

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 27 JUNE 2012 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Desna Allen, Cllr Peter Colmer, Cllr Christine Crisp, Cllr Peter Davis, Cllr Bill Douglas (Substitute), Cllr Peter Doyle, Cllr Alan Hill (Vice Chairman), Cllr Peter Hutton, Cllr Simon Killane, Cllr Toby Sturgis and Cllr Anthony Trotman (Chairman)

Also Present:

Cllr Chris Caswill and Cllr Judy Rooke

50 **Apologies for Absence**

Apologies were received from Cllr Mark Packard.

Cllr Packard was substituted by Cllr Bill Douglas.

51 **Minutes of the Previous Meeting**

The minutes of the meeting held on **06 June 2012** were presented. It was,

Resolved:

To approve as a correct record and sign the minutes.

52 **Declarations of Interest**

There were no declarations.

53 **Chairman's Announcements**

The Chairman requested all those present turn off their mobile phones during the meeting.

54 **Public Participation and Councillors' Questions**

The committee noted the rules on public participation.

55 **Planning Appeals**

The Committee noted the contents of the Appeals update. Attention was drawn to all three planning appeals decided between 25/05/12-15/06/12 being dismissed.

56 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting, and attached to these minutes, in relation to items **7b**, **7c**, and **7d** as listed in the agenda pack (Minutes **56b**, **56c** and **56d**)

56 a) **12/00286/FUL - Brethren Meeting Room, Goldney Avenue, Chippenham, Wiltshire, SN15 1ND**

Public Participation

Mr Peter White spoke in objection to the application.

Mr Joel Smith, agent, spoke in support of the application.

The Planning Officer introduced the report, which recommended authority be delegated to the Area Development Manager to grant permission subject to conditions and the signing of a Section 106 legal agreement. It was noted that the application had been deferred from 16 May 2012 in order to obtain clarification from Highways officers, and to seek further negotiations on alterations to the proposed detached dwelling in terms of orientation and scale.

The Planning Officer highlighted the changes negotiated, including a reduction in height, alteration to a hipped roof rather than gabled, and retention of the hedge separating the detached dwelling from neighbouring properties as a result of extending the gap between properties due to a reduction in width.

The Committee then had the opportunity to ask technical questions of the officers. The number of car parking spaces was raised, and the Highways officer clarified that for the high density area, it was felt the number of spaces was appropriate. It was further clarified that visibility when reversing from the site was deemed acceptable, and that national guidance instructs officers to ignore the impact of parked cars when assessing visibility. The design of the property and lack of a chimney was also raised.

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

The Local Member, Cllr Judy Rooke, then spoke in objection to the application.

A debate followed, where the suitability of two storey swellings for the local area was discussed, along with the distances to neighbouring properties and planned retention of the dividing hedge, including an acceptable height for the hedge, and the resulting impact on amenity.

At the conclusion of debate, it was,

Resolved:

That authority be DELEGATED to the Area Development Manager to grant permission for the following reason subject to conditions set out below and signing of a Section 106 Legal Agreement:

The proposed residential development is considered to be of an acceptable scale, design and layout that would be appropriate in the context of surrounding residential development. The proposal would not have a significant impact upon the amenities of surrounding residential properties and would deliver an appropriate contribution towards the provision of public open space. The proposal would comply with the provisions of Policies C2, C3, CF3 and H3 of the adopted North Wiltshire Local Plan 2011.

Subject to the following conditions:

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

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

2. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

Design and Access Statement date stamped 31.01.12

11-1445-L(0)03 E date stamped 12.06.12

11-1445-L(0)07 A date stamped 31.01.12

11-1445-L(0)08 A date stamped 31.01.12

11-1445-L(0)06 B date stamped 12.06.12

11-1445-L(0)02 A date stamped 31.01.12

11-1445-L(0)09 B date stamped 12.06.12

11-1445-L(0)01 A date stamped 31.01.12

11-1445-L(0)11 A date stamped 31.01.12

11-1445-L(0)04 A date stamped 31.01.12

11-1445-L(0)05 A date stamped 31.01.12

11-1445-L(0)10 B date stamped 12.06.12

11-1445-L(0)12 date stamped 12.06.12

REASON: To ensure that the development is implemented as approved.

