

NORTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 3 NOVEMBER 2010 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Chuck Berry (Reserve), Cllr Peter Colmer, Cllr Christine Crisp, Cllr Peter Davis, Cllr Bill Douglas, Cllr Peter Doyle, Cllr Howard Marshall, Cllr Toby Sturgis and Cllr Anthony Trotman (Chairman)

Also Present:

Cllr Sheila Parker and Cllr John Thomson

115. **Apologies for Absence**

Apologies were received from Councillors Alan Hill (substituted by Cllr Chuck Berry) and Peter Hutton.

116. **Minutes**

The Democratic Services Officer briefed members on an amendment to the minutes clarifying that the views expressed by Cllr Toby Sturgis at Minute No. 113c were his own, and not representative of those of the local member, Cllr Carole Soden, and it was,

Resolved:

To confirm and sign the minutes of the meeting held on 13 October 2010 as a correct record, subject to the following amendment to Minute No 113c:-

‘On hearing the views of Cllr Toby Sturgis, speaking as Councillor for the adjoining Division, who spoke in support of the application’

117. **Declarations of Interest**

Councillor Tony Trotman declared a personal and prejudicial interest in Minute No 121f (Hill Brook House, amendment to application ref 04/03639/FUL) owing

to his close family relationship to the applicant, and agreed to leave the room for the duration of this item, at which time the remaining members would elect a replacement to chair the item.

118. **Chairman's Announcements**

There were no Chairman's announcements.

119. **Public Participation**

Members of the public addressed the Committee as set out in Minute No. 121 below.

120. **Planning Appeals**

The Committee received and noted a report setting out:-

- (i) details of forthcoming hearings and public enquiries between 03/11/2010 and 31/01/2011
- (ii) planning appeals received between 01/10/2010 and 20/10/2010
- (iii) planning appeals decided between 01/10/2010 and 20/10/2010

121. **Planning Applications**

1a **10/00444/FUL - Hangar 19, Colerne Industrial Park, Colerne, SN14 8HT - Change of Use from B8 to Live/Work & Associated Works**

The Committee received a presentation from the Case Officer setting out the main issues in respect of the application, recommending approval and drawing members' attention to the late items.

The Committee then asked technical questions after which they received statements from members of the public expressing their views regarding this application as follows:

Mr A. J Cook, a local resident, spoke in opposition to the application.
Miss Emma Frampton, on behalf of Mrs Frampton, a local resident, spoke in opposition to the application.
Mr N Bollen, a local resident, spoke in opposition to the application.
Mr Giles Brockband, the agent, spoke in support of the application.
Cllr Tom Hall, of Colerne Parish Council, spoke in support of the application.

On hearing the views of Cllr Sheila Parker, the local member, who spoke in opposition in principle to the application, but recommended conditions should permission be granted, the Committee discussed the application with

regard to the following key points:

- Principle of development
- Conversion of the building
- Creation of local employment
- Impact on highways
- Impact on residential amenity
- Impact on the AONB

On discussing the merits of the application, it was,

Resolved

To permit the application for the following reason:

The proposed conversion of this hangar is sympathetic to its character and the environment in which it is located and would preserve the natural beauty of the AONB. The provision of live/work units will diversify the employment offer at the site in comparison with the existing low density employment in the hangar. Due to the siting of the hangar it would not result in any overlooking or loss of privacy for adjacent residential units. Furthermore, views of the hangar and side and end elevations can be mitigated via landscaping. No noise and nuisance to the detriment of the amenities of existing or proposed residents would occur as a consequence of the development and it is not considered to be detrimental to highway safety. The proposal is thus considered to accord with Policies C3, C4, NE4, NE15, NE18, BD2 and BD6 of the Local Plan 2011.

And 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 roof of the hangar and external walling of the units 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.

POLICY-C3

- 3. Prior to the commencement of the development hereby permitted, details of the following matters (in respect of which approval is expressly reserved) shall be submitted to, and approved in writing by, the local planning authority:**

- (1) any walls, fences, gates and other means of enclosure;**
- (2) ground surfacing materials;**
- (3) bin storage;**
- (4) cycle storage;**

The development shall be carried out in accordance with the details so approved and completed prior to the use or occupation.

Reason: In the interests of amenity and satisfactory layout.

