

## Strategic Planning Committee

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### MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 14 JULY 2021 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

#### **Present:**

Cllr Howard Greenman (Chairman), Cllr Adrian Foster, Cllr Sarah Gibson, Cllr Carole King, Cllr Christopher Newbury, Cllr Pip Ridout, Cllr James Sheppard, Cllr Elizabeth Threlfall and Cllr Robert Yuill

#### **Also Present:**

Cllr Stewart Palmen, Cllr Nick Botterill, Cllr Horace Prickett and Cllr Paul Sample JP

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#### 10 **Apologies**

Apologies were received from Councillors Ernie Clark and Tony Trotman.

#### 11 **Minutes of the Previous Meeting**

The minutes of the meeting held on 22 June 2021 were presented for consideration, and it was,

#### **Resolved:**

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

#### 12 **Declarations of Interest**

Under the next item Councillor Robert Yuill declared that in relation to the Freeth Farm Quarry applications, that he had previously been Portfolio Holder for Waste and had some contact with The Hills Group, but none with the Hills Quarry Products portion of the business, and therefore no historic interest.

#### 13 **Chairman's Announcements**

There were no announcements.

#### 14 **Public Participation**

The procedures for public participation were noted.

#### 15 **Planning Appeals and Updates**

The planning appeals report was received and noted.

## 16 **Salisbury River Park Masterplan**

David Milton, Major Projects Spatial Planning Manager, presented a report on the Salisbury River Park Masterplan. The Committee was recommended to endorse the masterplan as a relevant material planning consideration to be taken into account when making decisions on planning applications on any proposals for the Salisbury River Park and wider integrated zone.

The presentation set out details of flood zones in Salisbury and reassessment of flood risk by the Environment Agency, plans to improve open space and the environment for the River Park/Green Corridor project, the multiple stages of public consultation which had identified support for the proposals, and that amendments had been made based on those responses. It was confirmed the masterplan did not include the area of the Cathedral Close.

Members then had the opportunity to ask technical questions of the officer. Details were sought of housing location in or around the River Park, the limited loss of car parking, and other work being undertaken by the Environment Agency.

A local Unitary Member, Councillor Paul Sample JP, then addressed the Committee. He noted issues remained with the document and some residents had concerns relating to parking, footpaths and cyclepaths, and future maintenance, but supported the masterplan.

The Committee then had the opportunity to debate the masterplan. On the motion of Councillor Howard Greenman, seconded by Councillor Pip Ridout, it was then,

### **Resolved:**

**That the masterplan for the Salisbury River Park, as attached at Appendix 1 of the report, together with any other minor alterations required to improve its clarity, is endorsed as a material planning consideration for the purposes of development management.**

## 17 **Planning Applications**

**17a 16/05464/WCM: Freeth Farm Quarry, Compton Bassett**

### **Public Participation**

Dr Peter Alberry spoke in objection to the application.

John Brooks, on behalf of James Pendley, spoke in objection to the application.

Charles Reis spoke in objection to the application.

Peter Andrew, applicant, spoke in support of the application.

Nick Dunn, agent, spoke in support of the application.

Cllr Peter Szczesiak, Compton Bassett Parish Council, spoke in objection to the application.

Jason Day, Minerals and Waste Planning Officer, presented a report which recommended approval be granted through delegation for a scheme of planning conditions under which the site would operate.

Planning Permission for mineral extraction already existed for the site, but development could not lawfully commence until new, modern conditions necessary to address environmental and other issues of mineral working at the site had been agreed by the Mineral Planning Authority. Key issues included the control of noise and protection of visual amenity at the nearest residential properties. A site visit took place ahead of the Committee meeting.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details sought included information regarding dates of minerals and ecology reports, dimensions of the proposed acoustic bund and the distance to existing properties, the level of noise monitoring, assessment of financial viability, and confirmation that the conveyor for materials would be covered.

Members of the public then had the opportunity to address the Committee, as detailed above.

