

KENNET DISTRICT COUNCIL

REGULATORY COMMITTEE

Minutes of the meeting of the Regulatory Committee held on Thursday, 13th October, 2005 in the Council Chamber, Browfort, Devizes at 2.15 pm

PRESENT: Councillor J.A. Booth - Chairman

Councillor K.R.F. Beard	Councillor L.H. Grundy
Councillor P.A. Brown	Councillor J.J. Kunkler
Councillor D.D. Campbell	Councillor R.T. Parsons
Councillor A.R. Connolly	Councillor Mrs. N.G. Rawlins
Councillor Mrs. R.S.E. Cummins	Councillor A. Skittrall
Councillor P. Evans	Councillor A.H. Still
Councillor Mrs. S.M. Findlay	

ALSO PRESENT:

Councillor Mrs M S N Taylor for application K/52836/O
Councillor A P J Duck for application K/52836/O
Councillor Mrs A Hayhoe for application K/52605/ADV

APOLOGIES:

Councillor W.B. Cavill

PART 1

Items considered whilst the public were entitled to be present

46. MINUTES

The minutes of the meeting held on 22nd September, 2005, were approved as a correct record and signed by the Chairman.

47. DECLARATIONS OF INTEREST

Councillor Mrs. N.G. Rawlins declared a personal interest in agenda item no.7 in Part 2 of the agenda in that she was the Clerk to Avebury Parish Council.

Councillor P. Evans declared a personal interest in application no. K/52836/O in that he had already considered the matter at Devizes Town Council but indicated that he would approach the matter with an open mind and decide after listening to any further comments.

Councillor Mrs. M.S.N. Taylor declared a personal interest in application no. K/52836/O in that she had already considered the matter at Devizes Town Council but indicated that she would approach the matter with an open mind and decide after listening to

any further comments.

Councillor P.A. Brown declared a personal interest in application no. K/52836/O in that he knew someone who lived close to the site.

48. APPEALS

The Committee received and noted details of three planning appeals that had been dismissed.

49. PLANNING APPLICATIONS WITHDRAWN

There were no applications withdrawn from the agenda.

50. PLANNING APPLICATIONS FOR DECISION

The Committee gave consideration to a schedule of applications for planning permission, copies of which had been circulated to all Members of the Council with a copy for the agenda for the meeting. It was

RESOLVED

THAT the applications be determined in accordance with the recommendations contained in the schedule, a copy of which is attached to the signed minutes with the exception of the following decisions/amendments:

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

- (1) **K/52372/F**
MARKET LAVINGTON - Grove Farm Site, Church Street, Market Lavington - Community hall, six houses and associated car parking and landscaping

DEFERRED AND DELEGATED to the Planning Services Manager to grant permission subject to the number of car parking spaces per dwelling being increased from 1.5 to 2.

Note

1. A letter from the Campaign against Residential Development was reported.
2. A letter from the Campaign to Protect Rural England was reported.
3. A letter from the Ward Councillor was reported in support of the application.
4. Mr. J. Graham addressed the Committee as an objector.
5. Mr. P. Bell addressed the Committee as an objector.

6. Mr. K. Edwards addressed the Committee as an objector.
7. Mrs. P. Jones of Market Lavington Parish Council addressed the Committee as a Consultee in support of the application.
8. Mr. G. Batterham (Agent) addressed the Committee as a supporter.
9. Mr. N. Keen addressed the Committee as a supporter.
10. Mr. K. Bennett addressed the Committee as a supporter.

(2) K/52836/O

DEVIZES – Land at Nursteed Close Playing Fields, Devizes – Erection of five dwellings, access, landscaping and new children's play area and associated works.

REFUSED against recommendation for the following reasons:

1. The development would result in a loss of a significant part of the current area protected as an existing outdoor sport and recreation site in the Kennet Local Plan 2011. The loss of 27% of the area from recreational use is considered to be too large a proportion of the site to be termed "a small part of the existing facility" as defined in criterion a) of policy TR17 of the Kennet Local Plan 2011. Consequently, the development conflicts with this policy and would result in an unacceptable reduction in the size and utility of the existing outdoor recreation area.
2. the proposed development would result in the fragmentation of the existing outdoor sport and recreation site, reducing its value as an area for informal recreation, such as football and other recreation pursuits that require larger open spaces. These spaces are in shorter supply in the area and are required for different recreational needs than would be met by the provision of the proposed equipped play area.

Note

1. A further letter of representation objecting to the proposal was reported.
2. Lieutenant Col. Minty addressed the Committee as an objector.
3. Mr. Boother (Agent) addressed the Committee in support of the application.
4. Councillor Mrs. M.S.M. Taylor, Ward Member, addressed the Committee and spoke against the grant of permission.
5. Councillor A.J.P. Duck, Ward Member, addressed the Committee and spoke against the grant of permission.

