

## EASTERN AREA PLANNING COMMITTEE

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### DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 20 NOVEMBER 2014 IN THE WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.

#### Present:

Cllr Charles Howard (Chairman), Cllr Mark Connolly (Vice Chairman), Cllr Paul Oatway, Cllr Jerry Kunkler, Cllr Peter Evans, Cllr Nick Fogg MBE, Cllr Stewart Dobson and Cllr Christopher Williams (Substitute)

#### Also Present:

Cllr Jemima Milton

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#### 52. **Apologies for Absence**

Apologies were received from Cllr Richard Gamble.

Cllr Gamble was substituted by Cllr Christopher Williams.

#### 53. **Minutes of the Previous Meeting**

The minutes of the meeting held on 28 August 2014 were presented for consideration, and it was,

#### **Resolved**

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

#### 54. **Declarations of Interest**

Cllr Stewart Dobson declared a non-pecuniary interest in item 7, as he was the objector to the application. For this item Cllr Dobson withdrew from the Committee and spoke as a member of the public.

#### 55. **Chairman's Announcements**

There were no announcements.

#### 56. **Public Participation and Councillors' Questions**

The rules on public participation were noted. There were no questions or statements submitted.

57. **Planning Appeals**

There were no planning appeals.

58. **Wiltshire Council Borough of Marlborough Path No. 26 (Part) Stopping up Order and Definitive Map Modification Order 2014**

Public participation

Cllr Stewart Dobson spoke in objection to the order.

Mr Alex Deane spoke in support of the order.

The Rights of Way Officer introduced the application which recommended the Order be submitted to the Secretary of State for Environment, Food and Rural Affairs for determination and that Wiltshire Council supports the Order.

There were no late items.

Members of the Committee then had the opportunity to ask technical questions of the officer. Questions were asked on the history of where the path crosses the river Kennet. It was stated that there were no records of the path on Ordinance Survey maps ever being a ford.

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

A debate followed where the heritage and usage of the pathway in its current state was discussed. It was noted that the path runs through the river Kennet. It was stated that the renovation of a grade II listed building was being delayed as long as the order was not being implemented.

At the conclusion of debate it was,

**Resolved**

**That Wiltshire Council makes an order under s.257 of the Town and Country Planning Act 1990 and s.53 of the Wildlife and Countryside Act 1981 to extinguish part of Marlborough path no. 26 at Bridge Garage and if after due advertisement no objections or representations are received the Order be confirmed and the definitive map and statement altered accordingly.**

## 59. Planning Applications

### **59.1 14/06522/FUL Ludgershall Garden Centre, Granby Gardens, 25 Astor Crescent, Ludgershall, SP11 9RG**

#### Public participation

Adele Martin spoke in opposition to the application.

Mark Sanderson spoke in opposition to the application.

David Gollings spoke in objection to the application.

Steve Carrington spoke in support of the application.

Anna Greenwood spoke in support of the application.

The Planning Officer introduced the application which was recommended to be delegated to the Area Development Manager to approve subject to the signing of a Section 106 legal agreement and conditions. Key issues were stated to include: whether the site can accommodate up to 181 dwellings, together with the necessary car parking, public open space and strategic landscaping, and access.

Late correspondence had been received from the Environment Agency and the Council Ecologist.

Members of the Committee then had the opportunity to ask technical questions of the officer. Clarification was sought on the percentage of affordable housing, it was explained that 30% had been reached as a viable percentage after much negotiation. It was asked why highways had objected to item 8b but not 8a. It was explained that it had been considered that there was an upper limit of how many dwellings could be reasonably accommodated on the site and that this point had been reached in the second application. It was also asked why there were not appeals for both applications for non-determination at Ludgershall Garden Centre, this was said to be up to the discretion of the applicant.

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

It was explained that with regards to the number of houses, that the density was not too high. Simmonds Road was explained as being the best route into the site, and highways were noted as being content subject to the conditions. A substantive contribution was said as being given towards education as a part of the application's conditions.

A debate followed where the issue of making sure motorists adhere to speed limits in the area was discussed. It was asked whether there should be measures in place to make sure that working and development only takes place during weekdays. Concerns were raised over the width of the roads and access. The location of the car parking bays in relation to the village green were discussed. It was asked if some kind of fencing should be placed around to protect children playing on the village green from traffic accidents. The effect of

181 extra houses on the infrastructure of services in the neighbourhood was debated.

