

NORTHERN AREA PLANNING COMMITTEE

**DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING
HELD ON 29 JANUARY 2014 AT COUNCIL CHAMBER - COUNCIL OFFICES,
MONKTON PARK, CHIPPENHAM, SN15 1ER.**

Present:

Cllr Chuck Berry (Substitute), Cllr Chris Hurst, Cllr Simon Killane, Cllr Sheila Parker, Cllr Toby Sturgis, Cllr Anthony Trotman (Chairman), Cllr Nick Watts (Substitute) and Cllr Philip Whalley

8 Apologies

Apologies were received from Cllr Crisp, Cllr Douglas, Cllr Packard and Cllr Groom.

Cllr Douglas was substituted by Cllr Watts and Cllr Groom was substituted by Cllr Berry.

9 Minutes of the previous Meeting

The minutes of the meeting held on Wednesday 8 January 2014 were presented.

Resolved:

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

10 Declarations of Interest

There were no declarations of interest.

11 Chairman's Announcements

There were no Chairman's announcements.

12 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

13 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of application 13/05325/FUL as listed in the agenda pack.

14 **13/05325/FUL - Whites Farm, Grittenham, Chippenham, Wiltshire, SN15 4JW**

Public Participation

Roger Pounder, Graham Small, George Threlfall and Cllr Owen Gibbs spoke in objection to the application.

Simon Chambers spoke in support of the application.

The officer introduced the report which recommended that planning permission be granted subject to conditions.

He explained that planning permission had previously been granted, but was subsequently extinguished due to non-compliance with a condition. He drew attention to the late observations which contained an alternative condition to be considered by the Committee. The application for planning permission was initially prompted by engineering works carried out at the site to create jumps suitable for competitive motocross racing. He confirmed that Highways had not raised any objections.

The Committee then had the opportunity to ask technical questions of officers and it was confirmed that although the use of a public address system was controlled through conditions, a reasonable and expedient approach would be taken towards its use in times of emergency. It was also confirmed the conditions applied equally to rescheduled meetings. Practicing and racing would be treated in the same manner and would both count towards the annual event quota.

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

The local member, Cllr Toby Sturgis then addressed the Committee. He noted that if the Committee refused permission, and the site reverted to agricultural land it could continue to host up to 14 days of motocross racing a year through its permitted development rights. In light of this possibility, he encouraged the Committee to grant planning permission, which would control such motocross racing through conditions producing a better solution for local residents.

In the debate that followed the Committee discussed the possibility of extending the schedule notice period contained within the conditions. It was also confirmed that the issue of holding events on a consecutive weekends was a critical matter for Environmental Health.

Resolved:

**That planning permission is GRANTED, subject to the following conditions:
Condition**

- 1) Within 3 months of the date on which the land subject to this permission has not been used for the purposes approved for a period of 6 months, the use/activity hereby permitted shall cease, all equipment and materials brought onto the land for the purposes of such use shall be removed, the engineering works shall be reversed and the land restored to its former agricultural condition.**

REASON: To ensure the reversibility of the development in the interests of visual and residential amenities.

- 2) The land subject of this permission shall be used for the racing and/or practice of motocross motorcycles up to a maximum of 14 days in any one calendar year.**

REASON: In the interests of residential amenity.

- 3) The development hereby permitted shall not be first brought into use in any calendar year until a full schedule of events for that year has been submitted to and approved in writing by the Local Planning Authority not later than the date 28 days prior to the first event of that year. Alterations to the approved schedule shall pertain solely to scheduled events that must be postponed due to unforeseen circumstances and shall be notified to the Local Planning Authority no less than 7 days prior to that event.**

REASON: In the interests of residential amenity and to enable the Local Planning Authority to monitor the distribution of events.

- 4) Events shall not take place on consecutive weekends. No more than 2 Events shall take place in any 5-week period. For the avoidance of doubt and the purposes of this condition, an 'Event' is defined as a single day or two days of racing/practicing within the period Saturday to Monday inclusive.**

REASON: In the interests of securing an environment free from intrusive levels of noise disturbance

- 5) The use hereby permitted shall not take place on the days of Tuesday to Friday inclusive. No testing, practicing or racing of motorcycles shall take place on the site on any day other than Saturday, Sunday or Monday.

REASON: In the interests of visual amenity, highway safety and to secure an environment free from intrusive levels of noise disturbance.

- 6) No sound-amplifying equipment, loudspeaker, public address system shall be operated in association with the development hereby permitted.

REASON: To ensure the creation of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

- 7) The development hereby permitted shall be implemented and the site operated in full accordance with the submitted Event Management Plan (LPC, December 2013), in perpetuity.

REASON: In the interests of residential amenity and highway safety.

- 8) The mobile toilet block indicated on the site location plan shall be completely removed from the site no later than the date 6 weeks after the most recent event. At such time it shall be removed completely from the site and shall not be reinstalled on the site until the recommencement of events on the site thereafter.

REASON: To ensure the removal of a temporary structure when the site is not in use, in the interests of visual amenity.

