

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 4 JUNE 2014 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Christine Crisp, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Peter Hutton (Vice-Chair), Cllr Simon Killane, Cllr Howard Marshall, Cllr Mark Packard, Cllr Sheila Parker, Cllr Toby Sturgis, Cllr Anthony Trotman (Chairman) and Cllr Philip Whalley

Also Present:

Cllr Chuck Berry and Cllr Jane Scott OBE

57 **Apologies**

All members were present.

58 **Minutes of the previous Meeting**

The minutes of the meeting held on 14 May 2014 were presented.

Resolved:

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

59 **Declarations of Interest**

Cllrs Hurst and Killane declared an interest in agenda item 6c both having previously worked for Dyson. They declared that they would participate and vote with an open mind.

60 **Chairman's Announcements**

There were no Chairman's announcements.

61 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

62 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting in respect of applications **6b** and **6c** as listed in the agenda pack, and available in Agenda Supplement 1.

63 **14/03701/FUL - Beckett House, Nettleton Green, Nettleton, Chippenham, SN14 7NU**

Public Participation

David Pearce, Claire Holt and Cllr David Kerr, Nettleton Parish Council all spoke in support of the application.

The officer introduced the report which recommended that planning permission be refused. He explained that the site was in an Area of Outstanding Natural Beauty (ANOB), and the impact of the change of use would be significant on the surrounding natural environment which was harmful in visual terms to the character and appearance of the landscape and the ANOB.

There were no technical questions asked.

Members of the public than addressed the committee as detailed above.

The local member, Cllr Jane Scott OBE then addressed the committee and urged members to support the application with conditions to ensure it was used for parking only, that no buildings could be placed on the site and that a sympathetic surface / materials were used.

In the debate that followed the Committee noted that legal parking requirements already exist at the site. The importance of highways safety was acknowledged. Concern was raised over the size and shape of the site of the site, and the lack of linkage to the curtilage.

Resolved:

To REFUSE the application for the following reason:-

The proposed development results in a significant change to the open rural nature of the area and does not preserve the character or appearance of the landscape and defined Area of Outstanding Natural Beauty which is harmful and not justified by any overriding material considerations. The proposal is in conflict with policies C3(ii), NE4 and NE15 of the North Wiltshire Local Plan 2011 and Section 11 of the National Planning Policy Framework.

Public Participation

Mark Crocker, Johnathan Hall and Cllr Richard Moody, Chairman – Oaksey Parish Council spoke in objection to the application.

Dr Cooper, Paul Groves and Simon Chambers 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 conditions

He explained that the application had been previously deferred at the meeting held on 12 March 2014 to enable officers to seek additional information and provide additional comment. The holiday let scheme had been unviable as a business and there had been no proceedable interest in purchasing with restrictive occupancy attached. An independent report had also concluded that business was unviable.

The Committee then had the opportunity to ask technical questions of officers and it was confirmed that although difficult to speculate if grounds aren't substantive there was a risk of costs.

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

The local member, Cllr Chuck Berry then addressed the committee, noting the two sides being a family in significant financial stress and the objection of the parish council with support from the village on the issue of non-viability and the impact on amenities and services within the village. He drew attention to the availability of business rates relief of 50%.

In the ensuing debate the Committee raised concern over lowering the numbers of holiday lets available and debated the relevance of the tourism development policy 39 given the lack of viability of the business. The re-use of existing units was welcomed.

Resolved:

To DELEGATE to the Area Development Manager to grant planning permission subject to the signing of a Section 106 agreement and subject to the following conditions:

- 1. Notwithstanding the provision of the Town and Country Planning General Development Order no fences, walls or other means of enclosure other than those shown on the approved plans shall be erected anywhere on site.**

REASON: To ensure that the open areas of the site remain in communal use.

2. The area between the nearside carriageway edge and lines drawn between a point 2.4 metres back from the carriageway edge along the centre line of the access and points on the carriageway edge 160m back from and on both sides of the centre line of the access shall be kept clear of obstruction to visibility at and above a height of 900mm above the nearside carriageway level and maintained free of obstruction at all times.

REASON: In the interests of highway safety in accordance with policy C3 of the North Wiltshire Local Plan 2011.

3. The development hereby permitted shall be served solely from the access shown in drawing c310/1.

REASON: In the interests of highway safety in accordance with policy C3 of the North Wiltshire Local Plan 2011.

4. The workshop / estate yard shall be used only for purposes ancillary to the golf course.

REASON: To prevent an inappropriate independent use.

5. The development hereby permitted relates solely to units 12 – 19 Inclusive as shown on site layout plan Ref 958/10 date stamped 01/08/2013.

REASON: To clarify the extent of the permission.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no buildings or structures, or gate, wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification),

no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the roofslope(s) of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

- 8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (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.

- 9. Within one month of the date of this permission proposals for the provision and on-going retention of space for the storage of Wheelie Bins at the collection point agreed with Wiltshire Council refuse and waste collection services. The proposals shall include details and arrangements for the management of the space to ensure adequate provision for wheelie bins to serve all properties at the site.**

INFORMATIVES:

- 1. 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.**
- 2. This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990.**
- 3. 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.**
- 4. 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.**

Public Participation

Iris Thompson, David Longridge and Gavin Grant spoke in objection to the application.