At the conclusion of debate it was,

**Resolved**

**To delegate to the Area Development Manager to approve subject to the signing of a Section 106 legal agreement in respect of the following –**

**Affordable Housing - 30% contribution**

**Highways – A planning obligation to secure a contribution of £100,555 (£250k / 450) x 181 ) time limited to 10 years, index linked for, congestion relief in Ludgershall.**

**Education - Financial contribution of £1,340,000 towards improvements to existing education**

**infrastructure, in accordance with policy HC37 of the Kennet Local Plan 2011.**

**Children's Recreation - Installation of play equipment and a trim trail (and commuted payments for maintenance if the applicants want to offer the equipment to the Council for adoption).**

**Adult Recreation – Off-site contribution of £72,599.00 towards pitch provision, in accordance with policy HC34 of the Kennet Local Plan 2011.**

**Social and Community Infrastructure - £100,000 towards Memorial Hall roof repairs, in accordance with policy HC42 of the Kennet Local Plan 2011 and the planning brief.**

**Ecology - £19,877.42 towards the Stone Curlew Project within the Special Protection Area for Birds, to mitigate for the impact of increased use of Salisbury Plain for recreational activity by residents of the development.**

**S106 Monitoring Fee – £3,000**

**and 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 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.**

**3) 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.**

**4) No development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details. REASON: In the interests of visual amenity.**

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

**Proposed Site Plan – 11.026.128 rev.B**

**HA Allocation Plan – 11.026.129 rev.B**

**Location Plan – 11.026.100**

**House Type A – 11.026.103**

**House Type B – 11.026.104**

**House Type C – 11.026.105**

**House Type Ch – 11.026.106**

**House Type D – 11.026.107**

**House Type E – 11.026.108**

**House Type Eh – 11.026.109**

**House Type F – 11.026.110**

**House Type G – 11.026.111**

**House Type H – 11.026.112**

**House Type I – 11.026.113**

**House Type J – 11.026.114**

**House Type K – 11.026.115**

**House Type L – 11.026.116**

**House Type M – 11.026.117**

**House Type Mh – 11.026.118**

**House Type N – 11.026.119**

**House Type Nh – 11.026.120**

**House Type O – 11.026.121**

**House Type Oh – 11.026.122**

**House Type P – 11.026.123**

**House Type Ph – 11.026.124**

**House Type Q – 11.026.125**

**Existing Street Scenes – 11.026.126**

**Proposed Street Scenes – 11.026.130**

**Garage – 11.026.131**

**Landscape Plans – FOR 19182 11A/12A/13A/14A/15A/16A/17A/18A**

**Topographical Survey – ENC-151112-9M9**

**Tree Protection Plan – J472.07.181**

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

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

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

**7) Prior to occupation of the 50th dwelling the Astor Crescent north footway (between the site entrance and Empress Way) shall be planed off 30mm and resurfaced in accordance with details to be first submitted to and approved by the Local Planning Authority.**

**REASON: In the interests of providing safe and convenient pedestrian access to the development.**

**8) Prior to occupation of the 50th dwelling Astor Crescent north (between the site entrance and Empress Way shall have had its street lighting improved to current residential standards in accordance with details to be first submitted to and approved by the Local Planning Authority.**

**REASON: In the interests of providing safe and convenient access to the development.**

**9) Prior to occupation of any of plot numbers 1 to 25 the access to Astor Crescent including a junction table shall have been laid out and constructed in accordance with details to be first submitted to and approved by the Local Planning Authority.**

**REASON: In the interests of providing safe and convenient access to the development.**

**10) No construction traffic shall use Astor Crescent to access the site at any time.**

**REASON: In the interests of protecting the amenity and environment of residents of Astor Crescent which is considered unsuitable to cater for construction traffic movements.**

**11) Prior to occupation of any dwelling, the access to Simmonds Road shall have been laid out and provided included associated local footway alterations and road markings, in accordance with details to in accordance with details to be first submitted to and approved by the Local Planning Authority.**

**REASON:** In the interests of providing safe and convenient access to the development.

**12) 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.

**13) Prior to the commencement of development a scheme detailing how the buffer strip along the Northern boundary with Lena Close and Queens Close will be managed, shall be submitted to and approved in writing by the local planning authority. Such a scheme shall include details of how those parts of the buffer strip adjacent properties in Lena Close and Queens Close shall be transferred to those properties where they request transfer of the land and how the remaining parts of the buffer strip shall be managed.**

**REASON:** In the interest of maintaining in the long term the buffer strip between the existing residential properties and the new homes.

