

EASTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 1 JULY 2010 AT COUNCIL CHAMBER, WILTSHIRE COUNCIL OFFICES, BROWFORT, DEVIZES.

Present:

Cllr Philip Brown (Chairman), Cllr Jane Burton, Cllr Peggy Dow, Cllr Richard Gamble, Cllr Chris Humphries, Cllr Laura Mayes, Cllr Jemima Milton (Reserve) and Cllr Christopher Williams

58. **Apologies for Absence**

Apologies were received from Cllr Nick Fogg and Cllr Charles Howard, who was represented by Cllr Jemima Milton.

59. **Minutes of the Previous Meeting**

The minutes of the meeting held 10 June 2010 were approved as a correct record and signed by the Chairman.

60. **Declarations of Interest**

E/10/0452/FUL – Cllr Richard Gamble declared a personal interest, as he is Portfolio Holder for Public Transport.

E/10/0485/FUL – Cllr Richard Gamble declared a personal interest as he had attending the 'Kestrels' on Conservative Party matters. However this was not deemed a close association and he would participate in the debate and vote.

Cllr Grundy clarified that he had no association with Mrs Wright.

E/10/0147/FUL – Cllr Jemima Milton declared a prejudicial interest as she knew the applicant and would leave the meeting and not participate in this item.

61. **Chairman's Announcements**

There were none.

62. **Public Participation**

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

63. **Planning Appeals**

The planning appeal detailed should be read in conjunction with planning application E/10/0485/FUL.

64. **Planning Applications**

65. **E/10/0452/FUL Full planning application for: Removal of existing prefabricated outbuilding. Erection of new single story extension (with related alteration) incorporating classrooms and ancillary accommodation At: Kennet Valley CE Aided Primary School, Lockeridge, SN8 4EL**

The Committee received a presentation from the Area Development Manager which set out the main issues in respect of the application, and drew the Committees attention to the Archaeological Evaluation Report, comments from the County Archaeologist and 11 letters of representation as tabled in the Late List.

The Committee then received statements from the following members of the public expressing their views regarding this planning application.

Public Participation:

1. Mr D Arkwright spoke in opposition of the application.
2. Mr Goodwin spoke in opposition of the application.
3. Mr B Thomas spoke in opposition of the application.
4. Mrs K Spencer spoke in support of the application.
5. Mrs J Davies spoke in support of the application.
6. Mr C Johns spoke in support of the application.

Following a lengthy discussion of a number of issues,

Resolved

Planning Permission is granted, subject to the conditions set out below, for the following reasons;

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 and NR7; and

Central Government planning policy set out in PPS1 and PPS5.

- 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 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.

- 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) indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (d) finished levels and contours;
- (e) means of enclosure;
- (f) car park layouts;
- (g) other vehicle and pedestrian access and circulation areas;
- (h) hard surfacing materials;
- (i) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);

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(s) 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 (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
- (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.
- (c) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON:

To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

- 6 No works shall commence on site until details of all new external window and door joinery and/or metal framed glazing 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. 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.

- 7 The extension shall not be brought into use until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together

with any changes to the plan arising from those results.

REASON:

In the interests of road safety and reducing vehicular traffic to the development.

- 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.

Drawing nos. 1457-10, -11, -12, -13B & -14B received by the lpa 8 April 2010.

Appendices: None

Background Documents Used in the Preparation of this Report: The application file and relevant government guidance.

66. **E/10/0485/FUL Full planning application for: Erection of thatched cottage and cartshed style garage At: Land adjacent to 6 Oak Lane, EASTERTON SN10 4PD**

The Committee received a presentation by the Area Development Manager, which set out the main issues in respect of the application, also referring to Easterton Parish Council comments and 2 letters of representation tabled in the Late List.

The Committee then received statements from the following members of the public expressing their views regarding this planning application.

Public Participation:

1. Mr Jenssen spoke in opposition of the application.
2. Mr R Trevis spoke in opposition of the application.
3. Mr D Rowsell spoke in support of the application.
4. Mr D Green spoke in support of the application.

