

NORTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 23 OCTOBER 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Christine Crisp, Cllr Bill Douglas, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Peter Hutton (Vice-Chair), Cllr Sheila Parker, Cllr Toby Sturgis, Cllr Anthony Trotman (Chairman), Cllr Nick Watts (Substitute) and Cllr Philip Whalley

Also Present:

Cllr Jane Scott OBE

129 **Apologies**

Apologies were received from Cllr Marshall and Cllr Packard.

Cllr Packard was substituted by Cllr Watts.

130 **Minutes of the previous Meeting**

The minutes of the meeting held on 2 October 2013 were presented.

Resolved:

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

131 **Declarations of Interest**

There were no declarations of interest.

132 **Chairman's Announcements**

There were no Chairman's announcements.

133 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

134 **Planning Appeals**

The Committee noted the contents of the appeals update.

135 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications **7a** and **7b** as listed in the agenda pack.

136 **13/02605/FUL - The Kingfisher, Chippenham**

Public Participation

Dr Eva Detko and Mr Peter Eccott spoke in objection to the application.
Nick Charlton spoke in support of the application

The officer introduced the report which recommended that authority be delegated to the Area Development Manager to grant planning permission subject to the signing of a Section 106 agreement; and subject to planning conditions.

The Committee noted negotiations between the applicant and officers which had resulted in a change in the design to 2 storey dwellings with a lower roof pitch.

The Committee then had the opportunity to ask technical questions and it was confirmed that the proposal resulted in a 30% reduction in current parking space. There had been no survey on how many vehicles used the car park, however highways officers had considered the application and raised no objections. Attention was drawn to the late observations where the statement requiring a maximum of 30 spaces was found to be incorrect. Officers confirmed that there were no concerns over privacy and were confident no light would be taken from surrounding gardens.

Members of the public then address the Committee as detailed above.

The Local member, Cllr Peter Hutton spoke in objection to the application. He raised concerns over the lack of local engagement, the design being out of character and the impact of the reduction in parking spaces on the neighbouring roads, in particular on emergency access to Barons Mead where there was a predominantly elderly population.

A motion to recommend refusal due the, size, scale and layout and the design being out of character with the area, making reference to policy C3(i) was proposed and seconded.

In the debate that followed the Committee discussed whether the application was out of character with the street scene and the impact of the reduction in parking spaces.

Resolved:

To REFUSE planning permission for the following reason:

Policy C3(i) of the North Wiltshire Local Plan 2011 states that new development should respect the local character and distinctiveness of the area. It is considered that the proposed development, by reason of its siting, scale, mass, design, and density would represent an overdevelopment of the site, to the detriment of the character and appearance of the local area. Furthermore, the design of the proposed development and its relationship with Hungerdown Lane is out of keeping with the character and appearance of the street scene to the detriment of the area. As such the proposal fails to accord with Policy C3(i) of the adopted North Wiltshire Local Plan 2011 and section 7 of the NPPF.

137 **13/01495/FUL - Hill Hayes Lane, Hullavington**

Public Participation

Don Quinn, Mr Dave Martin and Caroline Stephens spoke in objection to the application.

Richard Wearmouth spoke in support of the application.

Sian Neill, Clerk to Hullavington Parish Council spoke in objection to the application

The officer introduced the report which recommended that permission be granted subject to conditions.

He noted that the application had been deferred from 11 September meeting for a site visit that allowed members to understand the location and landscape issues. A new fencing proposal had been submitted that was deer proof and more agricultural in appearance.

The Committee then had the opportunity to ask technical questions of officers and it was confirmed that any subsequent application would be considered on individual merits, should the Committee be minded to approve the application it would be a material consideration on any application made for the adjacent fields. The footpath on the west side of the application did not intrude on the site. Landscaping plans included filling gaps in the hedge line. No response had been received from the MOD or the CAA to the consultation.