- 4. No development 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) indications of all existing trees and hedgerows on the land;**
- (b) details of any to be retained, together with measures for their protection in the course of development;**
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;**
- (d) finished levels and contours;**
- (e) means of enclosure;**
- (f) car park layouts;**
- (g) other vehicle and pedestrian access and circulation areas;**
- (h) hard surfacing materials;**
- (i) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);**
- (j) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc).**

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

- 5. No more than 50% of the approved dwellings shall be occupied until:**

- a) A scheme for the laying out and equipping of the play area shown on the submitted plan, to include landscaping,**

boundary treatment and provision for future maintenance and safety checks of the equipment has been submitted to and approved in writing by the Local Planning Authority and;

- b) The play area has been laid out and equipped in accordance with the approved scheme.**

REASON: To ensure that the play area is provided in a timely manner in the interests of the amenity of future residents.

- 6. The detailed landscaping plans to be submitted pursuant to condition no. 8 shall include a 1:200 scale plan showing the position of any trees proposed to be retained and the positions and routes of all proposed and existing pipes, drains, sewers, and public services, including gas, electricity, telephone and water. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or of any Order revoking and re-enacting or amending that Order with or without modification), no services shall be dug or laid into the ground other than in accordance with the approved details without the further written approval of the Local Planning Authority.**

REASON: To ensure the retention of trees on the site in the interests of visual amenity.

- 7. Prior to the commencement of the development hereby permitted, details of all new external joinery, windows and doors shall be submitted to, and approved in writing by, the local planning authority. These details shall include depth of reveal, materials and full drawings including both horizontal and vertical sections, to a scale of not less than 1:10. The development/works shall be completed in accordance with the approved details and at no time shall the approved joinery be altered without the prior written approval of the local planning authority.**

Reason: To enable the local planning authority to be satisfied with the completed appearance of the development.

- 8. 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 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.

9. **No development shall commence on site until details of the works for the disposal of sewerage have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.**

REASON: To ensure that the proposal is provided with a satisfactory means of drainage.

10. **Any floodlighting or external lighting proposed to illuminate the outside, internal communal areas of the development and private spaces between the units and the shell shall be compliant with the Institute of Lighting Engineers (ILE) recommendations for such a development, including during the construction process. Details shall be submitted to and approved in writing by the Local Planning Authority before the use commences. The development shall be carried out in accordance with the approved details and there shall be no other external illumination of the development.**

Reason: In the interests of amenity.

11. **A scheme for the ventilation of fumes and odours arising from the use hereby permitted shall be submitted for the approval of the Local Planning Authority. The scheme shall include the number and volume of air changes. The use shall not commence until the approved scheme has been installed and made fully operational, and thereafter it shall be operated and maintained as long as the use continues.**

Reason: In order to ensure that fumes and odours are properly discharged and in the interests of the amenities of residential properties in the locality.

12. **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 by the Local Planning Authority.

- 13. No development shall commence on site until the new access has been constructed in accordance with details submitted to and approved in writing by the Local Planning Authority.**

Reason: In the interests of highway safety.

- 14. No part of the development hereby permitted shall be first occupied until the off-site highway works have been completed in accordance with details submitted to and approved in writing by the Local Planning Authority.**

Reason: In the interests of highway safety.

- 15. No part of the development hereby permitted shall be first occupied until 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.

- 16. The areas allocated for parking on the approved plan shall be kept**

clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of amenity and road safety.

- 17. The employment space pertaining to the live/work units shall be used for Class B1 office uses only and for no other purpose except that which may have first been agreed in writing with the Local Planning Authority.**

Reason: In the interests of residential amenity.

- 18. The work element of each live/work unit hereby permitted shall only be occupied by the occupier of the residential use and his/her employees and not form a separate entity/unit.**

Reason: In the interests of residential amenity.

- 19. Activities relating to deliveries to commercial premises including businesses at live/work units shall only take place between 08:00 and 18:00 hours on Monday to Saturday and not at all on Sundays or Bank Holidays.**

Reasons: In the interests of residential amenity.

- 20. Activities relating to the collection of refuse (including disposal and collection of bottles and glass) shall take place between 08:00 and 18:00 hours Monday to Saturday and no Sundays or Bank/Public Holidays.**

Reason: In the interests of residential amenity.

- 21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no garages, sheds or other ancillary domestic outbuildings shall be erected anywhere on the site edged in red on the approved plans.**

Reason: In the interests of the amenity of the area.

- 22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no satellite dishes shall be installed on the exterior of any of the buildings forming part of the development hereby permitted.**

Reason: In the interests of the character and appearance of the building(s) and the area.

