

EASTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 15 MARCH 2012 IN THE COUNCIL CHAMBER - COUNCIL OFFICES, BROWFORT, BATH ROAD, DEVIZES SN10 2AT.

Present:

Cllr Liz Bryant (Substitute), Cllr Peggy Dow, Cllr Nick Fogg, Cllr Richard Gamble (Vice Chairman), Cllr Charles Howard (Chairman), Cllr Chris Humphries, Cllr Jerry Kunkler (Substitute), Cllr Jeffrey Ody (Substitute) and Cllr Christopher Williams

8. **Apologies for Absence**

Apologies for absence were received from Cllr Jane Burton (who was substituted by Cllr Jeffrey Ody), Cllr Laura Mayes (who was substituted by Cllr Liz Bryant) and Cllr Jemima Milton (who was substituted by Cllr Jerry Kunkler).

9. **Minutes of the Previous Meeting**

Resolved:

To confirm and sign as a correct record the minutes of the Committee meeting held on 2 February 2012.

10. **Declarations of Interest**

There were no declarations of interest.

11. **Chairman's Announcements**

There were no Chairman's announcements.

12. **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation and the manner in which the meeting would be held.

Members of the public addressed the Committee as set out in Minute No 12, as detailed below.

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

13. **Planning Applications**

13.a E/2011/1139/OUT - Land east of Quakers Walk, off London Road, Devizes, SN10 2DJ - Development of a Care Village (Use Class C2) including Access, Car Parking and Landscaping

The following people spoke against the proposal

Dr John Kirkman, representing the Campaign to Protect Rural England
Mr Richard Ormerod, representing the Quakers Walk Protection Group
Mr Tony Sedgwick, Traffic Adviser, the Trust for Devizes
Cllr Chris Callow, Chairman of Roundway Parish Council

The following person spoke in support of the proposal

Mr Mike Robinson, the agent

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that outline planning permission be granted.

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

Cllr Laura Mayes, as local Member, had submitted her views as she was unable to attend the meeting in which she expressed certain reservations and urged the Committee to address the following issues before making a decision:-

- Traffic increase and in particular, the need to test the scheme using the new Devizes Traffic Model.
- Sewage, and the need to ensure that the on-going problem of sewage odours in New Park Street would not be exacerbated.
- Quakers Walk Gates, and a request that the developers make a contribution to the restoration of the gates.
- Impact on bats' use of the eastern and southern boundaries .

After a full discussion,

Resolved:

To refuse planning permission for the following reasons:-

- 1. The application includes insufficient evidence to demonstrate that there will be no conflict between the care village and adjacent land uses at Devizes Sports Club and the police helicopter landing pad, in particular in relation to noise. As such, the proposal is contrary to policy PD1 of the Kennet Local Plan 2011.**
- 2. The local planning authority is not satisfied that the proposal will not have an adverse impact on existing congestion levels on London Road, by virtue of the fact that the scheme has not been tested using the Devizes Traffic Model. As such, the proposal is contrary to policy PD1 of the Kennet Local Plan 2011.**
- 3. The proposal may lead to an over-supply of extra-care accommodation in the Devizes Community Area, and it is unclear how the scheme fits into the Council's Wiltshire Older People's Accommodation Strategy. The proposal therefore fails to contribute to a balanced, mixed tenure community, contrary to the Council's objectives as set out in the Kennet Local Plan 2011 and emerging Wiltshire Core Strategy.**

13.b E/2011/0896/LBC - Southcott Manor, Pewsey, SN9 5JF - Part Demolition of Existing Building including Double Garage and New Extensions and Alterations

The following people spoke in support of the proposal:

Mrs Rebecca Middleton, the applicant
Mr Mike Fowler, the architect
Cllr Peter Deck, representing Pewsey Parish Council

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that Listed Building Consent be refused.

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

Members then heard the views of Cllr Jerry Kunkler, as local Member, who supported the proposal.

After discussion,

Resolved:

To defer consideration of the application and delegate the Area Development Manager to negotiate with the applicant amendments to the design of the French windows on the south elevation to grant Listed Building Consent and then refer the application, subject to conditions, to the Secretary of State to determine whether or not to call in the application for his own determination, bearing in mind that English Heritage advised against granting permission.

Reason

The proposed works would improve and enhance the character of the listed building. The proposal therefore complies with Government policy contained in PPS5: 'Planning for the Historic Environment.'

13.c E/2011/0895/FUL - Southcott Manor, Pewsey, SN9 5JF - Part Demolition of Existing Building, Alterations and Construction of New Extensions. Demolition of Garage and Erection of Garden Wall

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that planning permission be refused.

Members of the Committee then had the opportunity to ask technical questions.

