

## NORTHERN AREA PLANNING COMMITTEE

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### DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 29 AUGUST 2012 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

#### **Present:**

Cllr Christine Crisp, Cllr Peter Davis, Cllr Bill Douglas (Substitute), Cllr Mollie Groom (Substitute), Cllr Peter Hutton, Cllr Bill Roberts (Substitute), Cllr Judy Rooke (Substitute), Cllr Toby Sturgis and Cllr Anthony Trotman (Chairman)

#### **Also Present:**

Kirsty Butcher - Democratic Services Officer, Rosemary Lansdowne - Solicitor, Chris Marsh - Planning Officer, Simon Smith - Area Team Leader (North) , Tracy Smith - Area Team Leader (North) and Cllr Dick Tonge

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#### 74 **Apologies**

Apologies were received from Cllrs Desna Allen, Peter Colmer, Peter Doyle, Alan Hill, Simon Killane and Mark Packard

Cllr Colmer was substituted by Cllr Mollie Groom.  
Cllr Hill was substituted by Cllr Bill Roberts.  
Cllr Killane was substituted by Cllr Bill Douglas.  
Cllr Packard was substituted by Cllr Judy Rooke.

#### 75 **Minutes of the previous Meeting**

The minutes of the meeting held on 8 August 2012 were presented.

#### **Resolved:**

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

#### 76 **Declarations of Interest**

There were no declarations of interest.

#### 77 **Chairman's Announcements**

There were no Chairman's announcements.

78 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

79 **Planning Appeals**

The Committee noted the contents of the appeals update.

80 **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** and **7c** as listed in the agenda pack.

1a **11/04069/FUL - Land at Manor Farm, Corston, Malmesbury**

Public Participation

Mr John Price, Mr Roger Budgen and Claire Stringer all spoke in objection to the application.

Mr David Pearce, Charlotte Eavis and Mary Smalley all spoke in support of the application.

The Planning Officer introduced the report which recommended that planning permission be refused. It was noted in the late observations that the Senior Public Protection Officer had withdrawn his noise objection subject to a condition which controls the hours of use to those outlined by the applicant.

Details were provided on the site and the proposed building with associated car parking, play area and access. Attention was drawn to site location being in open countryside, and the impact on the visual amenity and landscape with the proposal not being in character with the area. The addition of acoustic fencing was highlighted. The lack of support within the local community was noted along with no objections on highway safety.

The Committee had no technical questions to ask officers.

Members of the public then had the opportunity to address the Committee with their views as detailed above.

A debate followed during which the Committee queried whether the loss of

green belt land was justified. The Committee noted the work being done on the neighbourhood plan and discussed whether the proposal should have come through the local system.

At the conclusion of the debate it was:-

**Resolved:**

**To REFUSE planning permission for the following reasons:**

**The proposed nursery development, in the absence of any framework boundary for Corston, is located within the open countryside. The site is not considered to be an infill site having regard to the character, built form and appearance of the area and is, therefore, contrary to saved policies C3, CF1 and NE15 of the adopted Local Plan 2011 and Core Policy C2 of the emerging Wiltshire Core Strategy.**

**1b 12/01348/FUL - Land at 12 The Close Gastard, Corsham**

**Public Participation**

Mr Paul Kefford, Mr Peter Collier and Claire Harding all spoke in objection to the application.

Mr Julian Kent spoke in support of the application.

The Planning Officer introduced the report which recommended that planning permission be granted subject to conditions.

Details were provided on the proposal for the erection of a new four bedroomed detached property with conservatory, carport/workshop, parking and amenity space. Attention was drawn to the site being a large section of garden that had been taken from the garden of No. 12 The Close. Key issues for consideration included the principle of development, the impact in the character and appearance of the area, the impact on residential amenity, the impact on highway safety and S106 contributions. The location of a listed building opposite was highlighted.

The Committee then had the opportunity to ask technical questions of officers. Clarification was sought over the lack of a S106 agreement and it was confirmed that the provision for open space went hand in hand with the provision for affordable housing.

Members of the public then had the opportunity to address the Committee with their views as detailed above.

The Local Member, Councillor Dick Tonge, then spoke in objection to the

application.

A debate followed where the lack of a section 106 agreement was discussed and it was suggested that this should be delegated to officers to negotiate a graduated section 106 agreement on both affordable housing and open space. The impact on reducing the garden at No. 12 The Close was discussed as was the design being not in keeping with local properties and disrupting the street scene.

