

NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION

5TH OCTOBER 2016

This is information that has been received since the committee report was written. This could include additional comments or representation, new information relating to the site, changes to plans etc.

Item 7b) 16/06233/FUL Land at Orchard Cottage, Upper Minety, Malmesbury, SN16 9PY

Late Representations

The applicant has submitted correspondence following the completion of the committee report raising the following issues:

1) The applicant has noted that on page 30, the first sentence states that “...*the proposed dwelling would respect to the character and existing form of the development and would result in the elongation of the village or impose development in sensitive landscape areas.*”

Officer Comments – The sentence should be states as follows:

“It is considered that the proposed dwelling would respect to the character and existing form of the development and would not result in the elongation of the village or impose development in sensitive landscape areas.”

2) The applicant has submitted an additional plan (Drawing No. 6060/02) which seeks to demonstrate the visibility splay of 2.4m x 43m to the north west as requested in Condition 3 on page 33 of the committee report. It is noted by the applicant that the sight line impinges slightly on to the Orchard Cottage boundary, however as this is within the ownership of the applicant, this can be maintained at a height of 900mm or realigned slightly.

Officer Comment – The Plan has been considered by the Council's Highways Officer who has confirmed that the plan is sufficient to demonstrate the required visibility splay and as the boundary is a hedge that once the new dwelling is sold will be under third party ownership it is not considered that the condition for keeping visibility splay open will stand. Given this the following changes to the conditions on pages 33 to 35 are suggested.

Conditions to be Removed

Condition 3 - No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 43 metres to the right or to the northwest. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 900 mm above the level of the adjacent carriageway.

REASON:

In the interests of highway safety.

Conditions to be Amended

Condition 12 - The development hereby permitted shall be carried out in accordance with the following approved plans and documentation:

6060/01 Rev A Proposed Elevations

Site and Location Plan
Design and Access Statement
Arboricultural Impact Assessment
Received on 27/06/2016

6060/02 Visibility Splay Lines
Received on 28/09/2016

REASON:

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

Item 7c) 16/06542/FUL- 40 The Street, Hullavington, SN14 6DU

Late Representations

The applicant has submitted correspondence following the completion of the committee report raising the following issues:

1) The report refers to hardstanding, but the plans show only an access road and not hardstanding. The applicant considers that the access road within the site would form permitted development as the land is within the applicant's garden.

Officer Comments – The hardstanding referred to in the report is that used to create a vehicular driveway from the new access to the stables. This forms development and is shown as part of the works on the plans. Therefore, it is considered that the impact of these works needs to be considered in the determination of this application.

2) The applicant has requested that condition 3, requiring the stables to be provided and occupied prior to the commencement of development, is deleted, should members be minded to approve the application. The reasoning submitted by the applicant for this deletion is as follows:

"The current access is sub-standard, in that it is very difficult to see pedestrians and traffic in both ways when coming out of the drive until you have crossed the path, this poses a safety risk, we have already had several near misses with cars, buses and children on scooters, and it is only a matter of time before this becomes a serious accident.

Therefore with the condition of having the stables built before we can have the new access doesn't help with this at all, as we were planning to use the new access as the primary one to improve safety as well as gaining better access to the stables. We are happy to have a condition on the new access but feel that one that only allows access to the main house and the stables would be more appropriate, this would hopefully satisfy the local residents that we aren't going to give access to the paddock behind us for development?. Looking a bit further ahead when we start work to the house we are going to have trucks, lorry's, cranes etc coming and going that won't be able to access the property and will more than likely end up on the road on then bend."

Following this detail the applicant has offered that a different condition be added, which requires within 21 days of the access being created that the existing access shall only be used for pedestrian access purposes.