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 / brought into use.

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

4. No part of the development hereby permitted shall be first brought into use/occupied until the access, turning area and parking spaces 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.

5. 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.

6. No development shall commence on site until a scheme of hard and soft landscaping, including the retention of the conifer hedge on the northern boundary at a height of at least 2.0 metres, has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- (a) indications of all existing trees and hedgerows on the land;**
- (b) a detailed planting specification including all species, planting sizes and planting densities and canopy spread of all trees and hedgerows;**
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;**
- (d) finished levels and contours;**
- (e) means of enclosure;**
- (f) car park layouts;**
- (g) other vehicle and pedestrian access and circulation areas;**

- (h) hard surfacing materials;
- (i) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- (j) four trees of a size and species and in a location to be agreed in writing with the Local Planning Authority, shall be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428.

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

7. 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.

8. Notwithstanding the details shown on the submitted plans, there shall be no window inserted in the first floor side elevation of plot 5.

REASON: In the interests of residential amenity and privacy.

9. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

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

10. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. Where possible, this should include SuDs methods to attenuate surface water thereby allowing for runoff volumes. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

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

Informatives:

1. Attention is drawn to the Legal Agreement relating to this development or land which has been made pursuant to Section 106 of the Town and Country Planning Act 1990, Section 111 of the Local Government Act 1972, Section 33 of the Local Government (Miscellaneous Provisions) Act 1982 or other enabling powers.

2. The attention of the applicant is drawn to the contents of the attached letter from Wessex Water dated 16th February 2012.

56 b) 11/04113/FUL - Land at Chippenham Railway Station, Cocklebury Road, Chippenham, Wiltshire, SN15 3QH

Public Participation

Cllr John Scragg, Chippenham Town Council, offered several observations and comments on the application.

The Planning Officer presented a report which recommended permission be granted subject to conditions. It was stated concerns over an historical railway platform found on site had been resolved when English Heritage declined to support its retention, and concerns over a chain-link fence lining the site had been altered following negotiation to a low stone wall and landscaping. Attention was drawn to the issue of floodlights attached to the site, which were conditioned in the officer recommendation.

The Committee then had the opportunity to ask technical questions of the officers. As the proposed development attached to an existing car park, it was asked why there was a need for two entrances. It was clarified that the two sites were owned separately, and it had proven impossible to agree a single entrance for the combined site. Details on the extent of conditions regarding lighting were sought, in addition to details on the extent and type of landscaping.

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

The Local Member, Cllr Chris Caswill, thanked officers for their efforts in securing improvements to the site, and spoke in support of the application.

A debate followed, during which the retention of landscaping and precise location of the site was raised. Cllr Alan Hill requested it be recorded that he questioned why the application had come before the Committee, as it could have been handled by officers, and that there had been an increase in questionable call-ins to Committee.

It was,

Resolved:

Planning Permission be GRANTED for the following reason:

The proposed development will not adversely affect the character or appearance of the site or the Chippenham Conservation Area. The measures proposed in the applicant's supporting documentation are considered sufficient to mitigate any adverse impacts on the ecology of the site. Subject to the subsequent agreement of lighting and boundary treatments, the proposal will not significantly harm the residential amenity of the locality. The proposal therefore accords with Policies C3, NE9, HE1, T1, T3, T4 and T5 of the adopted North Wiltshire Local Plan 2011.

And subject to the following conditions:

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

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

- 2 No works shall commence on site until an archaeological survey and recording of the existing historic platform structure in situ has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.**

REASON: In the interests of maintaining a record of the undesignated heritage asset on the site.

