

Eastern Area Planning Committee

MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 7 OCTOBER 2021 AT WESSEX ROOM, CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.

Present:

Cllr Philip Whitehead (Chairman), Cllr Paul Oatway QPM (Vice-Chairman), Cllr Dr Brian Mathew, Cllr Kelvin Nash, Cllr Sam Pearce-Kearney, Cllr Tony Pickernell, Cllr Iain Wallis and Cllr Stuart Wheeler

Also Present:

Cllr Caroline Thomas and Cllr Laura Mayes

12. **Apologies**

There were no apologies.

13. **Minutes of the Previous Meeting**

The minutes of the meeting held on 15 July 2021 were presented for consideration and it was

Resolved:

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

14. **Declarations of Interest**

There were no declarations of interest.

15. **Chairman's Announcements**

There were no Chairman's announcements.

16. **Public Participation**

The Chairman detailed the procedure for the meeting and the procedures for public participation which were set out at item 5 of the agenda.

17. **Planning Appeals and Updates**

Resolved:

To note the report on completed and pending appeals.

18. **Planning Applications**

The following planning application was considered:

19. **PL/2021/04596 West Winds, 72 Netherstreet, Bromham, Chippenham SN15 2DP**

Public Participation

Vikki Cattell spoke in objection to the application.

Chris Gray spoke on behalf of Nigel and Louisa Thomas in objection to the application.

Mike White spoke in objection to the application.

Tom Kent spoke on behalf of Richard Cosker (Agent) in support of the application.

Mike Butler, the applicant spoke in support of the application.

Nick Clark, Senior Planning Officer presented a report which recommended that planning permission be approved with conditions, for the outline application for demolition of bungalow and replacement with 2 detached dwellings and associated works to include change of use of land to form extended residential curtilage.

The officer stated that the main issue for consideration by the Committee was the principle of development. Matters of appearance, landscaping and scale were all reserved matters that would be covered by later applications.

The area covered by the application was shown to the Committee highlighting an area of farmland to the back of the existing bungalow which was included in the application for use as a garden. The indicative site layout plans were just an illustration to show 2 dwellings on the plot.

The officer advised that the site was outside the limits of development and therefore the application for 2 dwellings was contrary to the Wiltshire Core Strategy Development Plan and would usually be recommended for refusal. However, in this instance the officer explained that there were material considerations for the committee that supported approval. These were the shortfall in the five year housing land supply, the developed nature of the settlement with ribbons of housing along both sides of the street and the long history of redevelopment and infill along the street. The officer referred to the National Planning Policy Framework (NPPF) which advised that planning permission should be granted when an authority cannot demonstrate a five year supply of deliverable housing sites, unless the adverse impacts of the development significantly and demonstrably outweigh the benefits.

It was stated that there would be some limited economic benefits associated with the development. The impact on the character of the settlement and the

neighbouring amenities should be considered and there were detailed considerations of these within the agenda report. The density of dwellings and plot size would be very similar to those in the vicinity. On balance the officer felt that whilst there was an impact of an additional dwelling, the adverse impacts did not outweigh the benefits of the application, hence the recommendation to approve the application.

The Officer detailed representations received, there had been no objection from Bromham Parish Council, however, 20 objections to the application had been received.

In response to a technical question asked by the Committee the officer confirmed that if this application was approved, the applicant would have to submit a detailed reserved matters application, which would then need to be determined. Theoretically that could also come before the Committee depending on whether it was called in.

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

The unitary division member, Cllr Laura Mayes, spoke in objection to the application. Cllr Mayes urged the Committee to consider that the site was outside a defined settlement and therefore the application was contrary to the development plan; the application was contrary to core policies 1 and 2; the change of use of land from agricultural to residential was a concern; that a net gain of 1 dwelling was high in such a small place; if approved both new dwellings could be 2 storey; the site was big enough without the addition of agricultural land; the applicant owned land around the site and this could lead to further development.

In response to public statements the officer stated that the existing bungalow had a side garden and the proposed new boundary would put the garden in line with the neighbouring properties. It was not setting a precedent for the use of land at the rear for housing.

So that the Committee had something to debate the Chairman proposed a motion to approve the application, with the conditions stated at pages 26 – 29 of the agenda, as per the officer recommendation. This was seconded by Cllr Stuart Wheeler.

A debate followed where Members stated that they were in agreement with the officer's recommendation. Members referred to the Planning Inspectorate decision in 1976 where two houses immediately to the south of the application were allowed at appeal and referenced that the site was clearly within the envelope of development. Members reiterated that all matters of size and appearance would be decided later.

