

WESTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 30 APRIL 2014 IN THE COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Russell Hawker, Cllr John Knight, Cllr Magnus Macdonald, Cllr Christopher Newbury (Chairman), Cllr Graham Payne (Substitute) and Cllr Jonathon Seed

Also Present:

Cllr Terry Chivers

36 Apologies for Absence

Apologies for absence were received from:

Councillor Pip Ridout, who was substituted by Councillor Graham Payne.

Councillor Roy While.

Councillor Horace Prickett.

37 Minutes of the Previous Meeting

The minutes of the meeting held on **9 April 2014** were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 9 April 2014.

38 Chairman's Announcements

There were no Chairman's Announcements.

The Chairman gave details of the exits to be used in the event of an emergency.

39 Declarations of Interest

There were no declarations of interest.

40 Public Participation and Councillors' Questions

No questions had been received from councillors or members of the public.

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

41 Planning Applications

The Committee considered the following applications:

42 13/06707/FUL - Land south east of Leechpool Farm, Norrington Lane, Broughton Gifford

Rob Cumming spoke in objection of the application.

Isobel Hollands (Agent) spoke in support of the application.

The Area Development Manager outlined the report which recommended the application for approval subject to conditions. The site description and an overview of the proposed development were also given. The site would essentially consist of a solar photovoltaic park over approximately 30.5 hectares.

The Area Development Manager outlined the relevant planning policy which included:

The National Planning Policy Framework 2012

Planning Practice Guidance (DCLG: Section on Renewable and Low Carbon Energy updated 6 March 2014).

West Wiltshire District Plan 1st Alteration (2004)

Some weight was also afforded to the Emerging Wiltshire Core Strategy, however as it was yet to be formally adopted by the Council, only limited weight could be given to the policy.

The Area Development manager outlined the comments and objections received through consultation, which included comments of 'no objection' from: Wiltshire Council's Ecologist, Natural England, Environment Agency,

Environmental Health, Highways and Spatial Plans and Landscaping. Comments were received from English Heritage and Wiltshire Council Public Rights of Way which were outlined in the report.

Four letters of objection had been received and five letters in support which had been outlined in the report.

The Area Development manager drew attention to the relevant planning considerations which were summarised as being the principle of the development, impact on the landscape of the open countryside, impact on ecological interests, impact on highway safety including during construction phase, impact on public rights of way, impact on heritage assets including archaeological interests and flood risks.

Members were invited to ask technical questions of the site. The questions focused on the amount of farm animals that would safely be able to graze, to which the answer was unknown.

Members of the public were invited to speak on the application as listed above.

The Area Development Manager was asked to answer the questions from a member of public and it was noted that the latest comments received from Broughton Gifford Parish Council had not been included in the agenda as it was received after the publication date and had instead been circulated to members of the committee before the meeting. Concerns around flooding and the visual impact had been addressed and there were no major concerns.

Cllr Chivers as local member spoke in objection to the application stating; that there was concern from the local community about the visual impacts in that residents can see both the W/12/02072/FUL site and this new proposed site. There were also concerns over the cumulative effect in that there are already plans to build a further solar farm nearby. Members debated the application.. A motion was proposed to approve the application and after discussions about a possible site visit the original motion was withdrawn and a motion was proposed for a site visit, to take place the day of the next Western Area Planning Committee on the 21 May 2014.

At the end of the debate, the Committee;

Resolved:

To DEFER for a site visit on 21 May 2014.

43 **14/01659/FUL - Haygrove Farm, 44 Lower Westwood Bradford On Avon, BA15 2AR**

Public Participation

Dr Allan Parker spoke in objection of the application.

Dr Sally Vamson spoke in objection of the application.

Mr Mark Slawson spoke in support of the application.

Mr Paul Oakley (Agent) spoke in support of the application.

Mr Mike Hopkins spoke in support of the application.

Councillor Ian Richardson spoke on behalf of Westwood Parish Council in objection of the application.

