

KENNET DISTRICT COUNCIL

REGULATORY COMMITTEE

Minutes of the meeting of the Regulatory Committee held on Thursday 24th November 2005 in the Council Chamber, Browfort, Devizes at 10:30 am

PRESENT: Councillor J A Booth - Chairman

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| Councillor K R F Beard | Councillor L H Grundy |
| Councillor P A Brown | Councillor C P Humphries |
| Councillor D D Campbell | Councillor J J Kunkler |
| Councillor W B Cavill (PM Only) | Councillor A Molland |
| Councillor A R Connolly (AM Only) | Councillor R T Parsons |
| Councillor Mrs R S E Cummins | Councillor A H Still |
| Councillor Mrs S M Findlay | Councillor B J Twigger |

APOLOGIES:

Councillor W B Cavil (AM Only)

PART 1

Items considered whilst the public were entitled to be present

60. MINUTES

The minutes of the Committee meeting held on 3rd November 2005 were approved as a correct record and signed by the Chairman.

61. DECLARATIONS OF INTEREST

Councillors B J Twigger, Mrs S M Findlay and J N Fogg all declared a personal interest in applications K/52682/O and K/51547/F as they have or have had children at St. John's School. Councillor Mrs S M Findlay declared an addition interest as her husband was a member of the St. John's Trust.

Mrs E M Hannaford-Dobson declared a personal interest because her husband was a governor at the school and the site was visible from her house. Councillor Mrs R S E Cummins declared a personal interest because she had previously been employed by the school.

Councillors Mrs S M Findlay, B J Twigger and Mrs R S E Cummins indicated that they would approach the matter with an open mind and remain in the meeting to both debate and vote on the application after listening to further comment.

Councillors Mrs E M Hannaford-Dobson and J N Fogg both indicated that they would debate the matter with an open mind though would not vote on the application as their positions of Ward Members did not permit this.

Councillor B J Twigger declared a personal interest in application K/53081/F as he had been approached by several local residents from his ward. He indicated that they would approach the matter with an open mind and remain in the meeting to both debate and vote on the application after listening to further comment.

Councillor Mrs S M Findlay declared a personal interest in application K/52483/F as she was a Kennet District Council representative for Sarsen Housing Association. She indicated that she would approach the matter with an open mind and remain in the meeting to both debate and vote on the application after listening to further comment.

Councillor Mrs S M Findlay declared personal interests in applications K/53081/F and K/52958/F as she was a member of Ramsbury Parish Council. She indicated that they would approach the matter with an open mind and remain in the meeting to both debate and vote on the application after listening to further comment.

Councillor A Molland declared a personal interest in application K/52483/F as he lived in the same village as the application site. He indicated that he would approach the matter with an open mind and remain in the meeting to both debate and vote on the application after listening to further comment.

Councillor A H Still declared a personal interest in applications K/53096/F and K/53091/CAC as he had previously been employed by the applicant. He indicated that he would approach the matter with an open mind, debate the issue but not vote.

62. PLANNING APPLICATIONS WITHDRAWN

No applications were withdrawn from the agenda.

63. 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 prior to 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/52682/O

MARLBOROUGH – St. John's School and Community College, Orchard Road – Outline planning permission for residential development of 45 units.

DEFERRED and Delegated to the Planning Services Manager to grant outline planning permission after completion of a Section 106 legal agreement.

Note:

1. 22 letters of support for the application were received and reported by the case officer.
2. A great number of letters were received and reported by The Chairman. The ratio of support and objection expressed in the letters was approximately 25:1 in support of the application.
3. The text of a newspaper article relating to the application was reported.
4. Mr A Horwood spoke in objection to the application.
5. Mr P Blythe spoke in objection to the application.
6. Mr J Kirkman (CPRE) spoke in objection to the application.
7. Dr Hazelwood spoke in support of the application.
8. Two Ward Members spoke in objection to the application.

(2) K/51547/F

MARLBOROUGH – St. John's School, Chopping Knife Lane – Full planning permission for

REFUSED for the following reasons:

1. The proposal makes inadequate provision for affordable housing, contrary to Policies HC28 and HC30 of the Kennet Local Plan 2011 and the Kennet Affordable Housing Policy Guide (Second Draft) July 2003. The terms and conditions of the low cost market housing proposed as part of the development do not satisfy the criteria for such affordable housing and, as such, do not amount to affordable housing, contrary to Policy HC29 of the Kennet Local Plan 2011 and the Affordable Housing Policy Guide (Second Draft) July 2003.
2. The number of houses proposed is significantly higher than the allocation set out in policy HC2 of the Kennet Local Plan 2011 and supported by the Inspector in his report on the Local Plan Inquiry. To allow this significantly higher number would conflict with policy HC2 and with the Inspector's stated views. It would as a consequence result in a development that would have a more cramped appearance that would detract from the character and appearance of the area where the integration between town and countryside on this edge of settlement site in the area of outstanding natural beauty is important.

