

STRATEGIC PLANNING COMMITTEE

MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 25 APRIL 2018 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 David Jenkins, Cllr Christopher Newbury, Cllr James Sheppard, Cllr Tony Trotman, Cllr Fred Westmoreland and Cllr David Halik (Substitute)

Also Present:

Cllr Trevor Carbin and Cllr Toby Sturgis

17 **Apologies**

An apology for absence was received from Cllr Stewart Dobson, who was substituted by Cllr David Halik.

18 **Minutes of the Previous Meeting**

Resolved:

To confirm and sign the minutes of the previous meeting held on 28 February 2018.

19 **Declarations of Interest**

Cllr David Halik declared a non-pecuniary interest in application no. 15/04736/OUT by virtue of being a member of Trowbridge Town Council. He stated that he would consider the application on its merits and with an open mind.

20 **Chairman's Announcements**

There were no Chairman's announcements.

21 **Public Participation**

There were no questions or statements submitted.

16/05720/FUL: Land adjacent B4040, Minety, Wiltshire, SN16 9RQ - Change of use of land to 2 permanent Gypsy pitches including 2 day rooms, 2 mobile homes and 2 touring caravans, and associated works (Resubmission of 15/12615/FUL)

The Committee received a presentation from the Head of Development Management which set out the issues in respect of the application. He also summarised late representations which had been received following publication of the agenda papers. The purpose of the report was to assess the merits of the proposals against the policies of the Development Plan and other material considerations with a recommendation to grant planning permission subject to conditions.

Members then had the opportunity to ask technical questions after which they heard a statement from Dr Simon Ruston, the agent, in support of the application.

The Chairman reported that Cllr Chuck Berry, the local Member and also Minety Parish Council had both registered their objections to the proposal.

During discussion, Members noted that a previously approved site was less than 200 yards away from the proposed site and it was underused. It appeared, therefore, that there was not a demonstrable need for a further two pitches on a separate site so close. It was also suggested that the site was outside the limits of development of the village and would not obtain normal residential permission as the building would be on agricultural land in a rural setting.

It was noted that the key issues were as follows:-

- Principle of the development.
- Impact on character and appearance of the area.
- Flooding and drainage
- Highway matters
- Residential amenity

Members were informed that the application was considered acceptable when measured against the criteria in Wiltshire Core Strategy Policy 47 and the government advice in Planning Policy for Traveller Sites.

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

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:

Flood Risk Assessment (ref: 407.05774.00001, version 2,V.2) SLR (dated September 2017)

SLR letter (dated 14th February 2018)

1553/02D

1553/04

1553/03B

BC16-SLP

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

3 No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs of the 'Day Room' 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 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority.

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 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 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.

6 The development hereby permitted shall not be 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 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 No development shall commence on site until details of the works for the disposal of foul water from the site has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved foul water drainage 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.

9 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 in this rural location on the basis of a need for accommodation for gypsies and travellers assessed against the criteria in policy CP47 of the Wiltshire Core Strategy and it is therefore necessary to keep the site available to meet that need as residential development in this location without this occupancy restriction would conflict with the policies of the development plan.

10 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 that pitch. Close family members defined as dependents, sons, daughters and grandchildren.

REASON: In the interests of residential amenity.

11 There shall be no more than two (2) permanent pitches on the application site.

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

12 No more than one (1) commercial vehicle shall be kept on each pitch for use by the occupiers of the individual caravan hereby permitted, and each vehicle 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.

13 There shall be no more than two (2) caravans as defined in the Caravan Sites and Control of Development Act 1960 and the caravans Sites Act 1968 on each pitch hereby approved, of which no more than one (1) shall be a static caravan or mobile home and no more than one (1) shall be a touring caravan, shall be stationed on each pitch 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.

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:

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.

23 **15/04736/OUT: Land south east of Trowbridge - Outline planning application for mixed use development comprising: residential (up to 2,500 dwellings - Classes C3 & C2); employment (Class B1, B2, and B8); two local centres (Classes A1 - A5, D1, C2, and C3); two primary schools, one secondary school, ecological visitor facility, public open space, landscaping and associated highway works including for the 'Yarnbrook / West Ashton Relief Road' and the access junctions.**

Public Participation

Mrs Rosie Fell, representing Larkrise Community Farm, spoke against the application.

Mr Patrick Kinnersly, Secretary, White Horse Alliance, spoke against the application.

Mr John Cox, Chairman, Wiltshire West District Scout Council, spoke against the application.

Mr Glenn Godwin, agent, 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 to grant planning permission, subject to the completion of appropriate section 106 legal agreements and conditions. He also summarised late representations which had been received following publication of the agenda papers.

The Case Officer explained that on 17 April 2018 the Environment Agency had withdrawn its holding objection to the planning application following its consideration of additional flood compensation modelling information provided by the applicant.

