

## NORTHERN AREA PLANNING COMMITTEE

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### DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 8 OCTOBER 2014 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

#### Present:

Cllr Chuck Berry (Substitute), Cllr Mollie Groom, Cllr Chris Hurst, Cllr Peter Hutton (Vice-Chair), Cllr Jacqui Lay (Substitute), Cllr Howard Marshall, Cllr Mark Packard, Cllr Toby Sturgis, Cllr Tony Trotman (Chairman) and Cllr Philip Whalley

#### Also Present:

Cllr Alan MacRae and Cllr Dick Tonge

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#### 110 Apologies

The Chairman began the meeting by welcoming planning officers from the Hammerfest municipality in Norway attending the meeting as part of a study programme.

The change to the status of item 6a on the agenda 14/03084/FUL was explained. Members were advised that, following correspondence from the Secretary of State's office, Wiltshire Council would be unable to issue an approval notice to the applicant if conditions were to be agreed at the meeting. The Committee's decision would be a resolution and would assist the Secretary of State in deciding whether to call-in the application, and the Committee had been recommended to proceed to consider the conditions.

Apologies for absence were received from Cllr Christine Crisp who was substituted by Cllr Jacqui Lay, Cllr Sheila Parker who was substituted by Cllr Chuck Berry, and Cllr Simon Killane and his substitute Cllr Terry Chivers.

#### 111 Minutes of the Previous Meeting

The Chairman explained an amendment to the minutes of the 17 September 2014 meeting to omit the reference to 'Paragraphs 5 and 27 of the Planning practice guidance for renewable and low carbon energy' and replace this with a reference to 'Paragraph 13 of National Planning Practice Guidance section

'Renewable and low carbon energy", it was explained that the change was not substantive and had already been made in the printed minutes.

Mr Robert Reed spoke against the accuracy of the minutes of the last meeting and, in particular, commented that the reference to Paragraph 13 of the National Planning Practice Guidance section 'Renewable and low carbon energy', did not replicate the previous reference to Paragraph 5 and suggested a new reference was needed to cover this.

The minutes of the meeting held on 17 September were presented to the Committee.

**Resolved:**

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

112 **Declarations of Interest**

Cllr Peter Hutton declared himself Portfolio Holder for Public Protection and confirmed had no dealing with the application number 14/06727/FUL under consideration on item 7b of the agenda. The councillor declared he would participate in debate and vote on the item with an open mind.

113 **Chairman's Announcements**

There were no Chairman's announcements.

114 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

115 **Planning Conditions**

116 **14/03084/FUL- Land East of Manor Farm, Wadswick, Box, Corsham, Wiltshire, SN13 8JB - Draft Conditions**

Mr Charles Todd raised concerns over the procedure which determined the application at the last meeting.

Mrs Pauline Reed and Mrs Anne Henshaw spoke in objection to the planning conditions.

Mr Tim Barton spoke in support of the suggested conditions.

The suggested conditions for the application were noted by the planning officer to be those in the report for consideration by the Committee.

The Committee then had the opportunity to ask technical questions of the officer and it was confirmed that the summary of the previous meeting's resolution on the application was the same as in the printed minutes.

Members of the public then addressed the Committee as detailed above.

Following statements from the public, the planning officer confirmed that he felt condition 11 was suitable to overcome concerns and a condition on lighting had been included to help determine whether lighting would be appropriate to the location. The officer advised that the Landscape and Ecological Management Plan would ensure management of screening and that plans submitted to the Council were public documents.

The Chairman explained the site visit previously undertaken had examined the site thoroughly.

The local member, Cllr Dick Tonge expressed disappointment that there had been no debate on the public's statements in relation to the minutes of the last meeting.

In the debate that followed, members considered the timing of Miscanthus planting, the definition of 'first use' in condition 5 and items considered under the Landscape and Ecological Management Plan. Members suggested that, if conditions were to be approved and planning permission be granted, the applicant should do all he could to relieve the concerns of local residents. It was agreed that 'first use' should reflect the first production of electricity and that the local authority would be informed when this started.