- 3 No development shall commence on site until details and samples of the external stonework, including type, coursing and bedding of the natural stone, type of pointing and mortar mix, have been submitted to and approved in writing by the Local Planning Authority. The external stonework shall be constructed in accordance with the approved details.**

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

- 4 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first use or completion of the development, whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from**

damage by vermin and stock. Any trees or plants which, within a period of ten 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. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

- 5 The development hereby permitted shall not be first brought into use until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 6 No development shall commence on site until details of external cowls, louvers or other shields to be fitted to the floodlights to reduce light pollution, have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be put in place before the floodlights are first brought into use and shall be maintained in accordance with the approved details.

REASON: To minimise light pollution and in the interests of the amenities of the area.

- 7 The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

440304/C/100 rev J - Proposed General Arrangement (sheet 1)
440304/C/100 rev J - Proposed General Arrangement (sheet 2)
440304/C/105 rev J - Elevations Existing and Proposed
440304/C/200 - Cross Sections, Proposed Cut & Fill (sheet 1)
440304/C/200 - Cross Sections, Detailed Sections (sheet 2)
440304-C108 rev C - Retaining Wall & Grass Verge Detail
440304/C/102 rev C - Surface Water Proposed Drainage Plan
440304/C/101 rev C - Traffic Paths & Turning Circles

Received 21 May 2012

REASON: To ensure that the development is implemented as

approved.

Informatives:

1. **No specific details are submitted in respect of any signage, ticket machines, etc, to be incorporated into the scheme. Any advertisement which does not have consent by virtue of the Town and Country Planning (Control of Advertisements) Regulations 1992 (as amended) must not be displayed unless you have received the necessary consent from the local planning authority. Application forms are available, on request, from the local planning authority.**
2. **The applicant should note that there may be badger setts in the vicinity of the site, and as a consequence compliance with certain requirements and provisions of the Badgers Act 1991 may be necessary. If this is the case the applicant is advised to contact Natural England who are responsible for issuing licences relating to development on the site of badger setts.**

The above decision was subject to a recorded vote upon the request of the requisite number of Members. The results were as follows:

For Decision (9):

Cllrs Desna Allen, Peter Colmer, Christine Crisp, Alan Hill, Peter Hutton, Simon Killane, Toby Sturgis, Anthony Trotman, Bill Douglas.

Against Decision (0)

Abstentions to Decision (2)

Cllrs Peter Davis, Peter Doyle.

56 c) 12/00885/FUL - Manor Farm, Broad Town, SN4 7RN

Public Participation

Mr Paul Oakley, agent, spoke in support of the application.

The Planning Officer introduced a report which recommended refusal, highlighting the key issues as being the principle of the development and the scale and size of the proposal, and that a suitable business case to justify the scale had not been submitted.

The Committee then had the opportunity to ask technical questions of the officers. The footprint of the building was raised, and the level of detail required and received regarding a business case.

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

Cllr Toby Sturgis, speaking on behalf of the Local Member, Cllr Mollie Groom, spoke in objection to the application.

A debate followed, where the lack of a business case was stressed. Cllr Alan Hill requested it be recorded that he did not feel the application should have been called to Committee given the lack of suitable reasons provided to query the officer recommendation.

After debate, it was,

Resolved:

That Planning Permission be REFUSED for the following reason:

- 1. By reason of its scale and extent of facilities provided and self contained nature, it is considered that without sufficient justification, the proposal is tantamount to a new dwelling in the open countryside. As such the proposal would be contrary to policies C3 and H4 of the North Wiltshire Local Plan 2011, Core Policy 2 of the emerging Wiltshire Core strategy and Paragraph 55 of the National planning policy Framework**

- 2. The proposal by way of its scale and massing is considered to result in an overly large building which contributes to the domestication of a site outside of a residential curtilage within a rural setting, contrary to policies C3, NE15 and H8 of the North Wiltshire Local Plan 2011.**

Informatives:

This decision relates to documents/plans submitted with the application, listed below.

Plan Ref:

153/01A

153/02A

153/03A

153/04A

Date stamped 21.03.12

56 d) 12/00908/FUL - 20 St Aldhelm Road, Malmesbury, Wiltshire, SN16 0DB

Public Participation

Mr Jason Thornbury, applicant, spoke in support of the application.

Mr Peter Thornbury spoke in support of the application.

