

## **KENNET DISTRICT COUNCIL REGULATORY COMMITTEE**

Minutes of the meeting of the Regulatory Committee held on Thursday 19<sup>th</sup>  
February 2009 in the Council Chamber, Browfort, Devizes at 2.15pm.

### **Present:**

Councillor P Brown – Chairman

Councillor K Beard  
Councillor S Dobson  
Councillor A P J Duck  
Councillor Mrs S M Findlay  
Councillor R Gamble  
Councillor C Howard  
Councillor J J Kunkler

Councillor R Parsons  
Councillor Mrs N G Rawlins  
Councillor S Wheeler  
Councillor A Wood

### **Apologies:**

Councillor L H Grundy  
Councillor Mrs L Mayes

### **11. MINUTES**

The minutes of the meeting of the Committee held on 29<sup>th</sup> January 2009 were approved as a correct record and signed by the Chairman.

### **12. DISCLOSURES OF INTEREST**

There were none.

### **13. APPEALS**

The committee received details of two appeals that had been dismissed and one that had been allowed.

### **14. PLANNING APPLICATIONS WITHDRAWN**

There were none.

## 15. 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:

- | <u>List No. of Schedule / Application No.</u> | <u>Location / Development</u>   |
|---|---|
| (1) <b>K/59607/RM</b>                         | – Station Approach, Wilcot Road, Pewsey – approval of reserved matters for construction of 5 x three bedroom terrace houses, 3 x two bedroom flats and 1 no. four bedroom detached house. |

### REFUSED AS RECOMMENDED

Note:

1. A letter from the Ward Member supporting refusal was reported.
  2. Councillor P E Deck of Pewsey parish council (Consultee) spoke against the grant of permission.
- (2) **K/59494/F** – The Carhouse Adjacent New Buildings, Chute Cadley – full permission for conversion of carhouse to holiday accommodation.

### GRANTED AS RECOMMENDED

Subject also to the following extra condition:-

Prior to the first use of the carhouse as holiday accommodation a fence or other suitable means of enclosure shall be erected to its north-east side, the details of which, and exact siting of, shall be first approved in writing by the local planning authority.

REASON:

To separate the site from the adjacent pond in the interests of the safety of occupiers.

Note:

1. A late item in support of the proposal was reported.
2. Mr W Penny (Agent) spoke in support of the application.

- (3) **K/59593/LBC** – Oldways, The Green, East Grafton – listed building consent for demolition of brick and slate rear lean-to and ground floor and basement addition to the rear of the existing dwelling.

**REFUSED AGAINST OFFICER RECOMMENDATION**

For the following reason:-

The proposed extension, by reason of its inappropriate and alien design, detracts from the character, appearance and setting of the original historic house, to the detriment of its status as a listed building. This is contrary to Central Government planning policy set out in PPG15: Planning and the Historic Environment.

Note:

1. Councillor Mrs A Comyn of Grafton parish council (Consultee ) spoke against the grant of permission.
2. Councillor P Lemon of Grafton parish council ( Consultee ) spoke against the grant of permission.
3. Mr H Owen ( Agent ) spoke in support of the application.
4. The ward member addressed the committee on this application.

- (4) **K/59538/F** – Oldways, The Green, East Grafton – full planning permission for ground floor and basement addition to the rear of the existing dwelling.

**REFUSED AGAINST OFFICER RECOMMENDATION**

For the following reasons:-

The proposed extension, by reason of its inappropriate and alien design, detracts from the character, appearance and setting of the original historic house, to the detriment of its status as a listed building. This is contrary to Central Government planning policy set out in PPG15: Planning and the Historic Environment.

The proposed extension, by reason of its inappropriate and alien design, detracts from the appearance of the wider area, neither preserving nor enhancing its status as a conservation area. This is contrary to Central Government planning policy set out in PPG15: Planning and the Historic Environment.

Note:

1. Councillor Mrs A Comyn of Grafton parish council (Consultee ) spoke against the grant of permission.
2. Councillor P Lemon of Grafton parish council ( Consultee ) spoke against the grant of permission.

3. Mr H Owen ( Agent ) spoke in support of the application.
4. The ward member addressed the committee on this application.

- (5) **K/59880/F** – 55 High Street, Burbage – full planning permission for demolition of existing workshop and replacement with a new furniture restoration workshop.

**GRANTED AS RECOMMENDED**

Note:

1. Mr R Cook ( Applicant ) spoke in support of the application.

- (6) **K/59809/F** – 22 Eastcourt, Burbage – full planning permission for two storey extension to side and rear and replacement garage.

**DEFER AND DELEGATE –**

PSM to obtain more detailed and technical drawings of proposed extension prior to approval subject to the following conditions:-

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.

This permission relates to the scheme of development as submitted except insofar as amended by the revised plans number 2206/4 and 2206/1A and letter from Mr R Springford received on the 23<sup>rd</sup> January 2009.

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.

No development shall take place until details of the bricks and the colour of the render to be used on the extension and details of the stain/finish to the timber weatherboard and the tiles to be used on the garage have been submitted to and approved by the local planning authority in writing. Development shall be carried out in accordance with the approved details.

REASON:

To secure harmonious architectural treatment.

No development shall take place in connection with the construction of the extension until a sample wall panel showing bricks, mortar colour and mortar mix (to be sand-lime mix and no cement) has 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 safeguard the character and appearance of this building of special architectural and historic interest.

