

MINUTES of the Planning Advisory Committee held online on Monday 14th September 2020 at 7pm

Membership:

Cllr Brett, (East)	*	Cllr Jeffries, Vice Chair (Copheap)	*
Cllr Doyle (East)	A	Cllr Nicklin, Chairman (West)	*
Cllr Fraser (West)	*	Cllr Spender (Broadway)	*
Cllr Fryer (Broadway)	*		

Key: * Present A Apologies AB Absent

In attendance:

Officers: Fiona Fox (Town Clerk and RFO) Tom Dommett (Assistance Clerk), Stuart Legg (Parks and Open Spaces Manager)

Online meeting attendees: 5 Attendees

PC/20/030 Apologies for Absence

Apologies were received and accepted from Cllr Doyle.

PC/20/031 Declarations of Interest

No declarations of interest were received under Warminster Town Council's Code of Conduct issued in accordance with the Localism Act 2011.

Cllr Fraser declared a nonpecuniary interest on application 20/07029/FUL

Cllr Fryer declared a pecuniary interest on application 20/06550/FUL

Cllr Jeffries declared a nonpecuniary interest on application 20/05757/FUL

PC/20/032 Minutes

PC/20/032.1 The minutes of the meeting held on Monday 10th August 2020 were approved as a true record and signed by the chairman.

PC/19/032.2 None.

PC/20/033 Chairman's Announcements

Tonight, we have a full programme of applications, some being of major importance to the town. We are an advisory committee and as such have almost no statutory powers to refer to other than our own neighbourhood plan. Sadly, this will not help us tonight on some of the applications, particularly the

Signed.....Date.....

one relevant to Damask Way. As there are a lot of objections before us tonight, I am proposing to modify the order of the applications in Item 9 and to start with Damask Way as the first item and then I will follow with the Woodmead item. After we have a resolution on those two items we will revert to the printed order as you see on your agenda.

Members agreed that Planning Applications 20/07214/REM and 20/06550/FUL be discussed first before reverting to the order on the agenda.

PC/20/034 Questions

None.

PC/20/035 Public Participation

The Chairman ask for agreement that he would read out letters with the relevant application in item 9.

PC/20/036 Reports from Unitary Authority Members

The Chairman read out a report from Councillor Tony Jackson.

The application for the Damask Way is in Warminster Broadway Division. Councillor Jackson called in the original application 17/12348/OUT in 2017, which Wiltshire Council granted despite widespread local and town council opposition.

Notwithstanding that the development of 28 dwellings with access has been agreed Cllr Jackson is not confident that the new application successfully meets the conditions of 17/12348/OUT. At a meeting with the agent last week he accepted that the architectural and materials proposed were satisfactory but consider that there are shortfalls in biodiversity protection, landscaping and protection of emergency access to existing Damask way residents.

If the Town Council is minded to oppose the above application he is again more than happy to call this in.

PC/20/037 Northacre Renewable Energy

Members agreed at the last PAC Meeting Monday 10th August to continue their support of Westbury Town Council in their objection to the application to be submitted to Wiltshire Council from Northacre Renewable Energy. This application has now been submitted:-

20/06775/WCM Amended energy from waste facility to that consented under Planning Permission 18/09473/WCM. Northacre Energy from Waste Facility Stephenson Road Northacre Trading Estate Westbury BA13 4WD

Members unanimously voted to continue with their objection to the planning application.

PC/20/038 Planning Applications

The Chairman noted and read out letters relating to 20/07214/REM

20/07214/REM Reserved Matters Application: Erection of 28 No. dwellings associated works (pursuant to 17/12348/OUT. Land East of

Signed.....Date.....

Damask Way and East of Upper Marsh Road and North of
Smallbrook Lane, Warminster, BA12 9PP

Members unanimously voted to object to the planning application

We are not confident that the new application fully satisfies the conditions of the outline approval, particularly in the biodiversity protection of the landscape and the protection of the emergency access to the existing Damask Way residents. We ask the Unitary Councillors to call it in. We ask Wiltshire Council to ensure they have fully evaluated all the responses to the reserve matters and that they are acceptable to Wiltshire Council. We ask the Western Area Committee that they have all the evidence to hand and the responses from the officers who are skilled in these matters.

The Chairman noted and read out letters relating to 20/06550/FUL

20/06550/FUL Erection of retirement apartments (category ii type) with communal facilities and car parking. Woodmead Residential Home, 35 Portway, Warminster, BA12 8QR

It was resolved that there was no objection to the application.

20/06041/FUL Proposed two storey side link extension. 3 Fanshaw Way, Warminster, Wiltshire, BA12 9QX

It was resolved that there was no objection to the application

20/05757/FUL Thermal upgrades and external alterations to 112 MOD residential properties at No's: 256 - 442 (evens only) Firbank Crescent; No's 160 - 194 (evens only) Elm Hill and, No's 37 - 65 (odds only) Goodwin Close, all Warminster. 256-442 Firbank Crescent (Evens Only), 160-194 Elm Hill (Evens Only), and 37-65 Goodwin Close (Odds Only), Warminster, Wiltshire

It was resolved that there was no objection to the application.

