

EASTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 25 APRIL 2013 IN THE WESSEX ROOM, CORN EXCHANGE, DEVIZES, SN10 1HS.

Present:

Cllr Richard Gamble (Vice Chairman), Cllr Charles Howard (Chairman), Cllr Chris Humphries, Cllr Jerry Kunkler, Cllr Jemima Milton, Cllr Jeffrey Ody (Substitute) and Cllr Christopher Williams

Also Present:

Cllr Brigadier Robert Hall

26. Apologies for Absence

Apologies were received from Cllr Laura Mayes and Cllr Jane Burton.

Cllr Jeffrey Ody substituted for Cllr Jane Burton.

27. Minutes of the Previous Meeting

The Minutes of the previous meeting held **04 April 2013** were presented for consideration.

It was,

Resolved:

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

28. Declarations of Interest

Cllr Ody stated that he was acquainted with the objector for item E/2013/0092/FUL.

Following discussions it was agreed that this would not inhibit the procedure, and that there were no declarations of interest.

29. Chairman's Announcements

The Chair gave details of emergency exits in the event of a fire.

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

The Committee noted the rules on public participation.

No questions or statements were submitted.

31. **Planning Appeals Annual Update Report**

The report was presented to the committee.

It was,

Resolved:

To NOTE the report.

32. **Planning Applications**

The Chairman introduced the reports to the committee.

33. **E/2012/1459/FUL: The Wickets, Dragon Lane, Manningford Bruce, Pewsey, SN9 6JE**

Public Participation

Mr Nigel Buck spoke in objection to the application.

Mr Chris Palmer, agent, spoke in support of the application.

Cllr Richard Netherclift, Chairman of Manningford Parish Council spoke in objection to the application.

The Planning Officer introduced the report, which recommended the item be granted permission. Details of the application were then summarised by the officer.

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

Members of the public were given the opportunity to address the Committee with their views on the application.

Cllr Brigadier Robert Hall, local member, spoke in objection to the application.

A discussion then followed whereby members discussed the positioning of the planned access to the land. The access along the lane, disturbance to

neighbouring houses, drainage and adverse effects on historical land boundaries were also discussed.

At the conclusion of the debate it was,

Resolved:

That the application be DELEGATED to officers to APPROVE subject to amended plans being negotiated to relocate the access further along Dragon Lane towards the Wickets, opposite the allotments. This would reduce the impact upon occupiers of Fairfields.

Subject to this amendment, the proposed works would comply with policy PD1 “Development and Design” of the Kennet Local Plan 2011 and policy C8 “Development in Areas of Outstanding Natural Beauty” of the Wiltshire & Swindon Structure Plan 2016.

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 a scheme of soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-**
 - a) location and current canopy spread of all existing trees and hedgerows on the land;**
 - b) full details of any to be retained, together with measures for their protection in the course of development; and**
 - c) a detailed planting specification showing all plant species, supply and planting sizes and planting densities.**

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

- 3) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first use of the new access 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.

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

- 4) The access hereby permitted shall not be brought into use until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the nearside edge of the carriageway 25 metres to the north-west and 25 metres to the south-east from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

- 5) The gradient of the access hereby permitted shall not at any point be steeper than 1 in 15 for a distance of 4.5 metres from its junction with the public highway.

REASON: In the interests of highway safety.

- 6) The development hereby permitted shall not be first brought into use until the first 4.5 metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 7) The gates shall be erected in accordance with the details shown on approved plan number NA/JP/cp08 (received on the 25th February 2013). The gates shall be set back 5 metres from the edge of the carriageway and shall open inwards only, in perpetuity.

REASON: In the interests of highway safety.

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

Plan ref: Location plan, Date received: 26th November 2012;

Plan ref: NA/JP/cp06, Date received: 4th February 2013; and

Plan ref: NA/JP/cp08, Date received: 25th February 2013.

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

34. **E/2013/0092/FUL: The Little House, 24 The Fairway, Devizes, Wiltshire SN10 5DX**

Public Participation

Ms Jean Greenwood spoke in objection to the application.

Mr Carl Drury, agent, spoke in support of the application.

Mr Keith Hudson, applicant, spoke in support of the application.

The planning officer presented the report to the committee which recommended the application be approved. Attention was drawn to three letters of support for the application which had arrived after the completion of the committee report.

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

Members of the public then had the opportunity to present their views to the Committee.

The Local Member, Cllr Jeffrey Ody, then detailed some of the objections and potential solutions for the application, and that the issue for the Committee was to determine on balance if the mass increase and side door access caused unacceptable levels of amenity loss for neighbours.

A debate followed whereby the committee discussed the changes in floorspace, scale and design of the planned development and side access to the property.

At the end of the discussion it was,

Resolved:

That planning permission be GRANTED for the following reason and subject to conditions below.

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.