- 9) The development hereby permitted shall be carried out in accordance with the following approved plans:
Site Location Plan
LPC/2798/2 - Site Layout Plan
LPC/2798/3 - Sections 1
Received 24 October 2013

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

INFORMATIVES:

- 1) It is the view of the Local Planning Authority that the development hereby approved represents a change of use of the land to sui generis, as set out in the Planning (Use Classes) Order 1987 (as

amended). As such, all permitted development rights set out under Class B of Schedule 2, Part 4 of the Planning (General Permitted Development) Order 1995 (as amended), are effectively rescinded. Use of the land subject of this application for such purposes will therefore require a separate planning application.

- 2) The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

15 **13/04291/FUL -The Old Granary, Nettleton, Chippenham, SN14 7NY**

Public Participation

Fiona Copland and Paul Copland spoke in objection to the application.

David Pearce and Cllr David Kerr spoke in support of the application.

The officer introduced the report which recommended that planning permission be refused.

He explained that the application related to a change of use from agricultural land to private amenity space. The site had a long planning history, and a range of unauthorised works had taken place including the removal of a historic boundary wall, not all of which were to be addressed through the application. The site was in an area of Outstanding Natural Beauty and it was located near a number of public footpaths.

The Committee then had the opportunity to ask technical questions of officers and it was confirmed that the application concerned the whole area in red indicated on the plan contained within the agenda. It was also confirmed that permission to re-erect the historic boundary wall had been given in a previous application. Although the Old Granary enjoyed a reasonable amount of garden space, there was no indication to suggest that application had been lodged as a means to further develop the site.

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

Cllr Toby Sturgis addressed the Committee on behalf of the local member, Cllr Jane Scott and it was confirmed that the application had been called in to Committee at the request of Nettleton Parish Council.

In the debate that followed potential harm to the adjacent listed buildings and to the area of outstanding natural beauty was noted. Conditioning for the removal

of garden paraphernalia such as sheds was discussed. The Committee noted the benefits of re-erecting the historic boundary wall.

A motion to delegate to the Area Development Manager to grant planning permission subject to conditions was moved, seconded, voted on and lost.

Resolved:

That the application be refused for the following reasons:-

1. The proposed development results in substantive change to and does not preserve the character and appearance of the landscape and defined Area of Outstanding Natural Beauty which is harmful and not justified by any overriding material considerations. The proposals are in conflict with policies C3(ii) NE 4 and NE15 of the North Wiltshire Local Plan 2011 and paragraph 17 and Section 11 of the National Planning Policy Framework.

2. The proposed development results in harm to the historic fabric, character and setting of the heritage assets at the site including Listed boundary wall and curtilage listed building known as the old Granary which is not justified by any overriding material considerations or identified public interest. The proposals are in conflict with policies C3(ii) and HE4 of the North Wiltshire Local Plan 2011 and paragraphs 17, 131, 132 & 134 and Section 12 of the National Planning Policy Framework and PPS5 Historic Environment Planning Practice Guide paragraphs 79, 85, 87, 114 & 116 and S.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

16 **13/02911/FUL - 6A Park Place AK, Ashton Keynes, Swindon, SN6 6NT**

Public Participation

Mr A Rees spoke in support of the application.

The officer introduced the report which recommended that planning permission be delegated to the Area Development Manager to grant permission subject to the signing of a section 106 agreement and conditions.

The application concerned the demolition of a bungalow and erection of two houses. The dwellings were of a similar design to other properties in the area. The proposal would see most of the ditch area surrounding the site retained. There were no opening windows overlooking the neighbouring property

The Committee then had the opportunity to ask technical questions of officers. It was confirmed that details of entry such as the type of gravel used were yet to be approved.

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

The local member, Cllr Chuck Berry then addressed the Committee and spoke in support of the application.

Resolved:

That authority be DELEGATED to the Area development manager to grant planning permission subject to the signing of a section 106 agreement in respect of affordable housing and public open space financial contributions; and conditions

Conditions

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

REASON:

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 1328/1 Rev L, 1328/2 Rev C stamped on 26.11.13**

REASON:

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

- 3) No development shall commence on site until all the existing buildings on site have been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.**

REASON:

In the interests of the character and appearance of the area and neighbouring amenities.

- 4) No development shall commence on site until details of the external stonework, including type, dressing, 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 constructed 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 finish to external timber, including any paint or stain to be used on the window joinery 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 first occupied .**

REASON:

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

- 6) 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. means of enclosure;**
 - d. all hard and soft surfacing materials;**
 - e. proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);**
 - f. retained historic landscape features and proposed restoration, where relevant.**

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

- 7) The development hereby permitted shall not be first brought into use until full details of the access construction specification including the piping of the drainage ditch has been submitted and approved in writing by the LPA. The access shall be maintained as such thereafter.**

REASON:

In the interests of highway safety.

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

re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to any building forming part of the development hereby permitted.

REASON:

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

INFORMATIVES TO APPLICANT:

- 1) The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.**
- 2) Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.**

17 Urgent Items

There were no urgent items.

(Duration of meeting: 6.00 - 8.00 pm)

The Officer who has produced these minutes is Eleanor Slack, of Democratic Services, direct line 01225 718255, e-mail eleanor.slack@wiltshire.gov.uk

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