

## NORTHERN AREA PLANNING COMMITTEE

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### DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 26 OCTOBER 2016 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

#### **Present:**

Cllr Tony Trotman (Chairman), Cllr Christine Crisp, Cllr Mollie Groom, Cllr Toby Sturgis, Cllr Philip Whalley (Substitute), Cllr Glenis Ansell, Cllr Chuck Berry, Cllr Howard Marshall and Cllr Chris Hurst

#### **Also Present:**

Cllr John Thomson, Cllr Dick Tonge, Cllr Bill Douglas and Cllr Allison Bucknell

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#### 137 **Apologies**

Apologies were received from Cllrs Howard Greenman and Terry Chivers.

Cllr Howard Greenman was substituted by Cllr Phillip Whalley.

#### 138 **Minutes of the Previous Meeting**

The minutes of the previous meeting were presented.

**To approve as a true and correct record and sign the minutes of the meeting held on 5 October 2016.**

#### 139 **Declarations of Interest**

Councillor Philip Whalley stated that whilst he was also a member of Corsham Town Council, that had previously considered applications numbered 7a) and 7 e), this did not prejudice his further consideration of the applications at the Committee and he would enter into any deliberations with an open mind.

#### 140 **Chairman's Announcements**

There were no Chairman's announcements.

#### 141 **Public Participation**

The Committee noted the rules on public participation.

#### 142 **Planning Appeals and Updates**

The Committee noted the contents of the appeals update.

143 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications 7a, 7b, 7c, 7d, 7e and 7f as listed in the agenda pack.

144 **16/06346/FUL - 18 Elley Green, Neston**

Gregg Parkes spoke in objection to the application.  
Mark Willis, the planning agent, spoke in support of the application.  
Cllr Steve Abbott, Corsham Town Council, spoke with regard to the application.

The planning officer, Simon Smith, introduced the report which recommended that planning permission be granted subject to the conditions in report. The Committee's attention was drawn to the recommendation for an additional condition as outlined in the Late Observations.

Key issues included: the location of the application and the relevance of the core strategy to the application; the view of the officers that the proposals would be considered in-fill development, given the relationship to existing buildings; the layout of the proposals; the design and appearance of the proposals in relation existing buildings; the topography of the site; the views of the highways officer, and the provision of car parking spaces; the planning history of the site, and the changes from previous application; the concerns of the neighbours, the views of the Town Council, and the potential impact on privacy; the density of the site created by the proposals; and the potential impact of the proposals on the character of the area.

In response to technical questions, it was clarified that the eaves height of the proposals would be roughly equivalent to neighbouring buildings under construction; the distance between the proposal and the neighbouring buildings under construction; which existing walls that are proposed to be removed; and that the property has three floors, but is perceived as a two storey property when see from the street.

Members of the public then addressed the Committee as detailed above.

The local member, Councillor Dick Tonge , spoke with regard to the application.

A motion to permit the application, as recommended by the officer's report, was moved by Councillor Anthony Trotman seconded by Councillor Peter Hutton.

The Committee then debated the application.

Having been put to the vote, the motion to permit the application was lost.

A new motion to refuse the application was moved by Councillor Philip Whalley, subsequently seconded by Councillor Chuck Berry, as the proposals would not

be in-keeping with the locality and streetscape and would have an unacceptable impact upon the amenities of neighbouring residents.

Having been put to the vote, the meeting;

### **Resolved**

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

**By reason of its layout, built form, height, mass, scale, plot size and close proximity and elevation above adjoining properties, the proposed development would not be in-keeping with the locality and streetscape and would have an unacceptable impact upon the amenities of neighbouring residents. As such the proposed development would be contrary to the provisions of Policy CP57 (iii) and (vii) of the Wiltshire Core Strategy.**

#### 145 **16/03641/FUL -Southside, Manor Farm, Corston, Malmesbury**

Mark Pettitt, planning agent, and Jon Eavis, the applicant, spoke in support of the application.

Cllr Roger Budgen, St Paul Malmesbury Without Parish Council, spoke with regard to the application.

The planning officer, Alex Smith, introduced the report which recommended that planning permission be refused for the reasons set out in the report. The Committee's attention was drawn to the late observations and the receipt of a revised plan to correct an error in the display of the height of the eaves.

Key issues included: the planning history on the site; the layout of the site and the position of the proposal; the relationship of the proposals to existing building and listed buildings; that other properties could be considered undesignated heritage assets; that the proposal, in the views of the officers, did not accord with core policy 48; the views of the drainage officer, and the risk of surface water flooding; the views of the parish council in support of the application; the relative impact of the proposals on the streetscene;

In response to technical questions, the planning officer stated: that the proposals did include the removal of an external metal staircase; that the policy does recognise that some non-listed buildings can still be considered heritage assets and protection sought; that previous permissions were not extant; that there had been no objections raised to the proposals from the community.

