

EASTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 29 JANUARY 2015 IN THE WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.

Present:

Cllr Charles Howard (Chairman), Cllr Mark Connolly (Vice Chairman), Cllr Stewart Dobson, Cllr Peter Evans, Cllr Richard Gamble, Cllr Jerry Kunkler and Cllr Paul Oatway

1. Apologies for Absence

Apologies were received from:

Cllr Nick Fogg MBE

2. Minutes of the Previous Meeting

Resolved

To approve and sign as a true and correct record the minutes of the meeting held on 20 November 2014.

3. Declarations of Interest

Cllr Peter Evans declared a non-pecuniary interest in item 7a, as he was a member of Devizes Town Council. Cllr Evans stated that he had not taken part in the application at the Town Council level and would participate in the item with an open mind.

4. Chairman's Announcements

There were no Chairman's announcements.

5. Public Participation and Councillors' Questions

The rules on public participation were noted. There were no questions submitted.

6. **Planning Appeals**

There were no planning appeals.

7. **Planning Applications**

8. **14/10471/FUL - Southfield House, Victoria Rd, Devizes**

Public Participation

Peter Jordan spoke in objection to the application.

Adrian Abbs spoke in support of the application.

The Planning Officer introduced the application which was recommended for approval subject to conditions. Key issues were stated to include principle of development and provision of care facilities; design, landscaping and visual impact; and density and layout.

There were no late items.

Members of the Committee then had the opportunity to ask technical questions of the officer. It was asked what control there was over the hours of work and deliveries during the construction period. Condition 11 set out the construction method, with point F giving provision to include time restrictions. These would be set at the Wiltshire Council's standard, which was for work to operate Monday to Friday 7am-6pm, Saturday 8am-1pm and no work on Sundays.

Clarification was sought over the amount of parking which would be provided for staff, residents, and visitors. It was noted that an average had been calculated through other schemes, and that this scheme was above the average. Links were available to the town centre, and staff numbers on site would be reduced.

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

The division member Cllr Sue Evans spoke in favour of the applications. It was suggested that construction should take place during working hours and that no deliveries should take place at weekends.

It was explained that deliveries from 8am-1pm on Saturdays were considered standard working hours. The location of the bins was clarified as being placed in the most convenient place to limit their impact on amenity. The separation distances from the proposed building and the neighbouring houses on the west were stated to exceed the minimum distance.

A debate followed whereby the development of the site, its location, and access to town were discussed. The issue of balconies overlooking neighbouring properties was discussed. Restrictions on construction and delivery hours were considered.

At the conclusion of debate it was,

Resolved

To grant planning permission subject to the following conditions, a unilateral undertaking to secure 30% affordable housing and £6,609.00 towards public open space, and the inclusion of an informative restricting large-scale site deliveries to weekdays:

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. Each of the apartments hereby permitted shall be occupied only by:
 - a. persons of 55 years of age or over;
 - b. persons living as part of a single household with such a person or persons;
 - c. persons who were living as part of a single household with such a person or persons
 - d. who have since died.

REASON:

The units of the residential home/sheltered accommodation have been designed for occupation by persons who satisfy the above criteria and are unsuitable for family housing.

3. No above ground development, excluding demolition, 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.

4. No above ground development, excluding demolition, shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, and canopies 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.

5. No above ground development, excluding demolition, 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 until surface water drainage has been constructed in accordance with the approved scheme.

REASON:

To ensure that the development can be adequately drained.

6. No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON:

In the interests of highway safety.

7. 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 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.

8. No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until protective fencing as shown on drawing no.00210.00025.16.002 RevB 'Vegetation Retention, Protection and Removal Plan' and in accordance with the approved Arboricultural Method Statement and Tree Protection Plan and British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction - Recommendations"; has been erected to protect all trees to be retained.

The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work - Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practice.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

[In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later].

REASON:

To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity and neighbour amenity.

