

**KENNET DISTRICT COUNCIL
REGULATORY COMMITTEE**

Minutes of the meeting of the Regulatory Committee held on Thursday 8th November 2007
in the Council Chamber, Browfort, Devizes at 2.15pm.

PRESENT: Councillor P A Brown - Chairman

Councillor K R F Beard
Councillor A P J Duck
Councillor J N Fogg
Councillor R Gamble
Councillor L H Grundy
Councillor T C F Howard

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

ALSO IN ATTENDANCE:

Councillor A Adamson for application K/57467/F
Councillor Mrs P Dow for application K/57383/O
Councillor Mrs A Hayhoe for application K/57468/F
Councillor Mrs S Zweck for application K/57168/F

APOLOGIES:

Councillor S Dobson
Councillor J Seed

PART 1

Items considered whilst the public were entitled to be present

96. COUNCILLOR DOMINIC CAMPBELL

The Committee observed a minutes silence in the memory of one of its members, Dominic Campbell, who had passed away that week.

97. MINUTES

The minutes of the meeting held on the 18th October 2007 were confirmed as a correct record, subject to the reference to the Chairman of Easterton Parish Council against application K/57166/F being amended to show the Parish Council's qualified support of the application, and signed by the Chairman.

98. DISCLOSURES OF INTEREST

Councillor Kunkler declared a personal interest in application K/57468/F as a licensee, and did not debate or vote on the application.
Councillor Fogg declared a personal interest in application K/57468/F as the applicant was a sponsor of Marlborough Jazz Festival.
Councillors Wood, Humphries, Rawlins, Fogg and Duck declared a personal interest in application K/57383/O as they knew the applicant.

99. APPEALS

The Committee noted the details of two appeals that had been dismissed.

100. PLANNING APPLICATIONS WITHDRAWN

No planning applications were withdrawn from the agenda.

101. PLANNING APPLICATIONS FOR DECISION

The Committee gave consideration to a schedule of applications for planning permission. Copies of the schedule 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/56539/RM**
MARLBOROUGH – St John’s School Stedman Campus, Orchard Road, Marlborough – reserved matters application for demolition of existing buildings and erection of 45 dwellings and associated estate roads, landscaping open space, drainage works and connection to existing systems.

GRANTED AS RECOMMENDED

Note

1. 2 letters of representation were reported to the Committee.

- (2) **K/57467/F**
BISOPS CANNINGS – Field adjacent The New Inn, Coate, Bishops Cannings – Full planning application for change of use from agricultural to recreational (football pitch) and siting of mobile changing room structure and wc’s.

GRANTED AS RECOMMENDED subject to the variation of condition 3 as set out below and a further additional condition following:

3. Notwithstanding the submitted details, within 6 months of the date of this permission:

- 1) the access to 'Fieldside' shall be properly surfaced in accordance with details that have first been submitted to and approved in writing by the local planning authority. This shall be laid out with 4.5 metre radii to either side and shall be surfaced in tarmac for the first 5 metres (up to the position of the gate), unless otherwise agreed in writing by the local planning authority;

- 2) a suitably sized hardened area for the on-site parking of vehicles shall be provided in accordance with details that have first been submitted to and

approved in writing by the local planning authority. These details shall include the size of the hardened area and the materials to be used in its construction.

REASON:

In the interests of highway safety and the amenity of nearby residents.

7. The site shall only be used for the training and playing of matches of youth teams of 14 years of age or under.

REASON:

The site is suitable for use by youth football but would be less appropriate for older age groups due to the likely increased traffic use and impact on the amenity of residents of nearby properties.

Note

1. Comments from the WCC ecologist were reported to the Committee.
2. Comments from the Council's Environmental Health Department were reported to the Committee.
3. A letter from the Parish Council was reported to the Committee.
4. 14 letters of support were reported to the Committee.
5. 4 letters of objection were reported to the Committee.
6. Mr E Clark spoke in objection to the application.
7. Mr Evans spoke in objection to the application.
8. Mrs Gordon spoke in objection to the application.
9. Barbara Larkin spoke in support of the application.
10. Mr A Boardman spoke in support of the application.
11. Nigel Keen (agent) spoke in support of the application.
12. The ward member spoke of the need for hardstanding for vehicles and portacabins should the application be granted.
13. A resolution to reject the application was lost.

