

## EASTERN AREA PLANNING COMMITTEE

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### DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 5 JUNE 2014 IN THE WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.

#### Present:

Cllr Stewart Dobson, Cllr Peter Evans, Cllr Nick Fogg MBE, Cllr Richard Gamble, Cllr Charles Howard (Chairman), Cllr Jerry Kunkler, Cllr Paul Oatway and Cllr James Sheppard (Substitute)

#### Also Present:

Cllr Liz Bryant, Cllr Jemima Milton and Cllr Jonathon Seed

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#### 25. **Apologies for Absence**

Apologies for absence were received from Councillor Mark Connolly. Councillor Connolly was substituted by Councillor James Sheppard.

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

The minutes of the meeting held on 3 April 2014 were presented for consideration, and it was,

#### Resolved:

**That subject to amending Minute 19 to read 'Mr Peter Gallagher spoke on behalf of the Ramblers Association in objection to the Officer's Recommendation', to APPROVE as a true and correct record and sign the minutes.**

#### 27. **Declarations of Interest**

Councillor James Sheppard declared a non-pecuniary interest in application 14/02863/FUL: St John's Marlborough, Granham Hill, by virtue of having two children in attendance at the school who could possibly attend the Sixth Form there. He confirmed he would consider the application on its merits with an open mind and would debate and vote on the item.

Councillors Stewart Dobson and Nick Fogg also declared non-pecuniary interests in application 14/02863/FUL by virtue of being members of Marlborough Town Council, who had considered the application previously. Neither had voted at the Town Council meeting and would consider the

application on its merits with an open mind, and would debate and vote on the item.

Councillor Richard Gamble also declared a non-pecuniary interest in application 14/02863/FUL by virtue of being the Council's Portfolio Holder for Schools, Skills and Youth, but stressed that the Council was not responsible for post-16 education provision of academies, and was therefore able to consider the application on its merits with an open mind, and would debate and vote on the item.

**28. Chairman's Announcements**

There were no announcements.

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

The rules on public participation were noted.

There were no questions or statements submitted.

**30. Planning Appeals**

A report from the Area Development Manager on the outcome of appeals arising from Committee and Officer determined applications for 2013 was presented.

**Resolved:**

**To note the update.**

**31. Planning Applications**

The following applications were determined:

**32. 14/02863/FUL: St John`s Marlborough, Granham Hill, Marlborough, SN8 4AX**

**Public Participation**

Mr Alan Titcombe, resident, spoke in objection to the application.

Mr Gordon Hutt, Chairman of Ducks Meadow Residents Association, spoke in objection to the application.

Mrs Debbie Lorraine, Ducks Meadow Residents Association, spoke in objection to the application.

Mr Martin Cook, Assistant Head Marlborough St John`s, spoke in support of the application.

Miss Ellen Trevaskiss, pupil, spoke in support of the application.

Mrs Karen Davis, applicant and Chief Financial Officer of Marlborough St John`s, spoke in support of the application.

Cllr Justin Cook, Marlborough Town Council, spoke in objection to the application.

The Senior Planning Officer introduced the application which recommended the application be granted. Key issues were stated to include the design of the proposed building and any impact on nearby residential amenity and traffic impacts, particularly off-site parking. Details were provided of late representations in objection and support of the application.

A correction was made to the officer report, which had stated "*To meet current parking standards the proposal should be looking to meet a maximum number of around 126 spaces for staff and pupils for the sixth form requirement of 1 space per 4 students*". It was stated that the proper ratio is 1 space per 10 students applied to the new build, which with spaces for associated staff and parents gives a requirement for 14 spaces.

Members of the Committee then had the opportunity to ask technical questions of the officer. Further clarification was sought on national and council parking standards, and details that would need to be provided in an updated school Travel Plan, which it was confirmed would need to be completed by March 2015. In response to queries over the location of the proposed build, it was stated that the presence of a gas pipe running under the site limited where construction of the new extension could take place.

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

The local member, Councillor Nick Fogg, then spoke in support of the application, while expressing disappointment that a Travel Plan to resolve parking concerns had not already been completed.

Cllr Jemima Milton, adjoining Division Member, then spoke in support of the application, highlighting the need for the school to expand and its importance to the town and wider area.

A debate followed, where the procedure for completion of the Travel Plan was discussed, and that it would be beneficial for the Marlborough Division Members to be consulted on its development.

Parking capacity on the site was raised, as well as the impact of students parking in the nearby residential streets, with options such as more spaces on the site, overflow parking sites, designated spacing for students and a resident's parking scheme discussed. Members were informed of a former Wiltshire Council education facility near to the site had existing parking facilities, and senior officers had been contacted to determine whether this could be utilised by the school, with a positive initial response, which would provide flexibility and more time to seek a more permanent parking solution.