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.

During discussion, Members generally supported the proposals but did express concern regarding:-

- The perceived increased traffic implications at the Yarnbrook junction following completion of the project.
- The danger resulting from increased traffic on Road A350 at the existing accesses to Larkrise Community Farm and the scout camp.

The officers explained that any changes to the Yarnbrook junction were outside the scope of this application and would have to be considered separately by the Highway Authority.

The Highways Engineer was satisfied that the proposals would not cause any new danger at the junction of Road A350 and the accesses to Larkrise Community Farm and the scout camp.

After further discussion, on the proposal of Cllr David Halik, which was seconded by Cllr Fred Westmoreland

Resolved:

To grant planning permission, subject to the following Section 106 legal agreements being entered into and also the following conditions, including any subsequent changes agreed with the Head of Development Management :-

1. an obligation under Section 106 of the Town and Country Planning Act 1990 between the applicant and Wiltshire Council requiring provision of the following:
 - 30% affordable housing with suitable mix;
 - Two new primary school sites of at least 1.8 ha each. Primary education financial contribution (of £9,509,390 (2017 figure) based on 2,500 dwellings; adjusted accordingly depending on final numbers) completion of two schools;
 - One new secondary school site of 5.24 ha. Secondary contribution (of £8,463,708 (2017 figure) based on 2,500 dwellings; adjusted accordingly depending on final numbers);
 - 'Early Years' education contribution (of £3,863,313 (2017 figure) based on 2,500 dwellings; adjusted accordingly depending on final numbers) or on-site provision;
 - Health / dental care contribution of £1,108,500 (2015 figure, to be adjusted for indexation), to be used for sites in Trowbridge Community Area only and subject to such sites remaining in NHS/public ownership;
 - Elements of open space (equipping/phasing/maintenance contributions/etc.);
 - Ecological mitigation, to be set out in a Biodiversity Management Plan covering the management, mitigation, monitoring and enhancement of all habitats and species affected by the development during the pre-construction, construction and operational phases, both within the application boundary and on land owned by Wiltshire Wildlife Trust. To include –
 - Provision of, and/or provision of funding for, a Steering Group to oversee implementation of the Biodiversity Management Plan;
 - Provision of, and/or provision of funding for, visitor facility, and related land transfer arrangements;
 - Provision of ecology Green Infrastructure, related maintenance/long term management contributions, ecological monitoring including remedial works triggered by monitoring and related land transfer arrangements;
 - Provision of, and/or provision of funding for, full time wildlife warden, and mechanism for his/her perpetual funding;
 - Agreement that no public access will be allowed through the agricultural land identified for employment use other than to areas which have been developed for that purpose. An impenetrable barrier will be maintained between housing and employment land on the east side of West Ashton Road until at least 75% of the employment site has been completed at which

point a public footpath will be provided between the two which will breach the impenetrable barrier at a single point.

- Financial contribution towards the cost of monitoring implementation and maintenance of mitigation, with bond or other means of security secured against non-delivery and/or non-maintenance of mitigation.
 - Provision for revision of the Green Lane and Biss Woods Management Plan to incorporate requirements arising from the Biodiversity Management Plan and the Habitats Regulations Assessment (including Appendix 2).
- Elements of transport infrastructure in line with the Trowbridge Transport Strategy, notably –
 - Completion of funding agreement with Wiltshire Council for the provision of YWARR and commuted sum for structures maintenance;
 - Provision and completion of Yarnbrook and West Ashton Relief Road (including works to redundant A350 and all other associated highway works), phased or in entirety, subject to the timescales set out by the HIF and LEP;
 - Provide and deliver a Bus Strategy for the site, identifying how a half hourly service between the site and the town centre can be achieved, firstly through the negotiation with commercial operators for a commercial service, or, secondly, and in the event that a commercial service cannot be initiated and/or maintained, by a supported service, funded at the reasonable cost of the developer. The bus service shall be provided for a period from occupation of the 50th dwelling to up to three years following occupation of the 2,450th dwelling, the exact period dependent on the commercial viability or otherwise of the service at the time. The Bus Strategy shall set out how the funding arrangements will work in the event that a supported service is required;
 - Provision of travel plans for the separate land uses on the site;
 - Financial contributions towards the legal costs associated with making of traffic regulation orders at a cost of £6,000 per identified TRO;
 - Implementation of all made legal orders relating to highways and transport issues associated with the site;
 - ‘Contingency Plan’ for planned diversion of public footpaths NBRA9 and NBRA11;
 - Design and provide a wayfinding scheme aligned to the phasing of the development;
 - Construction and improvement of off-site highway works associated with the Yarnbrook and West Ashton Relief Road, alterations to West Ashton Road and improved connectivity to the town centre and to the White Horse Business Park;
 - Connectivity (vehicular) between Drynham Lane and site, unless secured by alternative means;