- 23. No television or radio aerial, satellite dish or other form of antenna shall be affixed to the building without the prior written consent of the local planning authority.**

Reason: To safeguard the character and quality of the building.

- 24. Prior to the occupation of the units hereby permitted the removal or refurbishment of existing additions indicated to be removed shall have taken place in accordance with the approved plans.**

Reason: In the interests of visual amenity.

- 25. The construction of any part of the development hereby granted shall not include the use on site of machinery, powered vehicles or power tools before 08:00 hours or after 18:00 hours on any weekday, nor before 08:00 hours or after 13:00 hours on any Saturday nor at all on any Sunday or Bank or Public Holiday without the prior approval in writing of the Local Planning Authority.**

Reason: In the interests of the amenity of local residents.

- 26. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.**

Drawings nos:

P (0) 02, 03 and 07B dated 8/2/10

P (0) 21 dated 28/5/10

SK6 and 7 dated 13/7/10

P (0) 32 dated 16/7/10

P (0) 06C, 13A, 15D, 16D, 30 and 31 dated 11/8/10

P (0) 01B, 05F, 10D, 11D, 12C and 20C dated 7/9/10

Documents:

Transport Statement/Supporting Statement/Design and Access Statement and Structural

Feasibility Study dated 8/2/10

Additional Structural Feasibility Study 27/5/10

Waste Audit 13/7/10

Design Intent Statement for the Prevention of Obtrusive Lighting 16/7/10

Reason: To ensure that the development is implemented as approved.

1b 10/03420/S73A - Stonecroft, Longsplatt, Kingsdown, Corsham, SN13 8DD - Rebuilding of Existing Outbuildings to form Office, Playroom & Garden Room - Revision of 09.00869.FUL (Retrospective)

The Committee received a presentation on behalf of the Case Officer setting out the main issues in respect of the application, which was recommended for approval, and drawing attention to the late items.

Members of the Committee then asked technical questions after which they received statements from members of the public expressing their views regarding this application as follows:

Mr Edward Drew, the applicant's planning consultant, spoke in support of the application.

Cllr Pauline Lyons, of Box Parish Council, spoke in opposition to the application.

On hearing the views of Cllr Sheila Parker, the local member, who spoke in opposition to the application, and after discussion by the Committee it was,

Resolved:

To permit the application for the following reason:

The building is considered to be acceptable and will conserve the natural beauty of the area and preserve the openness of the Green Belt. The proposal is in accordance with Policies C3, NE1 and NE4 of the North Wiltshire Local Plan 2011.

And subject to the following conditions:

- 1. The detached office, playroom and garden room hereby permitted shall be used wholly in conjunction with and ancillary to, the use of Stonecroft, Longsplatt, as a single dwellinghouse and shall not be used as a separate dwelling.**

REASON: In the interest of residential amenity.

- 2. The development shall be implemented in accordance with the documents and plans submitted with the planning application listed below. No variation from the approved documents should be made without the prior approval of this Council.**

Plan References:

Drawings: Location Plan, Photographs, D & A Statement, No.King2a/A, No.King3a/A and No.King3p/H (Revised).

- 3. Prior to the first use or occupation of the buildings hereby permitted all buildings identified on Drawing No KING3a/A shall be removed from the site as detailed in Design and Access Statement dated 31st August 2010.**

REASON: In the interests of visual amenity in accordance with Policy C3 of the North Wiltshire Local Plan 2011.

1c 10/03576/FUL - Towpath Cottage, 4 Brook End, Luckington, Chippenham, SN14 6PJ - Two Storey Extension (Resubmission of 09/02109/FUL)

The Committee received a presentation on behalf of the Case Officer setting out the main issues in respect of the application, recommended for refusal, and drawing members' attention to the late items.

There were no technical questions.

Mr Simon Nicholl, the applicant, spoke in support of the application.

On hearing the views of Cllr John Thomson, the local member, who spoke in support of the application, and after discussion by the Committee it was,

Resolved:

To delegate the decision to the Area Development Manager (North) to permit the application subject to conditions, for the following reason:

The proposed two storey extension would be an acceptable addition to the property and would preserve and enhance the character of the Luckington Conservation Area and the Area of Outstanding Natural Beauty and would not detract from the rural character of the surrounding area, and therefore complies with policies C3, H8, HE1 and NE4 of the North Wiltshire Local Plan 2011.

1d 10/03586/FUL & 10/03587/LBC - Pinkney Court Stables, Sherston, Malmesbury - Alteration & Conversion of Stable Building to provide New Independent Dwelling

The Committee received a presentation on behalf of the Case Officer setting out the main issues in respect of the applications for both planning

permission and listed building consent, which were both recommended for refusal, and drawing attention to the late items.