At the conclusion of the debate, it was,

Resolved:

That planning permission be granted with the following conditions:

- 1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.**

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

- 2. i) No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the local planning authority:**

- (a) The scale of the development;**
- (b) The layout of the development;**
- (c) The external appearance of the development;**
- (d) The landscaping of the site;**
- (e) The means of access to the site.**

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

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 3. The details of the reserved matters, and the development hereby permitted shall be carried out in accordance with the following approved drawings and details:**

- Location Plan LOC_1969-PLAN 1**
- Protected Species Survey report**

The submission of the reserved matters application for the layout of the dwellings shall provide for both dwellings to front the highway at Netherstreet.

REASON: For the avoidance of doubt and to secure a development that is in

keeping with the existing form of development in this part of Netherstreet.

4. i) No development (including works of demolition) shall commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority.

ii) The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the construction phase of the development.

iii) It shall include details of the following:

- a) arrangements for lorries delivering to and collecting from the site,
- b) hours of working (including deliveries and collection of demolition waste),
- c) the loading and unloading of equipment and materials, and
- d) provision on the site for storage of materials and parking of construction staff and contractor vehicles.

iv) The demolition and construction work will be carried out fully in accordance with the so-approved Construction Management Plan at all times.

REASON: In the interests of neighbouring amenities and highway safety

5. Car and cycle parking provision to be detailed in the reserved matters application/ s shall be in accordance with the required standards set out in the Wiltshire LTP3 Car Parking Strategy.

REASON: Considering the limited road width along Netherstreet, in order to ensure off-street parking provision for the development in the interests of highway safety and convenience.

6. i) Prior to the first occupation of the development or the substantial completion of the development (whichever is the sooner) there shall have been submitted to and approved in writing by the local planning authority a scheme of hard and soft landscaping, the details of which shall include:-

- a) all hard and soft surfacing materials,
- b) means of enclosure, (including details of any existing fencing to be retained),
- c) a detailed planting specification showing all plant species, supply and planting sizes and planting densities

ii) All so-approved planting shall be carried out in the first planting and seeding season following the first occupation of either building

or the substantial completion of the development whichever is the sooner.

iii) All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock.

iv) 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.

v) All hard landscaping shall also be carried out in accordance with the approved details prior to the first 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

7. i) Demolition works shall be carried out in full accordance with recommendations of Section 5 of the approved Protected Species Survey report (21 Apr 2021).

ii) The dwellings shall not be first occupied until bat roosting and bird nesting facilities have been incorporated in the development in accordance with details first to have been submitted to and approved in writing by the local planning authority; such details to be in accordance with the recommendations of the approved Protected Species Survey report (21 Apr 2021).

REASON

In the interests of biodiversity

8. i) Prior to commencement of construction of the new dwellings there shall have been submitted to and approved in writing by the local planning authority full details of a surface water drainage scheme and maintenance requirements to be implemented on the site in respect of all buildings and new or replacement areas of hard standing.

ii) There shall be no occupation of the development until the so-approved drainage scheme has been implemented in full

iii) The drainage scheme shall thereafter be maintained in accordance with approved details.

REASON

In the interests of controlling flood risk and highway safety.

INFORMATIVE

=====

For the suggested soakaways, the information to be submitted under this condition must include:

- Ground investigations and infiltration testing in line with the requirements of the BRE Digest 365 and undertaken by a competent contractor are required to assess the feasibility of the proposed surface water drainage strategy.

- Sizing calculations, construction details and a maintenance plan

9. i) The development hereby permitted shall not be first brought into use until the area between the nearside carriageway edge and a line drawn 2.4m parallel thereto over the entire site frontage has been cleared of any obstruction to visibility at and above a height of 600mm above the nearside carriageway level.

ii) The above frontage visibility margin shall be maintained as such at all times thereafter.

REASON: In the interests of highway safety

- 10.i) The development hereby permitted shall not be first occupied until the first 5m of the access, measured from the edge of the carriageway and/or whole of the parking area, has been consolidated and surfaced (not loose stone or gravel).

ii) The access shall be maintained as such thereafter.

REASON: In the interests of highway safety

INFORMATIVE

The surfacing of the access must be in accordance with the details of hard landscaping and surface water drainage to be approved under the conditions above

20. **Urgent items**

There were no urgent items.

(Duration of meeting: 3.00 - 3.45 pm)

The Officer who has produced these minutes is Tara Shannon of Democratic Services, direct line 01225 718352, e-mail tara.shannon@wiltshire.gov.uk

Press enquiries to Communications, direct line ((01225) 713114 or email communications@wiltshire.gov.uk