20/05591/FUL Replacement garage. Aingarh 9A Lower Marsh Road Warminster BA12 9PB.

It was resolved that there was no objection to the application.

20/06188/FUL Covered area within garden. Constructed from timber posts and beams with single ply membrane roof covering and roof windows. To be used as an outdoor (domestic use) leisure space and family living/dining space. Also first floor small balcony from existing doors on rear elevation, constructed in steel and glass. 3 Tangier Close Warminster BA12 0FA

It was resolved that there was no objection to the application.

20/06196/FUL Change of use of redundant commercial space into residential dwelling. Flat 1 The Maltings 60 Market Place Warminster BA12 9AW England

It was noted that the correct address of the application was 147B Boreham Field Warminster BA12 9EF

It was resolved that there was no objection to the application.

Signed.....Date.....

20/05411/FUL Single storey living room extension. 6 Chancery Lane,
Warminster, BA12 9JS

It was resolved that there was no objection to the application

20/06778/FUL To install a double Edwardian tiled roof conservatory with
associated baseworks. 98 B Portway, Warminster, BA12 8QF

**Cllr Spender proposed that the committee object to the application as it was
retrospective, seconded Cllr Brett voting 5 in favour, 1 against, no abstentions**

20/06687/FUL The erection of a block of 6 no.flats and associated works. Land
at, The Close, Warminster, BA12 9AL

**Cllr Nicklin proposed that member object to the application citing the conditions
raised by Wessex Water and that this requires the demolition of a listed wall in a
conservation area that has already been refused for part demolition quite recently,
seconded Cllr Jefferies, motion carried unanimously.**

20/06434/FUL Sub division of plot to create a separate dwelling (2 bed 3
person) at land to the side of 6 Ash Walk. 6 Ash Walk
Warminster BA12 8PY

**Cllr Nicklin proposed that member object to the application on the grounds that is an
overdevelopment of the site, seconded Cllr Spender, motion carried unanimously.**

20/06490/FUL Proposed porch / shower room extension. Well Cottage, 14,
Grange Lane Warminster BA12 9EY

It was resolved that there was no objection to the application.

20/06708/FUL Proposed single storey detached standalone building to be used
as a classroom. Avenue Primary School The Avenue Warminster
BA12 9AA

It was resolved that there was no objection to the application.

20/06714/LBC Replacement of stolen lead roofing with terne coated stainless
steel. St Denys Church, Church Street, Warminster, Wiltshire,
BA12 8PQ

It was resolved that there was no objection to the application.

20/06844/FUL Single storey front and side extensions. New porch Replacement
of glazed conservatory with garden room. 4 The Oaks,
Warminster, BA12 0AN

It was resolved that there was no objection to the application.

20/07029/FUL Raise roof of existing bungalow to create bedrooms and en-suites
at first floor level. Rear single storey flat roof extension with glazed
lantern. Side replacement garage with pitched (hipped) roof.
Pitched roof over front door. 97 Victoria Road Warminster BA12
8HD

It was resolved that there was no objection to the application.

PC/20/039 Tree applications

None for this agenda.

Signed.....Date.....

PC/20/040 Street Naming

It was resolved that there was no objection to the proposed name.

PC/20/041 Communications

PC/20/041.1 Members agreed that a press release should be sent out making know the town councils concerns about the Damask Way Site and that the town council has consistently, and on three occasions opposed development that involves the extension of Damask Way.

PC/20/041.2 Cllr Nicklin was appointed as the spokesperson for this matter.

Meeting closed at 9.02 pm

Signed.....Date.....

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Judith Halls

From: tony nicklin [REDACTED]
Sent: 29 September 2020 10:57
To: Judith Halls
Subject: FW: Westbury Incinerator 20/06775/WCM Objections to Wiltshire Council before Wednesday 22nd September

Please see what I sent out to the members and we discussed at the meeting. They were approved.

Next week's PAC meeting is going to be rather full , so I have prepared some reasons for an objection to the new Incinerator plant in support of Westbury TC . Here are the reasons in my opinion for people in Warminster to object to the plan. This will shorten the debate time and allow us to operate easier on the Virtual meeting. Please forward me any other thoughts and suggestions, so that they can be debated correctly.

1. There will be a substantial Increase in HGV traffic on A36. The application proposes bringing in 243,000 tonnes of waste per annum by road into Westbury from a two-hour drive time radius i.e. from other local authorities. At present up to 90,000 tonnes of waste goes to the MBT plant in Westbury, so the **HGV tonnage on local roads would almost treble as soon as the plant was built.**

HGVs from the south will all pass Warminster affecting people living near the A36, particularly in the new houses on the WUE. HGVs will have to go through the middle of Westbury to get to the plant – there is no alternative route. The Air Quality levels on Warminster Road and Haynes Road Westbury are already frequently more than 1.5 times the legal limit for NOx.

