

## NORTHERN AREA PLANNING COMMITTEE

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### DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 11 MAY 2011 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

#### **Present:**

Cllr Peter Colmer, Cllr Christine Crisp, Cllr Peter Davis, Cllr Peter Doyle, Cllr Alan Hill (Vice Chairman), Cllr Peter Hutton, Cllr Simon Killane (Substitute), Cllr Howard Marshall, Cllr Toby Sturgis and Cllr Anthony Trotman (Chairman)

#### **Also Present:**

Cllr John Thomson

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#### 41. **Apologies for Absence**

Apologies for absence were received from Cllr Bill Douglas (who was substituted by Cllr Simon Killane).

#### 42. **Minutes**

##### **Resolved:**

**To confirm and sign the Minutes of the meeting held on 20 April 2011.**

#### 43. **Declarations of Interest**

There were no declarations of interest.

#### 44. **Chairman's Announcements**

The Chairman announced that Motions put to Committee which are at variance with the Officer's recommendations and are approved by the Committee, would be subsequently referred to the proposer of the Motion to ensure that the wording was correct before the draft Minutes are published.

#### 45. **Public Participation and Councillors' Questions**

Members of the public addressed the Committee as set out in Minute No 47 below.

There were no questions received from members of the public or members of the Council.

46. **Planning Appeals**

The Committee received and noted a report setting out details of forthcoming hearings and public inquiries between 26 April and 31 July 2011.

47. **Planning Applications**

1a **10/01962/FUL & 10/01963/LBC - Burton Hill House, Burton Hill, Malmesbury, SN16 0EL - Conversion of Burton Hill School to Seven Residential Units; Conversion of Outbuilding to Residential (One Unit) & Erection of New Dwelling & Associated Works**

**The following person spoke in support of the proposal:**

Mr Andrew Macpherson, the agent

The Committee received a presentation by the Case Officer which set out the main issues in respect of the applications. She introduced the report which recommended that planning permission and listed building consent be refused. She also drew Members' attention to the late items.

The Case Officer explained that the applications had been deferred from the meeting held on 15 December 2010 to allow for the submission of outstanding information including condition and structural survey, fire and sound protection details, ecological studies and further negotiation on the legal agreement to secure contributions to affordable housing, education and public open space and potentially an ecological and landscape management plan for the site. It was reported that a conditions survey had been submitted on 18 February 2011 together with a Great Crested Newt and revised bat survey, amended plans and confirmation of an agreed education contribution of £42,983.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received a statement from a member of the public as detailed above, expressing his views regarding the planning application.

Members heard the views of Cllr John Thomson, the local member, in support of the applications.

After discussion,

**Resolved:**

To defer consideration of the application and to request the Area Development Manager to bring it back to the Committee one further time in order to arrange:

1. The submission by the agent on behalf of the applicant of full details with narrative as to how sound and fire protection requirements are to be satisfied between each of the units and on each floor.
2. Confirmation as to whether details will be submitted at this stage in respect of:
  - a) any repairs to windows and which windows are to be replaced if necessary; and
  - b) damp proofing works; and

If such details are not to be submitted, confirmation is to be provided that a Listed Building application in respect of matters identified in 2 will be submitted at a later date.

**1b 11/00312/OUT - 9 Gaston Lane, Sherston, SN16 0LY - New Dwelling & Garage**

**The following person spoke against the proposal**

Mr Michael Moss, an adjacent neighbour

**The following person spoke in favour of the proposal**

Mr Geoff Taylor, representing the agent

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. She introduced the report which recommended that the application be delegated to the Area Development Manager to approve subject to the completion of a legal agreement securing public open space and affordable housing contributions and conditions.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received statements from members of the public expressing their views regarding the planning application.

Members heard the views of Cllr John Thomson, the local member,

objecting to the application.