Members of the public then addressed the Committee as detailed above.

The local member, Councillor John Thomson, spoke with regard to the application.

A motion to refuse was moved, in accordance with the officer's recommendation by Councillor Sturgis seconded by Councillor Crisp.

The Committee then debated the application. It was discussed: Berry for permission, understands the reasons for the refusal, but it is now a more residential area and allows the safeguarding of the listed building. Should be considered in the round.

Having been put to the vote, the motion to refuse was lost.

A new motion to permit the application was moved by Councillor Chuck Berry, subsequently seconded by Councillor Philip Whalley as the potential benefits of the proposals outweighed the less than significant harm to the heritage assets.

Having been put to the vote, the meeting;

### **Resolved**

**To grant planning permission 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. The development hereby permitted shall be carried out in accordance with the following approved plans:**

- **Site Location Plan – 150122-01 – Received 14th April 2016;**
- **Proposed Site Plan – 150122-04 Rev A – Received 15th July 2016**
- **Proposed Barn A Plans - 150122-02 Rev F – Received 13th October 2016;**
- **Proposed Barn B Plans - 150122-03 Rev C – Received 15th July 2016;**
- **Proposed Garage Layout - 150122-05 Rev A – Received 15th July 2016.**

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

**3. No development shall commence on site until the exact 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:** The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

**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 detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;

**REASON:** the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

**5. No dwelling shall be occupied until the parking spaces and garages together with the access thereto, have been provided in accordance with the approved plans. Those areas shall be used only for the parking of vehicles at all times thereafter.**

**REASON:** In the interests of highway safety and the amenity of future occupants.

**6. No development shall take place until a Flood Evacuation Plan has been submitted to and approved by the Local Planning Authority. The Plan shall provide a clear procedure for emergency measures to evacuate the site in the event of flooding of the adjoining highway. Thereafter, the measures of the plan shall be implemented in strict accordance with approved details, in the event of a flood to the highway of Main Street.**

**REASON:** To ensure that sufficient measures are in place for the evacuation of the site, in the event of adverse weather conditions.

**7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, B or E shall take place on the dwellinghouses hereby permitted or within their curtilage.**

**REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.**

146 **15/10712/FUL - Land North of Baydons Lane, Chippenham**

Mike Gibbons and Catherine Barrett spoke in objection to the application. John Bostock, the architect, spoke in support of the application.

The planning officer, Matthew Pearson, introduced the report which recommended that that authority be delegated to the Head of Development Management to grant planning permission, subject to conditions listed in the report and completion of a S106 legal agreement within six months of the date of the resolution of this Committee.

The report also recommended that in the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe that authority would be delegated to the Head of Development Management to refuse planning permission for the reasons set out in the report.

The Committee's attention was drawn to the late observations and, specifically, the recommendation to replace condition 8 with an amended condition and for the inclusion of an additional condition.

Key issues included: that the proposed building would be within the settlement boundary; the location of the proposals in relation to wooded areas; the key features of the site; the location of the proposals within the conservation area; the impact of the proposals on the character of the site and the ecology of the site; the planning history on the site, and the changes in the proposals to those previously refused; the impact of the proposals on the biodiversity of the meadow and impact on fauna therein; the views of the local people and the town council; the existence of a cycle route nearby; the impact of the proposed traffic calming measures on the character of the area; the concerns over the possible infestation of Japanese Knotweed.

In response to technical questions, the planning officer stated that: that an environment management plan could assist in the location, offsite, of any reptiles found; and that a condition could potentially be included to address the need to completed road improvements before developing the rest of the site.

Members of the public then addressed the Committee as detailed above.

The local member, Councillor Bill Douglas, spoke with regard to the application.

A motion to permit the application was moved by Councillor Anthony Trotman seconded by Councillor Peter Hutton, with the inclusion of additional conditions

regarding: highway improvements; construction management and traffic calming measures.

The Committee then debated the application.

Having been put to the vote, the motion to permit the application was lost.

A new motion was to defer consideration of the application was moved by Councillor Chuck Berry, subsequently seconded by Councillor Howard Marshall, to enable further information to be submitted.

### **Resolved**

**That consideration of the application be deferred to seek the submission and consideration of the following additional information:**

- **The possibility for an environmental corridor;**
- **An assessment of the Japanese Knotweed issues on the site, and vicinity;**
- **The possibility of traffic calming measures sympathetic to the character of the conservation area.**

#### **147 16/08026/FUL - Hill Field Farm, Charlcutt, Calne**

Bill Jackson, Sarah Jones and Sue Allen spoke in objection to the application. George Drewett, Tim Marsters and Charlotte Boole spoke in support of the application.