Note:

1. 22 letters of support for the application were received and reported by the case officer.
2. A great number of letters were received and reported by The Chairman. The ratio of support and objection expressed in the letters was approximately 25:1 in support of the application.
3. The text of a newspaper article relating to the application was reported.
4. An additional 4 letters of objection were received and reported.
5. A letter from the agent detailing a revision in the low cost market housing prices was received and reported.
6. Updated figures detailing local average weekly earnings for the 2005 period and their effect on the affordability of local housing were reported.
7. Mr P Goodman spoke in objection to the application.
8. Mr D Norman spoke in objection to the application.
9. Mr R DeVere (Action for the River Kennet) spoke in objection to the application.
10. Mr K Mitra (Agent) spoke in support of the application.
11. Two Ward Members spoke in objection to the application.

At this point the meeting was adjourned. The meeting reconvened at 2:15pm the same day.

(3) K/52483/F

POTTERNE – St. Mary's House, St. Mary's Close – Construction of 14 new homes.

DEFFERED for the Planning Services Manager to carry out further discussions with the applicants, asking them to reconsider their plans by replacing the 4 houses enclosing the green with single storey dwellings.

Note:

1. An email from the applicant was received and reported.
2. Rev. D Howard spoke in objection to the application.
3. The Ward Member spoke in objection to the application.

(4) K/53081/F

RAMSBURY – The Surgery, High Street – Removal of condition 8 of planning condition K/51671/F (Height of Buildings) and retention of development as built.

REFUSED against officer recommendation for the following reason:

1. The condition was imposed to minimise the impact of the development on the amenity of neighbouring properties. The increase in height of the building above and beyond what was permitted has resulted in an unacceptable adverse impact on the amenity of neighbouring properties by reason of increased overshadowing and an overbearing impact. This conflicts with policy PD1 of the Kennet Local Plan 2011.

Note:

1. A facsimile from the agent was received and reported.
2. Mr Fidler spoke in objection to the application.
3. Mrs Sawbridge spoke in objection to the application.
4. Mr Tottenham (Ramsbury Amenity Group) spoke in objection to the application.

(5) K/52494/F

NETHERAVON – SU143493, Corfe Wood – Change of use from woodland to BMX cycle track.

GRANTED as recommended, with conditions 3 & 4 amended to read as follows:

3. Within one month of the date of the Parish Council signing the lease of the land from the MOD the access to the site opposite Thorne Road shall be widened and formalised in appearance in accordance with details submitted to and approved in writing by the local planning authority. The access shall be maintained as such.

REASON:

In the interests of highway safety.

4. Within one month of the date of the Parish council signing the lease of the land from the MOD, the eastern access into the site shall be permanently closed.

REASON:

In the interests of highway safety.

Note:

1. Comments received from Netheravon Parish Council were reported to the Committee.
2. A letter of representation was received and reported.
3. A copy of Netheravon Parish Newsletter was received and reported.
4. Mrs M Towle (Applicant – Netheravon Parish Council) spoke in support of the application.
5. The Ward Member spoke in support of the application.

- (6) **K/53096/F**
COLLINGBOURNE DUCIS – The Old Rectory, Church Street –
Demolition of stables & coach house, building of new house and
restoration & conversion of out building.

REFUSED as recommended.

Note:

1. A structural survey of the building received by way of facsimile was reported to the Committee.
2. Mr P Shields (Chairman – Collingbourne Ducis Parish Council) spoke in support of the application.
3. Mr C Gregory (Agent) spoke in support of the application.

- (8) **K/53036/F**
BURBAGE – 39 Eastsands – Replacement dwelling.

GRANTED as recommended.

Note:

1. Mrs Terry spoke in objection to the application.
2. Mr Cundick (Applicant) spoke in support of the application.

- (9) **K/53098/F**
UPAVON – Land to the rear of The Antelope Hotel – Erection of new house and garage.

GRANTED as recommended, with the variation of conditions 2, 8 & 9
To read as follows:

2. This permission relates to the scheme of development as submitted except insofar as amended by the revised plans 2428.01C received on 21st November 2005.

REASON:

For the avoidance of doubt as to the development authorised since the proposal originally submitted has been amended during the course of its consideration.

8. Prior to the first use of the access, the new boundary wall shown on the approved plans shall be provided. The area between the new wall and the rear edge of the highway footway shall be kept free of all obstructions to height above 900 millimetres above ground level.

REASON:

In the interests of visual amenity and highway safety.

9. The access and parking/turning area shall be surfaced in a well-bound consolidated material details of which shall be submitted to and approved in writing by the local planning authority before development commences. The surfacing shall be completed before the dwelling is occupied.

REASON:

In the interests of highway safety and to protect the amenity of the neighbouring property.

Note:

1. Two letters of representation were received and reported.
2. Comments from Wiltshire County Council's Highways Department were received and reported.
3. Comments from Upavon Parish Council were received and reported.
4. Amended plans from the applicant were received and reported.
5. Mr H Waters (Agent) spoke in support of the application.

(11) K/52958/F

RAMSBURY – Pear Tree Cottage, Axford – Retention of change to roof line to accommodate french door.

GRANTED as recommended.

Note:

1. Mr J Lappin (Applicant) spoke in support of the application.

PART 2

Item considered whilst the meeting was closed to the public

None

Chairman
15th December 2005