#### **INFORMATIVE**

**This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the [INSERT].**

#### **INFORMATIVE**

**Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.**

**59.2 14/04684/FUL Ludgershall Garden Centre, Granby Gardens, 25 Astor Crescent, Ludgershall, SP11 9RG**

#### Public participation

Adele Martin spoke in opposition to the application.

Roger Greenwood spoke in opposition to the application.

The Planning Officer introduced the application which had been appealed against non-determination within the statutory timescales, and would not therefore be determined by the Council. However, the Council would be asked for its view on that application and so it recommended that planning permission be refused. Key issues were stated to include: whether the site can accommodate up to 200 something dwellings, together with the necessary car parking, public open space and strategic landscaping, and access.

There were no technical questions from the Committee.

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

A debate followed where the density of the proposal was discussed. The relevance of approving the previous application 14/06522/FUL was also discussed.

At the conclusion of debate it was,

### **Resolved**

**That the Council oppose the appeal and advise the Planning Inspector that it would have refused planning permission for the development for the following reasons -**

**1) In the absence of plans amending the scheme to reflect the highways officers concerns as set out in his consultation response of the 20th August 2014 (and as attached) with regard to parking, internal road widths, service strips turning heads and other internal highway related issues within the estate layout. It is considered that the layout as submitted will lead to an unsafe highway configuration for both vehicular and pedestrian traffic contrary to policy AT1 of the Kennet Local plan.**

**2) In the absence of a suitable legal agreement, a scheme and suitable financial contributions for Education, Affordable Housing, highways contribution for congestion relief, adult and children's recreation, social and community infrastructure and ecology cannot be secured. The proposal would therefore fail to accord with saved policies HC34 and HC42 of the Kennet Local Plan.**

#### **60. 14/05846/FUL - Drummond Park, Ludgershall, SP11 9RT**

##### Public participation

Kim Slow spoke in support of the application.

The Planning Officer introduced the application which recommended the application be delegated to the Area Development Manager to approve subject to the prior completion of a Section 106 legal agreement and conditions. Key issues were stated to include: highway safety, affordable housing provision, public open space provision, and visual and residential amenity.

Members of the Committee then had the opportunity to ask technical questions of the officer. It was asked if there was any flexibility on the 25% affordable housing rate, it was heard that this had been agreed for viability reasons on the outline application. Questions were asked about the roundabout and the lack of



a right hand turn at the Devizes entrance. It was explained that the site could not justify a roundabout but that speed reduction measures and lighting would be funded.

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

A debate followed where the speed limit of 40mph was discussed. It was noted that speed limits could be commented on at a later stage. The state of the derelict site next door was debated, it was stated that they hoped the rest of this site would be demolished soon. The land set aside for a roundabout and the lack of a right hand turn on the A342 was discussed.

At the conclusion of debate it was,

### **Resolved**

**To delegate to the Area Development Manager to approve subject to the prior completion of a Section 106 legal agreement covering the following matters and subject to the conditions set out below:**

#### **Section 106 –**

- 1. Affordable housing – 30% to be affordable;**
- 2. Highway works –**
  - a financial contribution towards future projects to relieve congestion in Ludgershall;**
  - a financial contribution towards bus revenue support for local services;**
  - the submission of a street lighting scheme and a financial contribution towards its provision;**
  - an assurance in perpetuity that land will be set aside at nil cost for any potential link roads and/or potential paths between the application site and adjacent land within Drummond Park and between the application site and the A3026 (whether direct or crossing the railway line or other land), and any land within the site that may be required for a potential roundabout at the junction of the ‘tank road’ and the A342 will be protected at nil cost for this purpose.**
- 3. Education – financial contributions towards to cost of primary and secondary education provision locally;**
- 4. Open space – a financial contribution towards off-site adult/sports pitch provision/improvement in the locality;**
- 5. Ecology – a financial contribution towards the cost of future management and monitoring schemes for the Wessex Stone Curlew project;**
- 6. Community facilities – a financial contribution towards the cost of providing and/or improving existing social and community facilities within Ludgershall;**