Cllr Ian James, Bremhill Parish Council, spoke with regard to the application.

The planning officer, Mark Staincliffe, introduced the report which recommended that planning permission be granted subject to the conditions in the report. The Committee's attention was drawn to the late observations including the views of the Highways Officers and the inclusion of an addition to the approved list of plans.

Key issues included: the location of the proposals and the nature of the site; that the proposal is for a battery storage not a generator site; the implications of the Council's energy policy; how the initial concerns of the landscaping officer had been addressed through further amendments; the appearance of the proposals and whether it accords with the rural nature of the area; the views of the public protection officer and his proposals for noise mitigation conditions; how the proposals would be connected to the grid; the views of the public, and concerns over development in the open countryside; what safety regulations apply to these type of development; the applicability of renewable energy policies; whether other locations would be more suitable for the development; whether there is sufficient demand for the proposals; whether the proposals represent diversification; the comparison of the proposal with those for purely

agricultural buildings that are available within permitted development rights; the design of the building and its future use; how the facility is monitored and the mitigations against fire and accident; the applicability of the Bremhill Neighbourhood Plan, which is due to be submitted, and the views of the parish council; and whether the planting proposed would provide adequate screening over the lifetime of the proposals.

In response to technical question, the planning officer clarified that: a condition could be included to cover the appropriate storage of equipment and paraphernalia associated with the facility; that the cables connecting to the grid would be underground.

Members of the public then addressed the Committee as detailed above.

The local member, Councillor Christine Crisp, spoke with regard to the application.

A motion to refuse was moved by Councillor Crisp seconded by Councillor Sturgis, for the reason that the application would be detrimental to the character of the landscape.

The Committee then debated the application. It was discussed:

Having been put to the vote, the meeting;

### **Resolved**

**To refuse the application for the following reason:**

**That by reason of its size, scale, design, appearance and rural location outside of any defined settlement, the proposed development would have a harmful impact upon the landscape character and appearance of the area when viewed from both long and short distances and would therefore conflict with Core Policy 34 & Core Policy 51 ii, iv, vi of the Wiltshire Core Strategy.**

#### 148 **15/11544/OUT - Peacock Grove, Corsham**

Gail Ceviar, Hilary Evans and Sally Fletcher spoke in objection to the application.

Chris Beaver, the planning agent, spoke in support of the application.

Cllr Steve Abbott, Corsham Town Council, spoke with regard to the application.

The planning officer, Chris Marsh, introduced the report which recommended that authority is delegated to the Head of Development Management to grant outline planning permission, subject to conditions and completion of the Unilateral Undertaking within six months, or otherwise to refuse the application.



The Committee's attention was drawn to the late observations and, specifically, the recommendation for the inclusion of an additional condition.

Key issues included: the location of the site in relation to the town and existing buildings; the access to the site, and the route of the footpath; the existing planting in the area, and the character of the site; that the application for consideration is in relation to the access arrangements for the site; that landscaping is a reserved matter and that a further application would be required to consider other development issues; whether the landscaping and managed footpath would balance any potential negative impact on the ecology and wildlife; the concerns of the public regarding the suitability of the site, including the density of the site; the views of Natural England; that the site would provide up to 31 dwellings and that the final number would be established at a later stage, and whether the concerns could be addressed in reserved matters; that some affordable housing could be provided; the views of the local residents and the Town Council as to the unsuitability of the site for housing;

In response to technical questions: the planning officer confirmed that both the developer and Network Rail would likely bear dual responsibility for addressing safety issues for residents; that the flow of construction traffic could be conditioned in such a way as to reduce the impact on road users elsewhere; and that the density of the proposals was greater than that in the local area.

Members of the public then addressed the Committee as detailed above.

The local member, Councillor Philip Whalley, spoke with regard to the application.

A motion to refuse the application was moved by Councillor Whalley, subsequently seconded by Councillor Chuck Berry, for the reason that: the proposal would cause harm to the local ecology; would not be of a good quality design; and would not provide adequate infrastructure improvements for the community

The Committee then debated the application.