The costs for the road maintenance and potential health costs will fall on Wiltshire tax payers.

2. The carbon assessment claims that the incinerator would generate renewable energy which is incorrect. Waste going to the plant will include fossil-based carbon materials such as plastic.

The application does not consider other disposal methods .The Carbon Assessment only compares the carbon impact of incineration against the carbon impact of landfill.

As government and Wiltshire Council policy is to reduce landfill, this is an incorrect comparison and no evidence is given for this assertion. A thorough carbon assessment should consider improved recycling and composting rates, the use of anaerobic digesters (e.g. the existing facility at Warminster) and the subsequent reduction in available waste for incineration.

3. Most of Wiltshire's household waste is already incinerated in other incinerators. There are incinerators at Avonmouth, Javelin Park (on M5 near Gloucester) and Marchwood, Southampton. Planning permission has already been granted for an incinerator at South Marston, Swindon , and Wiltshire already uses Lakeside EfW at Slough for disposal of waste.

4. When the wind is in the North the plume from the 75m stack will be carried straight onto Upton Scudamore (with Warminster next stop). The top of the stack is on the same contour as Upton Scudamore - approx 140m above sea level, the distance is 4k.

The plume modelling given by the applicant only considers the prevailing SW wind.

5. Most incinerators are built near motorways or near the sea, not on the edges of communities with several schools and new housing estates.

Regards
Cllr Tony Nicklin
Chair of Planning

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Warminster Town Council

From: Andrew Puchton, ref: 218261, to: "Warminster Town Council"
Sent: 07 September 2020 10:12
To: Warminster Town Council
Subject: Land East of Damask Way - 20/07214/REM. Public Participation Statement for Planning Advisory Committee 14/9/20

Public Participation Statement for Planning Advisory Committee 14/9/20 re Land East of Damask Way - 20/07214/REM.

The Committee will recall that the outline planning application for this site (17/12348/OUT) was one of the most controversial applications in Warminster, with over 240 written objections from 164 different individuals in addition to many from mandatory consultee bodies. Indeed, the Town Council rejected the application twice.

At the time of the outline application, the site was placed outside the Settlement Boundary and removed as a site for potential development from the Wiltshire Strategic Housing Allocation Plan. Objectors were told that as the WSHAP was draft it had no weight in consideration of the application. However, ultimately the Government Planning Inspector confirmed the boundary change and removal of the site when approving the WSHAP, just as predicted by the objectors.

In light of the above, I believe that very careful consideration should be given to the reserved matters application and its impact upon neighbouring properties and the locality generally. In particular, privacy of neighbouring properties, lighting, landscaping and ecology are key.

For example, the access road is far too near the boundaries of existing properties, compounded by the siting of a pavement that will overlook them. The road should be realigned, with the pavement being only on the eastern edge of the road. The proposed footpath link to Damask Way should also be moved further away from the neighbouring properties.

The siting of the sub station and visitors parking should move to within the area of housing and the other side of the road respectively.

The proposals for the entrance road demonstrate that the developer wishes to use the most economically beneficial (to him) methodologies. The extent of excavation is huge necessitating a retaining wall of over five metres height. This was drawn to Wiltshire Council's attention at outline stage by Mr Antony Setter, Transport Consultant who described the level of work required as being akin to that expected of a major A trunk road, not a single track semi rural lane. A natural "living wall" finish should be required rather than a massive brick structure which would be an eyesore completely out of keeping with the area.

Of grave concern is the absence of any indication of how the Emergency Access is to be maintained during construction of the entrance road and the housing. The Emergency Access is a regulatory requirement and serves the whole of Damask Way. The safety of residents should be a primary concern to the Council and no approval should be given until a plan for its continuous operation during construction has been submitted, publicly consulted upon with residents and approved.

The response to Pre-application discussions (section 5.2 of the Design & Access Statement) shows that the developer has chosen to ignore Council policy with regard to "pepper potting" the affordable housing amongst his private market housing. He has also declared that providing a greater proportion of three bed houses requested by the Council affects the "commercial viability" of the development. In other words, unprofitable. Is the council here to meet housing need or simply to support of private profit?

The ecological value of the site and its surrounding woodland has been well documented by Wiltshire Wildlife Trust and the Sustainable Warminster group. The development will inevitably have a destructive effect on the flora and

fauna on the site and it's environs. It is impossible to believe that the regular sightings of bats, roe deer, muntjac, toads, foxes and badgers will continue. Indeed, the developer is proposing the removal of badger setts. In the event that refusal is not within their powers, the Town Council should insist upon the highest standards of mitigation. For example, no street lighting should be allowed, but if it is unavoidable, it should be low level and of the "bat friendly" type of red light such as those demanded by Worcestershire C.C. at Warndon.

Wiltshire Council failed to enforce their landscaping conditions for the two previous developments in this area. They cannot be allowed to fail again. I would ask the Town Council to do all they can to ensure Wiltshire Council require strict adherence by the developer to the conditions which they impose.

