

EASTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 30 MAY 2013 IN THE WESSEX ROOM, CORN EXCHANGE, DEVIZES, SN10 1HS.

Present:

Cllr Mark Connolly (Vice-Chair), Cllr Stewart Dobson, Cllr Peter Evans, Cllr Nick Fogg, Cllr Richard Gamble, Cllr Charles Howard (Chairman), Cllr Jerry Kunkler and Cllr Paul Oatway

Also Present:

Cllr Jonathon Seed, Cllr Philip Whitehead and Cllr James Sheppard

36. Apologies for Absence

An apology for absence was received from Councillor Mark Connolly.

37. Minutes of the Previous Meeting

The minutes of the meeting held on 25 April 2013 were presented for consideration. It was,

Resolved:

To APPROVE as a true and correct record and sign the minutes.

38. Declarations of Interest

There were no declarations.

39. Chairman's Announcements

- 1) The Membership of the Committee following the Council meeting on 14 May 2013 was noted, as listed on the front of the agenda, with the addition of Councillor Jeff Osborn as a substitute.
- 2) With the agreement of the Committee it was announced that item 6c on the agenda, E/2013/0372/S73 - *Little Thornham Farm Bungalow, Trowbridge Road, Seend* - would be moved forward to the first item on the agenda.

40. Public Participation and Councillors' Questions

The rules on public procedure were noted.

There were questions or statements submitted.

41. **Planning Applications**

The Committee determined the following applications:

42. **E/2013/0372/S73: Little Thornham Farm Bungalow, Trowbridge Road, Seend, Melksham, Wiltshire, SN12 6PQ**

Public Participation

Mr Haines spoke in support of the application.

Mr Cosker, agent, spoke in support of the application.

The Area Development Manager introduced a report which recommended permission be refused for the agricultural occupancy restriction on the property to be removed.

The Committee then had the opportunity to ask technical questions of the officer.

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

The Local Member, Councillor Jonathon Seed, then spoke in support of the application.

A debate followed, where the efforts to market the property with the agricultural occupancy restriction was assessed. It was noted there was no dispute that there was no longer any requirement for the adjoining land to be serviced by the occupants of the bungalow. The key issue was whether the applicant had shown that the agricultural occupancy condition no longer served a useful purpose. As the property had been offered at a discount less than recommended by law it was felt that to remove the restriction could set a precedent for other similar properties in the open countryside.

It was,

Resolved:

To REFUSE the application for removal of the planning condition no. 2 from the planning permission referenced P2372, for the following reason:

Insufficient evidence has been provided to demonstrate that the existing need for dwellings for agricultural workers in the locality no longer warrants reserving the bungalow for that purpose. In particular, the marketing of the bungalow has not included an appropriate discount on the purchase price to reflect the restriction of its occupancy to an

agricultural or forestry worker. The removal of the condition would result in the creation of a dwelling in the open countryside in conflict with the terms and objectives of the policies in the development plan, namely NR6 and HC26 of the Kennet Local Plan, and of the advice contained within the National Planning Policy Framework 2012.

43. **E/2012/1502/FUL: 57 Bell Inn High Street, Great Cheverell, Devizes SN10 5TH**

Public Participation

Mr Mowbray, a representative of Jasmine Trustee's Ltd spoke in objection to the application.

Mr Ian Christie spoke in objection to the application.

Mr Peter Andrew spoke in objection to the application.

Mr Alfred Moule spoke in support of the application.

Mr Darren Thomas spoke in support of the application.

Mr Cosker, agent, spoke in support of the application.

The Area Development Manager introduced the report which recommended approval. The key issues were stated to include the impact on the character and appearance of the conservation area and neighbouring amenity and the setting of the adjacent listed building.

The Committee then had the opportunity to ask technical questions of the officer. Details were sought about the visibility from the access and location of highways splays. It was confirmed the hedge lining the site would be trimmed back to facilitate visibility and the splays, but would not be removed.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Richard Gamble, then spoke in objection to the application.

A discussion followed, where relevant national and local planning policies were raised, discussing the impact on the historic core of the village and character of the area, and the level of impact on the area, in particular the adjacent pub, from the proposed design was assessed.

Following the debate a motion was proposed and seconded for the application to be refused. This was defeated by vote.

