

## NORTHERN AREA PLANNING COMMITTEE

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**MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 1 NOVEMBER 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 Ashley O'Neill

**Also Present:**

Cllr Ian Thorn

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105 **Apologies**

There were no apologies.

106 **Minutes of the Previous Meeting**

The minutes of the meeting held on Wednesday 4 October 2017 were presented.

**Resolved:**

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

107 **Declarations of Interest**

There were no declarations of interest.

108 **Chairman's Announcements**

There were no Chairman's announcements.

109 **Public Participation**

The Committee noted the rules on public participation.

110 **Planning Appeals and Updates**

The Committee noted the contents of the appeals update.

## 111 **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- 17/03035/REM - Land at Former Blounts Court Nursery, Studley Lane, Studley, Calne, SN11 9NQ and 7b- 17/07485/FUL- Flats 49 to 60, Woodroffe Square, Calne, SN11 8PW, as listed in the agenda pack.

### **111a 17/03035/REM - Land at Former Blounts Court Nursery, Studley Lane, Studley, Calne, SN11 9NQ**

Member of the public Richard Fitter spoke against the application. Cllr Keith Robbins from Calne Without Parish Council spoke in favour of the application.

The Senior Planning Officer introduced the application for the erection of 53 dwellings with public open space and associated infrastructure, approval of reserved matters (scale, layout, external appearance and landscaping) to be in conjunction with outline application 15/10457/OUT. It was identified that the application had been reported to the NAPC Meeting of the 06/09/2017 and had been deferred to seek alterations to the scheme's design and layout. Officers identified that these matters had, to a large extent, been addressed by the applicant and that further consultation had taken place in this respect. A presentation was delivered, which displayed a site location plan, photographs of the existing site and the proposed plans. The Officer also gave an overview of the planning history relating to the site. Attention was drawn to the Late Observations, in particular the Officer repeated the comments of the highway Officer that the proposal currently proposes no footway and no street lighting, if members were to approve the layout the Wiltshire Council would be unable to adopt any highways within the development.

Councillors were invited to ask technical questions and in response Officers confirmed that issues relating to the proposed positioning of the toucan crossing had been reviewed by external highways experts, along with Wiltshire Council's Highways Officers, and that this planning application could not dictate the specific location of a pedestrian crossing.

Members of the public spoke as detailed above.

Cllr Christine Crisp spoke as Local Member in favour of the application. She highlighted that the applicant had listened to residents concerns, and that the design was now acceptable to the Parish Council, and that it would be perverse to refuse the application.

In the debate that followed Cllr Crisp proposed the Officer's recommendation of approval, with the additional conditions contained in the Late Observations. This was seconded by Cllr Grant and approved unanimously.

**Resolved:**

**To GRANT planning permission subject to planning 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 The development hereby permitted shall be carried out in accordance with the following approved plans:**

**2550-5-2-DR-0001 P7 Received 19/07/2017  
2550-5-2-DR-0002 P7 Received 10/08/2017  
2550-5-2-DR-0003 P7 Received 10/08/2017  
2550-5-2-DR-0004 P7 Received 19/07/2017  
2550-5-2-DR-0005 P6 Received 19/06/2017  
2550-5-2-DR-0006 P2 Received 22/03/2017  
2550-5-2-DR-0007 P1 Received 01/02/2017  
2550-5-2-DR-0008 P1 Received 01/02/2017  
2550-5-2-DR-0009 P1 Received 01/02/2017  
2550-5-2-DR-0010 P2 Received 13/07/2017  
2550-5-4-LM-T4-S3 P1 Received 01/02/2017**

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

**3 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), the garage(s) hereby permitted shall not be converted to habitable accommodation.**

**REASON: To secure the retention of adequate parking provision, in the interests of highway safety.**

**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), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the )INSERT) roofslope(s) of the development hereby permitted.**

**REASON: In the interests of residential amenity and privacy.**

**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 gates, fences, walls or other means of enclosure, other**

than those shown on the approved plans, shall be erected or placed anywhere on the site.