Following a lengthy debate of the salient points,

Resolved

Planning permission is GRANTED for the following reasons:

The decision to grant planning permission has been made because the local planning authority are satisfied that the development will not have any adverse impact on the setting of nearby listed buildings, due to its design and position,

and will preserve the character and appearance of the Conservation Area, due to its size, design (including thatched roof) and position. The distance from neighbouring properties and the obscure glazing of the rear first floor windows means that the development will not have any significant adverse impact on the amenity of neighbouring properties. The proposal is therefore in accordance with policies PD1 and HC24 of the Kennet Local Plan and national; guidance in PPS5.

- 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 Development shall be carried out in accordance with the Finished Floor Levels shown on drawing nos. PL03 Rev B, PL06 Rev A & PL09 Rev A received on 14th May 2010.

REASON:

In the interests of visual amenity.

- 3 Notwithstanding the details shown on the submitted application forms, no development shall commence on site until samples of the bricks to be used for the external walls of the dwelling and garage 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, in the interests of preserving the character and appearance of the conservation area and the setting of the adjacent listed building.

- 4 No development shall commence on site until samples of the natural slates to be used for the roof of the garage 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, in the interests of preserving the character and appearance of the conservation area and the setting of the adjacent listed building.

- 5 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting or amending that Order) with or without modification, the timber boarding to be used on the external walls for the garage shall be allowed to weather naturally and shall not be painted or stained without the prior written approval of the Local Planning Authority.

REASON:

To secure harmonious architectural treatment, in the interests of preserving the character and appearance of the conservation area and the setting of the adjacent listed building.

- 6 No development shall commence on site until a sample panel of brickwork, not less than 1 metre square and showing the proposed bricks, bond, mortar and pointing, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON: To secure harmonious architectural treatment, in the interests of preserving the character and appearance of the conservation area and the setting of the adjacent listed building.

- 7 The bricks to be used in the construction of the dwelling hereby permitted shall be laid in Flemish type bond.

REASON: To secure harmonious architectural treatment, in the interests of preserving the character and appearance of the conservation area and the setting of the adjacent listed building.

- 8 The roof of the dwelling hereby permitted shall be thatched in long straw with a flush wrap-over ridge, unless otherwise agreed in writing by the Local Planning Authority.

REASON:
To secure harmonious architectural treatment, in the interests of preserving the character and appearance of the conservation area and the setting of the adjacent listed building.

- 9 The windows in the dwelling hereby permitted shall be white painted timber flush casements installed in accordance with the details shown on drawing no. PL07 received on 15th April 2010. They shall be retained as such thereafter.

REASON:
To secure harmonious architectural treatment, in the interests of preserving the character and appearance of the conservation area and the setting of the adjacent listed building.

- 10 The door in the front (south-west) elevation of the dwelling hereby permitted shall be constructed of timber and painted. The door shall be retained as such thereafter.

REASON:
To secure harmonious architectural treatment, in the interests of preserving the character and appearance of the conservation area and the setting of the adjacent listed building.

- 11 No development shall commence on site until temporary protective fencing has been erected for the existing beech hedge, in accordance with details which have been first submitted to and approved in writing by the Local Planning Authority. After it has been erected, the fencing shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including stacking of soil, shall be allowed within the protected area. There shall be no excavation within the protected area.

REASON:

To enable the Local Planning Authority to ensure the retention of the existing hedge on the site in the interests of visual amenity.

- 12 The existing beech hedge on the site frontage shall be retained and shall not be removed (in whole or part) or reduced in height without the Local Planning Authority's prior written approval. (For the avoidance of doubt this condition does not preclude the routine trimming of the external faces of the hedge)

REASON:

To ensure a satisfactory landscaped setting for the development.

- 13 No development shall commence on site until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development. Details shall also include species, planting sizes and planting densities for all new planting.

REASON:

To ensure a satisfactory landscaped setting for the development.

- 14 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 dwelling 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.

REASON:

To ensure a satisfactory landscaped setting for the development.

- 15 Before the dwelling hereby permitted is first occupied the access, driveway and turning head shall be completed in accordance with the details shown on the approved plans, and these areas shall thereafter be maintained for use in connection with the development.

REASON:

In the interests of highway safety.

- 16 Before the dwelling hereby permitted is first occupied the highway visibility area shall be cleared and kept free of all obstructions to sight above 1 metre above the adjoining carriageway from a point 2.0 metres back from the edge of the carriageway measured along the centre line of the access, to a point on the nearside carriageway edge at the north-western end of the site frontage.

REASON: In the interests of highway safety.