An amendment to a motion to approve the conditions was agreed, it was moved to approve conditions with an amendment to condition 5 to read:

*The Miscanthus 'elephant grass' planting detailed in the approved details shall be planted prior to the first production of electricity of the development hereby permitted. The Miscanthus shall be left to grow to a height of at least 2.5m, after which a band at least 10m thick shall be maintained at all times across the full span of the indicated strip at a height of at least 2.5m, until such time as the apparatus is removed from the site and the land restored to its previous condition. If for any reason during the operational life of the development the Miscanthus should die, be removed or become seriously damaged or diseased, it shall be replaced in the next planting season with a similar species. And within 6 months of first production of electricity the Local Planning Authority shall be informed in writing.*

**Resolved:**

**To APPROVE the following conditions for the application:**

- 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 full details of the materials to be used for the external walls and roofs of buildings 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.**

- 3. No development shall commence on site until details of a suitable scheme of refurbishment and maintenance of the southern boundary wall between the site and Wadswick Lane and the maintenance of the central dividing wall between the two fields subject of the application has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first use of the development hereby permitted and maintained throughout in accordance with a suitable timescale, as agreed through that scheme.**

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

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

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

- 5. The Miscanthus 'elephant grass' planting detailed in the approved details shall be planted prior to the first production of electricity of the development hereby permitted. The Miscanthus shall be left to grow to a height of at least 2.5m, after which a band at least 10m thick shall be maintained at all times across the full span of the indicated strip at a height of at least 2.5m, until such time as the apparatus is removed from the site and the land restored to its previous condition. If for any reason during the operational life of the development the Miscanthus should die, be removed or become seriously damaged or diseased, it shall be replaced in the next planting season with a similar species. And within 6 months of first production of electricity the Local Planning Authority shall be informed in writing.**

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

- 6. Access to the site during construction, servicing and decommissioning of the development hereby approved shall be only via the existing entrance to the Manor Farm complex from Bradford Road, unless otherwise agreed in writing in advance by the Planning Authority, This access shall be maintained for this purpose between the date of commencement and the date on which the land is restored to its former condition after decommissioning. No construction, servicing or decommissioning traffic shall access the site from Wadswick Lane.**

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

- 7. The development hereby permitted shall not be first brought into use until the proposed field gates, stiles, permissive bridleway and permissive footpath have been provided in full, in accordance with the approved details. These elements shall be maintained free of obstruction and in serviceable condition thereafter, until such time as the facility is decommissioned and the land restored to its former condition.**

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

- 8. No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site between the times of substantial completion of development and commencement of decommissioning, unless otherwise agreed in writing in advance by the Planning Authority.**

**REASON:** In the interests of the appearance of the site and the amenities of the area.

9. 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 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.

10. Prior to commencement of development, a Landscape and Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include the following elements:

- Protection of existing trees and shrubs
- Establishment of hedgerows, trees and shrubs to be planted
- Establishment / restoration of grassland habitats
- Long-term management of all hedgerows and restored / created grassland
- Features to be installed for the benefits of protected / BAP fauna
- Ecological monitoring to inform future management at the site

The development shall be carried out in accordance with the agreed Landscape and Ecological Management Plan and the site managed in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

**REASON:** To protect and enhance biodiversity at the site

11. Within six months of the date 25 years after first use of the development or the date on which the facility permanently ceases to be operational, whichever is the sooner, all apparatus, buildings, hard standing and fencing shall be permanently removed from the site and the land restored to its former condition.

