

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 19 FEBRUARY 2015 IN THE WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.

Present:

Cllr Charles Howard (Chairman), Cllr Stewart Dobson, Cllr Peter Evans, Cllr Nick Fogg MBE, Cllr Richard Gamble, Cllr Jerry Kunkler and Cllr Philip Whitehead (Substitute)

13. **Apologies for Absence**

Apologies were received from:

Cllr Mark Connolly.
Cllr Paul Oatway.

Cllr Connolly was substituted by Cllr Philip Whitehead.

14. **Minutes of the Previous Meeting**

Resolved

To approve and sign as a true and correct record the minutes of the meeting held on 29 January 2015, subject to the following amendment:-

Minute No. 3 – Declarations of Interest

“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.”

15. **Declarations of Interest**

There were no declarations of interest.

16. **Chairman's Announcements**

There were no announcements.

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

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

18. **Planning Appeals**

There were no planning appeals.

19. **Planning Applications**

19.1 14/07804/FUL - Granham Garage, Granham Close, Marlborough SN8 4DH

Demolition of existing buildings and redevelopment of site to form 27 apartments including car parking, communal areas and landscaping.

Public Participation

Val Compton spoke in objection to the application.

Sue Harris spoke in objection to the application.

Felicity O'Sullivan spoke in objection to the application.

Mada Alfazema spoke in support of the application.

Alex Child spoke in support of the application.

Alan Burns spoke in support of the application.

Justin Cook spoke in objection on behalf of Marlborough Town Council.

The senior planning officer introduced the report which recommended that the decision to grant planning permission should be delegated to the Area Development Manager subject to the prior completion of a Section 106 legal agreement. Key issues were stated to include: the principle of development and provision of care facilities; density and layout; and design, landscaping, visual impact and impact on highway safety.

There were no late items.

Members of the Committee then had the opportunity to ask technical questions of the officer. Clarification was sought on the crossing at Pewsey Road; it was confirmed that there was an existing dropped kerb on Pewsey Road for assisting pedestrians crossing the road, and that a controlled crossing point was not proposed as part of the development. It was asked if the S106 contribution for affordable housing could be ringfenced for the Marlborough community area, this would be investigated if needed. The application was noted as being a redevelopment proposal, and did not come under the category of change of use. The parking on Granham Close was explained as not changing, and there would be a parking area with provision for bicycles and mobility users.

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

The division member Cllr Nicholas Fogg spoke in opposition to the application. It was stated that it went against Core Policy 46 and would not fulfil the needs of the Marlborough area. The application was described as an overdevelopment and would cause parking issues within the area.

It was explained that the National Planning Policy Framework (NPPF), Planning Policy guidance and the Wiltshire Core Strategy declared that there was a need to plan for housing for the elderly. The Council's New Housing team also outlined that there was a need for elderly accommodation in the Marlborough area. The elderly housing quota for the area was explained as being at a minimum level that could be exceeded, and was not a limit. There had been no objections from any statutory bodies to state that there would be a strain on any local services as a result of the application. The site had been deemed a suitable brown-field site for redevelopment, and the parking had been declared as acceptable.

A debate followed where Core Policies 1, 43 and 46 were discussed, and as such the effect of the application on the sustainability and viability of the Marlborough community was considered, along with the promotion of a mixed and balanced community. A possible controlled crossing on Pewsey Road and accessibility from the site to Marlborough town centre were discussed. Ringfencing the S106 contribution to affordable housing for the Marlborough area was considered.

At the conclusion of debate it was,

Resolved

To delegate the decision to grant planning permission to the Area Development Manager subject to the prior completion of a Section 106 legal agreement to secure financial contributions towards affordable housing in Marlborough and the Wessex Stone Curlew Project, and subject to the planning conditions set out below:

- 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:**
 - persons of 55 years of age or over;**
 - persons living as part of a single household with such a person or persons;**
 - persons who were living as part of a single household with such a person or persons 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, particularly given the parking and amenity space provision.

- 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, chimneys, dormers 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. Details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Development shall be carried out in accordance with the approved details prior to the development being occupied.**

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

- 6. No above ground development, excluding demolition, shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.**

REASON: In the interests of visual amenity.