- **Waste collection facilities contribution.**
- 2. A legal agreement between Wiltshire Wildlife Trust and Wiltshire Council to achieve implementation and maintenance of ecology mitigation measures relevant to the Trust via a revised Management Plan for Green Lane and Biss Woods covering the following:**
- **To provide an account of the role the site plays in achieving the conservation objectives of the Bath and Bradford on Avon Bats SAC, and a specific objective to maintain the population of Bechstein's bats through maintenance of the structure and function of the habitats within the plan area;**
 - **To incorporate all relevant land transfers to WWT and commit the trust to managing these in line with the objectives of the revised plan;**
 - **To define the operating constraints for the ecological visitor centre and car parking arrangements which arise from the potential for recreational pressure to reduce the value of the site for Bechstein's bats;**
 - **To set out types and levels of acceptable amenity and educational use and the means by which these will be monitored and reviewed;**
 - **To set out what constitutes acceptable and unacceptable fire making and a protocol to be followed to minimise and deal with the latter;**
 - **To include an objective regarding the maintenance, and where necessary, replacement, redesign and / or repositioning of bat boxes for Bechstein's bat use;**
 - **To recognise the role of the Steering Group in reviewing the implementation of relevant aspects of the management plan, monitoring results and implementation of remedial measures;**
 - **To anticipate the potential effects of increased visitor numbers and identify monitoring to be undertaken, thresholds for unacceptable change and remedial measures.**

Management Plan to be implemented by Wiltshire Wildlife Trust with governance of relevant elements by the Steering Group.

The agreement will also commit the Trust to employ a full time warden to implement the plan and to engage with local residents in order to enhance understanding of local ecological features with a view to reducing impacts from potentially damaging behaviours.

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:

- (a)** The scale of the development;
- (b)** The layout of the development;
- (c)** The external appearance of the development;
- (d)** The landscaping of the development;

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(s) for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of fifteen 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 The outline element of the development hereby approved shall make provision for the following:

- (i)** At least 13.6 ha of land for employment purposes (Class B1, B2 and/or B8 uses);
- (ii)** Two separate sites of at least 1.8 ha each and two separate 14-class primary schools thereon, and a single serviced site of at least 5.24 ha for a secondary school;
- (iii)** Two separate sites of at least 1 ha and 0.2 ha respectively for two separate 'local centres'; in combination the local centres to provide suitable premises for a mix of convenience shops and small other shops (Class A1 uses), financial and professional services (Class A2 uses); 'food

& drink', 'drinking establishments' and 'hot food & takeaway' uses (Class A3, A4 and A5 uses); if/as required, community facilities and/or 'early learning' facilities (Class D1 uses); and residential units in the form of 'flats above shops' (Class C2 and C3 uses).

(iv) Sites for public open space to be sited, laid-out and equipped in accordance with the specifications set out in the West Wiltshire Leisure and Recreation DPD (or any subsequent replacement DPD); and to include at least 6.35 ha of formal sports pitches with pavilion / changing rooms, at least 1.2 ha of 'designation play' area, at least 44.4 ha of major open space or country park (to include an Ecological Visitors Facility), at least 14.4 ha of natural and semi-natural open space including structural planting, and at least 0.9 ha of allotments;

(v) An 'Ecology Visitors Facility'; and

(vi) Up to 2,500 dwellings (Class C2 and/or Class C3 uses) of which no more than 315 (including within the 'local centre') are to be provided on the north-east side of West Ashton Road.

'The scale of the development', 'the layout of the development', 'the external appearance of the development' and 'the landscaping of the development' (as to be submitted and approved under condition no. 2) shall accommodate all of the above substantially in accordance with the 'Indicative Masterplan' (drawing no. A.0223_77-01 Rev AC) dated 20/04/17, the parameters plans ('Land Use Parameter Plan' no. A.0223_18-1N, 'Access & Movement Parameter Plan' no. A.0223_17-2G, 'Building Heights Parameter Plan' no. A.0223_19-1L and Green Infrastructure Plan no. A.0223_16-1M) (including inset plans A.0223_105A and A.0223_72-01C)), and the Design & Access Statement (A.0223_26-2T dated April 2018).

REASON: To ensure the creation of a sustainable and balanced urban extension, in accordance with the requirements of the Wiltshire Core Strategy and the intentions of the Design and Access Statement accompanying the planning application.