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the environmental, social and economic conditions of the area.

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 provision of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning Compulsory Purchase Act 2004.

- 2 The materials to be used in the construction of the external surfaces of the extensions hereby permitted shall match in material, colour and texture those used in the existing dwelling.**

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

- 3 The extension hereby permitted off the northern elevation of the existing dwelling shall not be occupied at any time other than for the purposes ancillary to the residential use of the main dwelling, known as The Little House, 24 The Fairway, Devizes 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.

- 4 The development hereby permitted shall be carried out in accordance with the following approved plans: Application Form, Design & Access Statement, Drawings Nos. 12.24TF.P.01, 12.24TF.P.02, 12.24TF.P.03, 12.24TF.P.04, 12.24TF.P.05, all received on 08.01.2013. Drawing No. 12.24TF.P.SITE.01A, received on 29.01.2013.**

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

34.a E/2013/0171/OUT: Whittonditch Farm, Whittonditch, Ramsbury, SN8 2QA

Public Participation

Mr Peter Lawson, agent spoke in support of the application.

Ms Sheila Glass, from Ramsbury Parish Council spoke in support of the application.

The planning officer introduced the report which recommended the application be rejected. It was noted, in a correction to the report papers, that the application was for Outline permission only, and that specific details on scale and design were reserved. It was also clarified that the site did not meet the NPPF definition of brownfield sites.

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

Members of the public then had the opportunity to present their views to the Committee.

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

A debate then followed whereby Members discussed the interpretation of the policy guidance for isolated applications beyond the limits of development, sustainable developments and parish Neighbourhood Plans. The committee also discussed the contribution to affordable housing, the funding offered to provide a footpath for the village and the agreed funding for a play area in the town.

Following the discussion, it was,

Resolved

That planning permission be GRANTED subject to the following list of conditions and the prior completion of a S106 agreement to secure two affordable dwellings on site and a financial contribution towards children's recreation.

Redevelopment would improve the appearance of this site which currently comprises unattractive former farm buildings and also secures planning benefits in terms of two affordable dwellings on-site, a contribution towards children's recreation and a footway to Ramsbury. The site does lie outside of the Limits of Development defined for Ramsbury in the adopted Kennet Local Plan 2011 and emerging Wiltshire Core Strategy but it is not isolated in planning terms, benefitting from a regular bus service and easy access to services and facilities in nearby Ramsbury. As such,

the proposal complies with Government policy contained in the NPPF which includes a presumption in favour of sustainable development.

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 No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The scale of the development;**
- (b) The layout of the development;**
- (c) The external appearance of the development;**
- (d) The landscaping of the site;**
- (e) The means of access to the site.**

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

REASON:

The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

3 INFORMATIVE TO APPLICANT:

This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the [INSERT].

4 This permission authorises a maximum of four residential units on the site.

REASON:

To define the extent of the permission and to ensure against the overdevelopment of the site.

5 No development shall commence on site until all the existing buildings (except the roadside building which is to be converted), including concrete hardstandings, have been demolished and all of the

resulting demolition materials and debris have either been removed from the site or set aside for recycling as part of the construction works. Any materials set aside for recycling and not subsequently used for this purpose shall be removed from the site before any of the residential units are first occupied.

REASON:

In the interests of the character and appearance of the area.

6 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 dwellings 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.

7 Prior to first occupation of the development hereby permitted a kerbed footway to highway adoptable standards shall have been provided to achieve a surfaced pedestrian route between the southwestern end of the existing permissive path near Whittonditch crossroads and the existing highway footway at the eastern edge of Ramsbury village.

REASON:

In the interests of highway safety.

8 Construction of the footway referred to in condition 7 above shall not be commenced until full details have been submitted to the Local Planning Authority and been approved in writing, and until a Section 278 Agreement has been completed to secure the footway construction.

REASON:

In the interests of highway safety.

9 Prior to first occupation of the development hereby permitted the existing permissive path near Whittonditch crossroads shall have been surfaced in consolidated stone in accordance with details to be first submitted to and approved by the Local Planning Authority in writing.

REASON:

In the interests of highway safety.

10 The demolition of the existing buildings shall be carried out in accordance with the recommendations given in Section 4 of the Phase I Bat Scoping and Barn Owl Survey Report by Hankinson Duckett Associates, March 2013.

REASON:

To mitigate against the loss of existing biodiversity and nature habitats.

11 No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment has been carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

REASON:

To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved.

12 The development hereby permitted shall be carried out in accordance with the following approved plan: 1:1250 Site Location Plan received 07/02/13.

REASON:

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

35. Urgent items

There were no urgent items.

(Duration of meeting: 6.00 - 7.45 pm)

The Officer who has produced these minutes is Samuel Bath, of Democratic Services, direct line 01225 718211, e-mail samuel.bath@wiltshire.gov.uk

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