

## NORTHERN AREA PLANNING COMMITTEE

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**DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 12 MARCH 2014 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.**

**Present:**

Cllr Chuck Berry (Substitute), Cllr Christine Crisp, Cllr Bill Douglas, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Peter Hutton (Vice-Chair), Cllr Simon Killane, Cllr Mark Packard, Cllr Toby Sturgis, Cllr Anthony Trotman (Chairman) and Cllr Philip Whalley

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**18 Apologies**

Apologies were received from Cllr Parker.

Cllr Parker was substituted by Cllr Berry.

**19 Minutes of the previous Meeting**

The minutes of the previous meeting held on Wednesday 29 January were presented.

**Resolved:**

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

**20 Declarations of Interest**

Cllr Groom declared an interest in agenda item no. 7b as she served on the Lydiard Millicent Parish Council. She declared she would participate in the debate and vote for each item with an open mind.

**21 Chairman's Announcements**

There were no Chairman's announcements.

**22 Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

## 23 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of application 13/05724/OUT and 7a as listed in the agenda pack.

### 1a **13/05724/OUT - Land South of Bradford Road, Rudloe, SN13 0**

Kieth Chubb, Juliett Powell and Paul Turner spoke in objection to the application.

Chris Watt, Jamie Lewis and Cllr Whalley (speaking on behalf of Corsham Town Council) spoke in support of the application.

The officer introduced the report which recommended planning permission be delegated to the Area Development Manager to GRANT subject to the signing of a s106 agreement and conditions.

He explained that the proposal comprised of 12 small commercial units, two slightly larger commercial blocks, 88 dwellings and landscaping surrounding the central area. Neighbouring the site were several business units. It was proposed that the site was access by a right-turn lane. A toucan crossing and a crossing island on the road neighbouring the site were also proposed. Attention was drawn to the late observations circulated at the meeting.

The Committee then had the opportunity to ask technical questions of officers and it was confirmed that the commercial sites proposed were for B1 use and that further applications would be required to alter this use.

Members of the public then addressed the Committee as detailed above.

The local member, Cllr Tonge spoke in objection to the application. He noted other proposed developments in the area and concern that the application could set a precedent for future developments.

In the debate that followed, some members noted potential benefits for the local community such as providing housing for local workers and the possibility that the development would serve as a catalyst for the improvement of local services. The Committee highlighted difficulty in striking a balance between permitting development to meet government policy whilst also respecting the local community.

**It was resolved to:**

**Delegate to the Area Development Manager to grant planning**

permission, subject to all parties entering into an agreement under S106 of The Act (as amended) in relation to the following matters:

- Delivery of affordable housing;
- Delivery and maintenance of on-site play provision and public open space;
- Provision of a contribution in respect of local leisure provision;
- Provision of a contribution in respect of local cemetery facilities;
- Delivery of site access works and other off-site highways works;
- Provision of costs associated with the requisite Travel Plan;
- Provision of a contribution in respect of strategic highways works;
- Provision of contributions in respect of local primary and secondary education.

And subject to the following conditions:

- 1 The development hereby permitted shall be begun either before expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last reserved matters to be approved, whichever is the later.

**REASON:** To comply with the provisions of Section 92 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 following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The scale of the development;
- (b) The layout of the development;
- (c) The external appearance of the development;

**(d) The landscaping of the site;**

**The development shall be carried out in accordance with the approved details.**

**REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.**

**3 An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.**

**REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.**

**4 No development shall commence on site until full details of both hard and soft landscaping works have been submitted to and approved in writing by the local planning authority. The approved works shall be carried out in full prior to first use/occupation of the development hereby permitted and maintained thereafter in accordance with an approved scheme.**

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

**5 No development shall commence on site until provision has been made for open space, amenity areas and play areas in accordance with the submitted details. The plans shall define the boundaries and shall include details of the intended future uses of each area, in particular the user age groups of play areas together with the features and items of play equipment it is proposed to install.**

**REASON: To ensure a satisfactory provision of open space throughout the development in the interests of the amenity of future residents.**

**6 Prior to first occupation of any dwelling hereby permitted a 2 metre wide footway shall be constructed and made permanently available for public use, along the frontage of the site between the site access**