5 No application for reserved matters shall be submitted until there has been submitted to and approved in writing by the local planning authority a detailed Phasing Plan for the entire application site indicating geographical Phases and/or Sub Phases for the entire development. Where relevant these Phases or Sub Phases shall form the basis for the reserved matters submissions. Each Phase or Sub Phase shall include within it defined areas and quantities of housing and infrastructure relevant to the Phase or Sub Phase. No more than 50% of the houses (or no more than a meaningful percentage of the houses to be first agreed in writing by the local planning authority) to be built in any particular Phase or Sub Phase shall be occupied until the infrastructure relevant to the Phase or Sub Phase has been completed.

The development shall be carried out strictly in accordance with the approved Phasing Plan.

REASON: To ensure the proper phasing and delivery of the development, and in particular the essential infrastructure the development has made necessary, in accordance with the overall proposal and good planning in general.

[For the purposes of this condition 'infrastructure' is defined as the schools, local centres, open space, and ecology visitors centre; and the 'means of access' to the site including the entire Yarnbrook & West Ashton Relief Road and its related new roundabout junctions, the alterations to the existing West Ashton Road/Bratton Road/A350 junction, the new roundabout 'R4', the new spur roads and related bridges (from West Ashton Road and new roundabout R2)].

6 Before any other parts of the development hereby approved are commenced the following shall have been carried out:

(a) The submission to the local planning authority for approval in writing of detailed schemes for 'advance ecology mitigation', broadly in accordance with the Green Infrastructure & Biodiversity Strategy dated September 2017, as follows -

(i) a scheme for strengthening of the hedgerow alongside West Ashton Road to the south-west corner of Biss Woods with thorny planting and fencing, and provision for future maintenance;

(ii) schemes for the 100m buffer between Biss Woods and the employment land and between the employment land and the east of West Ashton Road housing land, to include landscaping with appropriate impenetrable fencing and hedge planting and provision for future maintenance in accordance with Figure 6.2 of the ES Addendum Volume 1;

(iii) a scheme for the Attenuation pond based on Figure 6.1 of the ES Addendum Volume 1, creating a barrier to pedestrian access between the Green Lane Nature Park Extension and the east of West Ashton Road residential area to include landscaping, fencing and provision for future maintenance;

(b) The implementation and completion of all of the above schemes as approved and continuing maintenance thereafter in accordance with the maintenance elements of the schemes.

Before 150 of the dwellings on that part of the application site to the east of West Ashton Road are first occupied the following shall have been carried out:

(a) The submission to the local planning authority for approval in writing of detailed schemes for 'further ecology mitigation', broadly in accordance with the Green Infrastructure & Biodiversity Strategy dated September 2017, as follows –

(i) A scheme for a circular pedestrian footpath route which will be at least 3km in length and link the Green Lane Nature Park with the River Biss (with minimal use of roads). The scheme will include details of the footpath – its width, surfacing materials, fencing and signposting. The scheme may in the first instance offer a temporary route and temporary signposting, and in these circumstances it should include a related scheme and programme for delivery of the permanent footpath route.

(ii) a scheme for the laying out and equipping of the 'Biss River Corridor' and enhanced planting between Biss Woods and the River Biss and the Green Lane Nature Park Extension, to include landscaping, boundary treatments and provision for future maintenance, where relevant in accordance with the specifications set out in the West Wiltshire Leisure and Recreation DPD (or any subsequent replacement DPD);

(b) The implementation and completion of all of the above schemes as approved.

REASON: To safeguard ecological interests, and specifically bats and their habitats.

7 The 'means of access' to the site (which for the purposes of this condition includes the entire proposed Yarnbrook & West Ashton Relief Road and its related new roundabout junctions, the alterations to the existing West Ashton Road/Bratton Road/A350 junction, the new roundabout 'R4', the new spur roads and related bridges (from West Ashton Road and new roundabout R2), and the West Ashton Road Cycleway Provision) shall be constructed substantially in accordance with the following 'PFA Consulting' drawings:

- P480/100 Figure 6.5 Rev F (Yarnbrook & West Ashton Relief Road Sheet 1 of 4) dated 18/08/17**
- P480/101 Figure 6.6 Rev G (Yarnbrook & West Ashton Relief Road Sheet 2 of 4) dated 18/08/17 (as amended through an email from Aspect Ecology (AB to LK) dated 2/3/18)**
- P480/102 Figure 6.7 Rev F (Yarnbrook & West Ashton Relief Road Sheet 3 of 4) dated 28/07/17**
- P480/103 Figure 6.8 Rev E (Yarnbrook & West Ashton Relief Road Sheet 4 of 4) dated 18/08/17**
- P480/104 Rev D (Central Roundabout (R4) Access on West Ashton Road) dated 18/08/17**
- P480/105 Rev E (Northern Site Accesses & Cycleway Provision) dated 08/09/17**

