

WESTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 16 OCTOBER 2013 IN THE RIDGEWAY SPACE - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Russell Hawker, Cllr John Knight, Cllr Magnus Macdonald, Cllr Christopher Newbury (Chairman), Cllr Horace Prickett, Cllr Pip Ridout, Cllr Jonathon Seed and Cllr Roy While (Vice-Chair, in the Chair)

Also Present:

Cllr Helen Osborn, Cllr Jeff Osborn and Cllr Ian Thorn

80 **Apologies for Absence**

An apology for absence was received from Councillor Andrew Davis.

81 **Minutes of the Previous Meeting**

The minutes of the meeting held on **04 September 2013** were presented for consideration. It was,

Resolved:

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

82 **Chairman's Announcements**

The Chairman announced the application 13/01573/FUL: Manor Farm, Upton Lovell, Warminster, was to be moved from 6h to 6b on the agenda.

83 **Declarations of Interest**

Councillor Jonathon Seed declared a non-pecuniary interest in application 13/01573/FUL: Land East of 14 Farleigh Rise, Monkton Farleigh, as he believed he had had correspondence with the applicant, but that would consider the application on its merits and contribute to the debate and vote.

Councillor Magnus Macdonald declared a non-pecuniary interests in applications W/13/12/02346/FUL, W/12/02347/FUL and W/12/02348/LBC: Kingston Mills, Kingston Road, Bradford on Avon, by virtue of being a member of Bradford on Avon Town Council and had met with the applicant. He

confirmed he would consider the applications with an open mind and participate in the debates and votes on the items.

Councillor Horace Prickett declared a non-pecuniary interest in application 13/01891/FUL: Honeywell Farm, Silver Street Lane, Brokerswood, Westbury, by virtue of having met with the developer and agent at the site. He declared he would consider the applications with an open mind on its merits, and would contribute to the debate and vote on the item.

84 **Public Participation and Councillors' Questions**

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

A question from Councillor Ernie Clark was received for the meeting, with an answer included in the agenda pack.

A supplementary to the question was asked as follows:

“Assuming that the 'backstop' date (i.e. 22nd August 2016) will be the completion date for the road, by which date will Wiltshire Council expect work to start? i.e. How long will the council give Persimmon to finish building the road and opening it to the public?”

In response it was stated that although there was no direct measure to compel the developers as to when to begin construction of the road, Persimmons had to have it completed by the backstop date. As such, officers would receive an updated list of house completions in April 2014, at which point they would be in a better position to determine how far off from the target number the development was and start pressing Persimmons as to when they intended to start in order to meet their obligations by the stated date of 22 August 2016.

85 **Planning Applications**

The Committee considered the following applications:

86 **W/12/00697/FUL: Land West Of Codford Station, Station Road, Codford (Upton Lovell Parish)**

Public Participation

Mrs Sarah Kennedy spoke in objection to the application.

Mr Graham Lees spoke in support of the application.

Cllr Tom Thornton, Codford Parish Council, spoke in objection to the application.

The Planning Officer introduced a report which recommended that permission be granted. Key issues were stated to include the principle of the development resulting from the change of use within an Area of Outstanding Natural Beauty (AONB), the impact upon the amenity of the area and highways considerations. It was noted that highways officers had raised no objections to the application, which now included a lay-by and additional signage. As requested by the

Committee when considering the application during its meeting of 12 June 2013, a site visit had taken place prior to the commencement of the meeting.

Members of the Committee then had the opportunity to ask technical questions of the officer.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Christopher Newbury, then detailed the local concerns regarding the application.

A debate followed where the impact on the surrounding area was assessed, taking note of the nearby rail line, along with the width and safety of the access road and the mitigating measures that had been proposed. Proposed hours of delivery to and from the site were also discussed.

