

## NORTHERN AREA PLANNING COMMITTEE

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### MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 31 OCTOBER 2018 AT COUNCIL CHAMBER - WILTSHIRE COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM SN15 1ER.

#### **Present:**

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice-Chairman), Cllr Chuck Berry, Cllr Christine Crisp, Cllr Howard Greenman, Cllr Gavin Grant, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Toby Sturgis, Cllr Brian Mathew and Cllr Ashley O'Neill

#### **Also Present:**

Cllr Bob Jones MBE

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#### 54 **Apologies**

There were no apologies.

#### 55 **Minutes of the Previous Meeting**

The minutes of the meeting held on 3rd October 2018 were presented.

#### **Resolved:**

**To approve as a true and correct record and sign the minutes.**

#### 56 **Declarations of Interest**

Cllr Groom declared an interest in agenda item no. 7a (member of Cotswold Conservation Board). She declared she would participate in the debate and vote for the item with an open mind.

#### 57 **Chairman's Announcements**

There were no Chairman's announcements.

#### 58 **Public Participation**

The Committee noted the rules on public participation.

#### 59 **Planning Appeals and Updates**

The Committee noted the contents of the appeals update.

60 **Planning Applications**

To consider and determine the following planning applications:

61 **18/08151/FUL - Dahl Al Misfir, Park Lane, Ford, Chippenham**

Public participation

Ken Carter, local resident, spoke in objection to the application.

Beau Roberts, local resident, spoke in objection to the application.

John Worsnop, the applicant, spoke in support to the application.

The Planning Officer, Lee Burman, introduced a report which recommended granting planning permission, subject to conditions, for the installation of a swim spa and decking in the rear garden of Dahl Al Misfir.

Key issues highlighted included: the principle of development; the impact of the proposal on the character and appearance of the application site and surrounding Cotswolds Area of Outstanding Beauty; the impact of the proposal on the character and appearance of the Long Dean-Ford-Slaughterford Conservation Area and on the settling of the nearby listed buildings; and the impact of the proposal on the residential amenities of surrounding properties.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: the location of the proposed decking; the material of the section of the development that would be visible to the adjacent lane; the level of noise the pump would produce and whether there were any policy restrictions in regards to this; the longer-term maintenance of the decking and especially its colour; and whether the pump's noise level could be mitigated via a cover or underground storage.

Members of the public then had the opportunity to address the Committee, as detailed above.

Cllr Toby Sturgis, speaking on behalf of the Division Member who was unable to attend, spoke regarding the application with the main points focusing on the adequacy of detail/information submitted with the application; whether the proposal draws on the local context and is complimentary to the locality; whether the design of the development could be changed especially in regards to the decking, plastic cover and lowering of the spa; and concerns over the level of noise the pump would produce.

At the start of the debate a proposal was moved by Cllr Peter Hutton, seconded by Cllr Gavin Grant to grant planning permission as detailed in the report and subject to the additional conditions detailed below.

During the debate the main points raised were: the possible outdoor storage of resident paraphernalia; the visual impact of the development to neighbouring properties; overdevelopment in the Cotswold area of outstanding natural beauty; the spirit and intention of conditions attached to the grant of permission for the original development of the dwelling in the Cotswold area of outstanding natural beauty and in particular the below ground level element of the property; the level of noise the pump would produce and the need to mitigate this; the suitability of the plastic section of the development; the size of the decking area; and the need to ensure the development would only be used ancillary to the residential dwelling.

## **Resolved**

**To delegate authority to the head of development management services to grant permission subject to the conditions recommended in the report to committee and additional conditions to address:**

**Site landscaping to minimize visual impact of development and noise impact to neighbouring properties;**

**Restrict outdoor storage of residential paraphernalia on the proposed decking to minimize visual impact;**

**Ensure that the proposed swim spa is used ancillary to the residential dwelling it serves and is not used for commercial purposes to mitigate impact to residential amenity.**

**The wording of conditions to be delegated to officers.**

**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: Location Plan, Block Plan, Layout Plan, Section and Swim Spa Specifications; all dated 24 August 2018.**

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

**3 No paint or stain finish shall be applied to external timber 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.**

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

**4 The shell of the Swim Spa shall be 'Quartz Mist' in colour and it shall have a dark grey cover.**

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

**5 INFORMATIVE TO APPLICANT:**

**Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.**

**6 INFORMATIVE TO APPLICANT:**

**The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.**

**7 INFORMATIVE TO APPLICANT:**

**The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.**

**8 INFORMATIVE TO APPLICANT:**

**Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.**

**62 17/09914/FUL - Land to the rear of 88- 89b, High Street, Cricklade**

Public participation

Andrew Pywell, the agent, spoke in support to the application.

Cllr Mark Clarke, Cricklade Parish Council, but representing Cricklade Neighbourhood Plan, spoke in objection to the application.

Cllr Chris Hodgson, Cricklade Parish Council, spoke in objection to the application.

The Planning Officer, Lee Burman, introduced a report which recommended granting planning permission, subject to conditions, for the erection of 2 no. dwellings on an area of land to the rear of 88-89b High Street, Cricklade that fronts onto Horse Fair Lane.

The Planning Officer provided the following update on the report:

- Page 38 of the agenda pack – parking arrangements revised to provide 2 no. garage space on 2 x 3 no. bed dwellings.
- End of report informatives – drainage matters referred to Wessex Water in the report, but should read Thames Water.

Key issues highlighted included: the principle of development; the impact on the character and appearance of the Conservation Area, Listed Buildings and their settings; the impact on local highways/parking; the impact on neighbour amenity; and drainage.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: the current parking arrangements and whether parking spaces would be lost as a result of the proposed development; concerns over the site location map detailed in the report; why the Conservation Officer now had no objections to the development; and the reduction of the number of dwellings proposed in the original proposal.

Members of the public then had the opportunity to address the Committee, as detailed above.

Cllr Bob Jones MBE, Division Member, spoke regarding the application with the main points focusing on overdevelopment of the area; the proximity of the development to the high street; highways/parking concerns; the historical value of the area; the impact on the character and appearance of the conservation area; and the need to take the Cricklade Neighbourhood Plan into consideration.

At the start of the debate a proposal was moved by Cllr Chuck Berry, seconded by Cllr Gavin Grant to refuse planning permission as detailed below.

During the debate the main points raised were: the authority of the Neighbourhood Plan and in particular Policy H3; the integrity of burgage plots and their importance to the character and appearance of the area; the natural and historical significance of the area; informal parking arrangements and their importance to local residents; and whether the public benefits of development outweigh its harm, whether the development conflicts with Core Policy 57 and 58 of the Wiltshire Core Strategy.

Officers advised members in respect of the submitted and available information in respect of parking arrangements and highways access and potential conflicts with the development.

**Resolved**

**That planning permission is refused contrary to officer recommendation for the following reason:**

- 1. The proposed development by virtue of its form, scale and layout will result in harm to the setting of the adjacent designated heritage assets (No.s 88 – 88b High Street Cricklade) through subdivision of the burgage plots related to these properties. The identified harm is not sufficiently outweighed by public benefits of development and consequently the proposals conflict with Wiltshire Core Strategy (Jan 2015) CP57 (i) & (iii) and CP58; Policy H3 of the Cricklade Neighbourhood Plan (Made March 2018); and paras 11, 194 & 196 of the National Planning Policy Framework (July 2018).**

**63 Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 4.35 pm)

The Officer who has produced these minutes is Craig Player of Democratic Services, direct line 01225 713191, e-mail [craig.player@wiltshire.gov.uk](mailto:craig.player@wiltshire.gov.uk)

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