- P480/106 Figure 6.4 Rev F (Yarnbrook & West Ashton Relief Road Overview) dated 18/08/17
- P480/107 Rev E (Northern Junctions & Cycleway Provision Overview) dated 08/09/17
- P480/108 Figure 6.9 Rev B (Typical Section H-H through Relief Road with Elevation of Culvert) dated 07/07/17
- P480/109 Rev C (West Ashton Road Northern Cycleway Improvements) dated 09/09/17
- P480/110 Figure 6.10 Rev E (Yarnbrook & West Ashton Relief Road. Possible Planting Along Existing A350) dated 18/08/17
- P480/111 Rev C (Typical Section Through Relief Road (Roundabout R1-R2)) dated 18/08/17
- P480/112 Rev F (Primary Highway Works Plan) dated 08/09/17
- P480/113 Rev C (Access Junctions Swept Paths) dated 18/08/17
- P480/26 Figure 6.11 Rev D (Yarnbrook & West Ashton Relief Road Indicative Bridge General Arrangement) dated 18/08/17
- P480/41 Figure 6.12 Rev D (Yarnbrook & West Ashton Relief Road Southern Access Bridge General Arrangement) dated 18/08/17
- P480/51 Figure 6.13 Rev A (Northern Access Bridge General Arrangement) dated 02/04/14
- P480/114 Rev A (Highway Long Sections Sheet 1 of 4) dated 07/07/17
- P480/115 Rev B (Highway Long Sections Sheet 2 of 4) dated 07/07/17
- P480/116 (Highway Long Sections Sheet 3 of 4) dated 04/14
- P480/117 Rev A (Highway Long Sections Sheet 1 of 4) dated 07/07/17
- P843/08 Rev A (Biss Wood Scout Camp Site Access Visibility) dated 02/01/18
- P480/118 (Yarnbrook and West Ashton Relief Road. Minor amendment to R1 to access Paddock) dated 25/01/18

The means of access shall be provided in accordance with the Phasing Plan to be submitted and approved under condition 5.

REASON: To ensure proper and timely delivery of the means of access in accordance with the agreed scheme and in the interests of highway safety.

8 With regard to the reserved matter relating to the landscaping of the site, the details to be submitted for each Phase or sub Phase shall be substantially in accordance with the following documents forming part of the application:

- Green Infrastructure and Biodiversity Strategy (September 2017);
- ES Addendum Volume 1 Figures 6.1 and 6.2 showing details of design of attenuation ponds and buffer between employment and residential land;
- ES Addendum Volume 1 Figures 6.4, 6.17, 6.18 and 6.19 showing details of dark corridors through mixed use development.

The details themselves shall include where relevant the following:

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

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 and ecology features.

9 Notwithstanding the landscaping details submitted for the 'access' elements of the application (including the Yarnbrook / West Ashton Relief Road), no development within any Phase or sub Phase relevant to that part of the access shall commence until a scheme of soft landscaping for that part of the access has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- minor artefacts and structures (e.g. signs, etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

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

10 All soft landscaping comprised in the approved details of landscaping for any particular Phase or sub Phase of the development shall be carried out in the first planting and seeding season following the first occupation of any building within the Phase or sub Phase or the completion of the Phase or sub Phase 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.

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

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

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

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

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

metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the date of commencement of the Phase or sub Phase].

REASON: To safeguard trees to be retained in the interests of amenity.

12 Where a particular Phase or sub Phase of the development includes a play area(s), before 50% of the dwellings in that Phase or sub Phase are first occupied (or before a percentage/number to be otherwise agreed in writing by the local planning authority are first occupied) the following shall have been carried out:

(a) The submission to the local planning authority for approval in writing of a scheme for the laying out and equipping of the play area(s), to include landscaping, boundary treatment and provision for future maintenance and safety checks of the equipment; and

(b) The laying out and equipping of the play area in accordance with the approved scheme.

REASON: To ensure that the play areas are provided in a timely manner in the interests of the amenity of future residents.

13 Before the first occupation of 1,250 dwellings on any part of the application site (or before a percentage/number to be otherwise agreed in writing by the local planning authority are first occupied) the following shall have been carried out:

(a) The submission to the local planning authority for approval in writing of a scheme for the marketing of the 'Proposed Employment' land and the commercial elements of the 'Proposed Local Centres';

(b) Implementation of the marketing scheme in accordance with the approval;

(c) Construction and operation of the roundabout junction (R4) and at least 20m of the spur road and related services into the 'Proposed Employment' land.

REASON: To accord with the proposal and the requirements of the Wiltshire Core Strategy in that it allocates part of the application site for employment development.

14 With the exception of the 'Advance Ecology Mitigation', prior to the commencement of the development Stage 2 Road Safety Audit(s) shall be carried out for the Yarnbrook & West Ashton Relief Road and all other elements of the 'access' (either singly or in combination), and this/these

shall be submitted to the local planning authority for approval in writing before any highway construction works begin. Thereafter, no development shall commence in any particular Phase or sub Phase of the development until full construction details/drawings of the means of access within that Phase or sub Phase have been submitted to and approved in writing by the local planning authority. Following approval the 'access' shall be constructed in accordance with the approved details/drawings and agreed Stage 2 Road Safety Audit(s).