After debate, it was,

Resolved:

To GRANT planning permission for the following reason:

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

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 drawing numbers 101, 102, 103, 105, 106 received on 13th April 2012, drawing number 107A received on 18th September 2013 and drawing number 104B received on 24th September 2013.**

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

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), the site shall be used solely for purposes within Class B1 and B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes)**

(Amendment) (England) Order 2005 (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use has been considered to be acceptable but the Local Planning Authority wish to consider any future proposal for a change of use and its impact upon the AONB, the wider landscape and any impact upon the existing road network.

- 4** The delivery and despatch of goods to and from the site shall only take place between the hours of 08:30hrs and 17:30hrs Mondays to Fridays. Deliveries and despatch of goods shall not take place outside of these hours or on bank holidays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area having regard to Saved Policy C38 of the West Wiltshire District Plan 1st Alteration 2004.

- 5** The development hereby approved shall not be first brought into use until the access and parking areas have been implemented in accordance with drawing number 104A received by the Local Planning Authority on 22nd April 2013, drawing number 107A received by the Local Planning Authority on 18th September 2013 only. The areas shall thereafter be maintained for those purposes at all times thereafter.

REASON: In the interest of highway safety having regard to advice contained in the NPPF.

- 6** Prior to the communal toilet block being constructed on site, details of the exact location, material and colour of the structure shall be submitted to and approved in writing by the Local Planning Authority. The building shall then be carried out in accordance with the approved details.

REASON: To ensure that the modular building does not have an impact upon the AONB and wider landscape having regard to Saved Policies C1, C31a, C32 of the West Wiltshire District Plan 1st Alteration 2004 and advice contained in the NPPF.

- 7** All soft landscaping works shown on drawing number 104A received by the Local Planning Authority on 22nd April 2013 shall be carried out in the first planting and seeding season following the first occupation of the buildings 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

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features within the AONB having regard to Saved Policies C31a and C32 of the West Wiltshire District Plan 1st Alteration 2004 and advice contained in the NPPF

- 8 Prior to the use hereby permitted being put into the use the buildings annotated as E, F, G and I shown on drawing number 101 received on 13th April 2012 shall be demolished and the material removed from the site.**

REASON: To protect the landscape quality of the AONB having regard to advice contained in the NPPF.

NOTE: Councillors requested that the Council's Highways Team be asked to look at the possibility of placing highway signage relating to the bend in the road leading to the site from the A36.

87 13/02078/FUL: Manor Farm, Upton Lovell, Warminster, BA12 0JN

Public Participation

Mr Tony Kernon, agent, spoke in support of the application.

The Planning Officer introduced a report which recommended that planning permission be refused. Key issues were stated to include the principle of development of an additional agricultural dwelling, highways considerations and impact upon amenity and the immediate area. It was stated that officers considered that the existing dwellings on the site meant that an additional one was not justified as essential.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought on the relevant local and national policies for the application.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Christopher Newbury, then spoke in support of the application.

A debate followed where the need for an additional dwelling was considered, taking into account the difficulties experienced in retaining a worker without a dwelling on site, as well as the possibility of reorganizing the current dwelling arrangements. The sustainability of the expansion of the business to justify permitting an addition dwelling was raised, along with the modest nature of the proposed design.

After debate, it was,

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 plan:

113 Drawing 1 received on 1st July 2013.

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

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

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

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

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

- 5) 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, the details of which shall include:

- a) location and current canopy spread of all existing trees and hedgerows on the land;
- b) full details of any to be retained, together with measures for their protection in the course of development;
- c) a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- d) finished levels and contours;
- e) means of enclosure;

- f) car park layouts;
- g) other vehicle and pedestrian access and circulation areas;
- h) all hard and soft surfacing materials;
- i) programme of implementation

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

It was requested that it be recorded that the decision to grant planning permission was approved unanimously.

88 W/12/02346/FUL: Kingston Mills, Kingston Road, Bradford On Avon

Public Participation

Mr Jocelyn Feilding, Bradford on Avon Preservation Trust.

Mrs Pam Hyde spoke in objection to the application.

Mr Chris Beaver, agent, spoke in support of the application.

Mr Tim Smale, applicant, spoke in support of the application.

Cllr Gwen Allison, Bradford on Avon Town Council, spoke in objection to the application.

