, Malmesbury, Wiltshire, SN16 9TF**

The applicant Peter Hathaway spoke in favour of the application. Cllr Helen Hall from Oaksey Parish Council spoke against the application.

The Team Leader introduced the application, which was for an oak framed mansard (garden room) at the rear of the property, and for removal of timber cladding and making good with matching stone. A presentation was delivered, which displayed site location plan, photographs of existing site and proposed plans. It was explained that concerns had been raised as to the impact to neighbouring residential amenities and character of the area, however, this was not considered to be a significant level of harm and so the recommendation was for approval.

Councillors were invited to ask technical questions and it was stated that due to the layout of surrounding houses, the rear of the property was visible to other properties. . Officers clarified that as part of the original consents for the barn conversions, permitted development rights had been remove by condition, but that this was not a prohibition to all future development in perpetuity but a



means to exercise control over and consider the impacts of further householder development.

Members of the public spoke as detailed above.

Cllr Chuck Berry spoke as Local Member. He spoke against the application, expressing concerns as to the future urbanisation of the area. He gave a balanced view of supporting sustainable development but maintained the importance of protecting the heritage of the Oaksey conservation area.

In the debate that followed, Cllr Hutton proposed the Officer's recommendation, which was seconded by Cllr Greenman and approved by the majority.

**Resolved:**

**To GRANT 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall be carried out in accordance with the materials listed on the applications form.**

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

**3 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan (Drawing No 10650/04), Block Plan (Drawing No 10650/03), Proposed Plans and Elevations (Drawing No 10650/02) received by the LPA 12/07/2017.**

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

**4 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.**

**5 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.

**6 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.

**7 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.

100 **17/05460/FUL - Land at Cedar Lodge, 3 Cove House Gardens, Ashton Keynes, Wiltshire, SN6 6NS**

Member of the public Steve Shaw spoke against the application. Nicolas Hurst Spoke in favour of the application.

The Team Leader introduced the application, which was for a proposed single storey dwelling. A presentation was delivered, which displayed a site location plan, photographs of the existing site and proposed plans. It was explained that the proposed build was a modern design but would be screened by significant boundary treatments and tree planting and therefore not visually prominent in the locality, or harmful to the character and appearance of the conservation area. Officers referred to the site history and how the revised proposals sought to address previous concerns with a modern design. Officers referred to an additional condition in the Late Observations.

There were no technical questions.

Cllr Chuck Berry spoke as Local Member. He confirmed that previous concerns raised by the parish council had been addressed and their objections were removed. He sought clarity that all trees would be protected, to ensure the screening and it was confirmed that they would be protected.

In the debate that followed, Cllr Chuck Berry proposed the Officer's recommendation for approval. This was seconded by Cllr Gavin Grant and approved unanimously.

**Resolved:**

**To GRANT 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: Proposed Elevations, Site and Block Plans (Drawing No 1652\_0411b) and Proposed Ground Floor Plan (Drawing No 1652\_0421b) received by the LPA 06/06/2017.**

**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 The development shall be carried out as specified in the approved Arboricultural Report prepared by Certhia Consulting Limited dated August 2017 and shall be supervised by an Arboricultural Consultant.**

**Reason: To prevent trees on site from being damaged during construction works**

**5 No part of the development hereby approved shall be occupied until the parking area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.**

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

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

- a) the parking of vehicles of site operatives and visitors;**
- b) loading and unloading of plant and materials;**
- c) storage of plant and materials used in constructing the development;**
- d) wheel washing facilities;**

- e) measures to control the emission of dust and dirt during construction;
- f) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- g) measures for the protection of the natural environment.
- h) 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.

**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 those Orders with or without modification), no development within Part 1, Classes A, B and E shall take place on the dwellinghouse hereby permitted or within its curtilage.

**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.

**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), no buildings or structures, or gate, wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans.

