

KENNET DISTRICT COUNCIL REGULATORY COMMITTEE

Minutes of the meeting of the Regulatory Committee held on Thursday 20th November 2008 in the Council Chamber, Browfort, Devizes at 2.15pm.

Present:

Councillor P Brown – Chairman

Councillor K R F Beard
Councillor A P J Duck
Councillor Mrs S M Findlay
Councillor R Gamble
Councillor L H Grundy
Councillor C Howard

Councillor C P Humphries
Councillor J J Kunkler
Councillor R Parsons
Councillor Mrs N G Rawlins
Councillor J Seed
Councillor A Wood

Apologies for Absence:

Councillor Mrs L Mayes

69. MINUTES

The minutes of the meeting of the Committee held on 30th October 2008 were approved as a correct record and signed by the Chairman.

70. DISCLOSURES OF INTEREST

Councillor J J Kunkler declared a prejudicial interest in application K/59600/F and left the Council Chamber during the debate and voting on this item.

71. APPEALS

The committee received details of one planning appeal that had been allowed.

72. PLANNING APPLICATIONS WITHDRAWN

There were none.

73. PLANNING APPLICATIONS FOR DECISION

The Committee gave consideration to applications for planning permission. Copies of the application details were circulated to all Members of the Council with a copy of the Agenda prior to the meeting. It was

RESOLVED

THAT the applications be determined as detailed below:

List No. of Schedule / Application No.
Location / Development

- (1) **K/58469/F** – Land adjacent to Poughcombe, Ogbourne St Andrew – full planning permission for the proposed erection of one dwelling and associated single garage.

GRANTED AS RECOMMENDED

Subject to the following informative to the applicant:

INFORMATIVE TO APPLICANT:

The applicant is requested to ensure that during the construction phase all construction traffic is parked within the development site and not on the public highway to avoid inconvenience to other users of the public highway. The applicant is further requested to encourage construction traffic to enter and leave Ogbourne St Andrew via the southern access road from the A346 and not via Wet Pitts Lane in the interests of highway safety.

Note:

1. Mr A Leach spoke in objection to the proposal.
2. Mr H Waters (Agent) spoke in support of the proposal.

- (2) **K/59600/F** – 49 High Street, Pewsey – full planning permission for a new dwelling in the rear garden of number 49 High Street, Pewsey together with demolition of the existing single garage.

GRANTED AS RECOMMENDED

Subject to condition number 11 being amended to read as follows:

Before any work commences on site the ground floor slab level of the house shall be agreed in writing with the local planning authority. The slab level shall be specified to be a minimum of 0.6m below existing ground level at the front of the house. Development shall be carried out in accordance with the approved slab level.

REASON:

In the interests of visual amenity.

Note:

1. The Ward member addressed the committee.
2. The comments of the KDC Conservation Officer were reported.

- (3) **K/59454/F** – at 55 High Street, Burbage – full planning permission for demolition of existing workshop and replacement with a new furniture restoration workshop.

GRANTED AGAINST OFFICER RECOMMENDATION

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years of 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 details of the materials to be used for the external walls and roofs (including samples) 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.
- 3 The premises to which this permission relate shall be used solely for purposes within Class B1 of the Schedule to the Town and Country Planning (Use Classes Amendment) Order 2005, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

REASON:
The proposed use is acceptable but the local planning authority wish to consider any future proposal for a change of use, other than a use within the same Class, having regard to the circumstances of the case.
- 4 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 windows, doors or other openings, other than those shown on the approved plans shall be inserted in any elevation of the building hereby permitted.

REASON:

In the interests of the privacy of the neighbouring properties

- 5 Plans of the means of disposal of surface water from roads, paved areas and roofs, shall be submitted to and approved by the local planning authority before work commences on site. Development shall take place in accordance with the approved details.

REASON:

To ensure satisfactory surface water drainage.

- 6 Before any part of the development hereby permitted is first occupied the access, turning area and parking spaces shall be completed in accordance with the details shown on the approved plans, and shall thereafter be maintained for these purposes.

REASON:

In the interests of highway safety.

- 7 **INFORMATIVE TO APPLICANT:**
The Council is required to give a summary of the reasons for this decision and a summary of the development plan policies and proposals relevant to the decision. These are set out below:

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: policies PD1 and ED10; and Central Government planning policy set out in PPG15.

