

## EASTERN AREA PLANNING COMMITTEE

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### DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 5 APRIL 2012 IN THE COUNCIL CHAMBER - COUNCIL OFFICES, BROWFORT, DEVIZES.

#### **Present:**

Cllr Jane Burton, Cllr Peggy Dow, Cllr Richard Gamble (Vice Chairman), Cllr Charles Howard (Chairman), Cllr Jerry Kunkler (Substitute), Cllr Laura Mayes, Cllr Jemima Milton and Cllr Christopher Williams

#### **Also Present:**

Cllr Brigadier Robert Hall

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#### 15. **Apologies for Absence**

Apologies for absence were received from Cllr Nick Fogg and Cllr Chris Humphries (who was substituted by Cllr Jerry Kunkler).

#### 16. **Minutes of the Previous Meeting**

##### **Resolved:**

**To confirm and sign as a correct record the minutes of the Committee meeting held on 15 March 2012.**

#### 17. **Declarations of Interest**

There were no declarations of interest.

#### 18. **Chairman's Announcements**

- (1) National Planning Policy Framework Seminar The Chairman announced that the Area Development Manager would be holding a seminar on the National Planning Policy Framework at 4.45pm on Thursday 26 April 2012, immediately before the start of the next meeting,

to which would be invited all Members whose electoral divisions were situated in the area served by this Committee.

- (2) E/2011/1139/OUT – Land east of Quakers Walk, off London Road, Devizes, SN10 2DJ – Development of a Care Village (Use of Class C2) including Access, Car Parking and landscaping The Chairman reported that the applicant had submitted an appeal and that consideration was being given as to what action might be taken.

#### 19. **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 22, as detailed below.

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

#### 20. **Appeal Performance 2011**

The Committee received and noted a report by the Area Development Manager which detailed the outcomes of decisions made by the Planning Inspectorate on appeals in the area covered by this Committee in 2011.

The Committee were pleased to note that there were no cost awards against the Council for any decisions made by this Committee, the only costs incurred being the officer time in preparing appeal statements.

#### 21. **Land at, adjacent to and near 21 Avon Square, Upavon**

The Committee received and noted a report by the Area Development Manager which updated Members on action taken in response to a Committee decision made in 2011 on an enforcement matter to secure compliance with a Section 215 'Untidy Land' Notice in relation to land at 21, Avon Square, Upavon.

Joint working with the Council's Highways Team and Sarsen Housing Association had taken place to secure the removal of vehicles and items stored on land at this location, resulting in a measurable improvement to the appearance of the area. It was noted that a legal charge in respect of the sum spent by the Council to carry out its part of the clearance works would be placed on the property and would be recovered at the point of sale.

Cllr Brigadier Robert Hall, the local Member, on behalf of the Upavon Parish Council and the local residents, thanked the officers, and in particular Allan Brown and Steven Jenkins, Planning Enforcement Officers, for their diligence in securing such a satisfactory outcome.

## 22. Planning Applications

### **22.a E/2012/0113/FUL - 8 High Street, Market Lavington, Devizes, SN10 4AF - Revised Design of Plot 3 & Plot 4, Revised Site Layout & Parking Arrangements (Amendments to E/10/0965/FUL & E/2011/1110/FUL)**

#### **The following people spoke against the proposal**

Mr AJ Hopkinson, a local resident  
Cllr Colin Osborn, representing Market Lavington Parish Council

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

Mr Shane Marshall, the applicant

The Committee received a presentation by the Area Development Manager 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.

Members then heard the views of Cllr Richard Gamble, as local Member, who did not support the proposal.

After discussion,

#### **Resolved:**

**To grant planning permission for the following reason and subject to the conditions listed below:**

#### **Reason for Decision**

**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:**

- (a) Policy PD1 of the Kennet Local Plan 2011.**

**(b) Supplementary planning guidance contained in the Market Lavington Conservation Area Statement.**

**(c) Government policy contained in PPS3: 'Housing' and PPS5: 'Planning for the Historic Environment'.**

#### **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 No development shall commence on site until details of the proposed ground floor slab levels for the dwelling on plot 4 have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.**

**REASON: In the interests of visual amenity.**

**3 No development shall commence on site until samples of the materials to be used for the external walls and roofs of plot 4 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 preserving the character and appearance of the conservation area and the setting of the listed building.**

**4 No development shall commence on site until details of the eaves and verges for the dwelling on plot 4 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 preserving the character and appearance of the conservation area and the setting of the listed building.**

**5 No development shall commence on site until details of all new window and external door joinery for plot 4 have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:10 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2. Development shall be carried out in accordance with the approved details.**

**REASON: In the interests of preserving the character and appearance of the conservation area and the setting of the listed building.**

**6 The rainwater goods to be installed in the development hereby permitted shall be of cast metal construction and finished in black.**

**REASON: In the interests of preserving the character and appearance of the listed building and its setting.**

**7** The bricks to be used in constructing the walls of the dwelling on plot 4 shall be laid in Flemish bond.

**REASON:** In the interests of preserving the character and appearance of the conservation area and the setting of the listed building.

**8** Notwithstanding the details shown on the submitted plans and particulars, prior to the installation of any external lighting, details of its positioning and appearance shall be 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 preserving the character and appearance of the conservation area and the setting of the listed building.

