

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 4 MAY 2016 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice Chairman), Cllr Christine Crisp, Cllr Mark Packard, Cllr Sheila Parker, Cllr Toby Sturgis, Cllr Philip Whalley (Substitute), Cllr Chuck Berry, Cllr Howard Greenman and Cllr Howard Marshall

Also Present:

Cllr Simon Killane, Cllr Alan Hill

50 Apologies

Apologies were received from Cllr Chivers.

Cllr Groom was substituted by Cllr Whalley.

51 Minutes of the Previous Meeting

The minutes of the meeting held on 20 April 2016 were presented:

Resolved:

To approve and sign as a correct record the minutes of the meeting held on 20 April 2016.

52 Declarations of Interest

Cllr Trotman declared that in reference to agenda item no. 7c; the building in question was on a strip of land that had previously been owned by the Trotman family; however this was no longer the case. Cllr Trotman also declared that he was the Calne Area Board representative on the Calne 'Our Place' Project. The councillor would participate in the debate and vote on each item with an open mind.

53 Chairman's Announcements

The Chairman drew the meeting's attention to the following matters: The evacuation procedures; the procedure for public participation; and the policy on recording and broadcasting of meetings.

54 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation and that there were no questions submitted.

55 **Planning Appeals**

The Committee noted the contents of the appeals update.

56 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications 7a and 7c as listed in the agenda pack.

57 **15/09143/OUT - The Vale of the White Horse, Minety**

The planning officer, Lee Burman, introduced the report and outlined that the proposal was previously reported to Committee under application (reference 14/08912/OUT) with recommendation for refusal, for various reasons. Members had identified requirements in respect of tying the proposed development to enhancements to the public house; this would aim at securing its long term future as a valued community facility in respect of any future application proposals, which would lead to support for a revised scheme. The proposed application was for the erection of 6 dwellings and was a resubmission of application 14/08912/OUT. A map and blueprints of the proposed development were shown.

It was detailed that the proposed application proposal's design, following extensive revisions, was of a high quality and that that the location was not within a defined settlement boundary. The planning officer informed the meeting that the scheme would secure funding for works to the nearby public house tied to occupation of the properties, would make a contribution to affordable housing and that the applicant had agreed to a section 106 agreement in this respect. It was stressed that the proposal had significant support from the local community. Attention was drawn to the late observations provided with 'Agenda Supplement 1'.

Members of the Committee were invited to ask technical questions. Mr Burman confirmed that the previously proposed development had been for 12 houses, which had been revised down to 8 prior to the previous report to committee; however, the current proposal was for the erection of 6 houses.

Members of the public were then invited to speak as detailed below:

Jamie Denman spoke in support of the application.

Cllr Berry spoke in support of the application, in his capacity as the local division member.

In the debate that followed several members commented that there was a large amount of local support for the scheme. Attention was drawn to the recommendation which was set out in 2 parts. The point was raised that the benefits of the scheme largely outweighed any negative points and that the scheme was very workable.

Cllr Berry moved the officer's recommendation that authority be delegated to the Area Development Manager to grant planning permission, subject to conditions and the completion of a section 106 legal agreement within 6 months, and that in the event of failure to complete the section 106 agreement within this timeframe, that permission be refused. Cllr Greenman seconded the motion.

The motion was put to the vote and passed.

Resolved:

That authority is delegated to the Area Development Manager to GRANT planning permission, subject to conditions listed below and completion of a S106 legal agreement within six months of the date of the resolution of this Committee.

In the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe to then delegate authority to the Area Development Manager to REFUSE planning permission for the following reason:-

The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing and is therefore contrary to Policies CP1 CP3 & CP43 of the Wiltshire Core Strategy Adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.

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. 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 landscaping of the site;

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 development hereby permitted shall be carried out in accordance with the following approved plans:

GTB-646-10-3D

GTB-646-10-4D

GTB-646-50B

GTB-646-52A

GTB-646-53

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area.

