

## EASTERN AREA PLANNING COMMITTEE

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### MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 11 OCTOBER 2012 IN THE DEVIZES TOWN HALL, ST JOHN'S STREET, DEVIZES SN10 1BN.

#### **Present:**

Cllr Jane Burton, Cllr Peggy Dow, Cllr Nick Fogg, Cllr Richard Gamble (Vice Chairman), Cllr Charles Howard (Chairman), Cllr Chris Humphries, Cllr Jonathon Seed and Cllr Christopher Williams

#### **Also Present:**

Cllr Brigadier Robert Hall and Cllr Toby Sturgis

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#### 55. **Apologies for Absence**

Apologies were received from Cllrs Laura Mayes and Jemima Milton.

Cllr Milton was substituted by Cllr Jonathon Seed.

#### 56. **Minutes of the Previous Meeting**

The minutes of the meeting held on **09 August 2012** were presented and it was,

#### **Resolved:**

**To APPROVE as a correct record and sign the minutes.**

#### 57. **Declarations of Interest**

There were no declarations.

#### 58. **Chairman's Announcements**

The Chairman drew the public's attention to the feedback forms that had been provided for the meeting.

#### 59. **Public Participation and Councillors' Questions**

The rules on public procedure were noted.

## 60. Planning Applications

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes.

### **60.a E/2011/1572/LBC: Baydon Manor, Marridge Hill, Ramsbury, Wiltshire, SN8 2HG**

#### Public Participation

Mr Paul Stibbard, applicant, spoke in support of the application.

Mr Michael Fowler, agent, spoke in support of the application.

Mr John Baumber, Council for British Archaeology, spoke in objection to the application.

The Conservation Officer introduced a report which recommended refusal. The main issue was stated to be whether the proposed demolition of the listed building was justified. The building was confirmed to be in a poor state of repair.

The Committee then had the opportunity to ask technical questions of the officers. Details were sought about why the building had been listed, and of the date of construction. It was explained that an exact date had not been agreed regarding the Winter garden's construction, but that it dated to late 19th or early 20<sup>th</sup> Century.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The Local Member, Cllr Chris Humphries, then spoke in support of the application.

A discussion followed, where the state of disrepair and cost of restoration was raised, and the level of protection for listed buildings required in policy was debated.

At the conclusion of debate, it was,

#### **Resolved:**

**That listed building consent be REFUSED for the following reasons:**

- 1) The proposal would result in the loss of a designated heritage asset, for which no adequate justification has been provided. As such, the proposal is contrary to Government policy contained in Section 12 of the National Planning Policy Framework.**
- 2) The proposal would result in the loss of a significant element within the setting of the Baydon Manor, a designated heritage asset. As such, the proposals are contrary to Government policy contained in Section 12 of the National Planning Policy Framework.**

**60.b E/2012/0854/LBC: 7 The Green, Aldbourne, Marlborough, SN8 2BW**

Public Participation

Mrs Juliette Martin spoke in objection to the application.

Mr Paul Oakley, agent, spoke in support of the application.

Mr Andy Ashley spoke in support of the application.

Mr Rupert Bound spoke in support of the application.

The Conservation Officer introduced a report which recommended refusal. The main issue was stated to be the impact of the proposal on the listed building, and the extent of the visibility of the panels was highlighted.

The Committee then had the opportunity to ask technical questions of the officers.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The Local Member, Cllr Chris Humphries, then spoke in support of the application.

A discussion followed, where the impact of the photovoltaic panels and any alternatives was raised, and the need to balance support for the public benefit of sustainable energy against the impact upon the listed building was debated.

At the conclusion of debate, it was,

**Resolved:**

**That listed building consent be REFUSED for the following reason:**

- 1) The retention of 15 photovoltaic panels on the roof of the rear wing of the primary listed building, by virtue of their design and appearance, would introduce incongruous features to the building's roof. As a result, the proposal would have a harmful impact on the significance of the designated heritage asset and its setting. No evidence has been provided to illustrate other less intrusive options that should have been considered or to indicate that the alterations are necessary to achieve a public benefit which would offset the harm caused. The proposal therefore conflicts with policies contained in the National Planning Policy Framework.**

**60.c E/2012/1047/OUT: Dairy House, Puckshipton, Beechingstoke, Pewsey, SN9 6HG**

Public Participation

Mr Mark Noble, applicant, spoke in support of the application.

Mr Vic Wheeler, agent, spoke in support of the application.

The Planning Officer introduced a report which recommended refusal. Attention was drawn to the information that Beechingstoke Parish Council had met and supported the application unanimously. The main issues included the principle of development in the rural location, affordable housing, the sustainability of the proposal and the impact on the local ecology.

The Committee then had the opportunity to ask technical questions of the officers.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The Local Member, Cllr Brigadier Robert Hall, then spoke in support of the application.

A discussion followed, where the need for housing was raised, along with the possibility of ensuring affordable housing without the presence of a housing association. Whether the site met the definition of a rural exception site was debated, and whether the re-use of vacant buildings for residential purposes was acceptable.