As the local Member, Councillor Ashley O'Neill, was unable to be present due to Covid-19 self-isolation requirements, his statement was read out by Councillor Nick Botterill, objecting at length to the application in particular the buffer zone of 35m from neighbouring properties, and suggesting revisions to the conditions were it to be considered for approval.

A debate followed. The adequacy of the proposed buffer zone was discussed, and impact on financial viability and residential amenity if this were increased to 70m, along with suggestion that noise and or dust monitoring should be continuous. The impact of additional conditions on operation was raised, and the need to delegate to officers the adjustment of other conditions in the event continuous dust and/or noise monitoring was agreed.

On the motion of Councillor Howard Greenman, seconded by Councillor Adrian Foster, at the conclusion of debate, it was therefore,

**Resolved:**

**To accept the recommendation at paragraph 185 of the report subject to the addition of a condition delegated to the Head of Development Management requiring a 70 metre buffer from the nearby dwellings to the screen bund and the replacement of recommended conditions 12 and 16 (compliance with the submitted noise and dust management plans) with conditions delegated to the Head of Development Management requiring new schemes that provide for continuous monitoring.**

## **17b 16/05708/WCM: Freeth Farm Quarry, Compton Bassett**

### Public Participation

Dr Peter Alberry had registered to speak in objection to the application.

Peter Andrew, applicant, spoke in support of the application.

Nick Dunn, agent, spoke in support of the application.

Cllr Peter Szczesiak, Compton Bassett Parish Council, had registered to speak in objection to the application.

Jason Day, Minerals and Waste Planning Officer, presented a report which recommended approval be granted for a quarry field conveyor to transport extracted soft sand to the processing plant at Calne Quarry. The route of the conveyor was detailed, along with the potential environmental impacts of replacing vehicle movements a conveyor.

Members of the Committee then had the opportunity to ask technical questions of the officer. Questions were asked on construction timescales, any impact on trees and the proposed conditions.

Members of the public then had the opportunity to address the Committee, as detailed above.

As the local Member, Councillor Ashley O'Neill, was unable to be present due to Covid-19 self-isolation requirements, his statement was read out by an officer, objecting to the application in particular reports of the conveyor not being enclosed.

A debate followed. It was confirmed that the conveyor would be covered which address many of the objections which had been raised, and the time taken to transport the materials was discussed. It was noted that if approved conditions would need to be delegated to officers to update to take account of the decision on the previous application.

On the motion of Councillor Howard Greenman, seconded by Councillor Pip Ridout, at the conclusion of debate, it was therefore,

### **Resolved:**

**To accept the recommendation at paragraph 83 of the report subject to the addition of a condition delegated to the Head of Development Management requiring the conveyor to be covered along its full length and the replacement of recommended conditions 8 and 11 (compliance with the submitted noise and dust management plans) with conditions delegated to the Head of Development Management requiring new schemes that provide for continuous monitoring.**

18 **15/04736/OUT: Land South East of Trowbridge**

Public Participation

John Cox spoke in objection to the application.

Chris Minors, agent, spoke in support of the application.

Mike Wilmott, Head of Development Management, presented a report which recommended that the existing resolution to grant permission approved at a meeting 25 April 2018, be amended to include a revised arrangement for affordable housing delivery in the Section 106 agreement and updates to the conditions to be attached to the grant of planning permission. It was stated that the overall affordable housing element would be just over 26%, with phased delivery. It was noted that this was not a fresh application to that already approved, so the principle of the development, which was very significant in terms of the council's housing land supply, had already been agreed. Details were provided of late representations received.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details sought included information on the phased delivery of the affordable housing, and that this would mean that should the developer wish to amend this in future, for instance to place housing on the employment land, it would require a fresh planning application, with the policy position starting at an expectation of the figure required in the development plan extant at the time (currently 30% affordable housing). It was also discussed what the agreement being signed in a timely manner would mean in practice. Details were also sought on references to the funding of a wildlife warden and the costs of that over time, which it was stated would be a matter for the developer and trust to secure through agreement, and on the status of the land and bats in the area.