At the conclusion of debate, it was,

Resolved:

That planning permission be GRANTED for the following reasons, and subject to the conditions set out below, together with delegated authority to the planning officer to put on a condition ensuring the green roof was maintained:

The proposal is an acceptable form of infill development in accordance with policies PD1 and HC22 of the Kennet Local Plan that will preserve the character and appearance of the conservation area and will not cause any demonstrable harm to interests of acknowledged importance.

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 and samples of the materials to be used for the external surfaces, including the retaining walls, steps and hardsurfacing for the car parking 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.

3. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- a) location and current canopy spread of all existing trees and hedgerows on the land;
- b) full details of any to be retained, together with measures for their protection in the course of development;
- c) a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- d) finished levels and contours;

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

4. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. 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:

To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking or re-enacting or amending that Order with or without modification), no extensions to the dwelling shall be erected without the prior grant of planning permission by the local planning authority.

REASON:

In the interests of residential amenity and privacy and to protect the character and appearance of the conservation area.

6. Before the dwelling is first occupied:

i) The access shall be constructed and laid out as detailed on the submitted plans.

ii) Visibility shall be provided as detailed on plan 1408/Plan 1 SITE PLAN LOWER GROUND LEVEL with nothing to exceed the height of 900 metre above carriageway level, or to be lower than 1800mm above carriageway level, between the carriageway edge, and a line drawn from a point 2.0 metres back along the centre-line of the access from the carriageway edge, to a point on the nearside carriageway edge 25 metres to the east, with the exception that the telegraph pole may remain within this splay. This splay shall thereafter be retained free of obstruction, as set out above.

iii) The gradient of the access over the first 4.5 metres shall not exceed 1 in 15.

iv) The surfacing of the first 4.5 metres of the access in a shall be completed in a well-bound consolidated material (the material to be as agreed in condition 2 above).

REASON:

In the interests of road safety.

7. No development shall commence on site until a landscape management plan, including maintenance schedules for the 'green wall' and roof has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

REASON:

To ensure the proper management of the landscaped areas in the interests of visual amenity.

8. No development shall commence on site until details of the boundary treatment for the site have been submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be implemented in accordance with the approved details prior to the occupation of the dwelling hereby permitted and shall be retained and maintained as such at all times thereafter.

REASON:

To prevent overlooking & loss of privacy to neighbouring property.

9. Construction works shall not take place outside 07:30 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.

REASON: To protect the amenity of residents of nearby properties.

10. Before any work hereby authorised begins, details shall be submitted to and approved in writing of the steps to be taken to secure the safety and stability of the adjacent property at Church Cottage. Such steps shall be implemented in accordance with the agreed details.

REASON:

To ensure that the new development does not have an adverse impact on a building that makes a positive contribution to the character and appearance of the conservation area.

11. The development hereby permitted shall be carried out in accordance with the following approved plans: Design 1 Revision A and Design 2 Revision A received on 7th February 2013; Details on Proposed Green Roof and Living Wall received on 7th February 2013; Arboricultural Report dated November 2012; Design and Access Statement; 1:1250 location plan dated 28th November 2012.

REASON:

For the avoidance of doubt and in the interests of proper planning.

44. E/2013/0152/LBC: Baydon Manor, Marridge Hill, Ramsbury, Wiltshire, SN8 2HG

Public Participation:

Mrs Vanessa Tanfield, agent, spoke in support of the application.

Mr Paul Stibbard, applicant, spoke in support of the application.

Mr John Baumber, Council of British Archaeology, spoke in objection to the application.

The Area Development Manager introduced a report which recommended refusal. The key issue was stated to be the impact of the proposal on the listed building.

The Committee then had the opportunity to ask technical questions of the officer.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

A discussion followed, where the lack of detail in the proposal on how the structure would be dismantled and stored appropriately was noted, together with the absence of public benefit to outweigh the removal of a heritage asset.

After debate, it was,

Resolved:

To REFUSE listed building consent for the following reasons:

- 1) The proposal would result in the loss of a designated heritage asset, for which no adequate justification has been provided. As such, the proposal is contrary to Government policy contained in Section 12 of the National Planning Policy Framework, including paragraphs 130, 132 and 133.**
- 2) The proposal would result in the loss of a significant element within the setting of the Baydon Manor, a designated heritage asset. As such, the proposals are contrary to Government policy contained in Section 12 of the National Planning Policy Framework, including paragraphs 132 and 133.**

45. Urgent items

There were no urgent items.

(Duration of meeting: 6.00 - 7.55 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services, direct line 01225 718211504, e-mail kieran.elliott@wiltshire.gov.uk

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