The Planning Officer introduced a report which recommended that the application be delegated for approval subject to the completion of a supplemental planning agreement to ensure the residential properties complied with the original s.106 legal agreement. Key issues were stated to include highways and access considerations, the principle of development arising from the change of use from offices to residential units, and the impact upon the immediate area and listed building.

Members of the Committee then had the opportunity to ask technical questions of the officer, during which it was confirmed the original design of previously granted permissions had been for residential use, but that additional conditions had restricted the use to office use only.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Ian Thorn, then spoke in objection to the application.

A debate followed, where the difficulty parking for the site was noted, and it was also confirmed the walkway running alongside the site would remain for public use in the event of permission. The reduction in retail space for the town was raised, along with it being noted that a neighbourhood plan for the town was not yet complete. The marketing of the site and the consideration of its viability as commercial space was also assessed.

At the conclusion of debate, it was,

Resolved:

That planning permission be GRANTED at a future date subject to the Area Development Manager being satisfied to the completion of a supplemental planning agreement to ensure the residential properties subject of this permission comply with the original Section 106 Legal Agreement attached to 06/02394/FULES

For the following reason:

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

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 drawing numbers 10026(L)361 C, 3114/P/001 N received on 11th January 2013 and drawing number 8008(I)243_B received on 5th September 2013**

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

Informative(s):

- 1 This permission shall be read in conjunction with a Supplemental Planning Agreement to the original Section 106 Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated ____**

89 W/12/02347/FUL: Kingston Mills, Kingston Road, Bradford On Avon

Public Participation

Mr Chris Beaver, agent, spoke in support of the application.

Mr Tim Smale, applicant, spoke in support of the application.

Cllr Gwen Allison, Bradford on Avon Town Council, spoke in objection to the application.

The Planning Officer introduced a report which recommended that the application be delegated for approval subject to the completion of a supplemental planning agreement to ensure the residential properties complied

with the original s.106 legal agreement. Key issues were stated to include highways and access considerations, the principle of development arising from the change of use from offices to residential units, design issues and impact upon the immediate area and listed building. It was noted there would be a loss of 209m² of commercial space should the application be approved, but that the council's Economy and Regeneration team were in favour of the application as detailed in the report.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought regarding the proposed floor plan of the building.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Ian Thorn, then spoke in objection to the application, but stressed the important of consultation with the town and residents should the Committee approve the application.

A debate followed, where the level of and appropriateness of the marketing for the site for commercial use was assessed, along with consideration of the building's central and more appealing location as compared to the building under application W/12/02346/FUL, as well as the possibility of improving economic conditions impacting the viability of the site.

It was also noted that parts of the building were already occupied by residential use and that restaurant space was not classified under policies as employment space.

At the conclusion of debate, it was,

Resolved:

That planning permission be GRANTED at a future date subject to the Area Development Manager being satisfied to the completion of a supplemental planning agreement to ensure the residential properties subject of this permission comply with the original Section 106 Legal Agreement attached to 06/02394/FULES

For the following reasons:

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

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 drawing numbers 10026(L)411A, 3114(P)001M received on 11th January 2013 and drawing numbers 10026(L)410D, 8008(I)243_B received on 5th September 2013**

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

- 3 The development hereby permitted shall be carried out in accordance with the noise acoustic report received by the Local Planning Authority on 2nd May 2013. Once the development has been completed but prior to occupation of the residential units hereby permitted a post noise construction assessment shall be carried out and the results, any required remedial works and a timetable for implementation of any such remedial works shall be submitted to and agreed in writing by the Local Planning Authority. Any necessary works shall be carried out in accordance with the agreed timetable.**

REASON: To ensure that noise from the existing plant room does not impact upon the amenity of future residents having regard to Saved Policy C38 of the West Wiltshire District Plan 1st Alteration 2004.

Informative:

- 1 This permission shall be read in conjunction with a Supplemental Planning Agreement to the original Section 106 Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated ____**

Councillors Magnus Macdonald and Ernie Clark requested that their votes in objection to granting permission be recorded.