The Planning Officer introduced the report which recommended refusal. It was stated that officers felt the extension to the previously agreed property was on balance too impactful on the amenity of neighbouring properties.

The Committee then had the opportunity to ask technical questions of the officers. The distances to properties on either side of the proposed extension was sought, and it was confirmed there was no increase in the footprint of the building.

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

The Local Member, Cllr Simon Killane, then spoke in support of the application.

A debate followed, during which the limited impact on amenity and agreed contribution to public open space was discussed.

After discussion, it was,

Resolved:

That Planning permission be GRANTED subject to a Section 106 Agreement to secure the contribution of £1,120.00 towards Public Open Space for the following reason:

The proposed extension, by reason of its design, form, scale and siting, would be in keeping with the host dwelling and would not be harmful to the amenities of the occupiers of the adjacent dwelling, and therefore complies with policies C3 and H8 of the North Wiltshire Local Plan 2011.

And subject to the following conditions:

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

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

2. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

Drawings: 01, 02, 03, 04, 05, 06, 07, 08, 09, 010 & 011

Dated: 26th March 2012

57 Urgent Items

There were no urgent items.

(Duration of meeting: 6.00 - 7.50 pm)

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

Press enquiries to Communications, direct line (01225) 713114/713115

This is information that has been received since the committee report was written. This could include additional comments or representation, new information relating to the site, changes to plans etc.

The text in bold is additional/amended information to that circulated to Members on Tuesday 26th June 2012

Item 7b – Land at Chippenham Railway Station, Cocklebury Road, Chippenham, Wiltshire, SN15 3QH (11/04113/FUL)

English Heritage

No further comment.

“Despite my previous hope I obviously was unable to provide you with any further comments on this application prior to your committee paper deadline. My apologies for this.

However, having now considered the additional information and amendments submitted by the applicant there is little more that we would wish to add to our previous letter.

The outcome of the spot-listing exercise clearly demonstrates that the fabric in question is not of sufficient national interest to justify formal designation but this does not automatically suggest that it is no value or interest at all as far as the local context and contribution to its historic character is concerned. However, the judgement as to whether further information on the matter of local significance should be required and how the fabric might inform any development proposals is a matter for local authority discretion, and we are happy to defer to the advice of the Council's own conservation advisers on this point.

We therefore have no specific additional comments to offer on the amended proposals, and if there is local agreement that the proposals and their design is now acceptable it may be that all that can reasonably be sought is to record the historic fabric which will be affected by them.”

Item 7c – Manor Farm, Broad Town, SN4 7RN (12/00885/FUL)

Late observations have been received from the agent in support of the application and are summarised below.

- **The number of horses on site varies throughout the year with winter being the busiest time with 40-50 horses on site. Ideally 4-5 staff are required to look after and train them.**
- **There is a need to provide better facilities to attract and retain the highly specialised staff required for the business who can be trusted to run the yard when the applicant is away on business**

NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION
27th June 2012

- Issue is not attracting staff, but the right calibre of staff who expect accommodation as part of their employment, due to local housing costs, and would prefer not to share
- At least 2 experienced members of staff are required on site at all times as the applicant frequently travels for her business
- No business plan or further supporting information was submitted for the approved 2010 application for grooms' accommodation (10/01199/FUL) and this application is not discernibly different from the previous.
- The applicant has confirmed that they are happy for a condition to be placed on any permission to ensure the accommodation remains ancillary
- The existing office for the business is currently within the house, (the kitchen) and is not suitable. The proposed office area is on the footprint of part of the existing building.
- The proposed gym is mainly for residential use and means that a room in the house doesn't have to be utilised.
- The proposed garage is on the footprint of the existing building which is already partially used for parking for the applicant, staff and visitors.
- The business case is not one of providing a flat to attract staff, but appropriately skilled staff, therefore it is not a question of a horse to staff ratio

Item 7d – 20 St Aldhelm Road, Malmesbury, Wiltshire, SN16 0DB (12/00908/FUL)

Applicant

The applicant has confirmed that they accept the Public Open Space contribution of £1,120 and this will be secured through a S106 agreement.