7. **Waste collection containers – a financial contribution towards the cost of waste collection containers.**

**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 details of the proposed ground floor slab levels for the dwellings have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.**

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

- 3 **No development shall commence on site until details 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.**

- 4 **No development shall commence on site until details of the proposed Equipped Play Spaces (to comprise a 'play area' of 150sqm and a 'trim trail' of 465sqm) and the Casual Play Spaces (to total 1,469 sq m), and a programme for their provision and completion, shall be submitted to the local planning authority for approval in writing. The details shall include layout plans and drawings/specifications for the equipment to be provided. The Equipped Play Spaces and Casual Play Spaces shall be provided and completed in accordance with the details and programme as agreed.**

**REASON: To accord with the terms of the planning application and to ensure appropriate provision of play space in the interests of amenity.**

- 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) minor artefacts and structures (e.g. furniture, refuse and other storage units, signs, lighting, etc);
- j) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

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

- 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.

- 7 **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 (including any temporary means of enclosure between the site and the former military base) have been submitted to and approved in writing by the Local Planning Authority. The means of enclosure for each dwelling shall be completed in accordance with the approved details prior to the occupation of the dwelling concerned.**

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

- 8 **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.**

- 9 **The development shall be carried out strictly in accordance with the recommendations set out in the 'Extended Phase 1 Habitat Survey and Bat Suitability Assessment - Update' by Seasons Ecology and dated May 2014.**

**REASON: To safeguard ecological interests.**

- 10 **No development shall commence on site until details of measures to safeguard the amenities of future occupants of the development from potential disturbance from employment and future employment developments on the adjoining business park and from the railway line have been submitted to the local planning authority for approval in writing. Development shall be carried out in accordance with the approved details.**

**REASON: The adjoining business park and railway line could cause disturbance to the occupiers of the approved houses unless appropriate design or mitigation measures are applied. This is in the interests of residential amenity.**

- 11 **No development shall commence until full details of how on-site renewable energy will be provided to reduce carbon dioxide emissions from energy use by owners/occupiers of the dwellings**

by 10% 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:** To achieve reductions in carbon dioxide emissions in accordance with the local planning authority's adopted policy.

- 12 No dwelling hereby permitted shall be first occupied until the access, turning area and parking spaces serving that dwelling have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

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

- 13 No development shall commence on site until a scheme for the discharge of surface water from the site, incorporating sustainable drainage principles, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

- 14 No development shall commence until a scheme for the disposal of foul water from the site has been submitted to and approved in writing by the local planning authority. The scheme shall include an options appraisal which will consider the options available and assess impacts of each on the environment and appropriate mitigation measures. No dwelling on any part of the development shall be first occupied until the approved scheme has been fully implemented.

**REASON:** To minimise the risk of pollution to the water environment.

- 15 No development shall commence until a Construction Environmental Management Plan, incorporating pollution management measures, has been submitted to and approved in writing by the local planning authority. The plan shall be implemented as approved throughout the construction period.

**REASON:** To minimise risk of pollution of the water environment.

- 16 No development 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 approved details.

**REASON:** In the interests of sustainable development and the prudent use of natural resources.

- 17 No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

**Step (i)** A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

**Step (ii)** If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment has been carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

**Step (iii)** If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

**REASON:** To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved.

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

**REASON:** To safeguard residential amenity.

- 19 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.

- 20 No dwelling shall be occupied until the parking spaces together with the access thereto have been provided in accordance with the approved plans.**

**REASON:** In the interests of highway safety and the amenity of future occupants.

- 21 No development shall commence within the development site until:**
- 1. A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and**
  - 2. The approved programme of archaeological work has been carried out in accordance with the approved details.**

**REASON:** To enable the recording of any matters of archaeological interest.

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

**All plans set out in the 'Design and Access Statement' by James Armitage Architects & Urban Designers dated 09/06/14 and received by the lpa on 12/06/14; and**

**All drawings listed in the 'Document Issue Register' by James Armitage Architects & Urban Designers dated 30/10/14 and received by the lpa on 31/10/14.**

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

- 23 INFORMATIVE TO APPLICANT:** Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.
- 24 INFORMATIVE TO APPLICANT:** This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated xxxxxxx.