- 7. No above ground development, excluding demolition, shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-**

- a) a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- b) finished levels and contours;
- c) all hard and soft surfacing materials;
- d) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);.

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

8. 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.

9. No above ground development, excluding demolition, shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (other than small, privately owned, domestic gardens) has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

REASON: To ensure the proper management of the landscaped areas in the interests of visual amenity.

10. 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.

11. No above ground development, excluding demolition, shall commence on site until full details of the off-site highway improvement works, as

shown on drawing no.034.0041.100 RevP3, 'Proposed Pedestrian Crossing and Junction Alterations', have been submitted to, and approved in writing by, the Local Planning Authority. No part of the development shall be occupied or first brought into use until the improvement works have been carried out in accordance with the approved details.

REASON: In the interests of highway safety.

12. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The lighting plan shall include a lux plot that shows darkened edges to the site, with a maximum level of 1 lux at canopy level of all tree lines.

The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site to ensure the potential impacts from lighting to biodiversity adjacent to the site are removed.

13. No development shall commence until:

- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
- b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON:

To enable the recording of any matters of archaeological interest.

14. 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.

- 15. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.**

REASON: To protect the water environment from pollution

- 16. No development 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 occupied until surface**

water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

17. 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) loading 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) measures for the protection of the natural environment.
- f) hours of construction, including deliveries;

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 the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

18. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

- Drawing no.A01_1972_001 RevB, Site Location Plan, received 13 August 2014;
- Drawing no.A01_1972_002 RevB, Existing Site Plan with Survey, received 13 August 2014;
- Drawing no.A01_1972_003 RevB, Existing Site Sections, received 13 August 2014;
- Drawing no.A01_1972_005 RevB, Landscape Plan, received 13 August 2014;
- Drawing no.A01_1972_020 RevB, Existing Section AA and Proposed Section AA, received 13 August 2014;
- Drawing no.A01_1972_021 RevA, Existing Section BB and Proposed Section BB, received 13 August 2014;
- Drawing no.A01_1972_009 RevB, Proposed Site Plan (Roof), received 13 August 2014;

- Drawing no.AP07 (A01_1972_013_C), Ground Floor Layout, received 16 December 2014;
- Drawing no.AP08 (A01_1972_013_C), First Floor Layout, received 16 December 2014;
- Drawing no.AP09 (A01_1972_013_C), Second Floor Layout, received 16 December 2014;
- Drawing no.AP10A (A01_1972_013_C), Roof Layout, received 16 December 2014;
- Drawing no.AP20 (A01_1972_030_D), Elevations 01 & 02, received 26 November 2014;
- Drawing no.AP21 (A01_1972_031_E), Elevations 01 & 02, received 26 November 2014;
- Drawing no.034.0041.100 RevP3, Proposed Pedestrian Crossing and Junction Alterations, received 13 August 2014;
- Drawing no.034.0041.103 RevP2, Refuse Vehicle and Car Tracking, received 13 August 2014;
- Extended Phase 1 Ecological Survey by Marishall Thompson Group, ref E1410131516v2, received 13 August 2014;
- Site Noise Assessment by AAD, ref 14140/001/lwr, received 13 August 2014;
- Refuse and Waste Management Plan, received 13 August 2014;
- Transport Statement by Paul Basham Associates, received 13 August 2014.

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

19. **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 an agreement with the Highway Authority under Section 278 of the Highway Act 1980 will be required before any works are carried out on any carriageway, verge or other land forming part of the highway.
20. **INFORMATIVE TO APPLICANT:** Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses or adjoins the application site.
21. **INFORMATIVE TO APPLICANT:** The attention of the applicant is drawn to advice and guidance provided by the Environment Agency within their letter dated 07 October 2014.
22. **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 26 August 2014.

23. INFORMATIVE TO APPLICANT: The attention of the applicant is drawn to advice and guidance provided by Thames Water within their letter dated 29 January 2015.

24. 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 _____

20. Urgent items

There were no urgent items.

(Duration of meeting: 6.00 - 7.30 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