**REASON:** In the interests of preserving the long-term character and appearance of the site and its setting.

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

**BH120283W-001 – Solarpanel Detail**  
**BH120283W-004 – LV Transformer Station**  
**BH120283W-005 - DNO Substation/Private Switchgear**  
**BH120283W-006 – CCTV Pole**  
**BH120283W-007 – Protective Deer Fence**  
**Received 17 March 2014**  
**B.0283\_15-B – Site Location and Land Ownership Plan**  
**B.0283\_05-N – Block Plan – Site Layout**  
**B.0283\_20-C – Planting Proposals**  
**B.0283\_24-A – Gates and Stiles**  
**Received 28 July 2014**

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

117 **Planning Applications**

118 **14/06226/FUL & 14/06422/LBC Green Barn, Nettleton, Chippenham, Wiltshire, SN14 7NT**

Mr G Cheetham and Mr Hamilton spoke in support of the application.

David Pearce, Nettleton Parish Council, spoke in support of the application.

The officer introduced the report which recommended that planning permission and listed building consent be refused. Aerial photographs of the site were shown, it was confirmed that this was a Grade 2 listed building, the residential curtilage of the site was explained and it was shown there were prominent views onto the site. The history of the application was explained as were the differences to a previous application considered by the Committee, and images simulating the proposed development were projected.

There were no technical questions.

Members of the public then addressed the Committee as detailed above.

Cllr Toby Sturgis spoke on behalf of the local member Cllr Jane Scott, explaining she had called-in the application due to parish council support.

In the debate that followed some members felt the extension was modest and would not detract from the original building, however other members expressed

support for the officer's reasons for refusal and felt the extension would damage the feel of the traditional farmstead.

**Resolved:**

**To REFUSE planning permission for the following reason:**

**The proposed development, by reason of its siting, scale, massing, design and materials, will adversely affect the character and appearance of the listed building and its setting. The proposal is therefore contrary to Policies C3, HE4 and H8 of the adopted North Wiltshire Local Plan and Section 12 of the National Planning Policy Framework.**

**To REFUSE listed building consent for the following reason:**

**The proposed works, by reason of their siting, scale, massing, design and materials, fail to conserve or enhance the listed building or its setting, and are not otherwise justified by any wider benefit. The proposal is therefore contrary to Paragraphs 16(2) and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 12 of the National Planning Policy Framework.**

119 **14/06727/FUL Units 2 & 3, Abacus House, Newlands Road, Corsham, SN13 0BH**

Mr Fergus Sykes spoke in support of the application.

The officer introduced the report which recommended that planning permission be granted to change the use of Units 2 and 3 Abacus House from A1 (Retail) and A2 (Financial & Professional Services) to A5 (Hot Food Takeaway) including the installation of a replacement shop front and installation of extraction/ventilation equipment subject to conditions, as amended by the agenda supplement.

Photographs of the building and plans for extractor flues were shown to the Committee. It was explained that existing retail units would be used and so the building would not be increasing in size. The officer commented that retail activity in the town centre was not expected to be harmed by the development and that activity could benefit by filling a vacant unit. Plans showing car parking near to the units were presented.

There were no technical questions.

Members of the public then addressed the Committee as detailed above.



The local member Cllr Alan MacRae spoke in objection to the application and expressed disappointment at the earlier meeting time of the Committee.

In the debate that followed some members raised concerns that staff and customers may park outside the shop located on a busy junction, and that this could cause pedestrian safety issues. However, it was noted that the change of use would fill a vacant shop and that there was ample car parking nearby. The Committee agreed that problems of littering could be mitigated by adding an informative to the applicant to help minimize litter.

**Resolved:**

**To GRANT planning permission for a change the use of Units 2 and 3 Abacus House from A1 (Retail) and A2 (Financial & Professional Services) to A5 (Hot Food Takeaway) including the installation of a replacement shop front and installation of extraction/ventilation equipment 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. There shall be no customers/members of the public on the site outside the hours of 23:00 in the evening and 11:00 in the morning from Mondays to Fridays and between 23:00 in the evening and 11:00 in the morning on Saturdays, Sundays and Bank or Public 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.**

- 3. The development hereby permitted shall be carried out in accordance with the following approved plans: DB111-EX-01; DB111-EX-02; DB111-GA-03; DB111-EI-04; and DB111-LP08, received and date stamped by the LPA on the 17 July 2014; and 'Planning Design and Access Statement'; and 'Supporting Annex B Document for Proposed Ventilation System', received and date stamped by the LPA on the 10 July 2014.**

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

- 4. Any plant shall not exceed a rating level of 40dB during daytime (7am to 11pm) nor a rating level of 30dB at night (11pm to 7am),**

when measured at 1 metre from the nearest residential dwelling's window.