A recess took place between 2015-2020

Councillor Christopher Newbury then left the meeting, with Councillor Roy While in the Chair for the remainder of the meeting.

90 W/12/02348/LBC: Kingston Mills, Kingston Road, Bradford On Avon

The Area Development Manager introduced a report which recommended Listed Building Consent be approved. It was noted the consent related to application W/12/02347/FUL, which had already been granted permission, and that there would be no change to the external appearance of the building.

Members of the Committee then had the opportunity to ask technical questions of the officer.

There were no public speakers.

It was,

Resolved:

To GRANT Listed Building Consent.

For the following reasons:

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

- 1 The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.**

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The works hereby permitted shall be carried out in accordance with drawing numbers 10026(L)410 C, 10026(L)411_A, 3114(P)001_M received on 14th January 2013 and drawing number 8008(I)243_B received on 5th September 2013**

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

91 W/13/01080/FUL: Glove Factory Studios, 1 Brook Lane, Holt, Trowbridge

Public Participation

Mr Chris Beaver, agent, spoke in support of the application.

Mr Nick Kirkham, applicant, spoke in support of the application.

Cllr Stephen Siddall, Holt Parish Council, spoke in support of the application.

The Area Development Manager introduced a report which recommended that permission be granted. Key issues were stated to include the principle of the proposed extension to the workhub and formation of a new ancillary car park, encroachment into the open countryside and impact on the Conservation area.

Members then had the opportunity to ask technical questions of the officer. Details were sought about the attenuation pond proposed as part of the landscaping works.

The Local Member, Councillor Trevor Carbin, then spoke in support of the application.

A debate followed where the lack of car parking for the expanding commercial area of the site was noted, along with the need to consult with the parish council during the development of any management plans affecting the site.

After debate, it was,

Resolved:

To GRANT planning permission for the following reason:

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively with the applicant and to secure an acceptable sustainable future for the site as a whole.

Subject to the following conditions:

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

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

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

LOCATION PLAN – Drawing 002 received 07.06.2013

EXISTING SITE PLAN – Drawing No 003 received 07.06.2013

EXISTING GROUND FLOOR PLAN – Drawing No – 010 received 07.06.2013

EXISTING FIRST FLOOR PLAN – Drawing No 011 received 07.06.2013

EXISTING SECOND FLOOR PLAN – Drawing No 012 received 07.06.2013

EXISTING ROOF PLAN – Drawing No 013 received 07.06.2013

PROPOSED DEMOLITION PLAN – Drawing No 015 received 07.06.2013

EXISTING ELEVATIONS – Drawing No 020 received 07.06.2013

PROPOSED SITE PLAN – Drawing No 100 received 07.06.2013

PROPOSED GROUND FLOOR PLAN – Drawing No 101 received 07.06.2013

PROPOSED FIRST FLOOR PLAN – Drawing No 102 received 07.06.2013

PROPOSED ROOF PLAN – Drawing No 103 received 07.06.2013

PROPOSED ELEVATIONS – Drawing no 200 received 07.06.2013

PROPOSED ELEVATIONS – Drawing No 201 received 07.06.2013

PROPOSED SECTIONS – Drawing No 300 received 07.06.2013

PROPOSED MASSING DIAGRAM – Drawing No 700 received 07.06.2013

PROPOSED MASSING DIAGRAM – Drawing No 701 received 07.06.2013

PROPOSED MATERIALS – Drawing No 800 received 07.06.2013

PROPOSED FRONT ELEVATION MONTAGE – Drawing No 801 received 07.06.2013

FENCE DETAIL PLAN – Drawing No 1081-401-403 received 07.06.2013

LANDSCAPE MASTERPLAN – Drawing No 1081-002 Rev A received 04.09.2013

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

- 3 Notwithstanding the detailed findings of the land contamination site investigation undertaken by CJ Associates (which is included within a report dated May 2013), no occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out within a remediation strategy confirming the effectiveness of any remediation shall be submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.**

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until the following steps have been complied with in full in relation to that contamination.

Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment should be undertaken in accordance with the requirements of step (i) above and where remediation is necessary, a remediation scheme should be prepared in accordance with the requirements of step (ii) and submitted to and approved in writing by the Local Planning Authority.

Submission of Remediation Scheme

If any unacceptable risks are identified on-site, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

Verification of remedial works

Following completion of measures identified in the approved remediation scheme a verification report must be produced. The report should demonstrate the effectiveness of the remedial works. A statement should also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the approved scheme have been carried out.

The verification report and signed statement should be submitted to and approved in writing of the Local Planning Authority and the Local Planning Authority must be given at least two weeks written notification of commencement of any remediation scheme works.

Long Term Monitoring and Maintenance

If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in the scheme approved pursuant to step (ii) above, until all the remediation objectives in that scheme have been achieved.

All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

POLICY- West Wiltshire District Plan - 1st Alteration Policy 37 - Contaminated Land

- 4 No development shall commence on site until sample materials for the external surfaces to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

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

- 5 Notwithstanding the details enshrined within the landscape master plan, no development of the car park shall commence on site until an extended scheme of hard and soft landscaping has been submitted**

to and approved in writing by the Local Planning Authority, the details of which shall include:-

1. increased screen planting along the northern car park boundary (to be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428) with a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
2. full details of all retained trees and hedgerows, together with measures for their protection in the course of development;
3. confirmed surfacing material(s) for the car park and the extended GFS site;
4. any minor artefacts and structures (e.g. external furniture, refuse and other storage units, signs, lighting columns etc);
5. proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
6. all retained historic landscape features and proposed restoration, where relevant.

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

POLICY: West Wiltshire District Plan 1st Alteration 2004 - **POLICY:** C31a and C32

- 6 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C32

- 7 No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or

lopping approval shall be carried out in accordance British Standard 3998: 2010 'Tree Work - Recommendations' or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

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

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

[In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later].

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

8 No development shall commence on site until a Construction Environment Management Plan (CEMP) has been submitted to and approved by the local planning authority which shall detail the exact measures that will be undertaken throughout the construction period to:

- a) protect features of ecological interest including Dawes Pond, ditches and hedgerows;
- b) control risks arising from earthmoving activities, demolition, lighting, introducing invasive species, and other construction works;
- c) protecting species which may be affected by the works either directly or indirectly e.g. breeding birds, great crested newts, water voles, otters, bats, reptiles, dormice and badgers.

The approved plan shall thereafter be adhered to throughout the construction period.

REASON: In ensure that all ecological and biodiversity interests are fully taken into account and protected during and after the construction stages.

9 No development shall commence on site until an Ecological Mitigation and Management Plan has been submitted to the local planning authority for its written approval to cover the following:

- a) a location map illustrating all ecological enhancement works (including habitat creation and sensitive management) in line with the Ecological Appraisal and Protected Species Report (produced by 'Engain' dated June 2013) and including new ponds and ditches, the management of hedges, bird and bat boxes, native tree and hedgerow planting, creation of species rich grassland and marginal wetland planting;
- b) confirmation of when and how the measures will be put in place; and
- c) a 5 year habitat management plan for the site.

The development shall be carried out in accordance with the approved plan and any timetable within it.

REASON: In ensure that all ecological and biodiversity interests are fully taken into account and protected during and after the construction stages.

POLICY: The National Planning Policy Framework and specifically paragraphs 109, 118 and 125.

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

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

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C35 and C38

- 11** No development shall commence on site (including any works of demolition), until a Construction Method statement, which shall include the following:
- a) The parking of vehicles of site operatives and visitors;
 - b) Loading and unloading of plant materials;
 - c) Storage of plant and materials used in constructing the development;
 - d) The erection and maintenance of security hoarding;
 - e) Wheel washing facilities;
 - f) Measures to control the emission of dust and dirt during construction;

- g) A scheme for recycling / disposing of waste resulting from demolition and construction works;**
- h) Hours of construction, including deliveries.**
- i) Routing of construction traffic.**

has been submitted to, and approved in writing by, the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detrimental to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

- 12 The development hereby approved shall not be brought into use until details of the Car Park Management Plan has been approved in writing by the Local Planning Authority following consultation with the parish council. Such a Plan should detail to operations, user availability, times of use, including any restrictions, lighting and security. The car park shall be managed in accordance with any approved plan at all times thereafter unless agreed in writing by the Local Planning Authority.**

REASON: In the interests of good planning and to define the use and function of the car park at various times of the week.