Having been put to the vote, the meeting;

## **Resolved**

**To refuse the application for the following reasons:**

- 1. The application fails to demonstrate that the scheme is capable of providing suitable protection for features of nature conservation and of averting a harmful impact upon landscape character. As such, the proposal conflicts with Core Policies 50 and 51 of the adopted Wiltshire Core Strategy.**
- 2. The application fails to demonstrate that a high standard of design**

**can be achieved throughout the proposed development, specifically being insufficient to satisfy points (i), (ii), (iii), (vi), (vii) and (viii) of Core Policy 57 of the adopted Wiltshire Core Strategy.**

- 3. The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Waste; Public Open Spaces; Air Quality Management and is therefore contrary to Policies CP3 & CP43 of the Wiltshire Core Strategy adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.**

149 **16/05959/OUT - South View, Lyneham**

Nova Pearce, Richard Marshall and Catherine Bennet spoke in objection to the application.

Jacqueline Mullenor, the planning agent, Richard Storm and Douglas Thomas spoke in support of the application.

Cllr John Webb spoke on behalf of Lyneham and Bradenstoke Parish Council.

The planning officer, Matthew Pearson, introduced the report which recommended that authority is delegated to the Head of Development Management to grant outline planning permission, subject to conditions and completion of the Unilateral Undertaking within six months, or otherwise to refuse the application. The Committee's attention was drawn to the late observations.

Key issues included: that the application is a resubmitted application, in outline, with reserved matters to be discussed at a later date; the location of the site outside the settlement boundary; the transport access arrangements to the site; the views of the landscape officer; the topography of the site and the existing vegetation; the views of the heritage officer, and the potential impact on the listed buildings nearby; the views of the strategic planning team and whether 60 dwellings were sustainable, and the relevance of core strategy; whether the benefits derived from the development outweighed the negative impacts; the impact on character of the village; whether the site was deliverable; the views on the community some for and some against the development; the consultation undertaken by the developers of the site, and the changes made in response; and the views of the parish council, and the possibility of the development of a neighbourhood plan.

In response to technical questions: the Highway Officer clarified that the extent of the splay proposed was more than adequate for an access in a 30mph zone; the planning officer confirmed that there were not, currently, any major applications in the village, and that whilst other brownfield sites may be developed none were currently submitted; and that the previously scheme had been for over 100 dwellings on the site, including proposals for large roundabout which it was felt would have caused more harm to the designated heritage asset.

Members of the public then addressed the Committee as detailed above.

The local member, Councillor Alison Bucknell, spoke with regard to the application, explaining why, on balance, she could not support the application.

A motion to permit the application in line with the officer's recommendation was moved by Councillor Trotman, but as the motion failed to gain a seconder it was not tabled.

A motion to refused the application was proposed by Councillor Toby Sturgis, subsequently seconded by Councillor Christine Crisp, for the reason that it conflicted with Core Policy 2, being outside the settlement boundary; would harm the character of the landscape; be harmful to the setting of the heritage asset; was not sustainable; and would not significantly benefit the locality through improved infrastructure.

The Committee then debated the application.

Having been put to the vote, the meeting;

### **Resolved**

**That planning permission be refused, for the following reasons:**

- 1. The site lies outside of the limits of development defined for the village in the Wiltshire Core Strategy. It has not been brought forward either through a Site Allocations DPD or a neighbourhood plan and does not fall within any of the proposed exceptions identified in CP2. Consequently, the development would conflict with policy CP2 of the Wiltshire Core Strategy.**
- 2. The proposed development would provide an unsustainable level of housing in a rural area and would not be in line with the objectives of the Wiltshire Core Strategy to promote self-containment by delivering development at sustainable settlements. The proposal is therefore contrary to policies CP1 and CP19 of the Wiltshire Core Strategy (2015), saved Policy H4 of the North Wiltshire Local Plan 2011, as well as the principles set out within the National Planning Policy Framework.**
- 3. The proposal, by reason of its size and location on agricultural land would have a harmful impact on the appearance of the countryside, creating a large urbanised expansion beyond the existing built-up area of the village. This would conflict with CP51 of the Wiltshire Core Strategy, which seeks to protect the landscape from harmful impacts, and CP57 (i, iv & vi) of the Wiltshire Core Strategy, which seeks to create developments that are complementary to the locality.**

4. **The proposal would have a harmful impact upon the setting of a designated heritage asset. The proposal is therefore contrary to the provisions of policy CP58 of the Wiltshire Core Strategy (2015), paragraphs 131, 132 and 134 of the NPPF, as well as, sections 16(2) and 66(1) of the Planning (Listed Building and Conservation Area) Act 1990.**
5. **The proposed development fails to provide and/or secure adequate provision for necessary on-site and, where appropriate, off-site infrastructure. Such infrastructure shall include affordable housing, education, public open space and play equipment, footpath connections, junction improvements and measures for future maintenance. The application is therefore contrary to CP3 of the Wiltshire Core Strategy (2015).**

150 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 8.49 pm)

The Officer who has produced these minutes is Will Oulton, of Democratic Services  
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