**REASON:** In the interests of the amenities of local residents.

**INFORMATIVE TO APPLICANT:**

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

**INFORMATIVE TO APPLICANT:**

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

**INFORMATIVE TO APPLICANT:**

It is recommended that the applicant regularly and routinely each day check and clear external areas of any litter associated with the business operation hereby permitted in the interests of the character and appearance of the locality and good neighbour relations.

120 **14/03343/FUL, Land at Brynards Hill, Royal Wootton Bassett**

Mr Gallagher spoke on the application.

Mr Richard Pope and Mrs Anne Pope spoke in objection to the application.

Mr Brian Dufty spoke in support of the application.

The officer introduced the report which recommended that that authority be delegated to the Area Development Manager to grant planning permission subject to the signing of a Section 106 Agreement and the conditions listed in the report, as amended by the late observations. The constitution of this hybrid application was explained to the Committee.

Photographs of the site, its proposed layout, and the topography of the land were shown. The Committee was informed that consent for developing the land for employment use already existed however, there had been no take-up by developers for this purpose. The officer drew attention to the late items and noted the Environment Agency had withdrawn objections in relation to surface water draining and that parking concerns had also been addressed. The

Committee heard Oxford University had raised an objection as they understood a road bypass, once suggested for this land, would be halted by the development. The officer confirmed there were no documented proposals to create a bypass.

The Committee then had the opportunity to ask technical questions of the officers and it was confirmed that revisions to the proposed layout of housing addressed concerns over the movement of refuse vehicles. It was explained that the Section 106 agreement specified the need for a management company for the country park. It was confirmed that there was no further land in the area designated for employment in the Core Strategy and that 3 hectares of the country park would be lost from this development and the one to the north.

Members of the public then addressed the Committee as detailed above.

The local member, Cllr Chris Hurst, spoke in objection to the application and expressed the need for Wainhomes to address residents' concerns with developments they had already started.

The planning officer confirmed Network Rail had been consulted and that drainage works were being addressed by Wainhomes.

In the debate that followed members expressed concern that country park land may further be encroached upon and questioned whether Wainhomes had been reliable in fulfilling previous commitments. The sustainability of the development was discussed and it was confirmed that the Section 106 heads of terms covered sustainable transport requirements. Members understood there were no confirmed plans for a bypass to be built on the site but considered that this would be a very useful development to alleviate heavy traffic on other roads.

Whilst the Committee did not consider the application could be refused, it was agreed that the applicant should be discouraged from building on the country park in the future and that a suitable landscape management plan should be in place.

An amendment to a motion to move the planning officer's recommendation, was agreed to include an alteration to Condition WC1 Landscaping to incorporate a requirement to submit and agree a Landscape Management Plan with particular regard to the layout and future management and maintenance of the proposed Country Park; and a further informative to recommend to the Applicant that the Country Park should be provided at the earliest opportunity and alongside the residential development hereby permitted.

**Resolved:**

**To DELEGATE authority to the Area Development Manager to grant planning permission subject to the signing of a Section 106 agreement and the following conditions.**

**1. WA1 FULL PLANNING PERMISSION -COMMENCEMENT 3 YEARS**

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. WA2 OUTLINE PLANNING PERMISSION –COMMENCEMENT**

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.

**3. WA3 APPROVAL OF CERTAIN RESERVED MATTERS**

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 site;
- (e) The means of access to the site.

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

**REASON:** The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 4(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended).