**REASON:** To safeguard the character and appearance of the area.

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

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

**10** Prior to the first occupation of the buildings a plan showing details of the green roof including species, planting density, substrate and a section at scale of 1:20 showing that adequate depth is available in terms of the construction and long term viability of the green roof, and a programme

for a scheme of maintenance shall be submitted to and approved in writing by the local planning authority. The green roof shall be fully provided in accordance with the approved details prior to first occupation and thereafter retained and maintained in accordance with the approved scheme of maintenance.

**Reason:** To ensure that the green roof is suitably designed and maintained.

**11** The drainage details shall be carried out in accordance with design and details outlined in the Supplementary Drainage System and Drawing No 1652\_0421c (Proposed Ground Floor Plan) received by the LPA 21/08/2017.

**REASON:** To ensure that the development is adequately drained

**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:**

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 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:**

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/communityinfrastuctuelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastuctuelevy)

101 **17/05672/FUL - Land to West of Forest Lane, Forest Lane, Chippenham, Wiltshire, SN15 3PX**

Members of the public John Wallis and Sharon Parfitt spoke against the application. The applicant's agent Jonathan Walton spoke in favour of the application. Cllr Richard Banbury from Chippenham Town Council spoke against the application.

The Senior Planning Officer introduced the application, which was for the erection of 6 residential units including landscaping, highways layout and related works. A presentation was delivered, which displayed a site location plan, photographs of the existing site and proposed plans. It was explained that there was particular concerns as to the highways impact, with risks to pedestrians, caused by increased vehicle traffic on the narrow lane. Attention was drawn to the Late Observations, which amended conditions. The Officer's recommendation was for approval.

Councillors were invited to ask technical questions and in response Officers confirmed that there was no s.106 obligation for the developers and none of the units were affordable housing. It was also confirmed that allocated parking spaces would be provided with the properties.

Members of the public spoke as detailed above.

Local Member Clare Cape was not present.

In the debate that followed, Councillors spoke of the importance of maintaining the lane for residents. Members also discussed the appropriateness of the scale of development in that area, and its effect on the amenity of local residents and neighbouring properties. Cllr Peter Hutton proposed a motion for refusal based on harm to the character of the area, poor quality design of the development and harm to residential amenity of local residents and residential properties, contrary to CP57 (i), (iii) & (vii) of the Wiltshire Core Strategy and para 17 of the

NPPF. This was seconded by Cllr Howard Greenman and approved by the majority.

**Resolved:**

**REFUSED for the following reason:**

**The harm to the character of the area, poor quality design of the development and harm to residential amenity of local residents and residential properties is considered to be contrary to CP57 (i), (iii) & (vii) of the Wiltshire Core Strategy and para 17 of the NPPF.**

102 **17.07192.FUL - Land off Abberd Lane, Abberd Lane, Abberd, Nr Calne, Wiltshire, SN11 8TE**

There were no public speakers.

The Senior Planning Officer introduced the application, which was for the erection of 2 No 10 metre high chimneys in association with onsite biomass boilers within approved building. A presentation was delivered showing a site location plan and proposed plans. It was explained that a previous application for the erection of 2 chimneys at this site had been refused, for lack of information being provided to enable Members to determine the application. It was confirmed that all information had now been provided and the Officer's recommendation was for approval. Attention was also drawn to the Late Observations, which provided for an additional condition requiring the colour of the flue to be non-reflective and requiring written approval of Planning Officers.

Councillors were invited to ask technical questions and in response Officers confirmed that the chimneys were going to be used to burn wood and that it could be conditioned that the chimneys would need to be removed if no longer required for the use specified in the documentation.

Cllr Alan Hill spoke as Local Member, against the application. He maintained that the application should be refused on the same grounds as the previous application. He stated that there was not enough additional information provided. He explained that the area concerned was becoming increasingly residential and would soon have hundreds of homes, on 3 sides of the site. Comparison was made to the requirements placed on Hills Recycling Centre, which he stated faced stricter controls, and that the current application should not be approved, without the same impact assessments being made.

In the debate that followed, Cllr Peter Hutton proposed the Officer's recommendation for approval, with additional conditions for removal of the chimneys, should they no longer be required for their specified use. This was seconded by Cllr Toby Sturgis but voted against by the majority.