At the conclusion of the debate it was:-

**Resolved:**

**To REFUSE planning permission for the following reasons:**

**The proposed dwelling by reason of its scale and siting would be likely to give rise to an unacceptable loss of privacy and amenity to adjacent residential properties to their detriment and would therefore be contrary to saved Policy C3 of the adopted North Wiltshire Local Plan 2011.**

**1c 11/02946/FUL and 11/03200/FUL - Land at Great Middle Farm, Dauntsey and Land to The South of Middle Green Lane, Dauntsey**

There were no public speakers.

The Planning Officer introduced the report which recommended that both applications be granted planning permission. The previous permissions granted by the Development Control Committee of the then North Wiltshire District Council were noted.

Details were provided on both the attenuation pond and drainage scheme and public open space. Attention was drawn to the new proposed location of the pond and that it would be part of the wider Sustainable Urban Drainage System. The satisfaction of the Environment Agency, Wessex Water and Wiltshire Council was highlighted. The Committee noted the reduction in public open space with the 1400m<sup>2</sup> being arrived at using the Council's own method of calculating how much open space must be delivered in association with new residential developments.

The Committee then had the opportunity to ask technical questions of officers. Confirmation of the adoption scheme within the section 106 agreement was confirmed. It was highlighted that the open space remained within the flood zone.

The Local Member, Councillor Tony Sturgis, then spoke in support of the

applications.

A debate followed where need to have a working drainage scheme was discussed. Members also discussed the involvement of the local member in the delegated decisions given their knowledge of the area.

At the conclusion of the debate it was:-

**Resolved:**

**11/02946/FUL – attenuation pond and drainage works**

**That 11/02946/FUL be DELEGATED back to the Area Development Manager and local Unitary Member to grant planning permission for the following reason, and subject to confirmation that the proposed drainage scheme will operate satisfactorily, the imposition of planning conditions and the signing of legal agreement under s106 of The Act covering the Heads of Terms set out in the report to Committee.**

**Reason for granting planning permission:**

**The proposed development is considered to comprise a suitable and effect method of surface water drainage from the Great Middle Green Farm development site. It is a method that meets with the satisfaction of Wessex Water, the Environment Agency and the Council's Drainage Engineer and constitutes development that would be without detriment to the wider amenities of the locality. Subject to planning conditions and all parties entering into an agreement under s106 of The Act, the proposed development would comply with the provisions of Policies C3, NE21 and NE22 of the adopted North Wiltshire Local Plan 2011 as well as guidance contained in the National Planning Policy Framework.**

**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 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.**

**Design and Access Statement (received 1<sup>st</sup> September 2011); Premier Surface Water Solutions Ltd – Revised Surface Water Drainage Assessment, including appendices A, B, C and D (received 17/04/12)**

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

**3.** Within three months of the date of this permission full details of the proposed boundary treatments to the attenuation pond shall have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in complete accordance with those details so agreed.

**REASON:** For the avoidance of doubt and so as to secure a safe and visually appropriate of development.

**11/03200/FUL – Public open space**

That 11/03200/FUL be DELEGATED back to the Area Development Manager and local Unitary Member to grant planning permission for the following reason, and subject to the planning conditions and signing of legal agreement under s106 of The Act covering the Heads of Terms, as set out in the report.

**Reason for granting planning permission:**

The proposed development is considered to be an acceptable solution to the outstanding requirement for public open space provision, which is fairly and reasonably related to the Great Middle Green Farm development site. Subject to planning conditions and all parties entering into an agreement under s106 of The Act, the proposed development would be an acceptable form of development that would respect the amenities of the locality and comply with the provisions of Policies C3 and CF3 of the adopted North Wiltshire Local Plan 2011, the North Wiltshire Open Space Strategy as well as guidance contained in the National Planning Policy Framework.

**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 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.

Location plan (date stamped 26/09/11); Site layout plan (date stamped 26/09/11); Planning, Flood Risk Assessment and Design and Access Statement (date stamped 26/09/11)

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

**3. Within three months of the date of this permission full details of the proposed boundary treatments to the public open space and play area shall have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in complete accordance with those details so agreed.**

**Reason: For the avoidance of doubt and so as to secure a safe and visually appealing form of development.**

81 **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.00 - 7.50 pm)

The Officer who has produced these minutes is Kirsty Butcher, of Democratic Services, direct line (01225) 713948, e-mail [kirsty.butcher@wiltshire.gov.uk](mailto:kirsty.butcher@wiltshire.gov.uk)

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