(4) K/52868/F

MARLBOROUGH - Barton Dene, Marlborough – Erection of six new staff houses

REFUSED against recommendation for the following reason:

The site lies in the countryside outside the Limits of Development defined for Marlborough in the Kennet Local Plan 2011. Residential development in the countryside is restricted by Policy HC27 to dwellings required to meet the needs of agriculture, forestry or other employment essential to the countryside. The development does not meet these criteria and consequently the erection of these houses would conflict with this policy and would set a harmful precedent.

Note

1. A letter from a neighbour objecting to the scheme was reported.
2. A letter from the Campaign to Protect Rural England was reported objecting to the application.

(6) K/52686/F

CHUTE FOREST - Cedar Lodge, Chute Forest - Two storey extension to dwelling

DEFERRED for consideration and determination at a reconvened meeting of the Committee on site on Monday, 24th October, 2005 at 10.30 am.

Note

1. A further letter of objection from the Parish Council was reported.
2. A letter of representation objecting was reported.
3. A further letter from the applicant was reported.
4. Two further letters of representation objecting were reported.
5. Comments from Councillor Veasey, Ward Member, were reported in favour of the grant of permission subject to the condition referring to the roof lights being changed so as to permit opening of the windows.
6. Mr. Robertson addressed the Committee as an objector.

(7) K/52772/F

MARLBOROUGH - 10 Ducks Meadow, Marlborough - Retention of timber boarded fence.

GRANTED as recommended.

Note

1. Mr. G. Olsen (Agent) addressed the Committee in support of the application.
2. A letter on behalf of the Applicant was reported to Committee.
3. A letter from the Agent was reported to the Committee.

(8) K/52766/LBC

CHIRTON - Old Manor, The Street, Chirton - Replacement of existing kitchen to garden door and adjacent window with double doors and fixed side lights

GRANTED against recommendation.

1. The works for which Listed Building Consent is hereby granted shall be begun before the expiration of five 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.

2. INFORMATIVE TO APPLICANT:

The Council is required to give a summary of the reasons for this decision. These are set out below:

The proposed works will not be detrimental to the character of the building.

Note

1. Mr. J. Taylor addressed the Committee as a supporter of the application.

(9) K/52798/F

SAVERNAKE - Brick Farm House, Clench Common, Savernake - Alterations and additions to outbuildings to form ancillary accommodation.

GRANTED as recommended.

Note

1. Comments from Councillor J D Percy-Caldwell, the Ward Member, in support of the application were reported.
2. Mr. A. Gray, Applicant, spoke in support of the

application.

(10) K/52820/F

SAVERNAKE - Martins Hill Farm, Clench Common, Savernake -
Single storey side extension for a music room.

GRANTED as recommended

Note

1. Comments from Councillor J D Pearcy-Caldwell, the Ward Member, in support of the application were reported.

(12) K/52605/ADV

PEWSEY - Pewsey Service Station, Swan Road, Pewsey -
Erection of price sign (centre mount poll sign) and forecourt canopy fascia signs.

GRANTED in part and refused in part as recommended.

Note

1. Councillor Mrs. A. Hayhoe, the Ward Member addressed the Committee and supported the recommendations.
2. Two further letters of representation were reported.
3. Two further e-mails were reported to the Committee.

51. ANNUAL MONITOR OF MEMBER DECISIONS

The Committee received the report of the Planning Services Manager on the number of officer recommendations overturned by the Regulatory Committee.

The report showed that for the last three financial years and the first six months of the current financial year the number of overturns were fewer and there had been an improved performance at appeal. There were, however, two further appeals outstanding for the current year which could dramatically alter the percentage figure of allowed appeals.

Members felt that there would be no benefit in viewing any sites that had been the subject of overturned decisions by Members.

Members suggested that briefings be arranged on PPS7 Sustainable Development in Rural Areas and applications for listed building consent.

RESOLVED

THAT the report be noted.

52. THE LOCAL GOVERNMENT ACT 1972 – SECTION 100 A4

RESOLVED

THAT in accordance with the provisions of Section 100 A4 of the Local Government Act 1972, the public be excluded for the following item of business on the ground that it involved the disclosure of exempt information as defined in paragraphs 13 and 14 of Schedule 12A to the Act.

PART 2

Item considered whilst the meeting was closed to the public

53. BREACH OF PLANNING CONTROL – AVEBURY CAR PARK

The Committee received the report of the Planning Services Manager on an alleged breach of planning control in Avebury Car Park.

RESOLVED

THAT the recommendations set out in the report be adopted.

Chairman
3rd November, 2005