- 25 **INFORMATIVE TO APPLICANT: The applicant is advised to contact Veolia regarding the design of the scheme for the discharge of foul water and how/when it will be implemented. The scheme will likely include a programme for implementation and mechanisms for funding including from the applicant.**

**60.1 14/05847/FUL Manor Farm, West Overton, Marlborough, SN8 4ER**

Public participation

Mr Huw Roberts spoke in opposition to the application.

Mr Martin Roberts spoke in opposition to the application.

Dr Mike Bishop spoke in opposition to the application.

Mr Aaron Smith spoke in support of the application.

Mr Bob Green spoke in support of the application.

Mike Morrissy spoke on behalf of Fyfield and West Overton Parish Council.

The Area Development Manager introduced the application which recommended the application be delegated to the Area Development Manager to approve, subject to conditions and the prior completion of a Section 106 legal agreement. Key issues were stated to include: impact on the visual amenities of the area including the North Wessex Downs Area of Outstanding Natural Beauty; and whether the proposal would preserve or enhance the setting of heritage assets including grade II-listed Manor Farm and the setting of nearby Scheduled Monuments and Avebury World Heritage Site.

Members of the Committee then had the opportunity to ask technical questions of the officer. It was asked whether changes of use to agricultural sites required permission. In explanation it was stated that anyone wanting to redevelop farmyard sites of this nature should come up with proposals after discussing with the community and parish and that planning permission was required for the erection of the buildings themselves, not a change of use only.

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

The local member, Cllr Jemima Milton, then spoke on the application. Cllr Milton expressed thanks to those who had all worked together in order to try and find a solution to the situation. Concerns were expressed by Cllr Milton on the level of provision of affordable housing, drainage for West Overton and the Kennet, and access to the main road (A4).

It was heard that the single lane track was not the only route to the A4 or in and out of the village. The Environment Agency and Thames Water had responded by requiring detailed schemes that needed to be approved and before development could begin and implemented before occupation. In response to questions on affordable housing it was explained that there had been an assessment of the viability of the scheme and that the Housing team had assessed that 20% was viable. It was stated that it was possible to defer and



delegate on this issue to seek to negotiate an increase in the level of on-site provision to 30% within the section 106 agreements.

A debate followed where the issue of foul drainage was discussed. Reassurance was sought that this issue was covered. It was explained that recommended condition 7 was requested by Thames Water and recommended condition 6 was requested by the Environment Agency. These pre-commencement conditions should satisfactorily deal with the matter. The provision of affordable housing was debated. It was suggested that 30% would be a more appropriate rate given the development plan policy and the emerging Wiltshire Core Strategy. It was advised by a councillor that the Community Area Transport Manager would be the appropriate person to approach regarding provision of passing places on the road to the A4.

At the conclusion of debate it was,

### **Resolved**

**To delegate to the Area Development Manager to approve, subject to the conditions set out below, and subject to the prior completion of a Section 106 legal agreement to secure the necessary open space contribution, and to seek to increase the level of provision of affordable housing to 30%, in preference to the educational contribution originally sought.**

- 1. No demolition shall begin until details of a dust management plan have been submitted to and approved in writing by the local planning authority. The plan shall include details of the method for dealing with any materials containing asbestos on the site. The demolition shall be undertaken in accordance with the approved details.**

**REASON: To protect the amenity of nearby residents.**

- 2 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.**

- 3 No development shall commence until:**
  - a written programme of archaeological investigation, which should include on-site and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved in writing by the local planning**

authority; and

- the approved programme of archaeological work has been carried out in accordance with the approved details.

**REASON:** To enable the recording of any matters of archaeological interest.

- 4** No development shall commence on site until details and samples of the materials to be used for the road surfaces, external walls (including free standing walls); roofs; and joinery, and details of the proposed brick bonding to be used, 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 details of the slab levels for the new buildings have been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details.

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

- 6** No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy shall demonstrate the surface water run-off generated up to and including the 1 in 100 with an allowance for climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. Prior to occupation of any dwelling on the site the scheme shall be implemented in accordance with the approved details.

The scheme shall also include details of how the scheme shall be maintained and managed after completion.

**REASON:** To prevent the increased risk of flooding, both on

and off site

- 7** No development shall commence until a drainage strategy detailing any on and off-site works has been submitted to and approved in writing by the local planning authority. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed in accordance with the details set out in that strategy.

