

NORTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 5 OCTOBER 2011 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Peter Colmer, Cllr Christine Crisp, Cllr Peter Davis, Cllr Peter Doyle, Cllr Alan Hill (Vice Chairman), Cllr Peter Hutton, Cllr Simon Killane, Cllr Howard Marshall, Cllr Toby Sturgis and Cllr Anthony Trotman (Chairman)

Also Present:

Cllr Dick Tonge

82. **Apologies for Absence**

There were no apologies for absence.

83. **Minutes**

Resolved:

To confirm and sign the Minutes of the meeting held on 3 August 2011.

84. **Declarations of Interest**

There were no declarations of interest.

85. **Chairman's Announcements**

There were no Chairman's announcements.

86. **Public Participation and Councillors' Questions**

Members of the public addressed the Committee as set out in Minute No 88 below.

There were no questions received from members of the public or members of the Council.

87. **Planning Appeals**

The Committee received and noted a report setting out details of:-

- (i) Forthcoming hearings and public inquiries between 19 November and 31 December 2011.
- (ii) Planning appeals received between 21 July and 19 September 2011.
- (iii) Planning appeals decided between 21 July and 19 September 2011.

88. **Planning Applications**

1a **11/01495/FUL - The Turnpike Site, Heddington Wick, Heddington - Change of Use from Stock Barn to Generator Shed**

The following people spoke against the proposal:

Dr Nigel Cogger, consultant to objectors
Mr Thomas Jago, neighbour

The following person spoke in favour of the proposal:

Mr Peter James-Stephen, agent

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report from which it was noted that the application had been deferred from the meeting of the Committee held on 13 July 2011 so that additional technical specifications for the proposed generators and additional noise survey information and assessment could be submitted so that the Committee might fully consider the Environmental (Noise) Impact of the proposal. He also drew Members' attention to the late items.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

After discussion,

Resolved:

To grant planning permission for the following reason:-

The proposed development is considered to be acceptable based on its scale, form and location which is in keeping with the character of the property and locality. The proposal is in accordance with policies C3, BD6 & BD7 of the North Wiltshire Local Plan 2011.

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. Notwithstanding the information submitted with this application no development hereby permitted shall commence on site until the applicant has submitted full details of the proposed bunding to the Local Planning Authority and before the expiration of three years from the date of this permission and receive the written approval of the Local Planning Authority for the detailed bunding proposals. These details shall include additional noise attenuation measures to address potential “break out” noise from the agricultural storage unit at eaves height (e.g. acoustic fencing, timber boarding, straw baling). No development or operation of the generators shall take place until the permitted scheme of earth bunding has been implemented in accordance with the approved details.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

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:

- (a) indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (d) finished levels and contours;
- (e) means of enclosure;
- (g) other vehicle and pedestrian access and circulation areas;
- (h) hard surfacing materials;
- (i) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- (j) proposed and existing functional services above and below ground

(e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc).

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

POLICY-C3

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.

POLICY-C3

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions / extensions / external alterations to any building forming part of the development hereby permitted and no plant or machinery shall be installed outside any such building on the site on the approved plans.

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, or the installation of any outdoor plant/machinery.

POLICY-C3

6. The site shall be used for a generator shed only.

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

POLICY-C3

7. The delivery of fuel to the site shall be limited to the hours of 8:00am – 18:00pm on Mondays to Saturdays and not on Sundays or Bank or Public Holidays.

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

POLICY-C3

8. The use hereby permitted shall only take place between the hours of 07:00am and 19:00pm. In exceptional circumstances of peak demand from the national grid for supply operation may extend outside these hours.

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

POLICY-C3

9. The level of noise emitted from the site shall not exceed 85db LA eq at 1m as measured from the generator at any time during operation.

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

POLICY-C3

10. No development shall commence on site until details for the proposed storage of fuel has been submitted to and approved in writing by the Local Planning Authority.

REASON: To prevent pollution of the water environment

POLICY-C3

11. Within the agricultural stock barns that form the application buildings and for which the change of use to electricity generator shed (Incorporating the installation of two diesel generators and associated equipment) is hereby permitted no further power generators or related equipment shall be installed without the express consent of the Local Planning Authority.

REASON: To allow the Local Planning Authority to assess the noise impact of additional plant and machinery on noise receptors in the vicinity of the site.

POLICY: C3 and NE18

1b 11/02318/REM - Coach House, Church Road, Heddington, SN11 0PQ - Demolition of Industrial Buildings and Erection of 9 Dwellings (Resubmission of 10/04628/REM)

The following people spoke against the proposal:

Mr Martyn Brooks
Mr Tennant, a local resident
Mr David Tyler, adjoining landowner
Cllr Jeff Dickerson, Heddington Parish Council

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that Reserved Matters be granted subject to conditions. He also drew Members' attention to the late items.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

After discussion,

Resolved:

To refuse planning permission for the following reason:-

The proposed scale of the dwellings proposed is considered to result in an inappropriate form of development that would not respect the local character and distinctiveness of the area, and would give rise to a cramped development form, a perception of overdevelopment of the site and an unacceptable impact upon the amenities of neighbouring residential properties. As such the proposal is considered to be

contrary to the requirements of Policy C3 of the adopted North Wiltshire Local Plan 2011.