Members then heard the views of Cllr Jerry Kunkler, as local Member, who supported the proposal.

After discussion,

Resolved:

To defer consideration of the application and delegate the Area Development Manager to negotiate with the applicant amendments to the design of the French windows on the south elevation prior to granting prior to granting planning permission subject to conditions and a decision by the Secretary of State on whether or not to call in the application for Listed Building Consent for his own determination, bearing in mind that English Heritage advised against granting permission.

Reason

The proposed development would improve and enhance the character of the listed building. The proposal therefore complies with Policy PD1 of the Kennet Local Plan 2011 and Government policy contained in PPS5: 'Planning for the Historic Environment.'

13.d E/2011/1701/FUL - Kytes Cottage, 10 High Street, Market Lavington, SN10 4AF - Erection of 1 No. New Dwelling

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that planning permission be granted.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received a statement from Cllr F Carne, representing Market Lavington Parish Council, expressing the Parish Council's views objecting to the proposal.

Members then heard the views of Cllr Richard Gamble, as local Member, who objected to the proposal.

After discussion,

Resolved:

To grant planning permission for the following reason and subject to the conditions set out below.

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the following policies and proposals in the Kennet Local Plan 2011 namely: policy PD1 as well as Central Government policy contained within Planning Policy Statement 1: 'Delivering Sustainable Development', Planning Policy Statement 3: 'Housing', Planning Policy Statement 5: 'Planning for the Historic Environment' and Planning Policy Guidance 13: 'Transport'.

Conditions

1 The development hereby permitted shall be begun before the expiration of three years of 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 materials to be used for the external walls and roofs (including samples) 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: To secure harmonious architectural treatment.

3 No development shall commence on site until details of all eaves, verges, windows (including details of heads, sills and reveals), doors, rainwater goods, chimneys and porch canopies to be used 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: To ensure harmonious architectural treatment.

4 No development shall commence on site until details of the bricks, brick bond and coping to be used for the rebuilt boundary wall adjacent to the public footpath 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 first occupation of the new dwelling.
REASON: To secure harmonious architectural treatment.

5 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), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted above ground floor ceiling level in the north-east elevation of the dwelling hereby permitted.
REASON: In the interests of residential amenity and privacy.

6 Before any part of the development hereby permitted is first occupied the access, turning area and parking spaces shall be completed in accordance with the details shown on the approved plans, and shall thereafter be maintained for these purposes.
REASON: In the interests of highway safety.

7 Before any part of the development hereby permitted is first occupied the access, turning area and parking spaces shall be completed in accordance with the details shown on the approved plans, and shall thereafter be maintained for these purposes.
REASON: In the interests of highway safety.

No development shall commence on site until:

- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
- b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

8 This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents

should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan Ref: 11014/P001, 11014/P002, 11014/P003, 11014/P100, 11014/P010, 11014/P011, 11014/P015

Received: 15th December 2011

13.e E/2011/1715/FUL - Land to the Rear of 21 to 42 Wood Park, Ludgershall, SP11 9NS - Construction of 7 New Dwellings, with Associated Gardens and Sheds and 22 Car Parking Spaces

The following person spoke against the proposal

Mr Daniel Cogman, a local resident

The following person spoke in support of the proposal

Mr Jonathan Arnold, the agent

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that outline planning permission be granted.

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

Cllr Christopher Williams, as local Member, spoke in support of the application.

After discussion,

Resolved:

To grant planning permission for the following reason and subject to the following conditions:-

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to policies PD1, TR17 and HC35 in the Kennet Local Plan 2011, central government policy contained in PPS 1: 'Delivering Sustainable Development' and PPS 3: 'Housing' and supplementary planning guidance contained in 'Community Benefits from Planning'.

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 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 surrounding properties in Wood Park.

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

3 The dwellings hereby permitted shall not be first occupied until the parking and turning areas have been provided in accordance with the approved plans. These areas shall thereafter be maintained and kept available for the parking and turning of vehicles in connection with the development.

REASON: In the interests of highway safety.

4 All hard landscaping shall be carried out in accordance with the approved details (as specified on the plans and application form) prior to the first occupation of the dwellings hereby permitted.

REASON: To ensure a satisfactory landscape setting for the development.

5 No development shall commence on site until a Construction Method Statement, which shall include the following:

the parking of vehicles of site operatives and visitors;
loading and unloading of plant and materials;
storage of plant and materials used in constructing the development;
measures to control the emission of dust and dirt during construction;
a scheme for recycling/disposing of waste resulting from demolition and construction works; and
hours of construction, including deliveries

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

6 The dwellings hereby permitted shall not be first occupied until the street lighting in Wood Park to the front and side of the site (alongside Plot 1) have been upgraded to current standards in accordance with details that have first been submitted to and approved in writing by the local planning authority.