- 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 wall, fence, gate or other means of enclosure shall be erected or placed within the application site forward of the principal elevation of the dwelling facing the highway.

REASON: To enable the Local Planning Authority to retain control over future development within the curtilage of the dwelling in the interests of the proper planning and amenity of the area.

- 18 Before the dwelling hereby permitted is first occupied the first floor windows in the rear (north-east) elevation serving the bathroom, landing and en-suite shall be glazed with obscure glass only and the windows shall be permanently maintained with obscure glazing at all times thereafter.

REASON: In the interests of residential amenity and privacy.

- 19 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 in the any of the elevations or roof slopes of the dwelling hereby permitted.

REASON:

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

- 20 **INFORMATIVE TO APPLICANT:**
The attention of the applicant is drawn to the contents of the attached letter from Wiltshire Fire & Rescue Service and dated the 7th May 2010.

- 21 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, 1:1250 Site Location Plan and

drawing nos. PL01 Rev A, PL04, PL05, PL07 & 0801/01 Rev A received on 15th April 2010.

(b) Drawing nos. PL03 Rev B, PL06 Rev A & PL09 Rev A received on 14th May 2010.

(c) Drawing nos. PL02 Rev B & PL08 Rev A received on 11th June 2010.

Appendices: Appeal decision for history application

Background Documents Used in the Preparation of this Report: The application file, history file E/09/0075/FUL, Kennet Local Plan 2011, Easterton Conservation Area Statement and government guidance contained in PPS1 and PPS5.

67. **E/10/0147/FUL Full planning application for: Demolition of existing farmhouse and erection of replacement farmhouse with new outbuilding range/garaging and farm office At: Knight Leaze Farm, URCHFONT SN10 4RA**

The Committee received a presentation from the Area Development Manager which set out the main issues in respect of the application.

The Committee then received statements from the following members of the public expressing their views regarding this planning application.

Public Participation:

1. Mr M Bodman spoke in support of the application.
2. Mr D Rowsell spoke in support of the application.
3. Mr S Holt (Urchfont Parish Council) spoke in support of the application.

Following a detailed discussion of a number of issues,

Resolved

Planning Permission is granted, subject to the conditions set out below, for the following reasons;

Although the size of the replacement dwelling does not comply with the requirements of policy HC25 of the Kennet Local Plan, the Council are satisfied that the design and proposed quality of the new dwelling will enhance the landscape character and the appearance of the area, and will be in accordance with policy NR7 of the Kennet Local Plan. Consequently, planning permission is

justified on this occasion.

- 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 occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

REASON:

The site is in an area where residential development for purposes other than the essential needs of agriculture or forestry is not normally permitted and this permission is only granted on the basis of an essential need for a new dwelling/residential accommodation in this location having been demonstrated.

- 3 No development shall commence on site until details and samples of the materials to be used for the external walls, windows 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.

- 4 No development shall commence on site until a scheme of landscaping for the new curtilage boundaries has been submitted to and approved in writing by the Local Planning Authority. The submitted details of which shall include details of all fencing, indications of all existing trees and hedgerows on the land; details of any to be retained, together with measures for their protection in the course of development; and all species, planting sizes and planting densities for new planting.,

REASON:

To ensure a satisfactory landscaped setting for the development.

- 5 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 dwelling 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.

- 6 No development shall commence on site until details of the proposed ground floor slab levels 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.

- 7 Within three months of the first occupation of the dwelling hereby approved, the existing dwelling on the site, as shown on drawing number 06, shall be demolished and all of the demolition materials and debris resulting there from shall be removed from the site.

REASON:

To protect the character and appearance of the area, which is in open countryside, and permission has only been granted on the basis that the dwelling hereby approved is a replacement for the existing unattractive farmhouse, the retention of which would conflict with policies HC25 and NR7 of the Kennet Local Plan.

- 8 INFORMATIVE TO APPLICANT:

The amended plans show the curtilage of the site outside of the nearby routes of the public rights of way. Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of these rights of way.

- 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 Refs Amended 1:2500 location plan, received on 11th June 2010; Drawing Numbers 01-06, received with the planning application and the Design and Access Statement received with the planning application.

68. **Urgent items**

None.

(Duration of meeting: 6.00 - 7.30 pm)

The Officer who has produced these minutes is Anna Thurman, of Democratic & Members' Services, direct line (01225) 718379, e-mail anna.thurman@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115