REASON: In the interests of highway safety.

15 Notwithstanding the references in the Design and Access Statement, the development hereby approved shall make provision for vehicle parking in accordance with the Wiltshire Council Local Transport Plan 3 dated 2015. In this Strategy domestic garages will only count towards the parking provision if the minimum dimensions specified in the Strategy are achieved.

REASON: To ensure sufficient vehicle parking in the development in the interests of highway safety.

16 No development shall commence within any particular Phase or sub Phase of the application site until:

(a) A written programme of archaeological investigation for the Phase, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and

(b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: The application contains 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 enable the recording of any matters of archaeological interest.

17 No development hereby approved shall commence in any Phase or Sub Phase of the development which includes land either adjacent to the railway line or adjacent to the 'green corridor' alongside the railway line until details of measures to safeguard the amenities of future occupants of the development within the Phase or Sub Phase from potential noise disturbance from trains have been submitted to and approved in writing by the local planning authority. The Development shall then be carried out in accordance with the approved details.

REASON: The railway line will be a potential source of noise disturbance to future nearby occupants of the development. This disturbance can be

removed and/or reduced to acceptable levels through appropriate design and layout.

18 The application is supported by evidence which demonstrates that the potential for significant concentrations of contaminants to be present within the application site is low. However -

(a) If, during any Phase or sub Phase of the development, any evidence of historic contamination or likely contamination is found, the developer shall immediately cease work within the Phase or sub Phase and contact the Local Planning Authority in writing to identify what additional site investigation may be necessary; and -

(b) In the event of unexpected contamination being identified, all development within the relevant Phase or sub Phase of development shall cease until such time as an investigation has been carried out and a written report submitted to and approved in writing by the Local Planning Authority, any remedial works recommended in that report have been undertaken and written confirmation has been provided to the Local Planning Authority that such works have been carried out. Construction shall not recommence until the written agreement of the Local Planning Authority has been given following its receipt of verification that the approved remediation measures have been carried out.

REASON: To ensure that potential land contamination is dealt with adequately in the interests of protecting the environment.

19 Prior to the commencement of any Phase or sub Phase of the development which includes or affects public rights of way NBRA43, NBRA30, NBRA10, WASH16, NBRA11, NBRA44 and/or NBRA12 within the site, detailed schemes for the improvement of these rights of way (including, widening and/or re-surfacing) and a programme for implementing the improvements shall be submitted to the local planning authority for approval in writing. Thereafter the development shall be carried out strictly in accordance with the approved improvements and the programme.

REASON: Improvements will be required to these public footpaths as a consequence of the additional use they will endure as a result of the development. The improvements will ensure the continued safe use and enjoyment of the footpaths in the interests of amenity.

INFORMATIVE: The Design & Access Statement indicates that parts of public rights of way NBRA9, NBRA10, NBRA11 and NBRA44 may be re-routed. No works affecting these rights of way and/or no stopping-up of these rights of way may commence unless or until a stopping-up or diversion order has come into effect, unless the LPA agrees to a temporary closure or re-routing of the rights of way. The applicant must apply separately to Wiltshire Council for such an order, and it cannot be presumed that the granting of this planning permission will automatically

be followed by the making of the order. If Wiltshire Council makes an order and any objections to it cannot be resolved, the matter will be referred to the Secretary of State for determination. The Planning Inspectorate will make the determination on behalf of the Secretary of State.

20 No later than first occupation of 90% of the dwellings in any part of a Phase or Sub Phase of the development through which public rights of way NBRA11 and NBRA9 pass, a report comprising an assessment of past and present use of these public rights of way where they cross 'at level' the railway line and, if/as necessary, a scheme of measures to ensure their continued safe operation together with a related programme for their implementation, shall be submitted to and approved in writing by the local planning authority. The development shall then be carried out if/as necessary in accordance with the approved scheme of measures and the related programme for its implementation.

REASON: To ensure the continued safe operation of the at-level railway crossings.

INFORMATIVE: The need for this condition may fall away in the event of these public rights of way being first stopped-up or diverted.

21 Prior to first occupation of the first 150 houses on the development hereby approved, a Public Art Strategy shall be submitted to the local planning authority for approval in writing. The Strategy shall set out how public art will be provided as part of the development, and a programme for this. Thereafter the development shall be carried out in accordance with the approved Strategy and programme.

REASON: To achieve a high quality living environment in the interests of amenity, and to accord with policies CP3 and CP57 of the Wiltshire Core Strategy.