**REASON:** In the interests of visual amenity.

**6** No more than 40 units shall be occupied until the unallocated parking shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for the use of parking motor vehicles at all times thereafter.

**REASON:** To ensure that adequate provision is made for parking within the site in the interests of highway safety.

**7** No development shall commence on site until a Residential Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

**REASON:** In the interests of road safety and reducing vehicular traffic to the development.

**8** No dwelling on the development hereby approved shall be occupied until sufficient space for the parking of vehicles in accordance with the Parking Schedule and Planning Layout together with a vehicular access thereto has been provided in accordance with details submitted to and approved in writing by the Local Planning Authority. The said space shall not be used other than for the parking of vehicles or for the purpose of access.

**REASON:** To ensure that adequate provision is made for parking within the site in the interests of highway safety.

**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.

**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.**

**INFORMATIVE TO APPLICANT:**

**Your attention is also drawn to the conditions imposed on the outline planning Permission**

**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.**

**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.**

**111b 17/07485/FUL- Flats 49 to 60, Woodroffe Square, Calne, SN11 8PW**

Members of the public Luke Jackson and Alan Downes spoke against the application. The applicant Derek Clarke and his agent Meghan Rossiter spoke against the application. Cllr Glenis Ansell from Calne Town Council spoke against the application.

The Senior Planning Officer introduced the application for the demolition of Demolition of 12 Flats Over Garages and 36 garages at nos. 49 to 60 Woodroffe Square and replacement with 24 dwellings, car parking and landscaping. A presentation was delivered, which displayed a site location plan, photographs of the existing site and the proposed plans. Attention was drawn towards the Late Observations. It was explained that the proposed parking provisions exceeded requirements under Wiltshire Council's current car parking standards and met the existing parking allocations. It was also highlighted that despite a loss of open space on site, there was a large amount of good quality open public space in the nearby area and that the loss of open space must be considered in the planning balance.

Councillors were invited to ask technical questions and in response it was clarified that it was difficult to assess actual difference between existing and proposed parking spaces, as although more parking spaces were being provided, some on- street parking would be lost.

Members of the public spoke as detailed above.

Cllr Ian Thorn spoke as Local Member against the application. He highlighted that the application had been objected to twice by Calne Town Council. He maintained that there had not been significant public consultation and that the

proposed over-development would have a negative impact on current and future residents. He urged members to seek deferment of the application.

Cllr Tony Trotman declared that as a member of Calne Town Council he would not participate in the voting on the application.

In the debate that followed, Councillors acknowledged the need for regeneration and development in this area but some expressed a view that the proposal would lead to greater density, over-development and loss of amenity and parking in the area. However, it was also acknowledged that the development would provide a significant provision of affordable housing to the area. Cllr Peter Hutton proposed the Officer's recommendation to delegate authority to the Head of Development Management to enter into a s.106 agreement and approve the application subject to conditions, as amended by the late observations. This was seconded by Cllr Toby Sturgis and approved by the majority.

**Resolved:**

**To DELEGATE authority to the Head of Development Management to GRANT planning permission, subject to conditions and completion of a S106 legal agreement within three 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 originally 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 is therefore contrary to Policies CP3 and CP43 of the Wiltshire Core Strategy Adopted January 2015.**

**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 shall be occupied 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.

**3** The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those specified on the approved plans and application form.

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

**4** All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first 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 tree protective fencing shall be erected in accordance with the details set out on Pg 16 and Appendix 5 (dwg BHA\_052\_04) of Arboricultural Survey, Impact Assessment, Protection Plan and Method Statement.. 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.

**REASON:** To ensure the protection of trees and in the interests of the amenity of the area.

**6** No dwelling hereby permitted shall be occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

**REASON:** In the interests of highway safety.

**7** The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

**REASON:** To ensure that the development is served by an adequate means of access.

**8** 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.

**9** No dwelling shall be occupied until details of the Stopping up of the public highway/ re-allocation of car parking provision, have been submitted to and approved in writing by the Local Planning Authority. That stopping up shall take place in accordance with the approved details prior to the first occupation of any dwelling within the development.