Members discussed local and national policy in respect of school expansion, and it was noted that the planned extension was to be funded by a government grant which would be lost should it not be developed quickly, but that the concerns of local residents also needed to be carefully addressed. In respect of

the design and its impact on the nearby residence, it was confirmed rear facing windows would be obscured glazing and above eye level.

At the conclusion of debate, it was,

**Resolved:**

**That planning permission be GRANTED, 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 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 part of the development hereby approved shall be first brought into use until a Green 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.**

- 4 No part of the development hereby approved shall be first brought into use until the additional parking areas shown on the approved plans have been laid out in accordance with the approved details. These areas 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 interests of highway safety.

- 5 Before the development hereby permitted is first occupied the first floor high level windows in the rear elevation shall be glazed with obscure glass only and the windows shall be permanently maintained with obscure glazing in perpetuity.

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

- 6 No development shall commence on site until a drawing showing proposed habitat enhancements within the site has been submitted to and approved in writing by the local planning authority. The approved enhancements shall be carried out in the first planting season following the first occupation of the new building.

**REASON:** In the interest of conserving and enhancing the biodiversity of the site.

- 7 No exterior lighting shall be introduced to light the building.

**REASON:** In order not to interfere with the bat populations which use the tree line along the adjacent disused railway line.

- 8 The development hereby permitted shall be carried out in accordance with the following approved plans: 3749/102A, 3749/103B, 3749/104B, 3749/105A and 3749/106B, received 28/04/14 and 3749/101C, 3749/303A, 3749/304A and 3749/305B received 16/05/14

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

- 9 **INFORMATIVE TO THE APPLICANT:**

The applicant should be aware that there are several records of slow worms and grass snakes in close proximity to the school site and it would therefore be prudent to engage an ecological clerk of works during the construction phase to ensure that reptiles are not at risk from construction processes.

- 10 **INFORMATIVE TO THE APPLICANT:**

The applicant should engage a suitably qualified consultant ecologist to assist with the design and layout of the habitat enhancements required by condition no. 6, to ensure its likely

**effectiveness and appropriateness within the site.**

**11 INFORMATIVE TO THE APPLICANT:**

**A Wiltshire Council former education facility lies nearby the application site. The closed site is still owned by Wiltshire Council and has parking facilities for over 20 cars. The applicant is advised to investigate with Wiltshire Council whether this site could be made available to St John's to provide additional parking spaces until it is required for some other use by the Council.**

**It was resolved that the Marlborough Division Members should be consulted during the preparation of the Green Travel Plan required under condition 3 of the planning permission.**

*Cllr Fogg left the meeting after the conclusion of this item.*

**33. 13/06712/VAR: Land off Melksham Road, Westbrook Park Farm, Westbrook, Bromham**

Public Participation

Mr David Johnson, applicant, spoke in support of the application.

Mr Lance Beale, resident, spoke in support of the application,

The Senior Planning Officer introduced a report which recommended the application be refused. The key issue was stated to be the impact on highway safety of the development undertaken and which would be approved by variance of the existing conditions on the site. It was stated that the grinding down of the existing kerbs had damaged their structural integrity and was dangerous, and the council could be liable for any damage or injury that resulted.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought on the cost of replacing the type of kerbs required with the existing conditions and in response to queries it was confirmed the increased scale of the access would be an improvement to the highway, if proper kerbing and appropriately wide consolidated material rather than looser materials, was in place.

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

The local member, Councillor Liz Bryant, and adjoining Division Member, Councillor Jonathon Seed, then spoke in support of the application, stating that the current access was safe and of common use in the area. The site was for private not commercial use, and it was questioned why a commercial standard had been requested for the width of the consolidated material.

A debate followed, where the importance of following appropriate standards was emphasised, and that though not a commercially used site, traffic through it

was quite frequent and included heavy vehicles which could cause damage as a result of the lack of compliance to the original conditions.

At the conclusion of discussion, it was,

**Resolved:**

**That planning permission be REFUSED for the following reason:**

- 1. The proposed variation of conditions 3 and 4 of planning permission E/09/1558/FUL would result in an adverse impact on highway safety. The conditions as originally worded are necessary to ensure no detriment to structure of the existing highway, and to ensure vehicles can safely enter and exit the application site without detriment to the free flow of traffic and highway safety along the A3102 road. The proposed development would therefore be contrary to saved policy PD1 of the Kennet Local Plan 2011 and Core Policies 60 and 62 of the emerging Wiltshire Core Strategy.**

**34. Urgent items**

There were no urgent items.

(Duration of meeting: 6.00 - 8.20 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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