I would also ask that the Town Council request the application be "called in" to Wiltshire Council for determination by members at committee to ensure a measure of democratic accountability rather than being only a matter for officers.

[REDACTED]
[REDACTED]
Warminster
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(<https://portal.mailanyone.net/index.html#/outer/reportspam?token=dXNlcj1hZG1pbkB3YXJtaW5zdGVyLXRjLmdvdi51azt0cz0xNTk5NDY5ODk2O3V1aWQ9NUY1NUY5NDg3ODIEMzFGQzFCQkE1Q0M4MjI2MTMzM0U7dG9rZW49YzM2M2E0ZmQ2YmM1Yjk3Njg4ZTYyZjI0YWVl4MWJmNzU4OWQyOTAzOTs%3D>).

20/07214/REM Reserved Matters Application: Erection of 28 No. dwellings associated works (pursuant to 17/12348/OUT. Land East of Damask Way and East of Upper Marsh Road and North of Smallbrook Lane, Warminster, BA12 9PP

Dear Sir/Madam - I would ask you to take this e-mail as confirmation of my endorsement of the e-mail submitted by [REDACTED] dated 7th September 2020 in relation to the below listed Planning Application, and that the Town Council request this Application be 'called in' for Committee decision by Wiltshire Council and not left to the officers to decide on the outcome

20/07214/REM Reserved Matters Application: Erection of 28 No. dwellings associated works (pursuant to 17/12348/OUT. Land East of Damask Way and East of Upper Marsh Road and North of Smallbrook Lane, Warminster, BA12 9PP

This whole development, under it's various application numbers, has been a matter of controversy since it's initial proposals, twice being rejected by the Town Council and the Outline Planning Application 17/12348/OUT then being approved by Wiltshire Council by 5 votes to 4 with the Chairman and Vice Chairman declining to use their vote

It is well known, as predicted, that this location is now removed as a site for potential development from the Wiltshire Strategic Housing Allocation Plan, but this was ignored by the Wiltshire Council Committee when reaching their decision

The proposals for the details of the access road and retaining wall contained in the current Application highlight the hideous nature of this proposed development - how can this possibly be considered to be in keeping with the environment and current surroundings and structures

The destructive and negative impact on the environment, ecological matters, water courses, wildlife etc cannot in any way be justified by the requirement for 28 additional dwellings in Warminster

I trust that the Town Council will support the views of the community in rejecting this Application, on the associated grounds, and request that the Application be 'called in' for Committee decision by Wiltshire Council

Many thanks

[REDACTED]
[REDACTED]

Warminster

[REDACTED]

Mobile: [REDACTED]

e-mail: [REDACTED]

Warminster Town Council

From: [REDACTED]
Sent: 11 September 2020 10:31
To: Warminster Town Council
Subject: Planning application 20/072141/REM

I write regarding the planning application 20/072141/REM, the development off Upper Marsh Road.

Having read the proposal I would like to express my concerns on several points that I suggest need further in depth discussion and amendment.

1. The proposed retaining wall for the new access road is totally out of keeping with the local area (a narrow edge of town country lane) and due to the size of the wall nothing else in Warminster. To put it into context the height of this brick wall at 5.7m would be higher than a motorway bridge, taller than the Berlin wall and in fact higher than some Maximum Security Prison walls. Let alone the fact that this will run along the bottom of several houses rear gardens.
2. There is little or no thought to how Upper Marsh Road could be made safer for pedestrians, cyclists etc, of which the numbers have increased many fold as the road has become recognised as a route to Smallbrook Meadow and the countryside beyond. The emphasis has been purely on how traffic can be better accommodated.
3. This is a small lane with no lighting or pavement so traffic calming solutions need to be implemented to protect non motorised traffic.
4. Despite assurances from the developer to the opposite, no thought or consideration has been given to existing houses and their residents as they now have to contend with a road, a Sub station, visitor parking and street lighting all at the bottom of their gardens.
5. The access road drainage is to connect to the existing drains in Upper Marsh Road, may I point out that these just flow into a gully at the bottom of Upper Marsh Road and flood at any heavy rain causing dangerous road conditions at the Give Way junction. The water run off will eventually end up in the nearby river instead of being treated.

For these points alone and together with those raised in a Public Participation Statement from Andrew Rushton regarding this application I would like to request that the Town Council "Call in" this application to Wiltshire Council for determination by members at Committee to enable democratic scrutiny and accountability rather than being a matter for Officers.

Yours sincerely

[REDACTED]



Warminster

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Warminster,
Wiltshire

9th September 2020

Dear Sir or Madam,

Ref Objections re 28 dwellings proposed by Backhouse at Damask Way, Warminster
Application no 20/07214/REM

We write to Wiltshire Council to express our deep objections to the building of more houses east of Damask Way, Warminster. Tragically Wiltshire County Council rode roughshod against strong local opposition and our supportive Town Council, to allow development of 28 new houses here. This area was not in the original housing development plan for the town, yet it was pushed through despite massive local opposition with the full backing of Warminster Town Council against this development. So much for local democracy!