9. The lighting scheme hereby approved shall comply with guidance issued by the Institution of Lighting Professionals Engineers for an E3 Zone.

REASON:

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

10. All building services, plant and fixed machinery shall be so sited and designed in order to achieve a Rating Level LArTr of 37dB between the hours of 0700 and 2300 and Rating Level LArTr 30dB between the hours of 2300hrs and 0700hrs as measured at the nearest noise sensitive receptor. Measurements and assessment shall be carried out in accordance with BS4142.1997.

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.

11. No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:
 - a. the parking of vehicles of site operatives and visitors;

- b. lloading and unloading of plant and materials;
- c. storage of plant and materials used in constructing the development;
- d. measures to control the emission of dust and dirt during construction;
- e. a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- f. hours of construction, including deliveries;
- g. details of the soft stripping process to demolish the existing building; and
- h. details of sensitive measures to be employed in removal of trees and other vegetation from the site has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON:

To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to biodiversity and the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

12. The development hereby permitted shall be carried out in accordance with the following approved documents and plans:
- a. Planning, Design and Access Statement, received 04 November 2014;
 - b. Drawing no.P-Site-01 Issue P02, Site Location Plan, received 04 November 2014;
 - c. Drawing no.P-Site-02 Issue T016, Proposed Site Plan, received 14 January 2015;
 - d. Drawing no.P-0-10 Issue P03, Proposed Ground Floor Plan, received 23rd December 2014; Drawing no.P-1-10 Issue P03, Proposed First Floor Plan, received 23rd December 2014;
 - e. Drawing no.P-2-10 Issue P03, Proposed Second Floor Plan, received 23rd December 2014;
 - f. Drawing no.P-3-10 Issue P03, Proposed Roof Plan, received 23rd December 2014;
 - g. Drawing no.E-10 Issue P03, Proposed North and South Elevations, received 23rd December 2014;
 - h. Drawing no.E-11 Issue P03, Proposed East and West Elevations, received 23rd December 2014;
 - i. Drawing no.E-12 Issue P03, Proposed Courtyard Sectional Elevations, received 23rd December 2014;
 - j. Drawing no.00210.00025.16.001 RevB, Landscape Proposals, received 04 November 2014;
 - k. Drawing no.00210.00025.16.002 RevB, Vegetation Retention, Protection and Removal Plan, received 14 January 2015;

- l. Drawing no.00210.00025.16.003 Rev1, Hard Landscape Proposals, received 14 January 2015;**
- m. Drawing no.00210.00025.16.004 Rev1, Soft Landscaping Proposal, received 14 January 2015;**
- n. Drawing no.00210.00025.16.005.0, Timber Fence and Gates, received 14 January 2015;**
- o. Drawing no.414.00210.00 025.16.01, Plant Schedule, received 14 January 2015;**
- p. Drawing no.DECH-ATK-Z0-XX-PL-E-4600, Electrical Services - External Lighting Light Spill', received 04 November 2014;**
- q. Drawing no.C14730-C-01 RevP2, Drainage Layout - Preliminary, received 04 November 2014;**
- r. Schedule of Luminaires by Atkins, received 14 January 2015;**
- s. TR1 GRP Substation, received 14 January 2015;**
- t. Tree Survey and Constraints Plan by Tim Pursey Arboricultural Consultant, received 14 January 2015;**
- u. Arboricultural Method Statement and Tree Protection Plan by Tim Pursey Arboricultural Consultant, received 14 January 2015;**
- v. Landscape Management Plan by SLR Global Environmental Solutions, received 14 January 2015;**
- w. Environmental Noise Assessment by Atkins, dated 14 November 2014, received 20 November 2014; received 20 November 2014.**

REASON:

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

13 INFORMATIVE TO APPLICANT:

The attention of the applicant is drawn to advice and guidance provided by the Wiltshire Fire & Rescue Service within their letter dated 17 November 2014.