6. No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

7. Prior to the commencement of development details including design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other boundary treatments and means of enclosure shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied

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

8. No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- h) measures for the protection of the natural environment. i) hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and/or the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

9. No development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and/or the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity.

10. No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained

11. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

12. 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 together with permeability test results to BRE365, has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained

13. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

14. Prior to commencement of development and Ecological Mitigation Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be in general accordance with Section

6 of the submitted Ecological Appraisal (AD Ecology, dated 26th October, 2015) and include full details of:

- **Construction methods for works in or near the pond and retained trees to reduce damage and disturbance to species and habitats**
- **Details of re-profiling and restoration of the pond margins**
- **The location and design of all bat and bird roosting / nesting features**

The development shall be carried out in full accordance with the approved Ecological Mitigation Plan unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of Nature Conservation

15. No development shall commence on site until a noise impact assessment and scheme for protecting the residential properties and their curtilages against noise from both road traffic and railway noise has been submitted to and approved by the Local Planning Authority. Any works that form part of the scheme shall be implemented in full before any permitted dwelling is first occupied.

General: In discharging this condition the applicant should engage an Acoustic Consultant. The consultant should carry out a background noise survey and noise assessment according to BS8233: 2014 and demonstrate that internal and external noise levels will not exceed the guideline noise levels contained in Section 7.7 of BS8233:2014. The report should also demonstrate that internal maximum noise levels in bedrooms will not normally exceed 45dB L_{Amax} between the hours of 23:00 and 07:00.

REASON: In the interests of residential amenity.

16. No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837:

2012: “Trees in Relation to Design, Demolition and Construction - Recommendations”; has been submitted to and approved in writing by the Local Planning Authority, and;

The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus

materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work – Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later].

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

17. The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.

INFORMATIVES:

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.

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

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.

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

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

58 **15/10251/FUL & 15/10390/LBC - 6 Oxford Street, Malmesbury, Wiltshire, SN16 9AX**

The planning officer, Sam Croft, introduced the application and explained that the application was for the proposed change of use from ground floor shops to residential, conversion and extension of existing Brew House to a residential unit, conversion and extension of existing garages and stores to residential unit, as well as the proposed refurbishment and extension to the dilapidated red brick dwelling and other associated works. Photographs, blueprints and a map of the area were shown. The proposals relate to a designated Heritage Asset Grade II Listed Building.

The planning officer outlined that the proposed development would result in four residential units being on site. It was highlighted that, in terms of the principle of development, the site was located outside the secondary retail frontage area of Malmesbury and the site itself was not protected from conversion. Mr Croft detailed that the building had been redundant for a number of years and, as a result, had become dilapidated. It was noted that the proposed development complied with Core Policies 1, 2 and 13 and was considered by officers to have a positive impact on the conservation area. Furthermore, no objections had

been raised from Heritage England, ecology or highways officers, or in terms of the impact on local amenity.

The Committee was then invited to ask technical questions. The planning officer confirmed that there would be 2 parking spaces as a result of the development and there would be sufficient turning space for vehicles. Highways officers had raised no objections to the proposals. Officers advised that each unit would have access to a small amenity space and then a larger community space. The secondary frontage area was confirmed as being decided upon the policies and supporting proposals map set out in R1 and R2 of the North Wiltshire Local Plan 2011, as saved by the Wiltshire Core Strategy 2015 and these plans showed that the site sat outside the secondary frontage area.

Members of the public were then invited to speak as detailed below:

Kim Power spoke in objection to the application and read out statements against the application, on behalf of Stuart Shape and Francesca Caiton.

Ian Maslin and Lisa Gozzer spoke in support of the application.

Cllr Budgen, Malmesbury Town Council, spoke in support of the application.