Members of the Committee then asked technical questions after which they received statements from members of the public expressing their views regarding this application as follows:

Mr Simon Chambers, the agent, spoke in support of the application.

On hearing the views of Cllr John Thomson, the local member, who spoke in support of the application and after discussion by the Committee it was,

Resolved:

That listed building consent be refused for the following reason:

- 1. The proposal would cause harm to the curtilage-listed building by virtue of the alterations associated with reduction of the internal floor level, and introduction of the lean-to extension and 4 no. roof lights to the “front” (South West) elevation. The proposed alterations would not preserve the special historic interest of the listed building. It would therefore not be in accordance with the Planning (Listed Building and Conservation Area) Act 1990 or guidance set out in PPS5.**

And that planning permission be refused for the following reasons:

- 1. The proposal is tantamount to a new dwelling in the open countryside. It is in a location considered to be remote from local facilities and would not promote sustainable patterns of transport. It is contrary to policy H4 in the North Wiltshire Local Plan 2011.**
- 2. The proposal includes a substantial extension and intervention to the building. Insufficient information has been submitted to justify why the building could not be converted to other ‘preferred’ uses identified in the supporting paragraphs to Policy BD6. The proposal is therefore contrary to policy BD6.i, ii and iii in the North Wiltshire Local Plan 2011.**
- 3. The proposal would cause harm to the curtilage-listed building by virtue of the alterations associated with reduction of the internal floor level, and introduction of the lean-to extension and 4 no. roof lights to the “front” (South West) elevation. It is therefore contrary to policy HE4 in the North Wiltshire Local Plan 2011 and the advice contained in PPS5.**

1e 10/03705/FUL - The Inglenook, 11 Pickwick, Corsham, SN13 0JD - Alterations & Extensions to Dwelling

The Committee received a presentation on behalf of the Case Officer setting out the main issues in respect of the application, which was recommended for approval, and drawing attention to the late items.

There were no technical questions or public speakers on the item.

The Committee discussed the application and it was,

Resolved:

That the application be approved for the following reason:

The proposed development would respect the character of both the host dwelling and the surrounding area and would not result in any significant overlooking or overshadowing of neighbouring properties. The proposal would therefore accord with policies C3, H8, HE4 and NE15 of the adopted North Wiltshire Local Plan 2011.

And 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 Acts 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

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

POLICIES: C3, NE15, H8 and HE4 of the adopted North Wiltshire Local Plan 2011.

- 3. The development hereby permitted shall be carried out in accordance with the following approved plans:**

- Location plan**
- 2010/1 – Plans and Elevations as Exist**
- 2010/2 – Proposed Plans and Elevations**

- 2010/3 – Site Plan, Proposed

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To safeguard the amenities and character of the area and in the interest of highway safety

1f **10/03360/FUL - Hill Brook House, Quemerford, Calne, SN11 8LF - New Dwelling - Amendment to 04/03639/FUL**

- (i) Councillor Tony Trotman announced his personal and prejudicial interest in this item and left the room.

The remaining members were then invited to elect a replacement chair for the item and following nominations and voting it was,

Resolved:

That Cllr Peter Davis should act as Chair for this item.

- (ii) The Committee received a report on behalf of the Case Officer setting out the main issues in respect of the application, which was recommended for refusal, and drew members' attention to the late items.

Members of the Committee then asked technical questions after which they received statements from members of the public expressing their views regarding this application as follows:

Miss Zoe Kelly, a local resident, spoke in opposition to the application.
Mr Spiller, a local resident, spoke in opposition to the application.
Mr Robert Willis, the application, spoke in support of the application.
Mr Tim Weeding, the agent, spoke in support of the application.

The Committee then discussed the application and it was,

Resolved:

- (1) **To defer the application until the next Committee meeting to**

allow the applicant to produce drawings showing the reduction in ridge height of the middle (single storey) section of the proposed dwelling by the equivalent of 'one block height'.

- (2) To delegate authority to the Area Development Manager to refuse the application for the reasons set out in the officer's report should the revised drawings not be received by Tuesday 9 November 2010.**

Councillor Tony Trotman rejoined the Committee as Chair.

122. **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.00 - 8.35 pm)

The Officer who has produced these minutes is Chris Marsh, of Democratic Services, direct line (01225) 7130358, e-mail chris.marsh@wiltshire.gov.uk

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