Ecological and Environmental concerns:-

This area is a natural wildlife haven, with extraordinary wildlife as well as the usual Badgers, Foxes, Rabbits, Roe Deer, and Bats. Recorded here are the nationally rare Digger Wasp (*Lestiphorous Binictus*), the rare spectacular Bee-Wolf (the UK's largest Solitary Wasp), rare Rugged Oil Beetles, Solitary Bees, Wasp Spiders, and Rosel's Bush Crickets to name a few. Also are Darter Dragonflies, Green Tiger Beetles and many Butterflies. Some of the insects have very little recorded presence in the county. A wild Quail has been sighted there too.

Overlooking the Oakwood-edge of Smallbrook Nature Reserve, a housing development will be a total blot on the landscape. We need to preserve these rare and beautiful pockets of land for nature and for the enjoyment of future generations. It has stunning views across Smallbrook and out over the Wylfe Valley and Southleigh Woods for walkers to enjoy on the footpath.

At least 12 species of Bats reside here. Particularly rare ones are Bechstein, Barbastelle and Lesser Horseshoe Bats. These are all listed as 'Species of principal importance' under Section 41 of the NERC Act 2006. It is Wiltshire Council's legal obligation to protect them! Light generated from the dwellings will be devastatingly detrimental for our already diminishing bat population.

It seems the statistics sent in from the local Toad Patrol group have been completely ignored! Thousands of toads, newts and frogs are killed every year along Smallbrook Road, Lower and Upper Marsh Road area. Toads are an endangered species – we need to protect them.

We are also worried about the impact of dirty water flooding down into the nearby River Wylfe. This is a rare and precious chalk stream. 25% of the World's chalk streams are in the South West of the UK.

Wiltshire Wildlife, RSPB, Smallbrook Meadows Volunteer Group, and other local environmental groups all totally object strongly against this proposed desecration of rare Natural Habitat.

Impact on additional traffic :-

Smallbrook Road is a small country lane, very narrow and bendy in parts, running along the Nature Reserve. It is used as a rat run. There will be many heavy hgvs and construction vehicles along Upper & Lower Marsh Roads during building of this controversial site. Imagine 28 more houses there, with an average of 2 cars per household, doing say 4 journeys a day = 224 extra car runs, plus postmen, delivery vehicles, and visitors, that's every day. Surely an A class road with pavements, would be needed for this amount of traffic! It is already dangerous for pedestrians and cyclists with the amount of current traffic, especially at school run times.

The traffic here has increased significantly since lock-down was eased and a local drinking establishment has become very busy. This has become a centre-point for rowdy youth driving fast cars under the influence of alcohol around this single track lane. An otter was killed on Smallbrook Road last year and a pedigree cat was recently mown down by a speeding car, narrowly missing a pedestrian. This lane already gets far too busy. Hundreds of extra vehicle runs along here daily due to the development will be a disaster. An accident with a pedestrian is waiting to happen.

You would hope that we live in a time when broad public concern for the natural world has mostly won the day, and rare creatures and their habitats receive protection. Sadly this is all too often not the case, the public voice is simply a minor inconvenience and the wild earth continues to disappear from beneath our feet.

Please let common sense and decency win the day here and prevent this monstrous development. Please put nature and people before monetary gains.

Yours Faithfully,



Warminster Town Council

From: [REDACTED]
Sent: 08 September 2020 12:39
To: Warminster Town Council
Subject: Planning meeting 14/9/20

Re: Land East of Damask Way - 20/07214/REM. Public Participation Statement for Planning Advisory Committee 14/9/20 Warminster Town Council

I have read the letter submitted by [REDACTED] Regarding the above planning meeting Both my wife and I totally agree with the contents and wish to register our support [REDACTED]
[REDACTED] Warminster

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Warminster Town Council

From: [REDACTED]
Sent: 07 September 2020 16:14
To: Warminster Town Council
Subject: Public Participation Statement for Planning Advisory Committee 14/9/20 re Land East of Damask Way - 20/07214/REM

Dear Sir/Madam,

I wish to make it known that I, [REDACTED] of [REDACTED], fully endorse and support the statement submitted by [REDACTED]

From the lack of consideration for the existing homes bordering this development (privacy, noise, proximity of the access road to the back gardens of these bordering homes, location of parking spaces and the substation well away from the new development but bordering the existing homes etc) through to treatment of the wildlife (closing badger setts that appear to be nowhere near the development) the plans appear to be purely profit based and do not consider the concerns of the significant quantity of objectors to this build which includes you our town council.

We all know the policy of the County Council with regards new housing but surely that should not be at any cost and to the detriment of existing home owners in the area.

Yours faithfully,

[REDACTED]

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From: [REDACTED]
Sent: 14 September 2020 12:30
To: Warminster Town Council <admin@warminster-tc.gov.uk>
Subject: Planning Application 20/07214/REM

Planning Advisory Committee 14/9/20
Land East of Damask Way 20/07214/REM

We wish to submit comment on the above and hope it is in time for consideration at tonight's meeting.