After debate, it was,

**Resolved:**

**That the application be DELEGATED to the Area Development Manager to APPROVE subject to a legal agreement to secure affordable housing, for the following reason:**

- 1) The development would result in the re-use of a redundant building which would lead to an enhancement to the immediate setting and the amenities of the Area of Outstanding Natural Beauty. It would also provide valuable affordable housing for local people. These benefits outweigh any harm arising from the site's isolated location in open countryside.**

**60.d E/2012/0923/FUL: Bridewell Street (A4), Marlborough, Wiltshire**

**Public Participation**

Mrs Elisabeth Rolph spoke in objection to the application.

Mr Peter Morgan spoke in objection to the application.

Mr John Ford spoke in objection to the application.

The Planning Officer introduced a report which recommended approval. The impact on the listed building was highlighted along with the impact on highway safety. It was noted that archaeological organizations had stressed the wall material included materials which predated the construction of the attached school.

The Chair emphasized for all present that the Planning Committee did not have the power to grant or refuse permission to the proposed pedestrian crossing itself, which would be undertaken through the Highways Authority following consultation, although the application before the Committee was designed to facilitate that planned crossing as described in the report title.

The Committee then had the opportunity to ask technical questions of the officers. It was confirmed in response to queries that one of the walls listed for partial demolition was listed.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The Local Member, Cllr Nick Fogg, then spoke in objection to the application.

A debate followed, where it was debated whether the principle of the pedestrian crossing was relevant, and the impact and need for the proposal was discussed in relation to highways issues, the history of the wall and general location. It was clarified in response to queries that in the event of permission be granted, a condition would be in place to prevent any development until separate permission for the pedestrian crossing had been approved.

At the conclusion of debate, it was,

**Resolved:**

**That Planning Permission be REFUSED for the following reasons:**

- 1) The alterations to the listed wall required to facilitate the installation of a puffin crossing would result in the loss of historic fabric and harm to the character and setting of the listed building and the character and appearance of the conservation area. As such, the proposals are contrary to policy PD1 of the Kennet Local Plan 2011 and government policy contained in Section 12 of the National Planning Policy Framework.**
- 2) Any public benefits in terms of improved pedestrian safety resulting from the installation of a puffin crossing would not outweigh the harm caused to the designated heritage asset by the proposed alterations to the listed boundary wall. As such, the proposals are contrary to government policy contained in paragraph 134 of the National Planning Policy Framework.**

**60.e E/2012/1121/LBC: Bridewell Street (A4), Marlborough, Wiltshire**

The Planning Officer introduced the report which recommended approval.

The issues having been thoroughly debated during the previous application, the Committee determined to proceed immediately to the debate and vote.

It was,

**Resolved:**

**That Listed Building Consent be REFUSED for the following reasons:**

- 1) The alterations to the listed wall required to facilitate the installation of a puffin crossing would result in the loss of historic fabric and harm to the character and setting of the listed building. As such, the proposals are contrary to government policy contained in Section 12 of the National Planning Policy Framework.**
- 2) Any public benefits in terms of improved pedestrian safety resulting from the installation of a puffin crossing would not outweigh the harm caused to the designated heritage asset by the proposed alterations to the listed boundary wall. As such, the proposals are contrary to government policy contained in paragraph 134 of the National Planning Policy Framework.**

**60.f E/2012/0987/FUL: 1 South Street and The Old Forge, Aldbourne, Wiltshire, SN8 2DW**

**Public Participation**

Mr Nick Josephy spoke in objection to the application.

Mr David Ash spoke in objection to the application.

Mr Terry Gilligan spoke in support of the application.

Mr Marc Hart, applicant, spoke in support of the application.

The Planning Officer introduced a report which recommended approval. The main issues to consider included the principle of the change of use of the property, the impact upon neighbouring residential amenity and the conservation area, as well as highways issues and the acceptability of the proposed outbuilding.

The Committee then had the opportunity to ask technical questions of the officers.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The Local Member, Cllr Chris Humphries, then spoke in support of the application.

A discussion followed, where the historical use of the site and the overlooking of windows was raised, along with the context of the site in the surrounding area and corresponding impact upon amenity.

After debate, it was,

**Resolved:**

That planning permission be GRANTED for the following reason:

- 1) The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies and proposals in the Kennet Local Plan 2011 namely: policy PD1.

**Subject to the following conditions:**

1. The development hereby permitted shall be begun before the expiration of three years of 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 use hereby permitted shall only take place between the hours of 0900 and 1800 from Mondays to Sundays (inclusive).. The use shall not take place at any other time.

**REASON:**

To protect the amenities of the neighbouring residential properties.

3. The cooking facilities within the tea rooms hereby permitted shall be restricted to a domestic-size cooker and extracting hood. No other form of cooker, ventilation or extraction equipment shall be installed on the premises without a fresh grant of planning permission.

**REASON:**

In the interests of residential amenity.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting or amending that Order with or without modification), no windows, doors or other openings, other than those shown on the approved plans shall be inserted above ground floor level in the extension hereby permitted.

**REASON:**

In the interests of the privacy of the neighbouring properties.

5. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

20 -12 Sheet 1 Revision B, Date Received: 1st August 2012;

20 -12 Sheet 2 Revision B, Date Received: 1st August 2012;

20 -12 Sheet 3 Revision C, Date Received: 1st August 2012;

20 -12 Sheet 4 Revision B, Date Received: 1st August 2012;

20 -12 Sheet 5 Revision D and accompanying email from the applicant, Date Received: 25th September 2012;  
20 -12 Sheet 6 Revision B, Date Received: 1st August 2012.

**60.g E/2012/0986/LBC: 1 South Street and The Old Forge, Aldbourne, Wiltshire, SN8 2DW**

The Planning Officer introduced a report which recommended approval.

The issues having been thoroughly debated during the previous application, the Committee determined to proceed immediately to the debate and vote.

It was,

**Resolved:**

**That listed building consent is GRANTED for the following reason:**

- 1) The proposed works will not be detrimental to the character of the building.**

**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. Notwithstanding the approved drawings, details of the following shall be submitted to and approved in writing by the local planning authority prior to the commencement of any works:**

- (a) Internal elevations and details of works to the building to provide access from the existing first floor to the new extension;**
- (b) Details and samples of the clay tiles and render (including a sample render panel to be constructed on site) to be used on the extension;**
- (c) Full joinery details for all windows and doors (including internal doors). Elevations shall be at a scale of not less than 1:10 and frame sections and glazing bars etc at not less than 1:2;**
- (d) Details of the recessed 'blind' window; and**
- (e) Details of all new vents and flues connected to the kitchen and toilet facilities.**

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

**REASON:**

**To secure harmonious architectural treatment and to safeguard the character and appearance of this building of special architectural and historic interest.**

**3. The rainwater goods to be installed on the extension hereby granted consent shall be constructed of cast metal and painted black.**



**REASON:**

To safeguard the character and appearance of this building of special architectural and historic interest.

4. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

20 -12 Sheet 1 Revision B, Date Received: 1st August 2012;  
20 -12 Sheet 2 Revision B, Date Received: 1st August 2012;  
20 -12 Sheet 3 Revision C, Date Received: 1st August 2012;  
20 -12 Sheet 4 Revision B, Date Received: 1st August 2012;  
20 -12 Sheet 5 Revision D and accompanying email from the applicant, Date Received: 25th September 2012;  
20 -12 Sheet 6 Revision B, Date Received: 1st August 2012.

61. **Urgent items**

There were no urgent items.

(Duration of meeting: 6.00 - 8.45 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic Services, direct line 01225 718504, e-mail [kieran.elliott@wiltshire.gov.uk](mailto:kieran.elliott@wiltshire.gov.uk)

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## **RAMSBURY & AXFORD PARISH COUNCIL**

Clerk to the Council: Sue Arnold, c/o Parish Council Office, Memorial Hall, High Street, Ramsbury  
SN8 2PB

Tel no. 01672 520045 (answerphone)

E mail [parishcouncil@ramsbury.org](mailto:parishcouncil@ramsbury.org)

To Eastern Area Planning Committee

Re application E/2011/1572/LBC total demolition of Winter Garden at  
Baydon Manor Ramsbury

I received a late request to speak at the meeting tonight but unfortunately no-one from the Parish Council can appear at this notice. I would like to submit the following statement:

Ramsbury & Axford Parish Council support this application. The Winter Garden is very damaged and poses a risk in windy weather. Its position in a private garden means that it is not readily open to public view and it seems that there is little to be gained by insisting that the present owner engages in a very expensive restoration.

Sheila Glass  
Chairman Ramsbury & Axford Parish Council

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WILTSHIRE COUNCIL

POST REPORT REPRESENTATIONS

PLANNING SERVICES GROUP

DATE: 11<sup>th</sup> October 2012

EASTERN AREA COMMITTEE

Agenda No. Application No.	Location		To be commented
6a E/2011/1152/LBC	Baydon Manor, Marridge Hill, Ramsbury, Wilts, SN8 2HG	Letter from Applicant – Mr Stibbard 09.10.12	X
6b E/2012/0854/LBC	7 The Green, Aldbourne, SN8 2BW	Letter of Representation – Peter Lawler 09.10.12 Letter of Representation – Cllr Howard 10.10.12 Letter from Agent – Paul Oakley 10.10.12 Letter and Appendices from Agent – Paul Oakley 10.10.12	X X X X
6c E/2012/1047/OUT	Dairy House, Puckshipton, Beechingstoke, Pewsey, SN9 6HG	Beechingstoke Parish Council Comments – 27.09.12 Letter of Representation – Skybury Rare Breeds 25.09.12 Letter of Representation – W J Giddings 25.09.12	X X X

6d E/2012/0923/FUL	Bridewell Street (A4), Marlborough, Wilts	Marlborough Town Council Comments – 01.10.12	X
6e E/2012/1121/LBC	Bridewell Street (A4), Marlborough, Wilts	Marlborough Town Council Comments – 01.10.12 WAHNS & CBA comments – 09.10.12	X X