**REASON:** To ensure that sufficient capacity is provided to deal with the development, in order to avoid any adverse impact on the amenity of the area.

- 8** Before development is commenced, details shall be submitted to and approved in writing of the proposed location and design of any external bin stores. The stores shall be provided in accordance with the approved details before more than 50% of the dwellings are occupied.

**REASON:** To ensure satisfactory provision of external bin storage, in the interests of the appearance of the area.

- 9** No development shall commence on site until the trees on the site which are shown as being retained have been enclosed by protective fencing, in accordance with British Standard 5837 (2005): Trees in Relation to Construction. Before the fence is erected its type and position shall be approved with the Local Planning Authority and after it has been erected, it shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including raising and or, lowering of ground levels, shall be allowed within the protected areas(s).

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

- 10** The development shall be constructed in strict accordance with the recommendations given in the Ecological Appraisal and Bat Survey, Manor Farm, West Overton, Nr Marlborough, Wiltshire, August 2013, by Lindsay Carrington Ecological Services Ltd.

**REASON:** In order to ensure no adverse effects on

protected species or habitats either within the site or in immediate surrounding areas.

- 11** Before any dwelling is first occupied, the parking spaces and access to them shall be provided in accordance with the approved plans, and shall thereafter be retained for these purposes.

**REASON:** To ensure the provision of adequate parking and access facilities for the dwellings.

- 12** No dwelling shall be first occupied until details of the maintenance arrangements for the private roads within the site, including management responsibilities, has been submitted to and approved in writing by the Local Planning Authority. The arrangements shall thereafter be retained in accordance with the approved details.

**REASON:** To ensure the proper management of the private road areas.

- 13** Before the dwellings are first occupied, the footpath to the front of the site shall be provided.

**REASON:** In the interests of road safety

(Informative to applicant - this will require approval and a licence from the Council as local highway authority)

- 14** 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 new houses 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.

- 15** If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

**REASON:** Storage tanks were identified on site and groundwater lies some 6 m below ground level. Abstracted water may be used for private supply locally so groundwater is sensitive.

- 16** Any external flues shall be factory finished in matt black.

**REASON:** To protect the appearance of the area.

- 17** The buildings marked as cartsheds; store(s) and garage; stables and home office shall be used for purposes ancillary to the residential use of Manor Farm only.

**REASON:** To define the extent of the permission in the interests of clarity and to protect the amenity of the area.

- 18** 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 to, or extensions or enlargements of any building forming part of the development hereby permitted.

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

additions, extensions or enlargements.

- 19** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), the workshops shall be used solely for purposes within Class B1 of the Town and Country Planning (Use Classes Order) and/or for purposes ancillary to the residential use of the dwelling known as Manor Farm and marked on the site plan, and for no other purposes.

**REASON:** To ensure that the uses are properly regulated to ensure that the amenity of nearby dwellings is properly secured and the site is not overdeveloped.

- 20** No construction works shall take place on the site outside of the following hours:

Monday- Friday 7:30am - 6pm; Saturday 7:30am -1pm. There shall be no construction work taking place on the site on Sundays and Bank holidays.

**REASON:** To protect the amenity of the area.

- 21** The development hereby permitted shall be carried out in accordance with the approved plans.

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

- 23** **NOTES TO APPLICANT – Environment Agency**

#### **Sustainable Construction**

Sustainable design and construction should be implemented across the proposed development. This is important in limiting the effects of and adapting to climate change. Running costs for occupants can also be significantly reduced.

#### **Pollution Prevention During Construction**

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. 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 and the control and removal of spoil and wastes. We recommend the applicant refer to our Pollution Prevention Guidelines, which can be found at: <https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>**

### **Waste Management**

**Should this proposal be granted planning permission, then in accordance with the waste hierarchy, we wish the applicant to consider reduction, reuse and recovery of waste in preference to offsite incineration and disposal to landfill during site construction. If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. If the applicant require more specific guidance it is available on our website <https://www.gov.uk/how-to-classify-different-types-of-waste>**

#### **61. Urgent items**

There were no urgent items.

(Duration of meeting: 6.00 - 8.45 pm)

The Officer who has produced these minutes is Adam Brown, of Democratic Services, direct line 01225 718038, e-mail [adam.brown@wiltshire.gov.uk](mailto:adam.brown@wiltshire.gov.uk)

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