

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 9 AUGUST 2017 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice Chairman), Cllr Chuck Berry, Cllr Christine Crisp, Cllr Howard Greenman, Cllr Gavin Grant, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Toby Sturgis, Cllr Brian Mathew and Cllr Philip Whalley (Substitute)

Also Present:

63 Apologies

Apologies were received from Cllr Ashley O'Neil who was substituted by Cllr Phillip Whalley.

64 Minutes of the Previous Meeting

The minutes of the meeting held on Wednesday 12 July 2017.

Resolved:

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

65 Declarations of Interest

There were no declarations of interest.

66 Chairman's Announcements

There were no Chairman's announcements.

67 Public Participation

The Committee noted the rules on public participation.

68 **Planning Appeals and Updates**

The Committee noted the contents of the appeals update.

69 **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) 17/00606/FUL – Land South of Royal Wootton Bassett, 7b) 16/06790/FUL – Land at Methuen Park, Chippenham and 7c) 17/03112/FUL Silver Street, Colerne as listed in the agenda pack.

70 **17.00606.FUL - Link Road between A3102 and Marlborough Road, Royal Wootton Bassett**

Members of the public John Parker, Karen Dykstra and Alan Norman spoke against the application. The applicant's agent Roger Smith spoke in favour of the application. Cllr Janet Georgiou from Royal Wootton Bassett Town Council spoke against the application.

The Senior Planning Officer introduced the application for the permanent retention of existing temporary road as an agricultural access. A presentation was delivered showing photographs of the existing site and the proposed plans. Attention was drawn to the amended plans and in particular the re-location of the access point, along with other conditions added. The Officer highlighted the Late Items which referred to 8 further objections, which had not been included in the agenda.

Members were invited to ask technical questions. It was confirmed that although a draft report had been produced prior to the end of the consultation period, the report was still under review and all representations were considered by Officers, including the Late Items. A question was also asked as to whether the road would be approved if it was not already there and Officers confirmed that they could not determine applications on a speculative basis. It was confirmed that, as there had been no request for lighting, it could be conditioned that no street lighting could be installed on the road, without additional permissions. A question was also asked as to whether the site had been investigated for potential flood risk and it was confirmed that the existing drainage infrastructure had been recommended as suitable for permanent retention.

Members of the public spoke as detailed above.

Local Member Cllr Chris Hurst spoke against the application. He spoke of the clear passion of the residents and the substantial detrimental consequences of the road, present and future. He stated that residents had tried to come up with alternative proposals but had not been listened to. He referred to Core Policy 57, referencing the impact on amenity, privacy, overshadowing and the pollution and vibration caused by the road, which he described as being overbearing and over-specified.

In the debate that followed, Cllr Hurst proposed that the application be refused under Core Policy 57.6 and 57.7, namely that the road fails to take account of the characteristics of the site, and will give rise to unacceptable harm to the residential amenity of nearby properties in relation to privacy, overshadowing and intrusion. This was seconded by Cllr Howard Greenman and approved by the majority.

Resolved:

REFUSED for the following reason:

The proposed development, by reason of its siting, height and associated vehicle movements, fails to take account of the characteristics of the site and the local context to deliver an appropriate development which relates effectively to the immediate setting, and will give rise to unacceptable harm to the residential amenity of nearby properties in relation to privacy, overshadowing and intrusion. The proposals therefore conflict with Core Policy 57(vi) and (vii) of the adopted Wiltshire Core Strategy.

71 **16.06790.FUL - Methuen Park, Chippenham**

Chris Beaver representing M&W Group spoke against the application. The joint applicants, Ben Humphries- Ashville Group and John Owen- Greensquare Group, spoke in favour of the application. The applicant's agent Rosie Dinnen, spoke in favour of the application.

The Senior Planning Officer introduced the application for the proposed erection of 66 dwellings, formation of access road, open space, landscaping and associated works. A presentation was delivered displaying photographs of the existing site and proposed plans. Planning objections to the application were highlighted, namely the lack of public open space that was to be provided, as detailed in the report. Furthermore the Strategic Programmes Manager presented the economic arguments against the application, stating that the site was important for the economic development of Chippenham. Members were advised that this was the only readily available employment land in Chippenham, and that there was an evidential demand for such land in the area. It was explained that improvements were being made to the roads and access in the area and that this would enhance the value and commercial attraction of the area. The Officer highlighted a number of concerns raised by the business community in the area, including the impact on traffic and parking, along with the detrimental affect on commercial development in Chippenham. Attention was also drawn to the Late Items. The Officers recommendation was for refusal.