Cllr Gavin Grant proposed a motion for refusal of the application, stating that not enough information had been provided and for the application to be refused as contrary to CP 51, 55, 57(7) and 59 of Wiltshire Core Strategy. This was

seconded by Cllr Brian Mathew and Cllr Peter Hutton requested a recorded vote, which received the requisite number of supporters. Councillors Greenman, Groom, Lay, Mathew and Grant voted in support of this motion. Councillors Berry, Hutton, Sturgis, Hurst and Trotman voted against the motion. Cllr Ashley O'Neil abstained. As Chairman Cllr Tony Trotman had the casting vote, so the motion was defeated.

Cllr Hutton, again, proposed the Officer's recommendation for approval, with the additional condition for the removal of the chimneys, should they no longer be required for their specified use. This was seconded by Cllr Lay and approved by the majority.

**Resolved:**

**To GRANT permission as per recommendations, with the following additional conditions:**

**Approved at Committee:**

**Should the chimneys hereby approved no longer be required for the purpose specified in the submitted documentation. The Chimneys shall be removed from the building and site within 3 months from their last use and the building made good.**

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

**Late Observations:**

**Prior to the commencement of development details of the finished colour of the flue hereby approved, which shall be non reflective, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

**REASON: In the interests of the visual amenity of the area and to ensure a satisfactory appearance of the development.**

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

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

**2 No development shall commence on site until details of the external finish and colour to be used on the development hereby approved has 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

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

**Site Location Plan**

**AB/017-02**

**AB/017-03**

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

**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.

**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.

**INFORMATIVE TO APPLICANT:**

The development relates solely to the installation of two chimneys on site. The installation of biomass boilers on site and a change in the nature of the use of the site may require a further grant of planning permission.

103 **17/02820/OUT - Land south of Brook Farm, Great Somerford, Chippenham, Wiltshire, SN15 5JA**

Member of the public Andy Morris spoke against the application. The applicant's agent Naomi Hubbard spoke in favour of the application.

Prior to introducing the application the Senior Planning Officer clarified that on the first page of the report it states that the Case Officer and Author of the report was Mark Staincliffe. He confirmed that case officer and original drafting of the report was by Mark Staincliffe. However, the report has been amended by the Head of Development Management, Mike Wilmott in relation to the weight that can be afforded to the emerging Neighbourhood Plan. The recommendation within the report has remained the same.

The Senior Planning officer introduced the application, which was for outline planning permission for the erection of 8 dwellings with access to be determined. A presentation was delivered, which displayed the site location plan, photographs of the existing site and proposed plans. Attention was drawn to the Late Observations. The Officer's recommendation was for approval.

Councillors were invited to ask technical questions and it was confirmed that a 40% affordable housing contribution formed part of the application, as a s.106 agreement, which would equate to 3 houses.

Members of the public spoke as detailed above.

Cllr Toby Sturgis spoke as Local Member. He informed Members that he was the previous owner of the site, but had sold the land with permission in 2006. He explained the planning history behind the application and stated that the drainage issues and s.106 contribution issues, previously identified, had been resolved in the current application. As stated, earlier in the meeting, Cllr Toby Sturgis, exited the Committee room, prior to debate taking place and did not vote.

In the debate that followed, Cllr Tony Trotman proposed the Officer's recommendations, this was seconded by Cllr Ashley O'Neil and approved by the majority.

**Resolved:**

**To GRANT permission subject to all parties entering into an agreement under s106 of The Act in respect of bin/recycling facilities and affordable housing, then planning permission be**

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

**The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Ecology and is therefore contrary to Policies CP3 CP43 & CP50, CP57 of the Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.**

**Conditions:**

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

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

**2** No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority: [DELETE as appropriate]

- (a) The scale of the development;
- (b) The layout of the development;
- (c) The external appearance of the development;
- (d) The landscaping of the site;
- (e) The means of access to the site.

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

**REASON:** The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

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

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

**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** 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.

**6** 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 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 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.

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

**REASON:** 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.

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

**UD01**

**Transport Statement**

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

104 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 8.30 pm)

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

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

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