Cllr Killane was then invited to speak in his capacity as the local division member and spoke against the application. He raised several points, which included the following: that the North Wilts Plan had not been open to consultation, as the Neighbourhood Planning Document had been; that Malmesbury was a great place to visit and such an experience should be maintained. He also commented that he had not objected to the existing residential units in the area remaining as residential units.

Following questions raised by the local member, the planning officer confirmed that the extract from the North Wilts Local Plan showed that the site was located outside of the secondary frontage area.

In the debate that followed, several points were raised, which included the following: Malmesbury needed an equilibrium of retail and residential units; also, the proposed development would serve as a restricted retail unit and therefore, the optimum use for the unit could be seen to be residential. It was further discussed that a site on the extremity of the secondary frontage area and neighbourhood plan allowed for conversion from a retail to a residential unit and therefore, the application could not be refused on the grounds of conversion. It was identified that the proposals would result in the preservation and enhancement of a listed building and this was an important benefit of the scheme. Attention was drawn to the Construction Method Statement – as laid out in the conditions and informatives – and that it should be closely adhered to; as the flow of traffic in Malmesbury relied on a delicate system. Some members noted that the Town Council, other consultees and community groups had been

supportive of the proposed development and thus, this implied that the proposed development could be taken as, largely, positive.

Cllr Hutton proposed, seconded by Cllr Sturgis, that the application be granted planning permission, subject to the conditions and informatives outlined in the report and that listed building consent be approved, subject to the conditions outlined in the report.

The motions were put to the vote and passed.

Resolved:

That planning permission be approved, subject to the following conditions:

Planning Permission is APPROVED 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 part of the development hereby permitted shall be first brought into use 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.

3 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:-

- **location and current canopy spread of all existing trees and hedgerows on the land;**
- **full details of any to be retained, together with measures for their protection in the course of development;**
- **a detailed planting specification showing all plant species, supply and planting sizes and planting densities;**
- **finished levels and contours;**
- **means of enclosure;**
- **car park layouts;**
- **other vehicle and pedestrian access and circulation areas;**
- **all hard and soft surfacing materials;**

- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- retained historic landscape features and proposed restoration, where relevant.

REASON:

The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

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 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.

5 The development hereby permitted shall not be occupied until details of the storage of refuse, including details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority, and; the approved refuse storage has been completed and made available for use in accordance with the approved details. The approved refuse storage shall thereafter be maintained in accordance with the approved details.

REASON:

In the interests of public health and safety.

6 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- e) wheel washing facilities;
- f) measures to control the emission of dust and dirt during construction;
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- h) measures for the protection of the natural environment.
- i) hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON:

The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

7 The development hereby permitted shall be carried out in accordance with the following approved plans and documentation:

Heritage Assessment

Design and Access Statement

Bat Survey 2015

Structural Report

4173/11 Site Location Plan

4173/50 Rev B Proposed Cellar Floor Plan

4173/52 Rev D Proposed First Floor Plan

4173/53 Rev D Proposed Second Floor Plan

4173/54 Rev D Proposed Attic Floor Plan

4173/55 Rev C Proposed South Elevation

4173/56 Rev C Proposed North Elevation

4173/57 Rev C Proposed East Elevation

4173/58 Proposed West Elevation

Received on 14/10/2016

4173/51 Rev F Proposed Ground Floor Plan and Site Plan

Received on 02/03/2016

REASON:

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

8 INFORMATIVE TO APPLICANT:

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.

9 INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

10 INFORMATIVE TO APPLICANT:

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.

11 INFORMATIVE TO APPLICANT:

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

12 INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and

full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website
www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.