14 INFORMATIVE TO APPLICANT:

The attention of the applicant is drawn to advice and guidance provided by the Wessex Water within their letter dated 07 November 2014.

15 INFORMATIVE TO APPLICANT:

The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's

Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

16 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 _____

17. INFORMATIVE TO APPLICANT:

It is recommended that the hours of construction should be restricted to the following times:-

Mondays to Fridays 0730 - 1800

Saturdays 0800 - 1300

Not at all on Sundays or Bank Holidays

It is recommended that the delivery and despatch of goods to and from the site should be limited to the hours of 0730 - 1800 on Mondays to Fridays, and at no times on Saturdays, Sundays, nor at any time on Bank or Public Holidays.

9. 14/11572/FUL - 4 Turnpike Cottages, Hilcott

Public Participation

Nigel Keen spoke in support of the application

Thomas Bailey spoke in support of the application

Carolyn Whistler spoke on behalf of North Newnton Parish Council

The planning officer introduced the application which recommended that it be refused. Key issues were stated to be the principle of new residential development in the countryside; the impact upon the rural character of the area; and the sustainability of additional new residential development in this location.

One late item was reported, which were the comments of North Newnton Parish Council.

There were no technical questions from members of the Committee.

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

The division member Cllr Paul Oatway spoke in support of the application. It was explained that the application had the full support of the parish council. There were other similar existing properties in the area, and it was heard that the application was within the village of Hilcott and was served by Wiltshire Council funded buses.

It was explained that whilst the application was within the village of Hilcott the assessment was that it was not within the built-up area of Hilcott. With regards to sustainability, there was no provision for pedestrian walking alongside the road, and the street lighting was limited.

A debate followed whereby core policy one of the Wiltshire Core Strategy was discussed. The access and the location of the application site were discussed. The reliance on cars in rural areas was considered. Strategy objective six from the Wiltshire Core Strategy was discussed.

At the conclusion of debate it was,

Resolved

To refuse planning permission for the following reasons:

1. **The development would not constitute ‘infill’ and would occupy a countryside location beyond the built up part of the village of Hilcott (identified as a ‘small village’ in Core Policy 18 of the Wiltshire Core Strategy). It would therefore conflict with Core Policies 1, 2 and 48 of the Wiltshire Core Strategy, which sets a presumption against development outside of the villages in rural areas unless for a number of exceptional circumstances, none of which apply in this instance.
Furthermore, the development would be poorly served by local services, facilities and amenities such that the occupants of the dwellings would likely be heavily reliant on the use of private cars for the majority of routine journeys, contrary to the principles of sustainable development set out in Core Policies 1, 2 and 60 of the Wiltshire Core Strategy.**
2. **The siting and layout of the development set perpendicular to the road would be out of keeping with the general character of development around the crossroads of Hilcott and would elongate the built up area of the village into open countryside and towards the neighbouring built up area to the north, thereby eroding the separation between built up areas to the detriment of the rural character of the area and the landscape and scenic beauty of the North Wessex Downs AONB contrary to Core Policies 2, 51 and 57 of the Wiltshire Core Strategy.**

10. 14/10281/FUL - Land at Home Farm, Woodland Rd, Patney

Public Participation

Peter Small spoke in opposition to the application

Mike Holland spoke in support of the application

Andrew Snook spoke in support of the application

Mike Fowler spoke in support of the application

Tracy Rose spoke on behalf of Patney Parish Council

The planning officer introduced the application with the recommendation that it be refused. Key issues were stated to be the principle of development, the impact on the character of the landscape and the special quality of the North Wessex Downs area of outstanding natural beauty, and the impact on nearby trees.

There were no late items.

There were no technical questions from members of the Committee.

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

The divisional member, Cllr Paul Oatway, spoke in support of the application. The application had received support from the parish council. Patney was a sustainable village, and care would be taken with regards to the protected trees. The application was described as infilling, and would provide local employment opportunities.

