

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 21 FEBRUARY 2018 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice-Chairman), Cllr Chuck Berry, Cllr Howard Greenman, Cllr Gavin Grant, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Toby Sturgis, Cllr Brian Mathew, Cllr Ashley O'Neill and Cllr Jacqui Lay (Substitute)

9 **Apologies**

Apologies were received from Cllr Christine Crisp

Cllr Christine Crisp was substituted by Cllr Jacqui Lay

10 **Minutes of the Previous Meeting**

The minutes of the meeting held on 24th January 2018 were presented.

Resolved:

To approve as a true and correct record and sign the minutes.

11 **Declarations of Interest**

There were no declarations of interest.

12 **Chairman's Announcements**

There were no Chairman's announcements.

13 **Public Participation**

The Committee noted the rules on public participation.

14 **Planning Appeals and Updates**

The Chair commented on the Planning Appeals decided between 12th January 2018 - 9th February 2018 that had all been dismissed at Appeal and thanked the Planning Officers for the recommendations they had made on the applications, as these had been upheld at the Appeal.

The Committee noted the contents of the appeals update.

15 **Planning Applications**

To consider and determine the following planning applications:

15a 17/11259/VAR - Oak Hill House, Henn Lane, Upper Seagry, Chippenham

Public Participation

Simon Chambers, agent, spoke in support of the application.

Cllr Michael Barber, Chair of Seagry Parish Council, spoke in objection to the application.

The case officer, Mark Staincliffe, introduced a report which recommended planning permission be granted, subject to conditions, for the variation of condition 13 of planning permission 16/04077/FUL (Erection of 2 No dwellings) to allow for repositioning of the proposed dwellings and alterations to the eaves height and ridge height. Key issues highlighted included the principle of development; the impact on residential amenities of adjoining neighbours and impact on character and appearance of the area. Reference was made to late items.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: landscaping plan, potential planning applications for individual plots, change of orientation of plot 2 within the site, alterations to the eaves height and ridge height, the role of building control within the various phases of the build.

Members of the public then had the opportunity to address the Committee, as detailed above.

Councillor Howard Greenman, Division Member, spoke in objection to the application with the main points focusing on: consideration of the application on its merits.

At the start of the debate a proposal was moved by Councillor Howard Greenman and seconded by Councillor Gavin Grant to refuse planning permission based on core policy 57 where the development would not integrate with the surrounding area, in particular subsections 3 and 6. During the debate the main points raised were: concerns about the felling of a Chestnut tree in the vicinity of the site; the compatibility of the planting scheme, within the site, in

relation to the native plant species existing in the village; the need to plant 2 Common Oak; the erection of two new dwellings allowed at appeal;

During debate, as indicated above, a motion to refuse was moved by Cllr Greenman and seconded by Cllr Grant. Following a vote the motion was lost. A motion to grant was then moved by Cllr Trotman and Cllr Sturgis, and it was:

Resolved

To delegate authority to the Head of Development Management Services to grant planning permission, subject to conditions:

- 1. The materials to be used in the development hereby approved shall be constructed in accordance with the details submitted to the Council and approved by the council on 15 March 2017.**

REASON: For the avoidance of doubt and to ensure the satisfactory appearance of the development

- 2. The hard and soft landscaping for the development hereby approved shall be carried out in accordance with the details submitted to and approved by the Council on 15 March 2017.**

REASON: For the avoidance of doubt and to ensure the satisfactory appearance of the development and to respect the character and appearance of the street scene.

- 3. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.**

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 4. No part of the development hereby approved shall be occupied until the parking area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the**

approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

7. The bin storage and recycling facilities for the development hereby approved shall be carried out in accordance with the details submitted to and approved by the Council on 15 March 2017. These shall be provided prior to first occupation of the property and shall thereafter be retained.

REASON: To ensure the provision of satisfactory facilities for the storage of refuse and recycling.

8. The scheme for the discharge of foul water from the site for the development hereby approved shall be carried out in accordance with the details submitted to and approved by the Council on 15 March 2017.

REASON: To ensure that the development can be adequately drained.

9. The scheme for the discharge of surface water from the site for the development hereby approved shall be carried out in accordance with the details submitted to and approved by the Council on 15 March 2017.

REASON: To ensure that the development can be adequately drained.

- 10.** The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.

- 11.** No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The access shall be a minimum of 4.5m width and properly consolidated for the first 7 metres, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The ditch within the access shall be piped accordingly. The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 12.** The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Layout Plan
Site Location Plan
001 Plot 1 Elevations
002 Plot 1 Elevations
003 Plot 2 Elevations
004 Plot 2 Elevations
LPC/3074/SD1/5E
LPC/3074/SD1/2B

REASON: For the avoidance of doubt and in the interests of proper planning.