The Case Officer outlined the report which recommended the application for approval subject to conditions. The site description and an overview of the proposed development were also given. The site, which is in a Green Belt and conservation area, currently includes a Dutch barn, stable building and a shed with the proposal to demolish all three and replace with the erection of a new building to contain 2 units of holiday accommodation with access and parking. The planning history was provided noting that previous applications had been refused as the proposals were much larger and for residential use.

The Case Officer outlined the relevant planning policy which included:

West Wiltshire District Plan 1st Alteration (2004)

The Wiltshire Local Transport Plan 2011-2026 – Car Parking Strategy

Some weight was also afforded to the Emerging Wiltshire Core Strategy, however as it was yet to be formally adopted by the Council, only limited weight could be given to the policy.

The Case Officer outlined the comments and objections received through consultation, as set out in the report. It was reported that letters of objection and of support had been received, as outlined in the report.

The Case Officer drew attention to the relevant planning considerations which were summarised as being the principle of the development, impact on the Green Belt/ Open Countryside, impact on the Conservation Area, impact on highway safety and PROW interests, impact on neighbours, impact on ecology and nature conservation, impact on archaeology and developer contributions.

Members were invited to ask technical questions of the site. The questions focused on if the development could be restricted to change the use of the development in the future and it was noted that a section 106 could restrict the change of use. It was also mentioned that other areas in the country, particularly coastal regions, have restrictions on holiday letting for certain times of the year.

Members of the public were invited to speak on the application as listed above.

Members then entered debate which focused on: the benefits of adding a section 106 agreement, concerns around access and the lack of awareness visitors may have and the precedence the application would give on building on the Green Belt.

At the end of the debate, the Committee;

Resolved:

To Defer and delegate to the Area Development Manager to grant planning permission, subject to the conditions set out below, and subject to the prior completion of a Section 106 legal agreement to restrict the occupancy of the accommodation to holiday accommodation only.

- 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 take place until samples/details of the materials to be used in the construction of all the external surfaces of the development hereby permitted (including the exact type and colour and manufacturer of the solar PV panels) have been made available to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

REASON: To ensure that the development harmonises with its historic setting and protected surroundings.

- 3. No building works pursuant to the construction of the holiday let accommodation shall commence until all three existing structures identified for demolition on the site have been permanently demolished and all the debris has been removed from the site/landholding.**

REASON: In order to define the terms of this permission and to ensure the site is redeveloped in an appropriate manner respectful to the protected surroundings and neighbours.

- 4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order), the holiday accommodation shall be occupied for holiday purposes only and no person/s shall occupy the holiday accommodation for a continuous period of more than 1 month in any calendar year and it shall not be re-occupied by the same person/s within 28 days following the end of that period.**

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity,

access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

5. Notwithstanding Class C3 of the Schedule to the Town and Country (Use Classes) Order 1987 (as amended) (or any order which revokes and re-enacts that Order with or without modification), the accommodation hereby permitted shall be used to provide holiday accommodation only, which shall not be occupied as permanent, unrestricted accommodation or as a primary place of residence. In addition, an up to date register of names and main home addresses of all occupiers shall be maintained and shall be made available at all reasonable times to the Local Planning Authority.

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

6. No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

INFORMATIVE TO APPLICANT

7. The applicant is requested to highlight to guests booking accommodation the need to drive with particular care through the village and when entering and leaving the access to the accommodation, due to the narrow road and restricted visibility.

44 **13/05954/FUL - Cress Cottage, 11 Sherrington, Warminster, BA12 0SN**

There was a four minute adjournment to allow for a refreshment break.

Public Participation

Mr Nigel Lewis spoke in objection of the application.

Louise Rendal spoke in support of the application

Wendy Jobbins, Sherrington Parish Meeting, spoke in objection of the application.