REASON: In the interests of highway safety.

7 The dwellings hereby permitted shall not be first occupied until the entire carriageway width and footpaths in Wood Park immediately to the front and side of the site (alongside Plot 1) have been planed and resurfaced in tarmacadam, in accordance with details that have first been submitted to and approved in writing by the local planning authority.

REASON: In the interests of highway safety.

8 No development shall commence on site until a scheme for the provision of children's recreation space has been submitted to and approved in writing by the local planning authority. The children's recreation space shall be provided in accordance with the approved scheme prior to the first occupation of any part of the development, in accordance with Policy HC35 of the Kennet Local Plan 2011 and supplementary planning guidance contained in the Council's publication 'Community Benefits from Planning'.

REASON: To ensure the satisfactory provision of children's recreation space in connection with the development.

9 INFORMATIVE TO APPLICANT:

The applicant is advised that the scheme referred to in condition 8 above could comprise the payment of the appropriate commuted sum in lieu of on-site recreation provision or the improvement, remodelling and maintenance of the area of open space to the south of the properties fronting Linden Close.

10 INFORMATIVE TO APPLICANT:

Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses the site.

11 This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Application form, design and access statement, statement in respect of proposed open space enhancements, parking statement and drawing numbers 3324/012 Rev A (1:1250 location plan), 595/5688/1 (topographical survey drawing), 3324/010 Revs B & C (1:200 block plan), 3324/011 Rev C (1:100 elevations and floor plans) and 3324/013 (1:25 floor plan and elevations) stamped received on 19 December 2011.

13.f E/2011/1751/FUL - Waters Edge, Mildenhall, Marlborough, SN8 2LY - Partial Demolition and Rebuilding, including Ground and First Floor Extensions of an Existing Bungalow, together with the Addition of a Garden Shed (resubmission of E/2011/1173/FUL)

The following people spoke against the proposal

Mrs Lillian Mullins, immediate neighbour
Mr Davis Fishlock, a local resident
Cllr Sir Nigel Thompson, Chairman, Mildenhall Parish Council

The following people spoke in support of the proposal

Mrs Emma Tilby, the applicant
Mr Mike Milton, the architect

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that planning permission be granted subject to conditions.

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

After a full discussion,

Resolved:

To grant planning permission for the following reason and subject to the conditions set out below:-

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to Kennet Local Plan 2011 policy PD1 and to central government planning policy set out in PPS1 and PPS5.

Conditions

1 The development hereby permitted shall be begun before the expiration of three years of 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 materials to be used on the external faces of the development hereby approved shall be strictly in accordance with the details specified on plan 1107/02_108 unless otherwise agreed in writing with the local planning authority.

REASON: To define the extent of the permission.

3 All planting comprised in the submitted landscaping scheme hereby approved shall be carried out in the first planting season following the occupation of the extensions or the completion of the development, whichever is the sooner; any trees or plants which, within a period of 5 years, die, are removed, or become seriously damaged or diseased shall be replaced the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure a satisfactory landscaped setting for the development which lies in the North Wessex Downs AONB.

4 Before the development hereby permitted is brought into use the existing northern access shall have been closed with grass verge being reinstated across the access position.

REASON: In the interests of highway safety and visual amenity.

5 Before the development hereby permitted is brought into use the highway visibility area shall be cleared and kept free of all obstructions to sight above 900mm above the adjoining carriageway from a point 2.0 metres from the edge of the carriageway measured along the centre line of the revised southern access point, to a point on the edge of the carriageway 33 metres to the north from the centre of the access.

REASON: In the interests of highway safety.

6 Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.

7 **INFORMATIVE TO APPLICANTS:**

It is recommended that the applicants investigate and specify appropriate Sustainable Drainage Systems (SuDs) for surface water disposal from this site, in order to reduce the rate of run-off and to reduce pollution risks. These techniques involve controlling the sources of increased surface water, and include: a) Interception and reuse b) Porous paving/surfaces c) Infiltration techniques d) Detention/attenuation e) Wetlands. A copy of the

Environment Agency's leaflet on Sustainable Drainage Systems is available from them on request.

8 INFORMATIVE TO APPLICANTS:

Any oil storage facility of 200 litres or more must include a bund, and comply with the Oil Storage Regulations ("The Control of Pollution (Oil Storage) (England) Regulations 2001"), a copy of which can be found at: <http://www.environment-agency.gov.uk/business/topics/oil/>

9 This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan Ref. 1107/02_101, 1107/02_103, 1107/02_104, 1107/02_105, 1107/02_106, 1107/02_107 and 1107/02_108 received 29/12/11.

14. Urgent items

There were no urgent items.

(Duration of meeting: 6.00 - 8.55 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

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