- 13.** To secure additional landscaping within the land owned by the applicant adjacent the site and the highway to secure two additional trees the details of which to be agreed with the Council's Trees officer but Common Oak (*Quercus Robur*).

REASON:

- 1.** To mitigate the visual impact to the character and appearance of the locality caused by the alterations to the bulk, mass and form of the as built dwellings in particular the bale projection of Plot 2.

2. The additional trees are required to mitigate the loss of the Horse Chestnut Tree which was marked for retention on the originally consented landscape plan but was subsequently felled. Had the tree been marked for removal additional landscaping in this area would have been requested when considering the previous application.

14. INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

15. INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

16. INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples.

Please deliver material samples to site and inform the Planning Officer where they are to be found.

17. INFORMATIVE TO APPLICANT:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

15b 17/12043/FUL - Methuen Park, Chippenham

Public Participation

Meghan Rossiter, agent, spoke in support of the application;
John Owen, applicant, spoke in support of the application;

Spencer Crowder, applicant, spoke in support of the application.

The case officer, Charmian Eyre-Walker, introduced a report which recommended planning permission be refused for the erection of 66 dwellings with access via Methuen Park. Key issues highlighted included the loss of employment, urban design, affordable housing, trees, landscape, public open space, drainage, public protection matters and lack of S106 agreement. Reference was made to late items.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: the designated school for children living on an adjacent mixed housing and employment development; Conversion of commercial buildings to housing under permitted development rights; Market price for the land at Methuen Park; site density compared to adjacent development site; Availability of public open space within the site; Lack of S106 Agreement; The level of affordable housing; Proposals for stacked parking arrangements.

Members of the public then had the opportunity to address the Committee, as detailed above.

Councillor Peter Hutton, Division Member, spoke in support of the application and thanked officers for their views and opinions during the consideration of the application. The main points focused on: the piece of land remaining unused for 15 years; The availability of community facilities within the vicinity of the development site; Potential to provide affordable housing within walking distance of employment opportunities;

At the start of the debate a proposal was moved by Councillor Peter Hutton and seconded by Councillor Gavin Grant to grant planning permission based on Core Policy 35, subject to the Head of Development Management Services being given delegated authority to agree conditions including Section 106. During the debate the main points raised were: High density of the site; lack of amenities on site; location of the site and proximity between two employment sites and A350 dual carriageway; Issues of stacked parking on site; Current lack of employment sites to meet demand within Chippenham; Available information about the marketing of the site.

During debate, as indicated above, a motion to grant was moved by Cllr Hutton and seconded by Cllr Grant. Following a vote the motion was lost. A motion to refuse was then moved by Cllr Trotman and seconded by Cllr O' Neill, and it was:

Resolved

To refuse planning permission, for the following reasons:

- 1. The proposal would lead to the loss of a major employment allocation of land, which is part of the strategic objective set out in the Wiltshire Core Strategy to deliver a thriving economy to provide**

a range of jobs in Wiltshire with dependence on retaining the availability of and enhancing existing employment sites. The loss of this site would also be contrary to the aims of the Wiltshire Core Strategy which seeks to protect Wiltshire's most sustainable and valued employment areas by applying policies to favour employment uses on these sites. The proposal would therefore be contrary to the aims of the Wiltshire Core Strategy and to Policy CP35 of the Wiltshire Core Strategy and the advice within section 1 of the NPPF in particular.

2. The application does not satisfactorily demonstrate through a robust and comprehensive marketing exercise that its retention is no longer warranted. This would be contrary to the employment led emphasis of the Wiltshire Core Strategy and the requirements of CP35 of that document together with advice in Section 1 of the NPPF.
3. The proposal does not make provisions to secure contributions to affordable housing; education; public art; waste collection and recycling; the ongoing provision and maintenance of open space. The application is therefore contrary to Core Policies 3, 43, 45 of the Wiltshire Core Strategy and saved policy CF3 of North Wiltshire Local Plan 2011.

(Informative: The applicants have expressed a willingness to make off site contributions to POS and to enter into discussion about other requirements, so that this reason could fall away)

16 Urgent Items

There were no urgent items.

(Duration of meeting: 3.00 - 5.10 pm)

The Officer who has produced these minutes is Stuart Figini of Democratic Services, direct line 01225 718221, e-mail stuart.figini@wiltshire.gov.uk

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