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

The local member, Cllr Jane Scott OBE spoke in objection to the application, explaining that, whilst not against the principle of solar farms, she felt the location of this site was inappropriate. She highlighted the importance of receiving a response from the MOD given the potential future use of the airfield as part of the rebasing programme, and drew attention to the landscaping not shielding during the winter months. If the Committee were minded to approve the application she asked that the fields be sown to manage the weeds and allow grazing and the roads and verges to be returned to their existing state.

In the debate that followed the Committee discussed the need to have a reply from the MOD and the CAA to the consultation and for remedial work to be completed on roads and verges.

Resolved:

To DELEGATE to the Area Development Manager to grant planning permission subject to receipt of written acknowledgement from the Ministry of Defence and the Civil Aviation Authority to confirm they had seen the consultation, and for the rewording of conditions 4 and 8 below in consultation with the Chairman of Area Planning Committee, for the following reason:

The proposed development, by reason of its siting, size, scale, design and materials, will not adversely affect the character or appearance of the host landscape or the setting of the Cotswolds AONB, nor will it result in detriment to highway safety once operational. As such, the proposal accords with Policies C2, C3, NE4, NE15 and NE16 of the adopted North Wiltshire Local Plan 2011 and Sections 10 and 11 of the National Planning Policy Framework.

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from 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.

- 2 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

REASON: In the interests of visual amenity and the character and appearance of the area.

- 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 use of the facility or 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 development shall commence on site until full construction details of both access points for the construction phase and operation phase have been submitted and approved in writing by the Local Planning Authority. These details shall include how the design incorporates the swept path (for lorry of 16.6m). The access shall be properly consolidated and surfaced (not loose stone or gravel) for a minimum of the first 10m. A scheme for discharge of surface water from site (including surface water from access) incorporating sustainable details and details for piping of the ditch. The development shall not be first brought into use until surface water drainage and piping of the ditch has been constructed in accordance with the approved scheme. The access shall be maintained as such thereafter. No development shall commence on site until the access has been constructed in accordance with the submitted plans.**

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

- 5 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 areas shall be maintained for those purposes at all times thereafter.**

REASON: In the interests of highway safety.

- 6 No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the**

carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 60 metres either side of the entrance from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1m above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

- 7 No part of the development hereby permitted shall commence until the parking area and turning area shown on the temporary construction compound and location (Figure 3) has been surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times during the construction phase and removed and the land restored to its former condition on or before the date six months from the development being first brought into use. The same compound shall be provided in advance of the first removal of buildings/solar panels from the site during the decommissioning phase and removed within three months of the land having been restored to its former condition.

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

- 8 No development shall commence on site until a full condition survey of the agreed site access along Hill Hayes Lane has been carried out and approved in writing by the highway authority and compliant with Section 59 of the Highways Act. A further survey of the same route shall be carried out within 1 month of the first use of the development and agreed in writing by the highway authority. Any damage to the highway surface resultant of the construction works shall then be repaired within a period of 3 months of the first use of the development hereby permitted and the works approved in writing by the Local Planning Authority. The same process shall be following during the course of the decommissioning phase.

REASON: In the interests of highway safety.

- 9 No development shall commence on site until full construction details associated with the of the drawing titled 'Extents of required road widening' numbered Figure HU 03 related to Appendix A of the approved 'Construction Traffic Management Plan' have been submitted and approved in writing by the Local Planning Authority. The road widening works shall be completed in accordance with the approved details prior to the development works commencing at the site.

REASON: In the interests of highway safety.

- 10** No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site between the times of completion of development and commencement of decommissioning.

REASON: In the interests of the appearance of the site and the amenities of the area.

- 11** No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

- 12** The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment (Wessex Solar Energy, May 2013) and the surface water run-off management (SUDS) measures detailed therein. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

REASON: In the interests of flood prevention.

POLICY: National Planning Policy Framework paragraphs 100-103.