This development has been the most controversial in the area in recent times with widespread condemnation and numerous objections lodged.

Despite the Town Council objecting to the scheme, to the amazement of residents it was passed at County level, albeit with a small margin split decision aided by an abstention.

It also appeared to be passed without final detail of the access facilities which, from any direction, were deemed by most to be massively unsuitable and dangerous. We have yet to come across anyone who disagrees with this view.

The issues of the site itself, intrusiveness, unsuitability for a semi-rural area and despoilment of a unique rural and ecological site rare for its proximity to a town etc. have been widely covered.

Rather than covering these again, we have had sight of a Mr Andrew Rushton's statement which we understand has been submitted to you and would limit ourselves to totally endorsing the entire content.

Specifically regarding the proposed access route. we must add our strong objections as follows.

1. Basically, the issue of permitting a large development with a proposed narrow, steep single access onto a constricted single track roadway is outrageous. How the Highways Department could ever consider approving this is bewildering.
2. Traffic will be disgorged onto the totally unsuitable Upper and Lower Marsh Roads as well as Smallbrook, all of which currently have dead slow/on verge passing areas. Indeed, there has been recent lobbying for measures to actually reduce traffic flow for safety of all route users.
The prospect of HGV delivery and service vehicles meeting in these adjacent roadways does not bear thinking about as does construction traffic movements.

3. We understand the access will require heavy earthworks with great disturbance to residents above and across the road and will involve an ugly metal retaining wall almost 20 feet high which is unsuitable for the area.

3. What is there now is a small emergency access for exiting houses. It is never used, being blocked with bollards, and therefore not currently an issue.

As this is now being planned as a main access, the question must be asked if a separate emergency access was required before for existing housing, how is it now not necessary for this further development?

In summary, we support the move for the application to be called in and, even though the basic development appears to have been inexplicably approved, request that if there are any measures which can be taken to override this whole development based on there being no suitable access option, coupled with the road dangers, then these should be vigorously pursued.

Yours faithfully

[Redacted Signature]

[Redacted Name]

[Redacted Address Line 1]

Warminster

Wiltshire [Redacted Address Line 2]

[REDACTED]

Wiltshire Council
Development Services Central
Bythesea Rd,
Trowbridge
Wilts
BA14 8JN

10th September 2020

Planning Application No. **20/072214/OUT** – Ref **20/1234/REM**
Comments by 14th September 2020 to Warminster Town Council

On the current question of the recent full planning application for further residential development, Land East of Damask Way, Smallbrook Lane with obvious access in Upper Marsh Road I would like to make the following observations.

The entry / exit of the proposed site will be from or to a very busy, narrow lane, where speed is ignored by most drivers. It is in a country environment where people walk for pleasure some with their dogs and children who also walk to school. The plan shows a seemingly impossible engineering task of building a wall, 18 feet high (higher than a motorway bridge) to retain / prop up the foundations of the previous build of a few years ago. The drawings seem to gloss over how this to be achieved and ground tied in support accordingly. It is after all as anyone local with a modicum of common sense will know that this area is all on green sand. **Councillors tonight** must ask themselves and be satisfied with their answers to this question as if allowed and the obvious happens it will be too late to say 'Oh dear – we should have thought of that!'

Are a few pounds of Council Tax money for you really worth the risk? Has anyone calculated the stone foundation tonnage, working machinery tonnage and ground vibrations, lorry tonnage, mostly over 30+ tons per vehicle, delivering building material alone over the proposed two year build programme?. I for one most certainly would!

With an increase of vehicle movement or pedestrians from the proposed dwellings it is already virtually impossible for two vehicles to pass each other at this point without one stopping for the other, the surface and general side conditions in an abysmal state, surely an immediate instant refusal on '**health and safety**' grounds if nothing else!

PLEASE remember, as in previous comments on this proposal that surface water **Always** runs **Downhill**. and there is only one piped drain below the proposed entrance, usually blocked which will be unable to cope with the volume from the new entrance as it cannot cope with what comes down the road during a good storm now with only a small soakaway at the end of the emergency exit which achieves nothing.

We have already suffered water pouring off of this hilltop area of the proposed new access site some years ago, the landowner at our request had a ditch dug the length of our boundary on his land and fenced off, now also part of 83A and then partly down the side of what is now no 85 to alleviate the problem. This has never been serviced in any way but will need attention by the landowner/developer before any serious work starts, who must maintain area's that are not built on and left as natural spaces?

It can only mean that surface water from further concreted, tarmac and paved area surfaces on a higher plain will emit even more surface water towards the current footpath. The condition of the surface and verges at this point are equally in an abysmal state before entering a recently approved 30mph road which is constantly ignored by drivers or police. This is also the point where all of the foul waste of the recent developments of 28 houses comes down a single 5 inch drain connected to very old pipework opposite Turnpike Cottage which serves much of Lower / Upper Marsh Rd / Smallbrook Rd and the Wylve Estate, our own included also taking surface water as well. This drain has overflowed on numerous occasions causing heart ache and mess on the road, how much more can this possibly take before there are serious health repercussions in an area prone to flooding? Also if this development is allowed where will the contractor's 'yard' be sited? ; as heavy machinery, construction, contractors vehicles and vibrations through the ground, mostly on a green sand area towards the rear of our property, a further source of even more surface water and where we have lived for 40 years+ which will not be welcome. .