**9** Development shall be carried out in accordance with the mitigation measures detailed in Sections 8 and 9.5 of the Updated Bat Survey and Mitigation Report (Home and Country Solutions, September 2010). submitted with planning application reference E/10/0965/FUL. Plot 3 shall not be occupied until written confirmation has been submitted to the Local Planning Authority by a licensed bat worker that all mitigation measures have been completed in accordance with this mitigation scheme.

**REASON:** To ensure that any impact of development upon bats is properly mitigated.

**10** No development shall commence on site until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include details of all boundary treatments, details of the surfacing for the driveway and parking spaces, and details of new tree planting.

**REASON:** In the interests of preserving the character and appearance of the conservation area and the setting of the listed building.

**11** All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the dwellings or the completion of the development whichever is the sooner; any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

**REASON:** In the interests of preserving the character and appearance of the conservation area and the setting of the listed building.

**12** There shall be no excavations to a depth greater than 2 metres below existing ground levels (as detailed on drawing no. 828-01), unless otherwise agreed in writing by the Local Planning Authority.

**REASON:** To safeguard the site of archaeological interest.

**13** No part of the development shall be occupied until the access, turning area and parking spaces have been provided in accordance with the approved plans. The areas shall be maintained for those purposes at all times thereafter.

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

**14** The lean-to structure on the south-west elevation of plot 4 shall be retained as an open ended car port and it shall be kept available at all times for the parking of a car. The structure shall not be enclosed at either end to create a garage nor shall it be used for storage or as habitable accommodation without a separate grant of planning permission.

**REASON:** To ensure adequate parking on the site in the interests of highway safety.

**15** The windows at first floor level shown on the approved plans on the north-west and south-east elevation of plot 3 shall be glazed with obscured glass and shall be so maintained thereafter.

**REASON:** In the interests of the privacy of neighbouring properties.

**16** The dwelling on plot 3 shall not be occupied until the window in the north-east elevation has been infilled with brick to match the existing building.

**REASON:** In the interests of the privacy of the neighbouring property.

**17** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting or amending that Order with or without modification), no windows, doors or other openings shall be inserted in the north-east elevation or above ground floor ceiling level in the north-west or south-east elevations of the dwelling on plot 3.

**REASON:** In the interests of the privacy of the neighbouring property.

**18** 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.

**(a)** Application Form, Design & Access Statement, Tree Statement and Drawing no. 828-01 received on 11th January 2012.

(b) Drawing nos. 828-02 Rev A & 828-03 Rev A received on 5th February 2012.

19 Notwithstanding the details shown on the plans and the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking and re-enacting or amending that Order with or without modification), no doors shall be placed over the entrance to the garage on plot 3.

**REASON:**

To ensure that the garage is kept available for use for the parking of vehicles, in the interests of highway safety and providing adequate off-street parking.

**20 INFORMATIVE TO APPLICANT:**

Your attention is also drawn to the conditions imposed on the listed building consent reference E/2012/0114/LBC and dated 5th April 2012.

**22.b E/2012/0114/LBC - 8 High Street, Market Lavington, Devizes, SN10 4AF - Revised Design of Plot 3 (Amendment to E/10/0966/LBC)**

On considering a report by the Area Development Manager,

**Resolved:**

To grant Listed Building Consent for the following reason and subject to the conditions listed below:-

**Reason for Decision**

The proposed works will not be detrimental to the character of the building.

**Conditions**

1 The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

**REASON:** To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 No works shall commence on site until joinery details of all new windows and internal / external doors (including garage doors) have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, elevations at a scale of not less than 1:10 and horizontal/vertical frame sections (including

sections through glazing bars) at not less than 1:2. The works shall be carried out in accordance with the approved details.

**REASON:** In the interests of preserving the character and appearance of the listed building and its setting.

**3** The new brickwork for infilling previous openings (where required) shall match the adjacent brickwork in terms of the size, colour and texture of the bricks.

**REASON:** In the interests of preserving the character and appearance of the listed building and its setting.

**4** No works shall commence on site until details of any external vents or extracts have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

**REASON:** In the interests of preserving the character and appearance of the listed building and its setting.

**5** All new roof lights shall be of the 'conservation' type with a single vertical glazing bar and mounted flush with the roof slope.

**REASON:** In the interests of preserving the character and appearance of the listed building and its setting.

**6** All new rainwater goods shall be of cast metal construction and finished in black.

**REASON:** In the interests of preserving the character and appearance of the listed building and its setting.

**7** 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.

(a) Application Form, Design & Access Statement, Tree Statement and Drawing no. 828-01 received on 11th January 2012.

(b) Drawing nos. 828-02 Rev A & 828-03 Rev A received on 5th February 2012.

**8** Notwithstanding the details shown on the submitted plans, no garage door shall be placed over the entrance to the garage on plot 3.

**REASON:**

To define the extent of the consent hereby granted.

**9** **INFORMATIVE TO APPLICANT:**

Your attention is also drawn to the conditions imposed on the planning permission reference E/2012/0113/FUL and dated 5th April 2012.



23. **Urgent items**

There were no items of urgent business.

(Duration of meeting: 6.00 - 6.45 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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