The Area Development Manager outlined the report which recommended the application for approval subject to conditions. The site description and an

overview of the proposed development were also given. The site is a Grade 2 listed thatched cottage with a modern flat roofed extension and a detached flat roofed annex outbuilding. The proposal was in two parts, firstly, to replace the modern flat roofed bathroom extension with a thatched roof extension. The second to replace the annex outbuilding.

The Area Development Manager outlined the relevant planning policy which included:

West Wiltshire District Plan 1st Alteration (2004)

The National Planning Policy Framework.

Some weight was also afforded to the Emerging Wiltshire Core Strategy, however as it was yet to be formally adopted by the Council, only limited weight could be given to the policy.

The Area Development manager outlined the comments and objections received through consultation, which included comments of 'no objection' from Cranbourne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty. Comments were received from the Parish Council, Wiltshire Fire and rescue Service which were outlined in the report.

Seven letters of objection had been received and five letters in support which had been outlined in the report.

The Area Development manager drew attention to the relevant planning considerations which were summarised as being:

Dormer extension to main listed building: Impact on character of listed building, impact on special character and appearance of the Conservation Area, Impact on neighbouring amenity.

Replacement outbuilding: Impact on the setting of the listed building; impact on special character and appearance of the Conservation Area, impact on neighbouring amenity, impact on the Area of Outstanding Natural Beauty, impact on ecology.

Councillors Davis and Payne left the room and the meeting was adjourned for ten minutes.

On commencement it was noted that Councillors Davis and Payne would not take part in the vote on the application.

Members were invited to ask technical questions of the site. The questions focused on removing the permitted development rights to ensure that the roof lights, which have been removed from the design, would not be able to be replaced later on.

Members of the public were invited to speak on the application as listed above.

Cllr Newbury, as the local member, spoke in objection to the application noting that the increase of the height of the roof of the annex outbuilding would mean

the building would be more visible The members then entered into debate which focused on removing the permitted development rights.

At the end of the debate, the Committee;

Resolved:

That Planning Permission be APPROVED subject to the following 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 not be carried out except in complete accordance with the details shown on the submitted plans:

1140/1/001, 1140/1/002, 1140/1/005 received on 21st November 2013

1140/1/003 Rev A, 1140/1/004 Rev A received on 24th March 2014

REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

3. 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 and to protect the setting of the listed building.

4. 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 Conservation Area and the setting of the listed building.

5. Before the development hereby permitted is first occupied the first floor window in the north elevation of the approved dormer extension shall be glazed with obscure glass only and the window shall be permanently maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

6. The outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as Cress Cottage and it shall remain within the same planning unit as the main dwelling.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

7. 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, rooflights, dormers or other form of openings other than those shown on the approved plans, shall be inserted in the roof or side elevations above ground floor ceiling level of the outbuilding hereby permitted, and no extensions shall be added to it, without the prior grant of planning permission from the local planning authority.

REASON:

In the interests of residential amenity and privacy and to protect the character and appearance of the area and the setting of the listed building.

45 **13/06133/LBC - Cress Cottage, 11 Shertington, Warminster, BA12 0SN**

This was a counterpart application to 13/05954/FUL item number 44.

The Area Development Manager outlined the report which recommended the application be granted listed building consent. The listed building considerations were similar to those set out in the report for the works to the house only on the accompanying planning application, although they also included the enlargement of first floor window on the East elevation.

Resolved

To GRANT listed building consent subject to the following 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. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

1140/1/001, 1140/1/002, 1140/1/08 received on 21st November 2013

REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

3. Notwithstanding the approved drawings, no works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:

- (i) Large scale details of all external joinery including metal-framed glazing (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels;**
- (ii) Full details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;**
- (iii) Large scale details of proposed eaves and verges (1:5 section);**
- (iv) Full details and samples of external materials.**

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.

46 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 6.00 - 8.30 pm)

The Officer who has produced these minutes is Jessica Croman, of Democratic Services, direct line 01225 718262, e-mail jessica.croman@wiltshire.gov.uk

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