Please call this application in to restore faith in those we have elected.

[REDACTED]

Statement to Warminster Town Council on behalf of Backhouse Housing**Ref: 20/07214/REM****Land East of Damask Way, Warminster BA12 9PP****Erection of 28 No. dwellings associated works (pursuant to 17/12348/OUT)****1.0 Introduction**

This statement has been prepared on behalf of the freehold owners of the site, Backhouse Housing who are based in Box, Wiltshire. Backhouse are an independent privately owned SME housebuilder who presently own eight development sites – five of which are located in Wiltshire.

- 4 No. sites are under construction at: Westbury; Castle Cary; Calne; and Great Somerford; and
- 4 No. sites are at reserved matters planning stage: Highworth; Blunsdon; and two in Warminster at Boreham Mead and Damask Way.

This note sets out a summary of the proposals for the Damask Way site. Appendix A responds matters that were raised in a briefing meeting that was attended by Cllr Nicklin and Cllr Jackson on 3rd September 2020.

2.0 Background

Backhouse Housing purchased the Damask Way site with the benefit of an extant outline planning permission (17/12348/OUT). The previous landowner also secured detailed approval of the access through the discharge of 3 planning conditions relating to the detailed design (19/04677/DOC).

Following acquisition, Backhouse appointed a design team and instructed updated surveys relating ecology, drainage and ground conditions.

An initial draft proposal was subject to a pre-application enquiry with Wiltshire Council (20/03202/PREAPP). The Council were supportive in principle whilst providing constructive advice on various matters of detail and layout.

3.0 Proposals

The proposals have been informed by a detailed design development process involving all applicable disciplines, and an area context study. Particular attention has been paid to ensure that the privacy and amenity of existing neighbouring dwellings will be preserved, as has been demonstrated in the submitted over-looking plans.

The masterplan accommodates the alignment of the existing PROW (WARM53) but also makes provision to formalise an informal (but more frequently used) link that is that runs parallel to the formal alignment.

The proposed housing mix includes a total of 28 No. dwellings designed by award winning architects, Bell Phillips. 8 No. of these units are proposed as a single cluster of homes on the north west part of the site which will be managed by Selwood Housing. The open market homes are arranged around an internal loop access road in 'courtyard' groups.

The landscape strategy specifies the hard and soft landscaping, land modelling and levels all of which has been informed ecological surveys and a drainage strategy.

There is a central area of open space and a strategy of perimeter landscaping. A private management company will be established to manage the common areas and the retained blue lined land in the applicant's ownership.

4.0 Scope of matters to be considered

The principle of housing development has been established by the outline planning permission: the principle cannot be reconsidered as part of this reserved matters submission.

Full details of 'access' were also approved at the outline stage. Backhouse propose to implement the access proposals in full, as permitted by the Council in accordance with the detailed drawings approved by the Council as part of the detailed planning condition discharge process.

The scope of the outstanding reserved matters that are the subject of the current planning application relate solely to: layout; external appearance; scale and landscaping.

5.0 Conclusion

Backhouse Housing appreciate that the outline planning process was subject to a high level of neighbour interest and opposition. However, the site was purchased in good faith, and Backhouse have invested substantially in evolving a high-quality design-led scheme of bespoke housing that responds to the site constraints whilst respecting the local context and the amenity of existing surrounding residents.

Warminster Town Council are respectfully requested to support the application.

Appendix A: Questions raised by local councillors

1. Clarification of rights of access / ownership of the emergency access

The emergency access road is maintained by Smallbrook Views Management Company (a management company set up by Persimmon Homes associated with the adjacent development). Backhouse have the right to use the emergency access road for access to our site at all times and for all purposes. Backhouse have rights reserved to enter onto the emergency access road in order to maintain, rebuild or improve it, provided that any such works satisfies the requirements of the relevant authorities with regards to the provision of emergency access to the adjacent development. Prior to commencement of any works Backhouse intend to liaise with all relevant stakeholders to establish and confirm the appropriate risk mitigation in relation to the emergency access road during construction, which complies with all such requirements of relevant authorities.

2. Landscape Enforcement Matter (relating to the adjacent Phase 2 site)

PlanningSphere have discussed with the Council the matter of the breach of the landscaping scheme (condition 4) of planning permission 14/03655/REM, which relates to the completed Phase 2 development that abuts the western boundary of the application site. To clarify, this was an omission on the part of the developers of the Phase 2 site and is a situation that has been inherited by Backhouse.

The Council have acknowledged that when Backhouse's reserved matters application is approved the condition will no longer be enforceable. In the event that the reserved matters application is approved by the Council, a planning condition will be imposed that will require the prior approval of detailed planting plan – NB. the illustrative plan submitted with the reserved matters application makes provision for a hedge. Backhouse Housing will commit to liaising with the immediate neighbours to discuss the proposed hedge (species and future maintenance height) and tree planting specification.

