

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 26 JANUARY 2011 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Chuck Berry (Reserve), Cllr Peter Colmer, Cllr Peter Davis, Cllr Bill Douglas, Cllr Peter Doyle, Cllr Peter Hutton, Cllr Simon Killane (Reserve), Cllr Toby Sturgis and Cllr Anthony Trotman (Chairman)

Also Present:

Cllr Jane Scott and Cllr Carole Soden

1. **Apologies for Absence**

Apologies for absence were received from Cllr Christine Crisp (who was substituted by Cllr Chuck Berry), Cllr Alan Hill and Cllr Howard Marshall (who was substituted by Cllr Simon Killane).

2. **Minutes**

Resolved:

To confirm and sign the Minutes of the meeting held on 15 December 2010.

3. **Declarations of Interest**

Cllr Tony Trotman declared a personal and prejudicial interest in Minute No 146 (d) – Application No 10/04463/FUL, Hill Brook House, Quemerford, Calne, owing to his close family relationship to the applicant, and stated that he would leave the Council Chamber for the duration of the item.

In view of the absence from the meeting of Cllr Alan Hill, the Vice-Chairman, it would be necessary to elect a Chairman for consideration of this application.

4. **Chairman's Announcements**

There were no Chairman's announcements.

5. **Public Participation**

Members of the public addressed the Committee as set out in Minute Nos. 146 & 147 below.

6. **Planning Appeals**

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

- (i) Forthcoming hearings and public inquiries between 17 January and 31 March 2011.
- (ii) Planning appeals received between 2 December 2010 and 6 January 2011.
- (iii) Planning appeals decided between 2 December 2010 and 6 January 2011.

7. **Planning Applications**

7a **10/03885/FUL & 10/03886/LBC - The Mansells, Upper Minety, SN16 9PY - Extension to Existing South Elevation to Create Two Storey Bay**

The following people spoke in favour of the proposal:

Mr Omar Malik, the applicant
Mr David Stirling, the agent
Cllr Graham Thorne, Chairman of Minety Parish Council

The committee received a presentation by Area Development Manager which set out the main issues in respect of the application. He introduced the report which recommended refusal and 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.

On hearing the views of Cllr Carole Soden, the local Member and after discussion,

Resolved:

(A) To grant planning permission for the following reason:-

The proposed bay window will preserve the historic significance of the listed building in accordance with S.16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and policies HE7 & HE9 of PPS 5.

and subject to suitable conditions to be drafted by the Area Development Manager, to include:-

No development shall commence 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.

(B) To grant listed building consent.

7b **10/03160/FUL - Land to Rear of Farrells Field, Cold Harbour Lane, Yatton Keynell - Small Scale Development of Two B1 Office Buildings with Associated Parking & Landscaping**

The following people spoke against the proposal:

Ms Charlotte Watkins, on behalf of Mr A Hardingham, a local resident

Mr Julian Davies, a local resident

Mr Bob Marshall, a local resident

The following people spoke in favour of the proposal:

Mr David Pearce, Land Development & Planning Consultant

Mr Maurice Avent, the applicant

Cllr Chris Dash, Chairman of Yatton Keynell Parish Council explained the Parish Council's opposition to the proposal.

The committee received a presentation by Area Development Manager which set out the main issues in respect of the application. He introduced the report which recommended that the planning application be delegated to

the Area Development Manager to 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.

On hearing the views of Cllr Jane Scott, the local Member and after discussion,

Resolved:

To refuse planning permission for the following reason:-

The proposed development is considered to be of a scale, form and character that is inappropriate to this settlement and site, which forms an important southern approach to the village of Yatton Keynell. As such, the proposal fails the provisions of Policies C3, C4, NE15 and BD4 of the adopted North Wiltshire Local Plan 2011.

The proposed development is of a scale, form and character that would result in an unacceptable impact upon the amenities of the nearest residential properties and as such would fail the requirements of Policy C3 of the adopted North Wiltshire Local Plan 2011.

The proposal, located outside the development framework boundary in the Local Plan, located remote from services, and being unlikely to be well served by public transport, is contrary to the key aims of Planning Policy Guidance Note 13 (transport) which seeks to reduce growth in the length and number of motorised journeys.

- 7c **10/04349/FUL - 2 Hartham Lane, Biddestone, Chippenham, SN14 7EA - New Two Storey Side Extension & Demolition of Existing Single Storey Detached Garage to Rear of Property**

The following person spoke against the proposal:

Mr John Marrinan, a local resident

The following person spoke in favour of the proposal:

Mr John Tilley, the agent

Cllr Tim Smith, Chairman of Biddestone Parish Council explained the Parish Council's opposition to the proposal.