Members of the public then had the opportunity to address the Committee, as detailed above.

Councillor Stewart Palmen, a Unitary Member for Trowbridge, then spoke regarding the level of affordable housing.

Councillor Horace Prickett, the local Unitary Member, then spoke regarding aspects of the application, noting parish council acceptance of the need for housing in the area, and matters raised by the scouts.

A debate followed, which noted the significant level of affordable housing being delivered from the overall 2500 housing development, the scale of the s106 legal agreement contributions sought for schools and other infrastructure and whether this would be deliverable, and the inclusion of a limit of 12 months for the agreement to be signed.

On the motion of Councillor Howard Greenman, seconded by Councillor Elizabeth Threlfall, at the conclusion of debate it was,

**Resolved:**

To amend the April 2018 decision of this Planning Committee as follows –

Either -

To GRANT planning permission, this subject to the main ‘legal agreement’ being first entered into but with a change to its affordable housing terms – specifically, to minimum 20% affordable housing provision in the first 500 units; minimum 25% affordable housing provision in the next 500 units; and minimum 30% provision in all units thereafter; (all other terms to remain as in the April 2018 resolution); and subject to conditions as set out below (including an additional condition and informative);

Or -

to REFUSE planning permission in the event that the S106 is not now completed in the above terms within 12 months of the date of this resolution, for the reason set out below.

**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 E ('Business' only), B2 and/or B8 uses);
  - (ii)** Two separate sites of at least 1.85 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, community facilities, 'early learning' facilities and 'food & drink' premises (Class E), 'drinking establishments' (Class A4) and 'hot food & takeaway' uses (Class A5);
  - (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 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 'layout of the development' (as to be submitted and approved under condition no. 2) shall accommodate all of the above broadly in accordance with the 'Indicative Masterplan' (drawing no. A.0223\_77-01 Rev AB) dated 20/04/17 and the related parameters plans set out in the Design and Access Statement.

**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 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 affordable housing and 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 affordable housing, 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 With the exception of the Yarnbrook & West Ashton Relief Road, 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.

(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 and Order of Delivery Schedule 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 shall be 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 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 (save for the construction of the  
= Yarnbrook & West Ashton Relief Road) shall commence in any 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 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 any public rights of way within the Phase or Sub Phase, 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 rights of way as a consequence of the additional use they will endure due to the development. The improvements will ensure the continued safe use and enjoyment of the footpaths by members of the public

**INFORMATIVE:** The Design & Access Statement indicates that parts of a number of public rights of way may be re-routed due to the development. No works directly affecting any rights of way may commence until a permanent diversion or extinguishment order has come into effect. The applicant must apply separately to Wiltshire Council for such an order, 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. The LPA may agree to a temporary closure or temporary re-routing of the rights of way on the grounds of safety if necessary.

- 20** Prior to the commencement of development of any residential units in any Phase or Sub-Phase of the development an application for the stopping up and/or diversion of public rights of way NBRA9 and/or NBRA11 shall be submitted to Wiltshire Council. Following which no residential development within any Phase or Sub-Phase crossed by these rights of way shall commence unless either:
- i)** A footpath diversion and stopping up order that incorporates the stopping up of the existing footpath route across the railway at level has been made and confirmed by the local planning authority or the Secretary of State, or
  - ii)** the Secretary of State, upon consideration of a stopping up order made by the local planning authority as aforementioned in (i) above does not confirm the order.

Upon any confirmed diversion and stopping up order coming into force, the new footpath route shall be fully completed prior to the occupation of units within any Phase or Sub-Phase crossed by public rights of way NBRA9 and/or NBRA11.

**REASON:** To ensure the continued safe operation of the rights of way network.

**INFORMATIVE:** Network Rail will provide the developer with all the appropriate information to ensure railway safety issues concerning the White Horse and Yarnbrook railway level crossings are fully considered before a decision on the stopping up or diversion of the public rights of way NBRA9 and NBRA11 is taken by the local planning authority or Secretary of State.