22 No development shall take place within individual Phases or sub Phases of the development until a site specific Construction Environmental Management Plan, or Plans, (CEMP(s)) for that Phase or sub Phase, or an overarching CEMP for the entire application site, has been submitted to and approved in writing by the local planning authority. The CEMP(s) must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan(s) should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- Arrangements for liaison with the Council's Public Protection Team;
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:

08:00 Hours and 18:00 Hours on Mondays to Fridays and 08:00 and 13:00 Hours on Saturdays and; at no time on Sundays and Bank Holidays;

- **Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above;**

- **Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works;**

- **Procedures for emergency deviation of the agreed working hours;**

- **Control measures for dust and other air-borne pollutants;**

- **Measures for controlling the use of site lighting whether required for safe working or for security purposes;**

- **Construction traffic routing details.**

- **Ecology mitigation measures to cover –**

- **protection of retained habitats;**

- **creation of new habitats including provision of bat boxes;**

- **management and monitoring of created and retained habitats (until taken over by management company or WWT);**

- **precautionary working method statements and works to be overseen by an ecologist; monitoring requirements and details of frequency of monitoring, thresholds, remedial measures and timescales for remediation;**

- **monitoring requirements for habitats, mitigation features and species including details of frequency of monitoring, thresholds, remedial measures and timescales for remediation (to cover amongst other things, establishment / width of hop-overs, habitat structure / composition of woodland in Biss and Green Lane Woods, bat use of underpasses);**

- **testing and adjusting lighting, in accordance with monitoring results’;**

- **compliance procedures.**

- **And with particular regard to the Yarnbrook & West Ashton Relief Road the following specific ecology mitigation information –**

- **Long and cross sections for each underpass based on site surveyed; measurements showing the relative positions of hedgerows, existing ground levels, earthworks and underpass;**

- **The timetable of works required to complete the culvert works having regard to seasonal ecological and planting constraints;**

- **The programme of construction works to demonstrate how the ecological constraints of the culverts works have been fully integrated into the project programme (i.e. Gantt chart) and how it affects the critical path.**

- **A protocol for constructing underpasses and hop-overs including exact timescales, demonstrating removal of as little hedgerow as possible, erection of 4m high bat fencing and establishing new planting.**

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

A report prepared by the Ecological Clerk of Works certifying that the required ecology mitigation and/or compensation measures identified in the CEMP(s) have been completed to their satisfaction, and detailing the results of site supervision and any necessary remedial works undertaken or required, shall be submitted to the Local Planning Authority for approval within 3 months of the date of substantial completion of the development or at the end of the first planting season following this, whichever is the sooner. Any approved remedial works shall then be carried out under the strict supervision of a professional ecologist following that approval.

REASON: In the interests of the amenities of surrounding occupiers and of wildlife during the construction of the development.

23 A Landscape and Ecological Management Plan, or Plans, (LEMPs) for the 'River Biss Corridor', the '100m buffer' between Biss Woods and the employment land, the 'Green Lane Nature Park Extension', the 'Attenuation pond ... creating barrier to pedestrian access', other barriers to control access to Biss Woods, dark corridors through the mixed use development, and the Yarnbrook & West Ashton Relief Road shall be submitted to, and approved in writing by, the Local Planning Authority before commencement of the development. The content of the LEMP(s) shall include the following information:

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

The LEMP(s) shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery.

The LEMP(s) shall also set out (where the results from monitoring show that the conservation aims and objectives of the LEMP(s) are not being met) how contingencies and/or remedial action will be identified, agreed and implemented.

The LEMP(s) shall be implemented in full in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure adequate protection, mitigation and compensation for protected species.

24 No development in any particular Phase or sub Phase of the development shall commence on site until a scheme for the discharge of surface water from the Phase or sub Phase, incorporating sustainable drainage details, and any related programme for delivery, has been submitted to and approved in writing by the Local Planning Authority. The development within the Phase or sub Phase shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme and related programme.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in any Phase or sub Phase in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

25 No development shall commence on site (save for the construction of the Yarnbrook & West Ashton Relief Road) until details of the works for the disposal of sewerage, including the point of connection to the existing public sewer and any off-site works, and any related programme for delivery have been submitted to and approved in writing by the Local Planning Authority. The details shall be substantially in accordance with the 'Proposed Foul Water Drainage Arrangements' set out in the Flood Risk Assessment by PFA Consulting dated September 2017. No dwelling shall be first occupied until the approved details have been implemented in accordance with the approved plans and related programme.

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.

26 There shall be no surface water drainage connection from this development to the foul water system.

REASON: To safeguard the integrity of the foul water system.

27 No external lighting (other than normal domestic lighting) shall be installed on site within each Phase or sub Phase until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication Guidance Notes for the Reduction of Obtrusive Light (ILE, 2005) (or any standards updating or replacing these standards), for that

Phase have been submitted to and approved in writing by the Local Planning Authority.