Note:

1. Mr R Cook spoke in support of the proposal.
2. Mr M Fowler (Agent) spoke in support of the proposal.
3. A Ward member spoke in favour of the proposal.

- (4) K/59411/F** – Tom Gallagher Van Centre, Broad Hinton – full planning permission for single storey extension to existing van centre.

REFUSED AGAINST OFFICER RECOMMENDATION

REASON

The proposed extension, by reason of its siting, size and design, would detract from the visual amenities of the locality, neither preserving nor enhancing its status as an Area of Outstanding Natural Beauty. This is contrary to Policy NR7 of the Kennet Local Plan 2011 and Central Government planning policy set out in PPS7.

Note:

1. a further letter of representation was reported
2. Mrs F Drewett spoke in objection to the proposal
3. Mr D Cullis spoke in support of the proposal

- (5) **K/59594/LBC** – Wye House, Barn Street, Marlborough – listed building consent application for installation of stairlift.

GRANTED AGAINST OFFICER RECOMMENDATION

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 permission hereby granted shall enure solely for the benefit of the applicant and only for so long as the applicant's main place of residence is at the property known as Wye House. Should the applicant cease to reside at the property then the development the subject of this permission shall be removed from the property no later than 1 month following the applicant's cessation of residence and the property restored to its condition prior to the installation of the development.

REASON:

The development is essential to meet the personal needs of the applicant and this is considered in this particular case to outweigh all other considerations, including the limited impact of the development on the character and fabric of the listed building. Consequently the development is in accordance with PPG15.

- 3 **INFORMATIVE TO APPLICANT:**
The Council is required to give a summary of the reasons for this decision. These are set out below:

The development is essential to meet the personal needs of the applicant and this is considered in this particular case to outweigh all other considerations, including the limited impact of the development on the character and fabric of the listed building.

- 4 **INFORMATIVE TO APPLICANT:**
The applicant is recommended to satisfy herself that the installation of the stairlift

accords with any separate fire safety and/or health and safety requirements covered by other legislation. This grant of listed building consent does not override any other separate approvals that may be required.

Note:

1. Mrs Ritchie (applicant) spoke in support of the application.
2. Mrs C Watkins (Agent) spoke in support of the application.
3. two Ward members spoke in support of the proposal.

- (6) **K/59457/F** – 10 The Green, Marlborough – full planning permission for erection of single storey summer house and path.

DEFERRED AND DELEGATED TO THE PLANNING SERVICES MANAGER

To negotiate an alternative siting of the proposed building in the corner of the grounds. The matter to be brought back to committee if the negotiations are unsuccessful.

Note:

1. the comments of Councillor Veasey were reported.
2. Mr S Wheeler spoke in support of the proposal on behalf of Marlborough and District Housing Association.
3. Mrs N Sampson spoke in support of the application on behalf of Marlborough and District Housing Association.
4. Two Ward members spoke against the proposal.

- (7) **K/59303/F** – 6 Grass Hills, Aldbourne – full planning permission for conversion and extension of existing garage to form guest bedroom and new pitched roof over existing single storey element; new detached garage and store.

GRANTED AS RECOMMENDED

Note:

1. Two further letters of representation were reported.
2. Mr M Renwick (applicant) spoke in support of the application.

- (8) **K/59559/F** – 19A The Hollies, St Johns Close, Marlborough – full planning permission for two storey and single storey rear extension.

GRANTED AGAINST OFFICER RECOMMENDATION

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years of 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match in colour and texture those used in the existing structure.

REASON:

To secure harmonious architectural treatment.

- 3 The roof area of the extension hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the local planning authority.

REASON:

In order to protect the privacy of nearby residential properties.

- 4 INFORMATIVE TO APPLICANT:

The Council is required to give a summary of the reasons for this decision and a summary of the development plan policies and proposals relevant to the decision. These are set out below:

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.

Note:

1. Mr D Bishop spoke in objection to the proposal.
2. Mr M Ashley (applicant) spoke in support of the application.
3. A Ward member spoke against the proposal

- (9) **K/59431/ADV** – Graveyard in front of St Peters Church, High Street, Marlborough – advertisement consent application for retention of free standing sign in graveyard of St Peters Church.

GRANTED AS RECOMMENDED

PART 2

Items considered whilst the public were not entitled to be present

None.

PGH

Chairman
11th December 2008