**and the bus stop located north-east of Skynet Drive, in accordance with details to be first submitted to and approved by the Local Planning Authority.**

**REASON: In the interests of providing safe and convenient pedestrian link to serve the development.**

- 7 The details of the residential development submitted for reserved matters approval shall include a 2 metre wide footway link to the south-eastern boundary of the site.**

**REASON: In the interests of providing permeable pedestrian links and direct access to the primary school and Skynet Drive.**

- 8 The details of the residential development submitted for reserved matters approval shall include a 2.5 metre wide cycleway / footway link from the residential part of the site to the employment area.**

**REASON: In the interests of providing permeable pedestrian links and enabling the employment units to have good access to public transport.**

- 9 The employment units hereby approved in outline shall not be first brought into use until separate vehicle access to Park Lane for those units has been provided and made available for use, in perpetuity.**

**REASON: In the interests of providing safe and convenient access to the employment units.**

- 10 No part of the development hereby permitted shall obstruct a visibility splay at the junction of Skynet Drive with Bradford Road such that nothing exceeds a height of 600mm above carriageway level between the carriageway edge, and a line drawn from a point 2.4 metres back along the centre-line of Skynet Drive from the carriageway edge to a point on the nearside carriageway edge 120 metres to the southwest.**

**REASON: In the interests of highway safety.**

- 11 Prior to occupation of the 20th dwelling hereby permitted, parking laybys situated either side of the access road and extending a distance of 60m into the site from its junction with Bradford Road, as**

indicated in outline on Indicative Masterplan drawing number 13/052/100 shall be provided and made permanently available for public use.

**REASON:** In the interests of avoiding excessive school parking on nearby roads.

- 12 No development shall commence on site until a surface water drainage scheme for the site based on sustainable drainage principles (SUDS) and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to completion of the development. The scheme shall also include details of how the scheme is to be managed after completion.

**REASON:** To ensure that the development can be adequately drained.

- 13 The development hereby permitted shall be carried out in accordance with the following approved plans:

Figure 1 – Site Location Plan

13.052.101 – Site Boundary Plan

13.052.200 rev A – Land Uses Plan

101 rev B – Proposed Site Access Right Turn Lane

Untitled indicative open space/pedestrian links/cycleway overlay plan

Received 6 November 2013

**REASON:** For the avoidance of doubt and in the interests of proper planning.

- 14 **INFORMATIVE TO APPLICANT:**  
For the avoidance of doubt, the landscape strategy as required by Condition 4 above, should include details of the following:

- a) Retention and successful integration of important existing site trees, hedgerows and landscape features, wherever possible;
- b) Strong Green Infrastructure linkages into the wider GI network.
- c) Reinforcement of the northern perimeter hedge line/tree belt along Bradford Road (within the site) by introducing an

**additional wooded belt of tree planting in order to reinforce and extend wooded skyline backdrop for new urban development viewed from lower local vantage points from the south, west and east and also from longer southern countryside vantage points;**

- d) Introduction of a structured landscape buffer separation and transition with countryside along the eastern boundary (Skynet Drive) of the proposed residential area;**
- e) Additional structural tree planting areas (i.e. wooded belts, space for larger species tree planting within and bordering the residential development block areas) that in combination with landform should aim to better integrate the introduction of new urban development massing on this sloping site over the longer term;**
- f) Incorporation of a multifunctional SUD System for functional attenuation, aesthetic/amenity & ecological value and benefit purposes;**
- g) High quality design of centrally located and easily accessible and overlooked equipped areas of useable open space, which reinforces appropriate local character and a 'sense of place';**
- h) Legible, direct and clear footpath and cycleway linkages with adjoining built development and PRow network;**
- i) Incorporation of the use of natural stone within boundary treatments and dwellings where they would offer the greatest public amenity function and design value; and**
- j) Sustainable landscape maintenance and management arrangements.**

**15      INFORMATIVE TO APPLICANT:**

**For the avoidance of doubt, drawing reference 13/052/100 (Indicative Masterplan) does not form part of the formal planning application hereby approved. Its content is for illustrative purposes only and is subject to change in respect of scale, layout, external appearance and landscaping at the reserved matters stage.**

**16      INFORMATIVE TO APPLICANT:**

**Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.**

**17 INFORMATIVE TO APPLICANT:**

**This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the [INSERT].**

**18 INFORMATIVE TO APPLICANT:**

**The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.**

**If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.**

**1b 13/05388/FUL - 30 Stone Lane, Lydiard Millicent, Swindon**

Angelo Papa, Chris Wannell and Simon Chambers spoke in support of the application.