13 Prior to commencement of development, a Landscape and Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include the following elements:

- **Protection of existing trees and shrubs**
- **Establishment of hedgerows, trees and shrubs to be planted**
- **Establishment / restoration of grassland habitats**
- **Long-term management of all hedgerows, ponds, and restored / created grassland**
- **Features to be installed for the benefits of protected / BAP fauna**
- **Ecological monitoring to inform future management at the site**

The development shall be carried out in accordance with the agreed Landscape and Ecological Management Plan and the site managed in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect and enhance biodiversity at the site

14 Within six months of the date 25 years after commencement of development or the date on which the facility permanently ceases to be operational, whichever is the sooner, all apparatus, buildings, hard standing and fencing shall be permanently removed from the site and the land restored to its former condition.

REASON: In the interests of preserving the long-term character and appearance of the site and its setting.

15 The development hereby permitted shall be carried out in full accordance with the submitted Construction Traffic Management Plan (Wessex Solar Energy, August 2013), including the following:

- a) **Loading and unloading of plant and materials;**
- b) **Access route and site entrance arrangements;**
- c) **Storage of plant and materials used in constructing the development;**
- d) **Wheel washing facilities;**
- e) **Measures for the protection of the natural environment;**
- f) **Hours of construction, including deliveries; and**
- g) **The parking of vehicles of site operatives and visitors.**

The construction traffic route shall be via Norton. No traffic

relating to the proposal shall access the site via Hill Hayes Lane from Hullavington (except in the event of an emergency). Any departures from the approved plan shall be agreed in writing by the Local Planning Authority in advance.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

16 The development hereby permitted shall be carried out in accordance with the following approved plans:

Figure 1.1 - Site Location Drawing
Figure 1.2 0 Site Boundary and Indicative Layout
Figure 4.1 - Indicative Mounted Panel Dimensions - Crystalline
Figure 4.2A - Hullavington Inverter Building
Figure 4.2B - Hullavington Control Building
Figure 4.3 - Indicative Access Track Cross-Section
LL87.03A - Landscape Masterplan

Received 15 May 2013

Figure 4.4 V2 - Indicative Security Fence Details

Received 15 July 2013

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

INFORMATIVES:

- 1** Any alterations to the submitted and 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.
- 2** 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.

- 3 Please note that the Planning Office does not have the facility to receive material samples. Please deliver material samples to site, with a notification to the planning office where they are to be found.**

138 **13/01436/LBC - Stonehaven, The Green, Biddestone**

Public Participation

Mrs Carolyn Madley spoke in support of the application.

Cllr Ashley Juniper, Biddestone Parish Council spoke in support of the application.

The officer introduced the report which recommended that listed building consent be refused.

They noted the existing 2 roof lights as being acceptable but an increase to three would result in awkward positioning, an over-cluttered look and further loss of historic fabric.

The Committee then had the chance to ask technical questions and it was confirmed that the roof lights were difficult to see from public highways but were visible from private land. A larger roof light on a lower roof was being changed to a smaller one and all other work was seen as an enhancement.

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

The local member, Cllr Jane Scott OBE, spoke in support of the application, noting the building was being renovated to a high standard.

In the debate that followed the Committee discussed the need for amended plans to show the existing roof lights as they are with the addition of a smaller roof light to the shower room.

Resolved:

That listed building consent is DELEGATED to the Area Development Manager to grant subject to receipt of amended plans that are satisfactory to the Area Development Manager showing retention of the existing roof lights plus the addition of one smaller roof light for the following reason:

The addition of a third, smaller roof light would not be detrimental to the aesthetic and historical value of the heritage asset and is in accordance with paragraphs 131, 132 and 134 of the National Planning Policy Framework 2012.

139 **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.05 - 8.15 pm)

The Officer who has produced these minutes is Kirsty Butcher, of Democratic Services, direct line 01225 713948, e-mail kirsty.butcher@wiltshire.gov.uk

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