That Listed Building consent be approved, subject to the following conditions:

1 The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON:

To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 No walls shall be constructed on site, until a sample wall panel, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON:

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

3 No external stonework shall be constructed on site, until a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON:

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

4 No development shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys, dormers and canopies have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON:

The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

5 No paint or stain finish shall be applied to external timber (including window joinery), until details of the paint or stain to be applied 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 railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

REASON:

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

7 Notwithstanding the approved drawings, no works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:

- (i) Large scale details of all external joinery (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels;
- (ii) Large scale details of all internal joinery (1:5 elevation, 1:2 section);
- (iii) Full details of proposed rooflights, which shall be set in plane with the roof covering;
- (iv) Full details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;
- (v) Full details of proposed meter and alarm boxes;
- (vi) Large scale details of proposed eaves and verges (1:5 section);
- (vii) Full details of proposed internal service routes;
- (viii) A full schedule and specification of repairs including:
- (ix) a structural engineer's report setting out the nature of, and suggested remedial work to, structural defects

- (x) proposed timber and damp proof treatment**
- (xi) proposed method of cleaning/paint removal from historic fabric**
- (xii) a full schedule of internal finishes to walls, ceilings and floors**
- (xiii) Full details of external decoration to render, joinery and metalwork;**
and
- (xiv) Full details and samples of external materials.**

The works shall be carried out in accordance with the approved details.

REASON:

The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of preserving the character and appearance of the listed building and its setting.

8 No works shall commence on site until a watching brief has been arranged to be maintained during the course of the works affecting the historic fabric of the building. The watching brief shall be carried out in accordance with a written specification which shall have been first agreed in writing by the Local Planning Authority, by a professional archaeologist/building recorder or an organisation with acknowledged experience in the recording of standing buildings which is acceptable to the Local Planning Authority.

REASON:

The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to safeguard the identification and recording of features of historic and/or archaeological interest associated with the fabric of the building.

9 No works shall commence on site until a scheme for the protection of existing architectural / historic features in situ (including fireplaces, doors, windows, staircases, staircase balustrading and other woodwork) 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:

The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in

an acceptable manner, in the interests of preserving the character and appearance of the listed building and its setting.

10 The works hereby granted consent shall be carried out in such a manner as to ensure that the existing building(s) is/are preserved and not structurally or superficially altered in any way whatsoever, save in accordance with the approved plans and the said building(s) shall be structurally supported and weatherproofed at all times during the construction period in accordance with established building practice.

REASON:

To preserve the special architectural and historic interest of the listed building.

59 15/12651/FUL - The Pippin, Calne

The planning officer, Chris Marsh, introduced the report and outlined that the application was for the proposed erection of a building comprising of 32 retirement apartments with associated communal facilities, parking, access and landscaped grounds. The proposal also detailed a rear access path and 3 car parking spaces for bank premises on the High Street. A map, blueprints and photographs of the area were shown. Attention was drawn to the officer's recommendation, as amended by the late observations. The late observations contained details of further comments, additional suggested conditions and details of a petition submitted in respect of the application

The Committee was then invited to ask technical questions. The planning officer confirmed that there was no provision listed for the service road that lead to the Iceland supermarket and that any potential buyers were seen to be aware of the expected level of noise and activity that a town centre location afforded and as a result, public protection officers had raised no objection in relation to potential noise complaints from the site. Mr Marsh also confirmed that the public open space officer was satisfied with the provision of open space associated with the level of the development. It was further confirmed that the proposed development had allocated 19 parking spaces; excluding the car parking spaces allocated to Lloyd's Bank, as a part of their building's disabled access. It was reiterated that highways officers had deemed the proposed car parking arrangement to be sufficient; as the site was in a town centre location, where other parking was available. It was noted that there would also be mobility scooter storage within the proposed building and that, due to the age bracket of potential buyers of the properties, car ownership was expected to be lower and therefore, parking provision was adequate.

It was also confirmed that the Conservation Officer had not objected to the scheme proposals, on the basis of harm to designated Heritage Assets. Officers acknowledged that there was no replacement provision within the submitted scheme for the existing retail unit on site, or proposals for new retail units as indicated as necessary in the emerging Town Centre Masterplan. Officers

further confirmed that there were no adopted policies requiring the retention of existing retail facilities in this location and that as an emerging document at an early stage of preparation, significant weight could not be given to the provisions of the Town Centre Masterplan.