- 13 No development shall commence until full construction details of the proposed kerb line adjustment, footway improvements, and new signage have been submitted to and approved in writing by the Local Planning Authority. The kerb line and footway improvements shall be constructed in accordance with the approved details prior to the first use of the development.**

REASON: In the interests of highway safety.

- 14 No part of the development hereby approved shall be first occupied until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.**

REASON: In the interests of road safety and reducing vehicular traffic to the development.

- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), the site shall be used solely for purposes within Class B1 (with ancillary cafe premises) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment)(England) Order 2005 (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).**

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use, other than a use within the same use class, having regard to the circumstances of the case.

POLICY: West Wiltshire District Plan 1st Alteration 2004 - C1, C17, C41a, H17 and the NPPF

- 16 Notwithstanding any permitted development rights, no additional buildings, structures, gates, walls, fences or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans unless otherwise submitted and approved under a separate application.**

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

- 17 No development shall commence on site until details showing ventilation and extraction equipment within the site (including details of its position, appearance and details of measures to prevent noise emissions) have been submitted to and approved in writing by the Local Planning Authority. The ventilation/extraction equipment shall be installed prior to the building/extension hereby approved is first occupied and shall thereafter be maintained in accordance with the approved details.**

REASON: In the interests of the amenities of the area.

- 18 No development shall commence on site until details of the storage of refuse, including....details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the approved refuse storage has been completed and made available for use in accordance with the approved details and it shall be subsequently maintained in accordance with the approved details thereafter.**

REASON: In the interests of public health and safety.

Informative(s):

- 1 The applicant/developer is advised to contact Wessex Water to agree connections to their infrastructure prior to any commencement of works on site.**
- 2 Pumps used for pumping out water from excavations should be sited well away from watercourses and surrounded by absorbent material to contain oil spillages and leaks. Discharge of silty or discoloured water from excavations should be irrigated over grassland or passed via a settlement lagoon so that gross solids are removed. The Environment Agency must be advised if a discharge to a watercourse is proposed. Storage of fuels for machines and pumps should be well away from any watercourses. Tanks should be bunded or surrounded by oil absorbent material (regularly replaced when contaminated) to control spillage and leakage.**

92 **13/01891/FUL: Honeywell Farm, Silver Street Lane, Brokerswood, Westbury, BA13 4EY**

Public Participation

Mr Eric Davis, agent, spoke in support of the application.

The Area Development Manager introduced a report which recommended that planning permission be refused. Key issues were stated to include whether the proposals were in accordance with policies on the provision of tourist accommodation outside of town of village policy limits.

Members of the Committee then had the opportunity to ask technical questions of the officer.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Horace Prickett, then spoke in support of the application.

A debate followed, where the impact of the proposed dwellings to replace the existing garage was assessed, along with any precedent from building outside the village policy limits.

After debate, it was,

Resolved:

That planning permission be REFUSED for the following reasons:

- 1) The proposed creation of a new building for holiday accommodation would result in unwarranted development encroaching into and harmful to the character and appearance of the open countryside. No**

exceptional circumstances have been presented which would outweigh the harm associated with the development. The proposals are therefore contrary to policies C1 and TO3 of the West Wiltshire District Plan 1st Alteration (2004) and the emerging Wiltshire Core Strategy and would set an undesirable precedent for future similar development in the countryside that cumulatively would have a significant adverse impact on the character and appearance of the landscape.