Members were invited to ask technical questions and it was queried why the site had not been utilised commercially, if there was such a demand for employment land in the area. Officer's explained that they did not have details as to why commercial offerings had fallen through but stated that there was an evidential demand for employment land in Chippenham.

Members of the public spoke as detailed above.

The Local Member Cllr Phillip Whalley offered Cllr Peter Hutton the opportunity to speak on this item, as the site is due to transfer to the Chippenham electoral area under the recent boundary changes. Cllr Hutton expressed disappointment that this was the only available employment land in Chippenham and stated that the site had been vacant from before 2003. He said that this application was a good opportunity to see the site developed.

In the debate that followed, Members expressed concerns that the site was being reserved for employment land, when there was no evidence to suggest that it was a viable commercial site. Reference was also made to the significant housing need in Chippenham, with a lack of affordable housing available. However, it was also voiced that a “residential hope” value may have contributed to the vacancy of the land. Cllr Christine Crisp proposed the officers recommendation for refusal. This was seconded by Cllr Toby Sturgis and passed by the majority.

Resolved:

Application REFUSED for the following reasons:

1) The proposal would lead to the loss of a major employment allocation of land, which is part of the strategic objective set out in the Wiltshire Core Strategy to deliver a thriving economy to provide a range of jobs in Wiltshire with dependence on retaining the availability of and enhancing existing employment sites. The loss of this site would also be contrary to the aims of the Wiltshire Core Strategy which seeks to protect Wiltshire’s most sustainable and valued employment areas by applying policies to favour employment uses on these sites. The proposal would therefore be contrary to the aims of the Wiltshire Core Strategy and to Policy CP35 of the Wiltshire Core Strategy and the advice within section 1 of the NPPF in particular.

2) The application does not satisfactorily demonstrate through a robust and comprehensive marketing exercise that its retention is no longer warranted. This would be contrary to the employment led emphasis of the Wiltshire Core Strategy and the requirements of CP35 of that document together with advice in Section 1 of the NPPF.

3) The proposal does not make provisions to secure contributions to affordable housing; education; public art; waste collection and re-cycling; the ongoing provision and maintenance of open space. The application is therefore contrary to Core Policies 3, 43, 45 of the Wiltshire Core Strategy and saved policy CF3 of North Wiltshire Local Plan 2011.

INFORMATIVE: The applicant is asked to note that reason for refusal 3 may be overcome via the entering into an agreement under s106 of The Act to deliver the necessary infrastructure to make the development acceptable in planning terms.

72 **17/03112/FUL- Land adj Barton Piece, Silver Street, Colerne, Chippenham**

The Chairman drew Members attention to the Late Items, which detailed the applicant's request for this item to be deferred, in order that revised plans may be prepared and submitted for consideration in response to objections received. The Chairman proposed that this item be deferred, which was seconded by Cllr Christine Crisp and approved by the Committee.

Resolved:

Application DEFERRED at request of applicant and agreement of Committee. Amended plans to be submitted.

73 **17/04235/FUL - 3 Church Place, Lydiard Millicent, Swindon**

Member of the public Bryan Larkin spoke against the application. Cllr Vernon Montgomery from Lydiard Millicent Parish Council spoke against the application.

The Team Leader introduced the application for part-retrospective permission for detached annex to rear, front porch and storm water harvesting system to main property and erection of potting/bike shed to the front of the property. A presentation was delivered, including photographs of existing site and proposed plans. It was explained that permissions had already been granted for the site and that the amended proposed plans, had not changed in terms of depth, height and width. The Officer explained that the proposed plans, were not considered to present any significant harm to the character and appearance of the area, nor impact the neighbouring amenities. It was also confirmed that there was no significant overlooking and that the sight was well screened and so not visually prominent in the locality. The Officer's recommendation was for approval, subject to conditions.

Members were invited to ask technical questions and it was confirmed that, there was no precedent in planning law, the site was not in a conservation area and so the potting shed at the front of the property was not comparable to other applications, which had been refused.

Members of the public spoke as detailed as above.

In the debate that followed, concerns were raised as to the accumulative applications for this development and its partially retrospective nature. Cllr Tony Trotman proposed the Officer's recommendation, seconded by Cllr Peter Hutton. This was passed by the majority.