Officer Comment – The application was submitted with the purpose of providing a safe access into the stables site. The condition suggested by the applicant would only be enforceable if physical works were completed to change the existing access from a vehicular access to a pedestrian one. These works are not included in the description of development

and are likely to require planning permission to make such works acceptable. Therefore, it is considered that the condition proposed by the applicant would not be an acceptable alternative and the currently proposed condition 3 would ensure that the secondary access is provided, after such time that the need for the access to serve the stables arises. It is also noted that the existing access has been used by the current and previous owners for a number of years and no evidence has been submitted to demonstrate why this access is substandard.

Item 7d) 16/04961/OUT Land at Arms Farm, High St, Chippenham, Sutton Benger, SN15 4RE

Late Representations

Arms Farm Working Party- Request that the item be adjourned until either 26 October or 16 November 2016 for six reasons:

1. At the meeting of the Parish Council when this was discussed the Conservation and Highways Reports were not available to inform the debate.
2. The applicant has requested that the question of access is dealt with as a Reserved Matter at a later date. This is unprecedented as the question of access is integral to the application, which cannot be decided without a full Highways Report being made available for the consideration of the Parish Council and our constituent villagers.
3. Proposed access to this site would be within the Conservation Area and could be a reason for refusal. Also any proposed alteration to a listed building, or a building within the curtilage of a listed building to gain access, as referred to in the Conservation Report, would require LBC.
4. lead Parish Councillor is unable to attend the meeting.
5. Information has just come to light concerning the possibility of medieval platforms in this field.
6. Villagers feel very aggrieved that more than half of those who wished to object cannot exercise their democratic right as the case officer has not made available some reports.
7. The Conservation Report, contrary to initial reading, turned out to be excellent for our case as Caroline has effectively quoted the appeal inspector's decision, just omitting the best bits as we know she was under immense pressure to "tow the line".

Sutton Benger NDP Core Group-

The Planning Committee will be aware of the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016, that came into force on 1 Oct 2016. These regulations requires Local Planning Authorities to notify designated Neighbourhood Forums of any planning applications within their designated neighbourhood area if requested by the Forum. The Forum then has to let the LPA know if they intend to comment on the application.

The Sutton Benger NDP Core Group is the forum designated by Sutton Benger Parish Council to lead the development of the Neighbourhood Development Plan on behalf of the parish. Therefore the NDP Core Group wishes to comment on this planning application, as follows:

The NDP Core Group has engaged with the community at several parish meetings and has recently managed the delivery of a parish questionnaire. The findings of this survey show clearly that the majority of Sutton Benger parish residents are opposed to the development of green belt land for housing, with 49.7% of respondents saying that there is never a justification to build on green field sites.

The Core Group will continue the work to develop a full Neighbourhood Development Plan for formal consultation. However we now feel that there are already clear findings on the wishes of the majority of the community with regards to this type of development in the parish.

We therefore request that the Planning Committee takes this into account in reaching their decision on the planning application before them.

Officer Comments- Local Planning Authorities are required to determine applications without delay. Officers are satisfied that there is sufficient information to determine the application and consider that there is no justification to further delay the determination of this application.

Matters raised by the working group and NDP Core Group are covered within the committee report.

Item 7e) 16/03033/FUL - Land to the rear of Church, North Wraxall, Chippenham, SN14 7AD

Late Representations

Corrections to report: Amended plans have been received which reduce the size of the stable building to 2 stables and the building reduced in size to 10.8m by 3.2m (including a 900mm overhang) with the same attached field shelter element.

A plan showing an access to the stables formed from Grasscrete has been submitted and should be added to condition 7 as a plan number.

Additional conditions:

WB15 No paint or stain finish shall be applied to external timber (including external walls and window joinery , until details of the paint or stain to be applied have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being first brought into use.

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

WF16 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 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 approved lighting shall be installed and shall be maintained in accordance with the approved detail and no additional external lighting shall be installed.

REASON: To minimise light pollution and in the interests of the amenity of the area.

Prior to the commencement of the development hereby permitted, details of the access track, including finish, shall be submitted to and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: To protect the landscape quality of the Cotswolds AONB.