**4. WA4 RESERVED MATTERS TO BE SUBMITTED**

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

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

**5. WB1 SUBSEQUENT APPROVAL OF MATERIALS FOR WALLS & ROOFS**

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.

**6. WB17 DETAILS OF MEANS OF ENCLOSURE**

No development shall commence on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

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

**7. WC1 APPROVAL OF LANDSCAPING BEFORE COMMENCEMENT**

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:

- 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;
- 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);
- tree(s), of a size and species and in a location to be agreed in writing with the Local Planning Authority, shall be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428;
- Landscape Management Plan including provisions for the future management and maintenance arrangements for the Country Park.

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

**8. WC2 LANDSCAPING TO BE CARRIED OUT & MAINTAINED**

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.

**9. WC6 PROTECTION OF RETAINED TREES**

No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until 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 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.

#### **10.WC8 SUBMISSION OF LANDSCAPE MANAGEMENT PLAN**

Pursuant to Condition 7 no development shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

**REASON:** To ensure the proper management of the landscaped areas in the interests of visual amenity.

#### **11.WD1 CONSOLIDATED ACCESS**

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

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

#### **12.WD7 APPROVAL OF LAYOUT BEFORE COMMENCEMENT- OUTLINE**

No development shall commence on site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The development shall not be first occupied until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays,

accesses, carriageway gradients, drive gradients, car parking and street furniture have all been constructed and laid out in accordance with the approved details.

**REASON:** To ensure that the roads are laid out and constructed in a satisfactory manner.

**13.WD8 ROADS/FOOTPATHS ETC TO BASE COURSE BEFORE OCCUPATION**

The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

**REASON:** To ensure that the development is served by an adequate means of access.

**14.** Prior to the first occupation at the site the developer shall provide a scheme of footway / cycleway widening (3m) extending from the Interface Business Park access road onto the southern section Bincknoll Lane towards the 'Swallow Mead' bus stop. Full construction details shall be submitted to and approved in writing by the Local Planning Authority prior to construction taking place. The approved scheme shall be constructed in accordance with the approved details prior to the first occupation at the site and to the satisfaction of the Local Planning Authority.

**REASON:** To ensure that the development is served by an adequate means of access.

**15.WD20**

No part of the dwelling hereby approved shall be first occupied until the parking provision shown on the approved plans (Layout Plan, WAIN/LW/104/01 E) and car parking matrix (WB Parking Matrix Rev A, attached) has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

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

**16.WD7** No development shall commence on site until full construction details of the cycleway / footways across the country park have been submitted to and approved by the Local Planning Authority. The development shall not be first occupied until the cycleway / footways and laid out in accordance with the approved details, unless an alternative timetable is agreed in the approved details.



**REASON:** To ensure that the cycleway/ footways are laid out and constructed in a satisfactory manner.

**17.WD26 TRAVEL PLAN**

No development shall commence on site 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.

**18.WE3 NO ADDITIONS/EXTENSIONS OR EXTERNAL ALTERATIONS**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to any building forming part of the development hereby permitted.

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

**19.WE6 NO GARAGES / OUTBUILDINGS**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

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

**20.WE15 USE OF GARAGE**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or

amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.

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

21.No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority, including any diversions of existing public sewers crossing the site under agreement with Wessex Water. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

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

22.No works shall commence on site until full evaluation of the existing public and S104 drainage systems have been checked for capacity to serve the site and where reinforcement / mitigation works are required these need to be completed before first occupation.

**REASON:** to ensure no increase in downstream property flooding due to this development.

23.No development shall commence on site until a scheme for the discharge of surface water from the site, incorporating sustainable drainage details and enlargement of the Woodshaw storage area pond, has been submitted to and approved in writing by the Local Planning Authority, including any diversions of existing public sewers crossing the site under agreement with Wessex Water. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

24.Prior to the commencement of works on site the excavation and re-profiling works to the Woodshaw Flood Storage Area approved within the Operation and Maintenance (O&M) Strategy (Issue 6 April 2011) under planning application references N/09/00871/OUT and N/10/03055/FUL shall have been completed in full and a condition survey report shall be submitted to the Local Planning Authority. The Woodshaw Flood Storage Area shall be maintained in accordance with the approved O&M Strategy and any subsequently approved surface water drainage details thereafter.