No development shall take place in connection with the construction of the extension until details of the thatch to be used in the construction of the extension hereby permitted has been submitted to and approved in writing by the local planning authority. Details shall include material, style and ridge detailing) Development shall be carried out in accordance with the approved details.

**REASON:**

To secure harmonious architectural treatment.

Before any windows are installed in the extension hereby permitted full joinery details for all new windows and doors shall have been submitted to and approved in writing by the local planning authority. Elevations shall be at a scale of not less than 1:10 and frame sections and glazing bars etc at not less than 1:2. Development shall be carried out in accordance with the approved details.

**REASON:**

To secure harmonious architectural treatment.

The windows at first floor level shown on the approved plans on the north elevation shall be glazed with obscured glass and permanently fixed shut and shall be maintained as such thereafter.

**REASON:**

In the interests of the privacy of neighbouring properties.

In this condition "retained tree and hedge" means an existing tree or hedge which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of three years from the first occupation or the completion of the garage development, whichever is the earlier.

(a) No retained tree or hedge shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree or hedge is removed, uprooted or destroyed or dies, another shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) All retained trees and hedges shall before any equipment, machinery or materials are brought on to the site for the purpose of the development, be enclosed at the outer edge of the overhang of their branches by a chestnut paling fence (or other type of fencing agreed in writing by the local planning authority). Notwithstanding the submitted detail, the exact position of this fencing shall be first agreed in writing with the local planning authority. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

**REASON:**

To enable the local planning authority to ensure the retention of trees and hedges on the site in the interests of visual amenity.

No development shall take place in connection with the construction of the garage until full details of the foundations to be used have been submitted to and approved in writing by the local planning authority. Development shall take place in accordance with the approved details.

**REASON:**

To enable the local planning authority to ensure the retention of trees on the site in the interests of visual amenity.

**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 and Central Government guidance contained in PPG15: Planning and the Historic Environment.

Note:

1. Councillor J Powell of Burbage parish council ( Consultee ) spoke in favour of the application.
2. Mr R Springfield ( Agent ) spoke in support of the application

**(7) K/59813/LBC** – 22 Eastcourt, Burbage – listed building consent for two storey extension to side and rear.

**DEFER AND DELEGATE –**

PSM to obtain more detailed and technical drawings of the proposed extension prior to approval subject to the following conditions:-

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.

No development shall take place until details of the bricks and the colour of the render to be used on the extension hereby approved have been submitted to and approved by the local planning authority in writing. Development shall be carried out in accordance with the approved details.

**REASON:**

To secure harmonious architectural treatment.

No development shall take place until a sample wall panel showing bricks, mortar colour and mortar mix (to be sand-lime mix and no cement) has 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.

No development shall take place until details of the thatch to be used in the construction of the extension hereby permitted has been submitted to and approved in writing by the local planning authority. Details shall include material, style and ridge detailing) Development shall be carried out in accordance with the approved details.

**REASON:**

To secure harmonious architectural treatment.

Before any windows are installed in the extension hereby permitted full joinery details for all new windows and doors shall have been submitted to and approved in writing by the local planning authority. Elevations shall be at a scale of not less than 1:10 and frame sections and glazing bars etc at not less than 1:2. Development shall be carried out in accordance with the approved details.

**REASON:**

To secure harmonious architectural treatment.

Before development commences on site, architectural details of the eaves, verges and lintel treatments shall be submitted to and approved in writing by the local planning authority. Works shall be carried out in accordance with the approved details.

**REASON:**

To safeguard the character and appearance of this building of special architectural and historic interest.

**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.

On the motion to grant being put to the committee a recorded vote was requested having regard to Council Procedure Rule no. 5.05 and the proposal to defer and delegate was won by 8 votes in favour to 5 against.

The result of the recorded vote was as follows:-

<b>Councillors voting for the motion</b>	<b>Councillors voting against the motion</b>
Beard	Brown
Dobson	Duck
Gamble	Mrs Findlay
Howard	Humphries
Kunkler	Mrs Rawlins
Parsons	
Wheeler	
Wood	

Subject to the following conditions:-



Note:

1. Councillor J Powell of Burbage parish council ( Consultee ) spoke in favour of the application.
2. Mr R Springfield ( Agent ) spoke in support of the application

- (8) **K/59914/F** – Ellisten, Cold Harbour Lane, Marlborough – full planning permission for extensions and alterations.

### **REFUSED AGAINST OFFICER RECOMMENDATION**

For the following reasons:-

The proposed extension, by reason of its size, siting and design, would appear cramped and over-crowded on this constrained site, and as a consequence would be an over-development of the site to the detriment of visual amenity. Furthermore, the proposed extension would incorporate a dormer window in the front elevation which would enable overlooking of the neighbouring property, Coldharbour, to the detriment of residential amenity. This is contrary to Policy PD1 of the Kennet Local Plan 2011.

Note:

1. A letter from one of the Ward Members was reported to the committee.
2. A Ward member addressed the committee.
3. A further letter of representation was reported.
4. Mr Perryman spoke in objection to the application.
5. Mr A Sparkes spoke in objection to the application.
6. Mrs R Dawson spoke in objection to the application.
7. Mr P Oakley ( Agent ) spoke in support of the application.

### **PART 2**

**Items considered whilst the public were not entitled to be present**

**None.**

Chairman  
12<sup>th</sup> March 2009