The officer introduced the report which recommended that planning permission be REFUSED.

He explained that the application was to convert an existing property into a self-contained four bedroom dwelling. Permission was originally granted to construct a building for equine use, a larger building than that permitted was constructed and retrospective permission was granted.

The Committee then had the opportunity to ask technical questions of officers and it was confirmed that refusal was recommended due to the proposal's poor design and cramped, close relationship with the dwelling it was originally intended to serve. It was also confirmed that the building had been used for equine use for over two years and was located in open country-side.

Members of the public then addressed the Committee as detailed above.

The local member Cllr Groom spoke in support of the application. She noted the lack of local objection, the need for housing in the area and that the building's design was consistent with the adjacent house.



In the debate that followed concern was expressed that the development could set a precedent for the future conversion of other agricultural buildings. The Committee also discussed the benefit of converting the redundant building to meet local housing needs and the benefit of demolishing the garage. NPPF paragraph 55 was noted as was the proposal's poor design which did not enhance the immediate setting.

**It was resolved to:**

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

**By reason of the proposal's poor design and cramped, close relationship with the dwelling it was originally intended to serve, the development would have an unacceptable impact on residential amenity and would not present an enhancement of the immediate setting. Accordingly, it is considered that the proposed development conflicts with the principles in the National Planning Policy Framework relating to the re-use of redundant buildings and Policy C3 of the adopted North Wiltshire Local Plan 2011.**

**1c N/13/00958/S73A - Oaksey Park, Lowfield Farm, Oaksey.**

Simon Chambers spoke in support of the application.

Cllr Martin Davies spoke in objection to the application.

The officer introduced the report which recommended that planning permission be delegated to the Area Development Manager to grant subject to the signing of a s106 agreement and conditions.

He explained that the application concerned a number of holiday let properties which had been granted planning permission on appeal and which were adjacent to a nine-hole golf course and supporting club house facility. A number of these properties had been sold as holiday lets. Planning permission existed for another phase of building which had not yet begun.

The application concerned eight of the units on the site. It sought to remove the conditions which restricted their use to holiday lets, allowing them to be used as residential properties. An independent advisor had confirmed that in their current form, the units were unviable as holiday lets. The units had been marketed at a heavily discounted price but had not sold. He confirmed that conditions one and two required re-wording.

The Committee then had the opportunity to ask technical questions of officers and it was confirmed that the application would not affect the open space on the site and that the site consisted of a mixture two and three

properties.

Members of the public then addressed the Committee as detailed above.

The local member Cllr Berry highlighted the challenge the Committee faced, seeking to ensure that a local business did not fail, whilst also ensuring that the site was suitable for residential properties. He noted the difficulty of considering the application in isolation from the site as a whole.

A motion to delegate to the Area Development Manager to grant planning permission subject to the signing of a s106 agreement and subject to conditions was moved and seconded.

In the debate that followed the Committee discussed other holiday lets in the area and the lack of local amenities. The Committee noted that planning permission existed for the final phase of development, but that work had not yet begun. Concern was expressed that the application if granted could set a precedent for others to seek to vary the restrictive conditions on their properties. The lack of private open space was discussed as was the difficulty of considering one element of a development in isolation.

The motion was voted on and lost.

A motion to refuse planning permission was moved and seconded. In the debate that followed the Committee noted insufficient detail of a number of elements of the application including private amenity space, s106 agreement and details of the provision of council services including waste. Following advice from the legal officer, the motion was withdrawn.

**Resolved:**

**To defer the application to allow officers to gather more information.**

## 24 **Urgent Items**

There were no urgent items.

(Duration of meeting: 8.45 am)

The Officer who has produced these minutes is Eleanor Slack, of Democratic Services, direct line 01225 718255, e-mail [eleanor.slack@wiltshire.gov.uk](mailto:eleanor.slack@wiltshire.gov.uk)

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