3. Engineering design matters: retaining wall and drainage

The summary note over page has been prepared by the project engineers, MJA, to describe the proposed engineering works including the retaining wall and drainage strategy.

Damask Way, Warminster

Backhouse Housing Retaining Wall and Drainage Summary Report

9th September 2020

Access Retaining Wall

It is proposed to construct a steel sheet piled wall north of the access road to support the rear of the residential properties on Damask Way. The maximum retained height of the wall is 5.75m and the steel sheet piles will have brick cladding tied on the sheets.

MJA Consulting looked into the feasibility of other retaining solutions:

- The traditional concrete retaining wall was considered but was rejected due to the proximity to existing residential boundaries and the disruption this construction would cause.
- Contiguous and secant piling walls were rejected from the design as they are less cost effective and would cause more disruption than the steel sheet piled option.
- A modular precast wall solution is also unfeasible as it would require works within the adjacent gardens.

The steel sheet piled wall is the least disruptive and most cost-effective solution for the retaining wall.

Construction of structure

- Install sections of interlocking sheet piled wall using hammer or hydraulic press.
- Concrete capping beam and handrail restraint system installed on top of sheet piled wall.
- Once sheets are in place, excavation can be undertaken to the construction depth.
- Brick masonry finish constructed to face of sheet piled wall.

On Site Drainage

Foul Water

The foul water from the houses will be collected in an adoptable drainage system before discharging, via a new manhole, into the existing foul sewer that crosses from Damask Way to Upper Marsh Road.

JS/20:0491/6088



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Surface Water

The carriageways on the access road and within the development have impermeable surfaces with gullies. The surface water will flow from the gullies to a surface water sewer, which will discharge into two sets of concrete manhole soakaways; one set positioned within the open space in the middle of the scheme and the other adjacent to the proposed access.

The driveways will be surfaced with permeable paving which will drain to the ground via an open graded sub base. Any water that falls on the house rooves will discharge into the driveway open graded sub base or via individual soakaway situated in the corresponding garden.

John Strugnell
FOR MJA CONSULTING

OBJECTION to PLANS 20/06550/FUL

Dear Mr Wilmott,

There are a number of properties that have gardens that will be affected by the proposed building at 35 Portway (Woodmead). The following points are common to all. Please note that the north Elevation was changed on around the 23rd August, to show the property without the screen of trees which previously hid them, so I recommend the retention of the screen of trees for privacy and to be more in keeping with the conservation area. Your letter of 20.8.20 lists relevany issues which we now address.

LOSS of PRIVACY

1. The proposed development would bring 3 stories of apartments in place of 2. This brings a loss of privacy.
2. The proposed development extends far further west than the existing building. This brings a further loss of privacy.
3. The proposed windows are much larger than the existing ones and would appear to encourage viewing. They appear to be the focus point of the main reception room. This brings a further loss of privacy.
4. The inclusion of 12 balcony windows appears to confirm that Woodmead residents will definitely be encouraged to spend time gazing out of their windows at our gardens and our friends and family who will be in them. This means a further loss of privacy.
5. The age profile of people aged 60 + (we are told) are to be your client base, much younger and more mobile than the previous care home residents. The proposed new building is in reality a block of flats aimed to appeal to the fit and able clientele, whose only qualifying eligibility is their age. The term "Retirement Apartments" is misleading as the requirements for an ordinary block of flats on this site would probably be refused. The building features are aimed at those desiring balcony views to Elm and Arn Hills and NOT the elderly and infirm as before.

EFFECT of the LOWERED LEVEL of SUNLIGHT.

The raised height and the increased length of the planned building, when compared with the existing building, will lead to the loss of some sunlight on our gardens. This is another reason for our objection to these plans.

CONSERVATION AREA with GRADE I & II LISTINGS

Woodmead is in a Conservation Area. On top of this numbers 37, 39, 41 and 43 Portway are Grade II listed. Portway House Grade I listing.

Perhaps the old Woodmead building is not an architectural gem, but at least it isn't intrusive and dominant in its style. The proposed new East (front) elevations may be acceptable, but this does NOT apply to the back of the building where flat roofs dominate.

When rebuilding in a Conservation area I would have expected the result to be more in keeping and more pleasant to the eye than the previous building and not one that jars. Describing the proposed properties as "Residential Apartments" does not make them fit into a Conservation Area any better. The back of the proposed property will look like a block of flats and these plans should not be accepted because they do not fit in with the Conservation Area and the Grade I and II properties.

HIGHWAY SAFETY AND TRAFFIC

The number of car parking spaces are too few for your estimated number of mobile residents and will not allow for visitors parking to these premises as well as staff car parking. Portway itself has a constant and ever worsening car parking situation and this proposed size of the property will exacerbate the problem.

[REDACTED]

[REDACTED]

[REDACTED]