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

**25.No development approved by this permission shall be commenced until a full operation and maintenance strategy for the surface water drainage scheme has been submitted to and formally approved in writing by the Local Planning Authority. The strategy shall identify all future land use limitations, identify the ownership, operational and maintenance arrangements for the works over the lifetime of the scheme.**

**REASON: To ensure that the works provide the necessary mitigation against flooding for the lifetime of the existing and proposed development, in accordance with current planning guidance.**

**26.No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.**

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

**27.No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.**

**REASON: To prevent pollution of the water environment**

**28.No Development hereby approved shall commence until a topographic survey and report of the post re-profiling works confirming the additional storage capacity has been submitted to and approved by the Local Planning Authority.**

**REASON: To prevent pollution of the water environment**

**29.WG4 DISPOSAL OF SEWERAGE –IMPLEMENTED**

**The development hereby permitted shall not be occupied until the approved sewage disposal and drainage works proposed have been completed in accordance with the submitted and approved details.**

**REASON: To ensure that the development is provided with a satisfactory means of drainage.**

**30.WH9 ECOLOGICAL ASSESSMENT (IMPLEMENTATION)**

**Prior to the commencement of development the applicant shall submit to the Local Planning Authority a monitoring report**

including a condition survey of all areas identified in the approved Ecological Management Plans for the site (Tyler Grange, 2011, ReportRef:1171\_2010\_02c\_JSA\_RW and 1171\_2010\_03c\_JSA\_RW) and the management operations undertaken to date in accordance with the approved management prescriptions of the EMP. Prior to the commencement of development all areas identified in the approved Ecological Management Plans for the site (Tyler Grange, 2011, Report Ref: 1171\_2010\_02c\_JSA\_RW and 1171\_2010\_03c\_JSA\_RW) shall be managed in accordance with the approved management prescriptions, thereafter all areas identified in the approved Ecological Management Plans for the site (Tyler Grange, 2011, Report Ref: 1171\_2010\_02c\_JSA\_RW and 1171\_2010\_03c\_JSA\_RW) shall be managed in accordance with the approved management prescriptions in perpetuity unless otherwise agreed in writing with the local planning authority. Thereafter all monitoring shall be carried out in accordance with the approved monitoring prescriptions and monitoring reports shall be submitted in writing to the local planning authority.

**REASON:** To mitigate against the loss of existing biodiversity and nature habitats

31. Each unit of the residential home hereby permitted shall be occupied only by:
- persons of state pensionable age; or
  - persons living as part of a single household with such a person or persons; or
  - persons who were living as part of a single household with such a person or persons who have since died.

**REASON:** The units of the residential home/sheltered accommodation have been designed for occupation by persons who satisfy the above criteria and are unsuitable for family housing.

32. Each unit of the age restricted dwellings hereby permitted shall be occupied only by:
- persons of age 55 years +; or
  - persons living as part of a single household with such a person or persons; or
  - persons who were living as part of a single household with such a person or persons who have since died.

**REASON:** The units of the residential home/sheltered accommodation have been designed for occupation by persons who satisfy the above criteria and are unsuitable for family housing.