(3) K/57468/F

PEWSEY – Land off Goddard Road and to the rear of The Royal Oak, North Street, Pewsey – full planning application for erection of terrace of three 3 bed houses plus consequent alterations to pub car park.

GRANTED AS RECOMMENDED subject to the following additional condition and the variation in condition 11, as set out below:

No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority.

REASON:

To ensure the provision of adequate archaeological recording of this site on the edge of the medieval settlement.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking or re-enacting or

amending that Order with or without modification), the covered parking area hereby approved shall be retained permanently open for the parking of private motor vehicles associated with the dwellings and for no other purpose.

REASON:

To retain adequate off-street parking provision.

Note

1. A letter of objection with a 161 signature petition was reported to the Committee.
2. Comments from the WCC archaeologist were reported to the Committee.
3. Comments from the Parish Council were reported to the Committee.
4. Mr A Eckton spoke in objection to the application.
5. Cllr Mrs Hayhoe (Ward member) spoke on the application.

(4)

K/57383/O

MARLBOROUGH – 5 St Margarets Mead, Marlborough – outline planning application for erection of 3 bed house following demolition of ground floor extension.

GRANTED AGAINST OFFICER RECOMMENDATION, subject to the following conditions:

1. Approval of the details of the scale and appearance of the buildings and the landscaping of the site (hereinafter called the "reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

REASON: This is an outline application, submitted in accordance with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995.

2. Application for approval 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.

3. The development hereby permitted shall be begun either before the 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 of the 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.

4. The area allocated for parking on the approved plan shall be provided before the new house is occupied and shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

REASON: To ensure the adequate provision of off-site parking, in the interests of road safety.

5. Before development commences, details of the surfacing of the parking spaces and of the provision for the disposal of surface water so as to prevent its discharge onto the highway, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

REASON:

In the interests of road safety.

6. The proposed access shall incorporate the visibility splays on both sides to the rear of the existing footway as shown on the approved plan, before the new dwelling is occupied.

REASON:

In the interests of road 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: policy PD1.

Note

1. Mr Kevin Ellis (agent) spoke in support of the application.
2. Mr Nigel Kerton (applicant) spoke in support of the application.

- (5) **K/57365/F**
EVERLEIGH – 4 West View, Everleigh – Full planning application for replacement dwelling. Erection of 2 storey detached house.

GRANTED AS RECOMMENDED

- (6) **K/57342/F**
ALL CANNINGS – Land to the south west of 42 The Street, All Cannings – full planning application for erection of three bedroom cottage as new end of terrace attached to No 42 The Street.

REFUSED AGAINST OFFICER RECOMMENDATION

Reasons:

The design of the dwelling is inappropriate (spoiling the symmetry of the terrace with its larger bulk; different pattern of openings on the front elevation; longer roof slope and reduction of the spatial setting of the terrace). It would thereby detract from the appearance and setting of this terrace and from the appearance of this part of the All Cannings Conservation Area. This would conflict with the statutory requirement to ensure that development preserves or enhances the character or appearance of the conservation area.

Note

1. Comments from the Parish Council were reported to the Committee.
2. 4 letters of objection were reported to the Committee.
3. Tim Moore spoke in objection to the application.
4. Emma Carver spoke in objection to the application.
5. Helen Jacobs spoke in objection to the application.
6. Virginia Hill (applicant) spoke in support of the application.

(7)

K/57168/F

SHALBOURNE – land adjacent Melrose Cottage, Mill Lane, Shalbourne – full planning application for new dwelling with associated parking.

REFUSED AGAINST OFFICER RECOMMENDATION

Reasons

The construction of the proposed dwelling and associated works would erode the rural character and appearance of the street scene in this part of the Shalbourne Conservation Area. This would neither preserve nor enhance the character or appearance of this part of the Shalbourne Conservation Area.

Note

1. Mr J Hills spoke in objection to the application.
2. Mrs Sturgeon spoke in objection to the application.
3. Councillor Mrs S Zweck spoke in objection to the application.

PART 2

Items considered whilst the public were not entitled to be present

There were none.

JG

Chairman
29th November 2007