1c **11/01769/S73A - The Dairy, Sodom Lane, Dauntsey, SN15 4JA - Use of Ancillary Residential Accommodation as Self Contained Independent Residential Class C3 Unit (Retrospective)**

The following people spoke against the proposal:

Mr & Mrs S Eggleton, local residents
Cllr Andrew Chapman, representing Dauntsey Parish Council

The following person spoke in favour of the proposal:

Mr Simon Chambers, agent

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that planning permission be granted subject to conditions. He also drew Members' attention to the late items.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

After discussion,

Resolved:

To refuse planning permission for the following reason:-

The original building (prior to conversion) was described in documents supporting an earlier application (08/02157/FUL) as "generally dilapidated". The conversion that has been undertaken required extensive works of alteration, including works to roof structure and walls of the original building, resulting in a significant change to its external appearance. The original building was not structurally sound and required extensive alteration to allow for its residential re-use and therefore the works do not comply with Policy BD6 (Re-Use of Rural Buildings) of the North Wiltshire Local Plan 2011.

1d 11/02354/FUL - The Stables, Notton, Lacock, Chippenham, SN15 2NF - Expansion of Existing B1 Use into Adjoining Land

The following people spoke against the proposal:

Mr D Fothergill, a local resident
Mr Christopher Leslie, a local resident
Cllr Philip Glen, Vice-Chairman, Lacock Parish Council

The following people spoke in favour of the proposal:

Mr Liam Healey, applicant
Mr Paul Coleman, a local resident

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that planning permission be granted subject to conditions. He also drew Members' attention to the late items.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

The Committee then heard the views of Cllr Dick Tonge, the local Member, who, whilst recognising the need to encourage the growth of employment opportunities, did not consider that the application site was the correct location for the scale of such a development.

After discussion,

Resolved:

To grant planning permission for the following reason:-

Whilst acknowledging the shift from the present condition of the site as a green field to built form, it is considered that the proposal would involve limited new building that would be well related to an existing building. As such the proposal is of an appropriate form, scale and appearance and would comply with the requirements of Policies C3, C4, BD5 and NE15 of the adopted North Wiltshire Local Plan 2011 and national planning guidance in PPS4.

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 development shall commence on site until 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: In the interests of visual amenity and the character and appearance of the area.

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:

- (a) indications of all existing trees and hedgerows on the land;**
- (b) details of any to be retained, together with measures for their protection in the course of development;**
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;**
- (d) finished levels and contours;**
- (e) means of enclosure;**
- (f) car park layouts;**
- (g) other vehicle and pedestrian access and circulation areas;**
- (h) hard surfacing materials;**

REASON: 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. Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.

6. The development hereby permitted shall not be first brought into use/occupied, until the cycle parking facilities shown on the approved plans have been provided in full and made available for use. The cycle parking facilities shall be retained for use in accordance with the approved details at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

7. The site shall be used for offices only and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

8. No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site without the prior approval in writing of the Local Planning Authority.

REASON: In the interests of the appearance of the site and the amenities of the area.

9. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

10. No part of the development hereby approved shall be first occupied until the access, turning area and parking spaces 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 this use at all times thereafter.

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

11. The development hereby approved shall not be first brought into use/ occupied until the recycling facilities shown on the approved plans have been provided and made available for use. These facilities shall be maintained in accordance with the approved details thereafter.

REASON: To ensure the provision of satisfactory facilities for the storage of refuse and recycling.

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, 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: To ensure that the development can be adequately drained.

13. No development shall commence on site until details of the works for the disposal of sewerage 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: To ensure that the proposal is provided with a satisfactory means of drainage.

14. Prior to the commencement of development, full and complete details for the treatment of the southern boundary of the site shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in complete accordance with those details so agreed and shall remain in that condition thereafter.

Reason: To define the extent of the development site and so as to ensure a strong boundary treatment to the south of the application

site.

15. The use hereby permitted shall not take place before 08:00hrs nor after 18:00hrs on any weekday, before 08:00hrs and after 13:00hrs on Saturdays, not at any time on Sundays of Bank Holidays without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of amenity of nearby residential properties.

89. **Urgent Items**

There were no items of urgent business.

(Duration of meeting: 6.00 - 8.15 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic Services, direct line (01225) 713035, e-mail roger.bishton@wiltshire.gov.uk

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