Where lighting is proposed in ecologically sensitive areas (such as the 'dark corridors' for bats) the lighting details and related scheme shall ensure minimum impact on the ecological interests of these areas and accord with:

- 'Interim Guidance Recommendations to help minimise the impact of Artificial Lighting' (Bat Conservation Trust 03/06/14);
- ES Addendum Volume 1 Figures 6.4, 6.18 and 6.19 showing principles of lighting design;
- Lighting of the Yarnbrook & West Ashton Relief Road to be in accordance with Figure 6.17 and 6.20 of the ES Addendum Volume 1.

The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall then be installed.

In addition there will be no lighting above or beneath bridges except at B3 where lighting will be in accordance with Figure 6.17 and 6.20 of the ES Addendum Volume 1.

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

28 No development shall commence in any particular Phase or sub Phase of the development hereby approved until a scheme for the provision of fire hydrants to serve the Phase or sub Phase and any related programme for delivery has been submitted to and approved in writing by the local planning authority. Thereafter no dwelling shall be occupied within the Phase or sub Phase until the fire hydrant serving the dwelling has been installed as approved.

REASON: To ensure the safety of future occupiers of the dwellings.

29 Notwithstanding the information set out in the Waste Management Strategy (May 2015) accompanying the planning application, a further more detailed waste management strategy shall be submitted to the local planning authority for approval in writing prior to commencement of the development. The more detailed strategy will add detail to the initial Waste Management Strategy, specifying in particular where and how construction waste (notably the waste material excavated from the site to enable construction works) will be, in the first place, re-used on site (including estimates of quantities to be re-used and where); and, in the second place, removed from the site (including quantities, end disposal locations and transportation routes thereto). Additionally, the detailed strategy will provide a 'plan' for the management of other waste arising from civil and building construction, including measures to minimise such

waste generation in the first place and to re-cycle wherever possible. The development shall be carried out strictly in accordance with the original Waste Management Strategy (May 2015) and the subsequent approved and complementary more detailed waste management strategy.

REASON: The original Waste Management Strategy contains insufficient detail to enable waste management to be agreed at this stage. The requirement for a more detailed waste management strategy arises from Wiltshire Council's Waste Core Strategy Policy 6 (Waste Reduction and Auditing), and in particular its requirement to demonstrate the steps to be taken to dispose of unavoidable waste in an environmentally acceptable manner and proposals for the transport of waste created during the development process.

30 Prior to commencement of the local centres hereby approved a strategic level scheme for the provision of ultra low energy vehicle infrastructure (electric vehicle charging points) and a programme for delivery shall be submitted to the local planning authority for approval in writing. The approved scheme shall inform the subsequent reserved matters applications, and shall be implemented as approved and in accordance with the programme.

REASON: In the interests of air quality and reducing vehicular traffic to the development.

INFORMATIVE: It is recommended that the ultra low energy vehicle infrastructure should be provided at appropriate publicly accessible locations such as the local centres but not for individual residential dwellings.

31 Prior to the commencement of each Phase or sub Phase of the development hereby approved a scheme of ecology enhancement measures as identified in the Environmental Statement Addendum Volume 1, to include (as appropriate) designs, locations, numbers and sizes of each measure and a programme for their delivery, for each Phase or sub Phase shall be submitted to the local planning authority for approval in writing. The scheme shall be implemented as approved in accordance with the programme and maintained thereafter.

REASON: In the interests of safeguarding other ecological interests.

32 No development in any Phase or Sub Phase of the overall development hereby approved shall commence until a scheme for water efficiency relevant to all the buildings within the Phase or Sub Phase has been submitted to and approved in writing by the Local Planning Authority. Thereafter no building within the Phase or Sub Phase shall be first occupied until the water efficiency measures relevant to the building have been installed and are operational in accordance with the approved scheme.

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

INFORMATIVE: The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. An appropriate submitted scheme to discharge the condition will include a water usage calculator showing how the development will not exceed a total (internal and external) usage level of 110 litres per person per day.

33. No development hereby approved shall be first occupied until a scheme setting out a strategy for the control / removal of Himalayan balsam has been submitted to and approved in writing by the local planning authority. The scheme shall include a programme for the implementation of the strategy. The strategy shall be implemented in accordance with the approved scheme and programme.

REASON: In the interests of ecology and to ensure compliance with the Wildlife & Countryside Act 1981 (as amended).

24 **Date of Next Meeting**

Resolved:

To note that the next scheduled meeting of the Committee was due to be held on Wednesday 23 May 2018 in the Council Chamber at County Hall, Trowbridge, starting at 10.30am.

25 **Urgent Items**

There were no items of urgent business.

(Duration of meeting: 10.30 am - 12.10 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

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