### **33. WM4 CONSTRUCTION METHOD STATEMENT**

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

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- 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; and
- h) measures for the protection of the natural environment;
- i) hours of construction, including deliveries; has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

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

#### **34.WM13 APPROVED PLANS**

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

Layout Plan, WAIN/LW/104/01 E  
Reprofiling Works 0162-EWK/001 Rev B  
WB House Types A1 Plots 17 – 21  
WB House Types A1 Plots 22 – 26  
WB House Types A1 Plots 27 – 31  
WB House Types A1 Plots 32 – 37  
WB House Types A1 Plots 38 – 42  
WB House Types A3 Plot 49  
WB House Types A3 Plot 14 – 15  
WB House Types A1 Plots 4 – 8  
WB House Types A1 Plots 10 – 13  
WB House Types A1 Plots 43 – 48  
WB House Types A3 Plots 1  
WB House Types A3 Plots 2 and 52  
WB House Types A3 Plots 3  
WB House Types A3 Plots 9 and 16

**Wain Garages 2014 A3 Plans**  
**WB House Types A Plots 53 – 55**  
**WB House Types A1 Plot 59 – 63**  
**WB House Types A1 Plots 65 – 68**  
**WB House Types A2 Plots 56 – 58**  
**WB House Types A3 Plots 50 – 51**  
**WB House Types A3 Plot 64**  
**WB Parking Matrix REV A**  
**Tracking Layout 0162-ATR-001 REV C**  
**Preliminary Highway Layout 0162-PHL-001-C**  
**WAIN19060-3C**  
**0162/PHL/102 REV A**  
**0162/PHL/101 REV B**  
**0162/PDL/001 REV E**  
**WAIN/LW/104/107 REV C**  
**WAIN/19060 13**  
**WAIN 19060 14**  
**WAIN 19060 15**  
**WAIN 19060 16**  
**0162 XS/001 REV A**

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

**WP1. REFERENCE TO LETTER ATTACHED TO DECISION- INFORMATIVE TO APPLICANT**

The attention of the applicant is drawn to the contents of the attached letter from Wiltshire Fire & Rescue Service Dated 16/4/2014 and Wessex Water Dated 22/08/2014.

**WP6 ALTERATIONS TO APPROVED PLANS- INFORMATIVE TO APPLICANT**

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

**WP13 PUBLIC SEWERS- INFORMATIVE TO APPLICANT**

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question. Any alterations to the approved plans, brought about by the need to secure easements for Wessex Water Facilities must first be agreed in writing with the Local Planning Authority before commencement of work.

**P18 PERMISSION NOT AUTHORISING WORK ON LAND OUTSIDE THE APPLICANT'S CONTROL & PARTY WALL ACT- INFORMATIVE TO APPLICANT**

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

**INFORMATIVE TO APPLICANT:**

The developer should note that as part of the Section 38 Agreement, Highways Act 1980, that a clause related to waiting restrictions will be required. In the event that car parking occurs that causes obstruction to the refuse vehicles and others vehicles the applicant will be required to cover all costs associated with the provision of a scheme of waiting restrictions on the highway. Please note that condition 14 will require a Section 278 Agreement, Highways Act 1980, in order that the works can be carried out.

**INFORMATIVE TO APPLICANT:**

Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

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

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines.

**INFORMATIVE TO APPLICANT:**

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 105 litres per person per day.

**INFORMATIVE TO APPLICANT:**

**Under the terms of the Water Resources Act 1991 and the Land Drainage Bylaws, the prior written Flood Defence Consent of the Environment Agency is required for any proposed permanent or temporary works or structures in, under, over or within 8 metres of the top of the bank of the Hancock's Water, designated a 'main river'. The need for Flood Defence Consent is over and above the need for planning permission. To discuss the scope of our controls and to obtain an application form please contact Daniel Griffin on 01278 483421.**

**INFORMATIVE TO APPLICANT:**

**The Applicant is advised that Wiltshire Council recommends that the Country Park hereby approved should be laid out and provided at the earliest opportunity and to coincide with the construction and completion of the Residential development hereby approved.**

121 **Urgent Items**

There were no urgent items.

(Duration of meeting: 15:00- 18:04)

The Officer who has produced these minutes is Libby Beale, of Democratic Services, direct line 01225 718214, e-mail [elizabeth.beale@wiltshire.gov.uk](mailto:elizabeth.beale@wiltshire.gov.uk)

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