Members of the public were then invited to speak as detailed below:

David Williams, Janey Blackburn and Jonathan Jones spoke in support of the application.

Naomi Beal (Chairman of the Steering Group - Calne 'Our Place' Project), David Dillamore and Linda Roberts spoke in objection to the application.

Cllr Hill, Calne Town Council, spoke in objection to the application and noted that it was important that the Committee consider whether the proposed development was right for Calne's town centre.

A fire alarm was then sounded, which caused the meeting to be adjourned from 17:03 until 17:21.

Cllr Marshall spoke against the application, in his capacity as the local division member.

In response to questions, the planning officer confirmed that the provision of parking was commonplace for the type of proposed development, especially so, given the site's town centre location. It was also confirmed that the application could not be weighted upon the Neighbourhood and Master Plans; as these documents did not hold sufficient grounds to provide reasons for the refusal of the application.

In the debate that followed, some members raised concern over the loss of a potential retail site in the centre of the town and the effect this could have on the local economy. Councillors highlighted that the Calne Community Area wanted to develop a vibrant town centre and the application would be detrimental to this approach. It was noted that national planning policy encouraged that developments should ensure the vitality of town centres. It was suggested that a mix of both residential and retail units on the site would be more appropriate. Also, as both the Masterplan and Neighbourhood Plan would be given greater weight once they had been submitted to Wiltshire Council; it could be prudent to only consider such an application once both the Masterplan and Neighbourhood Plan had had the opportunity to develop and therefore, come to fruition.

Concern was also raised over the parking allocation as councillors considered that further provision should be made for visitor and service vehicle parking. It was also commented that the proposal was large in scale and would not enhance the character and appearance of the conservation area.

The meeting was adjourned from 18:10 to 18:25; to allow officers to consider the implications of matters raised and policies mentioned during the course of the debate and to prepare advice to the Committee on the basis that the debate concluded that the applications should be refused.

Cllr Marshall proposed, seconded by Cllr Crisp, that the application be refused for the reasons listed below:

The motion was put to the vote and passed.

Resolved:

That the application be refused for the following reasons:

1. The proposed development by reason of the loss of an existing retail unit would perpetuate an imbalance of residential and retail uses in Calne thereby prejudicing self containment of the settlement and promoting out commuting and prejudicing the delivery of the Town Plan/Town Centre Masterplan contrary to National Planning Policy Framework paragraphs 23 & 70: Wiltshire Core Strategy CP1, CP8 and paragraph 5.41 bullet points 1 and 7; and CP36.

2. By virtue of the scale, bulk, mass, positioning and use of materials the proposed development would result in harm to the setting of the designated heritage asset, Grade II Listed Building Zion Chapel, and the character and appearance of the Calne Conservation Area. The proposal is therefore contrary to and in conflict with National Planning Policy Framework Paragraphs 131, 132 & 134; and Wiltshire Core Strategy CP58.

3. The proposed fails to make adequate provision for off street parking to service the development and is therefore contrary to Wiltshire Core Strategy Policy CP57 Bullet point 14; and CP61 and CP64 point D.

4. The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing & Waste; and is therefore contrary to Core Policies 3 and 43 of the Wiltshire Core Strategy Adopted January 2015 and Paragraphs 50, 73 and 204 of the National Planning Policy Framework March 2012.

INFORMATIVE TO APPLICANT:

The applicant is advised that the Refusal Reason 4 is capable of being addressed and resolved through the preparation of a Section 106 Agreement to meet the identified Service & Infrastructure requirements arising from the development proposed.

60 **Urgent Items**

There were no urgent items.

(Duration of meeting: 15:00-18:32)

The Officer who has produced these minutes is Natalie Heritage, of Democratic Services, direct line 01225 718062 , e-mail natalie.heritage@wiltshire.gov.uk

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