**REASON:** In the interests of highway safety.

**10** 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 window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in any roofslope of the development hereby permitted.

**REASON:** In the interests of residential amenity/privacy and to ensure that there is sufficient off-street parking.

**11** No development, other than demolition and site clearance, shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first

brought into use/first occupied until surface water drainage has been constructed in accordance with the approved scheme.

**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 ensure that the development can be adequately drained.

**12** No development, other than demolition and site clearance, shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

**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 ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

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

<b>P_WR SITLOC</b>	<b>A</b>	<b>Site Location Plan</b>
<b>P_WR 001</b>	<b>A</b>	<b>Existing Site Plan</b>
<b>P_WR 100</b>	<b>C</b>	<b>Site Layout Plan</b>
<b>P_WR 101</b>	<b>B</b>	<b>Site Layout Block Plan (COLOUR)</b>
<b>P_WR 230</b>		<b>Proposed Street Elevations</b>
<b>P_WR 231</b>		<b>Proposed Street Elevations</b>
<b>P_CY 130</b>	<b>A</b>	<b>Ground Floor Plan</b>
<b>P_CY 200</b>	<b>A</b>	<b>Elevations</b>
<b>P_CY 201</b>		<b>Elevations</b>
<b>P_EN(R) 125A</b>		<b>GF &amp; FF Block Plan _ Plt 7-8</b>
<b>P_EN(R) 126A</b>		<b>GF &amp; FF Block Plan _ Plt 10-11</b>
<b>P_EN(R) 200A</b>		<b>Elevations _ Plt 7-8</b>
<b>P_EN(R) 201A</b>		<b>Elevations _ Plt 7-8</b>
<b>P_EN(R) 202A</b>		<b>Elevations _ Plt 7-8</b>
<b>P_EN(R) 203A</b>		<b>Elevations _ Plt 10-11</b>
<b>P_EN(R) 204A</b>		<b>Elevations _ Plt 10-11</b>
<b>P_EN(R) 205A</b>		<b>Elevations _ Plt 10-11</b>
<b>P_CE(R) 125</b>		<b>GF &amp; FF Block Plan _ Plt 1-6</b>
<b>P_CE(R) 126</b>		<b>GF &amp; FF Block Plan _ Plt 12-15</b>
<b>P_CE(R) 200</b>		<b>Elevations _ Plt 1-6</b>
<b>P_CE(R) 201</b>		<b>Elevations _ Plt 1-6</b>
<b>P_CE(R) 202</b>		<b>Elevations _ Plt 1-6</b>

P_CE(R) 203		Elevations _ Plt 12-15
P_CE(R) 204		Elevations _ Plt 12-15
P_CE(R) 205		Elevations _ Plt 12-15
P_FL 125	B.	GF & FF Block Plan _ Plt 16-24
P_FL 200	A	Elevations _ Plt 16-24
P_FL 201	B.	Elevations _ Plt 16-24
P_BD 130		Boundary Treatments
P_BN 130		Bin Store Plans and Elevations
5622:P01	B	Proposed Level and Drainage Strategy
5622:P02	B	Existing Services Layout with Adoptable Drainage Overlay
5622:P10		Typical Sections Through Site
5622:P90	B	Large Refuse Vehicle Swept Path Analysis
5622:P91	B	Fire Tender Vehicle Swept Path Analysis
5622:500	A	Section 247 Highway Stopping Up Layout
GRE21048-11	C	Landscape Proposals
		Topographic Survey

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

**14** 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) 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.

15 Prior to the first occupation of unit 9 an Electric Vehicle Charging point shall be installed in accordance with the details shown on plan numbers 16-018\_P\_CY130A, 16-018\_P\_CY200A, 16-018\_P\_WR100C and thereafter retained.

**REASON:** For the avoidance of doubt, in the interests of proper planning and to ensure compliance with the Council's policies on local air quality and climate change.

**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.

**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.

**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.

**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.

112 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 4.30 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](mailto:edmund.blick@wiltshire.gov.uk)

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