Resolved:

To GRANT planning permission, 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 carried out in accordance with the following approved plans:

Proposed south elevation Rev E

The plan showing the existing and proposed rear elevation of the host dwelling

The plan showing the proposed north elevation of the host dwelling and annex, roof plan and potting shed

The plan showing the proposed roof plan of the host dwelling and annex and the proposed north elevation of the annex and host dwelling

The location plan Rev E

The plan showing the proposed potting/bike shed front and side elevation

The plan showing the existing and proposed south elevation

The plan showing the existing and proposed front elevation of the host dwelling

Received by the Local Planning Authority on 26th May 2017

The plan showing the proposed west elevation of the annex

The plan showing the proposed floor plan of the annex

The plan showing the proposed east elevation of the annex

The plan showing the proposed south elevation of the annex

The plan showing the proposed north elevation of the annex

Received by the Local Planning Authority on 2nd June 2017.

The plan showing the existing and proposed floor plan of the host dwelling

Received by the Local Planning Authority on 27th June 2017.

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

3) No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: to protect neighbour amenity

4) The accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as 3 Church Place and it shall remain within the same planning unit as the main dwelling.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

5) 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.

6) 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.

7) 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.

8) INFORMATIVE TO APPLICANT:

The Council recommends that the applicant notes and implements the recommendations of the UK Constructors Group Good Neighbour Site Guide during the construction of the development hereby approved.

74 **17/05123/FUL - Wildings, Hazelbury Hill, Box, Corsham**

Cllr Sheila Parker from Box Parish Council spoke against the application.

The Team Leader introduced the application which was for the formation of an additional car parking space. A presentation was shown, including photographs of the existing site and proposed plans. It was explained that the application was partially retrospective, in so far as the ground had been excavated. Members were advised that the parking space was immediately opposite the neighbour's kitchen window. The Officer's recommendation was for approval.

Members were invited to ask technical questions and it was confirmed that a condition could be applied to ensure the use of the space for the parking of vehicles, as proposed.

Cllr Parker from Box parish Councillor spoke as detailed above.

The Local Member Cllr Brian Mathew spoke against the application. He described the area as an historic pathway, stating that the additional parking space would lead to a loss of amenity. He declared that the space should be restored to its original state.

In the debate that followed, Cllr Hutton proposed the Officer's recommendation for approval with the additional condition that the space only be used for parking cars in connection with the dwelling, along with the informative to ensure that

the drain, immediately adjacent to the space, is not effected by the new surface. This was passed by the majority.

Resolved:

To GRANT planning permission, 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 carried out in accordance with the following approved plans:

Proposed Plan, Dwg No: 0091/15/A, Dated: 24 May 17;

Existing Plan, Dwg No: 0091/15/B, Dated: 23 Jun 17;

plans as received by the LPA 26/05/17;

and Site Location Plan;

plan as received by the LPA 19/07/2017.

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

3) The gradient of the access way shall not at any point be steeper than 1:15 for a distance of 10 metres from its junction with the public highway.

REASON: In the interests of highway safety.

4) The land subject to this planning permission shall not be used for the parking of cars until full and complete details of the intended surfacing has been submitted to and approved in writing by the Local Planning Authority. Such details shall include confirmation and proof where required that the surfacing is permeable. The development should not be brought into use until the parking space has been consolidated and surfaced in accordance with the approved details

REASON: So as to ensure that the development is carried out in a manner that is suitable to its location and that the surfacing materials to be used will assist with appropriate surface water drainage.

5) 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:

Full details of the retaining structure /wall and fence/ barrier

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

REASON: In the interests of highway safety.

6) The parking space hereby permitted shall be used only for the parking of cars in connection with the use of "Wildings" as a domestic dwellinghouse.

REASON: So as to ensure the space is kept free for the parking of cars for residential purposes and in the interests of the amenity of the locality.

7) 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.

8) 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.

9) 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.

10) 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.

11) INFORMATIVE TO APPLICANT:

The applicant is asked to note that, in relation to condition 04, the location and proper functioning of the highway drain immediately adjacent to the parking space should not in any way be affected by the laying of the new parking space surface.

75 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 6.00 pm)

The Officer who has produced these minutes is Edmund Blick of Democratic Services, direct line 01225 718059, e-mail edmund.blick@wiltshire.gov.uk

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