It was explained that the application would have been recommended for refusal by officers under the Kennet Local Plan. The application did not fit the definition of infilling, as this applied to small gaps only capable of accommodating one dwelling.

A debate followed where the classification of the area was discussed, along with the weight of the recently adopted Core Strategy.

At the end of debate it was,

Resolved

To refuse planning permission for the following reasons:

- 1. The application site is not identified as an appropriate location for future housing development in the 'Delivery Strategy' and 'Settlement Strategy' set out at Core Policies 1 and 2 of the Wiltshire Core Strategy. It would therefore constitute unsustainable development to which no exceptional circumstances apply that may otherwise warrant the proposal acceptable. Furthermore, the proposed development would be poorly served by local services, facilities and amenities such that the occupants of the dwellings would likely be heavily reliant on the use of private cars for the majority of routine journeys. It would therefore be contrary to Core Policies 1, 2, 48 and 60 of the Wiltshire Core Strategy.**
- 2. The proposed development would result in an undesirable encroachment into the countryside and a consolidation of sporadic loose knit development. This would have an adverse impact on the landscape character of the village of Patney and the special qualities of the North Wessex Downs Area of Outstanding Natural Beauty, which would be contrary to Core Policies 51 and 57 of the Wiltshire Core Strategy.**
- 3. The proposed development fails to adequately consider important landscape features and as such would lead to future pressure to**

prune or fell protected trees in a tree belt which is an important and dominant feature in the local landscape. This would be contrary to Core Policies 51 and 57 of the Wiltshire Core Strategy.

11. **14/09307/ADV - Roundabout South of 248 High Street, Burbage**

Public Participation

Steve Colling spoke on behalf of Burbage Parish Council.

The planning officer introduced the application which recommended that permission be granted subject to conditions. Key issues were stated to be the principle of development, public amenity, and public safety.

A late item of representation from a local resident was reported.

Members then had the opportunity to ask technical questions. It was asked whether the paint used for the signs would be reflective. The type of paint could not be confirmed, but the signs would be non-illuminated. It was clarified that the subject of the advertisement did not need consent; however the structure required consent.

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

The divisional member, Cllr Stuart Wheeler, spoke in objection to the application. It was heard that Wiltshire Council were looking at reducing signage clutter, and that the sponsor money from advertisers would not go to the roundabout's maintenance. It was also mentioned that the amenity of those affected by the erection of the signs should be considered.

It was explained that public safety impact included signs that impair sightlines or are distracting to drivers. The definition of amenity was said to include the visual impact on the area. It had been determined that this application would not result in any harm to the amenity of the area.

A debate followed where the Wiltshire Council policy of de-cluttering signs was considered. Paragraph 67 of the National Planning Policy Framework and Wiltshire Core Strategy CP57 were discussed. Highways safety and public amenity were debated. It was noted that this was a primary tourist route during summer.

At the conclusion of debate it was,

Resolved

To refuse permission for the following reasons:

- 1. The proposed signs, by reason of their size, location and number (both in isolation and cumulatively with existing signage), would be incongruous in the rural context and would result in a proliferation of signage on the roundabout, to the detriment of the character and appearance of the area, which is designated as an area of outstanding natural beauty. The signs would therefore be harmful to amenity, which would be contrary to Core Policy 57 of the Wiltshire Core Strategy, paragraphs 67 and 115 of the National Planning Policy Framework and guidance contained in the Planning Practice Guidance.**
- 2. The proposed signs, by reason of their size, location and number (cumulatively with existing signage) would have an adverse impact on public safety as road users would be distracted. This would be contrary to Core Policy 57 of the Wiltshire Core Strategy, paragraph 67 in the National Planning Policy Framework and guidance contained in the Planning Practice Guidance.'**

12. Urgent items

(Duration of meeting: 6.00 - 8.30 pm)

The Officer who has produced these minutes is Adam Brown, of Democratic Services, direct line 01225 718038, e-mail adam.brown@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115