- 2) The proposal, located outside of village policy limits, is contrary to the National Planning Policy Framework (Section 4 paras 29, 30 & 37) and the emerging Core Strategy for Wiltshire (Policy 60), which seek to reduce the need to travel, influence the rate of traffic growth and reduce the environmental impact of traffic overall in support of sustainable development.**

93 13/01573/FUL: Land East of 14 Farleigh Rise, Monkton Farleigh, Bradford on Avon, BA15 2QP

Public Participation

Mr James Collin spoke in support of the application.

Mrs Margaret Field spoke in support of the application.

Mrs Helen Dewick, applicant spoke in support of the application.

The Area Development Manager presented a report which recommended that planning permission be refused. Key issues were stated to include the principle of development within the Green Belt and Area of Outstanding Natural Beauty (AONB), the impact upon the Highway and design issues.

Members of the Committee then had the opportunity to ask technical questions of the officer, where details were sought on the building materials for the proposed Cattery.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Trevor Carbin, then spoke in support of the application.

A debate followed, where the sustainability of the proposal was raised, along with the impact upon highways and neighbouring area, and the former use of the site for long-term material storage and the impact that had had on the Green Belt was noted.

After debate, it was,

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) No development shall commence on site until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority. The landscaping shall be carried out in the first planting and seeding season following the bringing into use of the building or the completion of the development, whichever is the sooner within that particular phase; 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.

REASON:

To ensure a satisfactory landscaped setting for the development.

- 3) No development shall commence until details of the proposed means of disposal of the waste arising from the use of the site as a cattery have been submitted to and approved in writing by the local planning authority. The waste shall be disposed of in accordance with the approved details.

REASON:

In the interests of amenity

- 4) The building shall be used solely for the purposes of a cattery and for no other purpose without the prior grant of planning permission from the local planning authority. If the building ceases to be used as a cattery, it shall be demolished and the resulting materials removed from the site within six months of its use ceasing.

REASON:

The site lies within the Green Belt where new buildings are not normally permitted. However, an exception has been made in this case because of the economic benefits of the new cattery. If this use were to cease, the economic justification would no longer exist and the openness of the green belt should be restored.

- 5) The car parking area and access shall be completed in accordance with the approved plans, including hardsurfacing, before the cattery is first brought into use, and shall thereafter be retained for these purposes.

REASON:

To ensure the satisfactory provision of off-street parking and access to serve the proposed site, in the interests of road safety and amenity.

- 6) This permission relates to the submitted plans, including the car parking and access layout; floorplan of proposed cattery; block plan and elevations; and Figure 1 showing the site outlined in red.

REASON:

To define the permission in the interests of clarity.

94 **13/01823/FUL: The Lodge, 6 Westwood Road, Trowbridge, BA14 9BR**

Public Participation

Mr Mark Willis, agent, spoke in support of the application.

The Area Development Manager presented a report which recommended the application be refused permission. Key issues were stated to include the impact upon neighbouring amenity and the Green Belt.

Members of the Committee then had the opportunity to ask technical questions of the officer.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Helen Osborn, then detailed the local issues and how she had called in the application to permit the applicant the chance to speak to the Committee directly.

A debate followed, where the scale of previously granted extensions was raised, along with the impact from additional expansion and its location within the Green Belt.

After discussion, it was,

Resolved:

That planning permission be REFUSED for the following reason:

The proposed extensions, particularly those to the first floor, represent a disproportionate addition when compared to the size of the original building. Having regard to Section 9 Paragraphs 87 and 89 of the National Planning Policy Framework the proposal results in inappropriate development within the Green Belt which is by definition harmful and in conflict with national planning policy.

95 **13/02371/FUL: 57 Damask Way, Warminster, BA12 9PP**

The Area Development Manager introduced a report which recommended permission be granted. Key issues were stated to include the impact on neighbour amenity, design and highways considerations.

Members of the Committee then had the opportunity to ask technical questions of the officer.

Due to a medical emergency among a member of the public in attendance, the meeting was then closed at 2220 prior to determination of the application.

96 **Urgent Items**

(Duration of meeting: 6.00 - 10.20 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

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