- 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 (LEMP), or individual 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 relevant element of the development to which the LEMP or LEMPS applies. 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 or associated with the Yarnbrook and West Ashton Relief Road in isolation shall commence on site until a scheme for the discharge of surface water from the Phase or sub Phase or from the Relief Road in isolation, 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 shall not be first occupied and/or the Relief Road shall not be first used by non-construction traffic until surface water drainage has been constructed in accordance with the approved scheme(s) and related programme(s).

**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 any 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. 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 With the exception of the Yarnbrook and West Ashton Relief Road, 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 or strategies shall be submitted to the local planning authority for approval in writing prior to commencement of the development. The more detailed strategy or strategies 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 or strategies 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 or strategies.

**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.

**INFORMATIVE:** The reason for allowing the potential for more the one waste management strategy is in the event of the Yarnbrook and West Ashton Relief Road requiring a standalone strategy for the management of its waste.

- 30** Prior to commencement of the development 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 or commencement of the Yarnbrook and West Ashton Relief Road hereby approved, a scheme or schemes 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 or the Yarnbrook and West Ashton Relief Road shall be submitted to the local planning authority for approval in writing. The scheme or schemes shall be implemented as approved in accordance with the programme and maintained thereafter.

**REASON:** In the interests of safeguarding other ecological interests.

- 32** With the exception of the Yarnbrook and West Ashton Relief Road, no development in any Phase or Sub Phase of the 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 With the exception of the Yarnbrook and West Ashton Relief Road, no development hereby approved shall commence 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).**

**34 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).**

**Additional condition –**

- 35 The Employment Land elements of the development hereby permitted shall be used only for the provision of financial services (Class E(c)(i) uses), professional services (other than health or medical services (Class E(c)(ii) uses), other appropriate services in a commercial/business/service locality (Class E(c)(iii) uses), indoor sport/recreation/fitness uses (not involving motorised vehicles or firearms) (Class E(d) uses), provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner (Class E(e) uses), creche/day nursery/day centre uses (not including a residential use) (Class E(f) uses), uses which can be carried out in a residential area without detriment to its amenity (Class E(g) uses – offices to carry out any operational or administrative functions, research and development of products or processes, and industrial processes), or uses for the sale or display for sale of motor vehicles, and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory**

instrument revoking and re-enacting that Order with or without modification).

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), there shall be no change of use of any part of the Employment Land elements of the development hereby permitted to any other use other than where the change of use is to, or is from, any of the uses specified in the above paragraph.

**REASON:** To accord with the terms of the planning application and the requirements of Core Policies 2 and 29 of the Wiltshire Core Strategy which allocates land at Ashton Park specifically for 'employment' uses.

**Additional informative –**

**36 INFORMATIVE TO APPLICANT:**

The applicant is encouraged to engage with the West Wiltshire District Scout Association to assist it in its aspirations to achieve an alternative access to the Jubilee Wood Scout Camp Site.

**Reason for refusal –**

1. The planning application fails to make provision for essential infrastructure made necessary by the proposed development – namely, affordable housing, education facilities, health facilities, open spaces, ecology mitigation, highways infrastructure and waste collection facilities. With particular regard to affordable housing, the planning application fails to make adequate provision for affordable housing in accordance with adopted affordable housing policy and/or fails to offer a means of achieving compliance with adopted affordable housing policy over the lifetime of the development.

This is contrary to Core Policy 3 ('Infrastructure Requirements') and Core Policy 43 ('Providing Affordable Housing') of the Wiltshire Core Strategy and national planning policy (paragraph 57 of the National Planning Policy Framework and 'Viability' guidance in the Planning Practice Guidance).

19 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.40 am - 3.20 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services, direct line 01225 718504, e-mail [kieran.elliott@wiltshire.gov.uk](mailto:kieran.elliott@wiltshire.gov.uk)

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