The committee received a presentation by Area Development Manager which set out the main issues in respect of the application. He introduced the report which recommended that the planning application be granted subject to conditions.

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.

On hearing the views of Cllr Jane Scott, the local Member and after discussion,

Resolved:

To refuse planning permission for the following reason:-

The proposed extension is not considered to be in keeping with the façade of this attractive Victorian cottage. In particular the garage element extending to the front of the property and the cut-away roof to accommodate the first floor window is not a traditional or sympathetic addition. The design and appearance of the proposal fails to have respect for the local character and distinctiveness of the property and is not in keeping with the host building and as such the application fails to comply with Policies C3 (i) and H8 (i) of the North Wiltshire Local Plan 2011.

7d **10/04463/FUL - Hill Brook House, Quemerford, Calne, SN11 8LF - New Dwelling - Amendment to 04/03639/FUL**

- (i) Councillor Tony Trotman declared his personal and prejudicial interest in this item and left the room.

The remaining members were then invited to elect a replacement chair for the item and following nominations and voting it was,

Resolved:

That Cllr Peter Davis should act as Chair for this item.

- (ii) **The following people spoke against the proposal:**

Mrs Zoe Kelly, neighbour
Mr Andrew Kelly, neighbour

The committee received a presentation by Area Development Manager 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.

Resolved:

To grant planning permission for the following reason:

The proposed development comprises a dwelling that would have no greater impact upon amenities of surrounding residential occupiers than that of the extant planning permission. As such, the proposed dwelling would comply with the provisions of Policies C3 and H3 of the adopted North Wiltshire Local Plan 2011.

And 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 implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

Plans

Site location plan 1:1250; Boundary Plan 2010-30/05; Elevations sheet 1 2010-30 03B; Elevations sheet 2 2010-30 04B. All dated 1st December 2010.

REASON: To ensure that the development is implemented as approved.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (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.

4. Prior to the first occupation of the dwelling hereby approved, the rooflight in the south east slope of the roof shall be glazed with obscure glass only and permanently fixed shut prior to the first occupation of the development hereby permitted and shall be maintained as such at all times thereafter.

REASON: In the interests of residential amenity and privacy.

5. Development shall be carried out in complete accordance with levels and maximum ridge heights approved by the Local Planning Authority under planning permission 04/03639/FUL, as demonstrated on plans submitted on 5 May 2010.

REASON: For the avoidance of doubt and in the interests of ensuring development has no greater impact upon the amenities of neighbouring occupiers than that of the existing 2004 planning permission.

Cllr Tony Trotman thereupon rejoined the Committee and took the Chair.

8. Urgent Items

The Chairman agreed that this planning application be taken as a matter of urgent business because the scheme was an affordable housing development and funding needed to be secured in advance of the next meeting of this Committee on 16 February 2011 and was dependent upon planning permission being granted.

10/02147/FUL – land adjoining 75, Parklands, Malmesbury – Erection of Five New Dwellings with Associated Parking & Amenity Space (including Demolition of Existing Garages)

The following person spoke against the proposal:

Mr Roger Budgen, Chairman of Malmesbury Residents' Association

Cllr Andrew Carnegie, representing Malmesbury Town Council explained the Town Council's opposition to the proposal.

The committee received a presentation by Area Development Manager which set out the main issues in respect of the application. He introduced the report which recommended that the application be delegated to the Area Development Manager to be granted subject to a legal agreement to secure provision of an off-site open space contribution and potentially an education contribution. 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 application.

On hearing the views of Cllr Simon Killane, as the local Member and after discussion,

Resolved:

To delegate to the Area Development Manager to permit the application subject to completion of a Section 106 Agreement to secure the provision of five Affordable Housing Units for occupation by appropriately selected Qualifying Persons together with the provision of off-site open space and education contributions of £10,500 and £30,726 respectively , with the proviso that if at the end of the development process the applicants are able to adequately demonstrate that the scheme cannot support such contributions on the basis of an updated viability assessment one of the five affordable units may be sold on the open market to enable the contributions to be secured with the second proviso that if such an agreement cannot be concluded then the application to be refused for the following reason:

The applicant has failed to enter a legal agreement to secure contributions towards public open space and education. As such the application fails to comply with the requirements of Policies C2 (Community Infrastructure) and CF3 (Provision of Open Space) of the North Wiltshire Local Plan 2011.

(Duration of meeting: 6.00 - 9.00 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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