After discussion,

**Resolved:**

To delegate to the Area Development Manager to grant planning permission, subject to the applicant entering into a legal agreement under Section 106 of the Town and Country Planning Act 1990 in respect of the provision of a financial contribution towards public open space and affordable housing, as required by policies CF3 and H6 of the adopted North Wiltshire Local Plan 2011 for the following reason:-

The proposed development is considered appropriate in terms of its scale, layout and means of access in the context of the surrounding area. In addition, the proposal is not considered to result in an unacceptable impact upon residential amenity of surrounding occupiers. In this way the proposed development is considered to comply with the provisions of policies C3, NE4, NE14, H3, H6 and CF3 of the adopted North Wiltshire Local Plan 2011 and guidance contained within PPS3 Housing.

Subject to the following conditions:

- 1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

**REASON:** To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning (Compulsory Purchase) Act 2004.

- 2 No development shall commence on site until details of the following reserved matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

(a) The external appearance of the development; and

(b) The landscaping of the site.

The development shall be carried out in accordance with the approved details.

**REASON:** The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town

**Country Planning (General Development Procedure) Order 1995.**

- 3 An application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.**

**REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.**

- 4 No building on any part of the development hereby permitted shall exceed 7.5 metres in height and the garage shall not exceed 2.5 metres in height to eaves level and 4 metres to ridge level.**

**REASON: In the interests of amenity having regard to the characteristics of the site and surrounding development.**

**POLICY - C3 of the North Wiltshire Local Plan 2011.**

- 5 No development 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.**

**POLICY - C3 of the North Wiltshire Local Plan 2011.**

- 6 No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans, 'Proposed Parking and Access' 1015.02B. The areas shall be maintained for those purposes at all times thereafter.**

**REASON: In the interests of highway safety.**

**POLICY - C3 of the North Wiltshire Local Plan 2011.**

- 7 No development shall commence on site until visibility splays have been provided in accordance with the approved plan 'Proposed Parking and Access' 1015.02B with the wall reduced in height to 1 metre for 3 metres either side of the access as demonstrated. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1 metre above the level of the adjacent carriageway.**

**REASON:** In the interests of highway safety.

**POLICY - C3 of the North Wiltshire Local Plan 2011.**

- 8** 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, re-enacting or amending that Order with or without modification) any garage(s) hereby permitted shall not be converted to habitation or accommodation.

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

**POLICY - C3 of the North Wiltshire Local Plan 2011.**

- 9** 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 such a scheme for surface water drainage has been constructed in accordance with the approved scheme.

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

**POLICY - C3 of the North Wiltshire Local Plan 2011.**

- 10** 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 occupied until the approved sewerage details have been implemented in accordance with the approved plans.

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

**POLICY- C3**

- 11** 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

re-enacting or amending that Order with or without modification), no habitable room windows, doors or other form of openings shall be inserted in the north west or south west elevations at first floor level of the development hereby permitted.

**REASON:** In the interests of residential amenity and privacy.

**POLICIES - C3 and NE14 of the North Wiltshire Local Plan 2011.**

- 12** A pre-commencement site meeting shall be held and attended by the developer's arboricultural consultant, the designated site foreman and a representative from the Local Authority to discuss details of the proposed work and working procedures prior to any demolition, site clearance and any development. Subsequently and until the completion of all site works, site visits should be carried out on a monthly basis by the developer's arboricultural consultant. A report detailing the results and any necessary remedial works undertaken or required shall be submitted to and approved in writing by the Local Planning Authority. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant following that approval.

**REASON:** In order that the Local Planning Authority may be satisfied that the trees to be retained on site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with best practice and policy NE14 of the North Wiltshire Local Plan 2011.

- 13** 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), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

**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.

**POLICY – C3**

- 14** 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.**

**1015.01C (site layout only)  
10152B - Proposed parking and access  
Site location plan**

**REASON: To ensure that the development is implemented as approved.**

48. **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.00 - 7.45 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic Services, direct line (01225) 713035, e-mail [roger.bishton@wiltshire.gov.uk](mailto:roger.bishton@wiltshire.gov.uk)

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