Kim Power, Nigel Whitehead, Chris Miles, Cllr John Gundry – Malmesbury Town Council and Cllr Robert Tallon – Brokenborough Parish Council spoke in support of the application.

The officer introduced the report which recommended that planning permission be granted subject to conditions. He noted the scheme included amended plans which showed an adequate landscaping buffer. Highways improvements had been conditioned to be completed prior to first occupation, and there would be no development over the gas pipeline which ran through the site.

He drew attention to an error in the report which was missing condition 13 relating to archaeological works which would be required if the Committee was minded to approve, and this could be delegated to the Area Development Manager.

The Committee then had the opportunity to ask technical questions of officers and it was confirmed that at present the sports facility was not open to the community but the intention was to allow some sort of use. Traffic assessments had been completed with forecasting to allow for additional commitments. Beuttell Way works were not part of the application however officers understood that Dyson were in negotiations with owners to alter the access, and if granted works would happen. An additional grampion condition could be added for details to be agreed prior to the commencement of development. Light pollution was covered under condition 5. The helipad had been sited to cause minimal disturbance and had conditions limiting it for the use of Dyson employees only and limiting the time of day it can be used in. The pelican crossing was not part of the original planning application, but addressed residents concerns. It was estimated that circa 3000 jobs would be created with the new development, not including the knock-on effect.

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

The local member, Cllr Simon Killane then addressed the committee and spoke in support of the application, highlighting it as a model of positive engagement and working together.

In the debate that followed the committee highlighted the need to add an additional condition relating to archaeological works and informatives on the highways works, in particular those around Beuttell Way and the Nurning roundabout. The benefit to the whole county was noted.

Resolved:

To APPROVE the planning application subject to the following conditions:

- 1. Details of the appearance, layout, and scale of the development hereby permitted (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.**

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2. Application for approval of the reserved matters shall be made to the local planning authority not later than 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 as amended by the Planning and Compulsory Purchase Act 2004

- 3. The development hereby permitted shall begin no later than two years from the date of approval of the last of the reserved matters to be approved.**

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 4. The development shall comply with the following requirements:**

- i. the gross internal floor space of the indoor sports facility shall not exceed 1850 sq m.**
- ii. the gross internal floor space of the building to be used for an energy centre shall not exceed 600 sq m.**
- iii. the gross internal floor space of the buildings to be used for Research and development (B1(b)) shall not exceed 25800 sq ms.**
- iv. the gross internal floor space of the buildings to be used for non Research and development (B1(a)) shall not exceed 10000 sq ms.**
- iv. the gross internal floor space of the buildings to be used for an ancillary cafe and reception shall not exceed 1700 sq ms.**
- v. The total number of parking spaces shall not exceed 1414**

REASON: For the avoidance and in the interest of proper planning.

5. **An Urban Design and Landscape Framework Plan for the development of the site hereby permitted shall be submitted to and agreed in writing by the local planning authority no later than the first submission for approval of any of the reserved matters.**
 - a. **The location, orientation and heights of buildings;**
 - b. **The format of pedestrian routes and vehicular routes within the site;**
 - c. **Tree and hedgerow protection plan**
 - d. **Landscaping details including planting plans, species and density of planting**
 - e. **Hard and soft landscaping details**
 - f. **Landscape phasing plan which shall include cut & fill ground modelling and advanced structure planting.**
 - g. **Landscape Management Plan setting out the long-term ecological management of all semi-natural habitat types and the maintenance of the protected species populations.**
 - h. **Materials to be used in the construction of the external surfaces of the structures of the buildings**
 - i. **External lighting details including, type of light appliance, the height and position of fitting, illumination levels and light spillage**

Development shall be carried out in accordance with the approved Urban Design and Landscape Framework Plan.

REASON: To ensure the satisfactory appearance of the development.

6. **Before any application for approval of reserved matters is submitted a Phase 2 botanical survey and a reptile survey shall be submitted to and approved in writing by the local planning authority. The plan shall include recommendations for appropriate and proportionate mitigation compensation measures for losses of priority / BAP habitat and the protection of reptile populations. Development shall be carried out in accordance with these details.**

REASON: To ensure that the development does not have an adverse impact on the ecology of the area.

7. **The development authorised by this permission shall not begin until the local planning authority has approved in writing a full scheme of works for improvement to the Tetbury Hill/Tetbury road, Tetbury Road A429 and Whychurch junctions. The occupation of the development shall not begin until those works have been completed in accordance with the local planning authority's approval and have been certified in writing as complete by or on behalf of the local planning authority.**

REASON: To ensure that adequate highway capacity is available to accommodate the additional traffic generation by the proposed development.

- 8. No development shall commence on site until details of the improvements to pedestrian crossing facilities on Tetbury Hill have been submitted to and approved in writing by the Local Planning Authority. Those improvements shall be completed in accordance with the approved details prior to the first occupation or use of any part of the development hereby permitted.**

REASON: In the interests of highway safety.

- 9. No building on the development hereby approved shall be occupied until the appropriate parking spaces together with a vehicular access thereto has been provided in accordance with details submitted to and approved in writing by the Local Planning Authority. The said space shall not be used other than for the parking of vehicles associated with the use of the site or for the purpose of access.**

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

- 10. Aircraft movements within the site shall take place only between 07:00 and 20:00, except in an emergency.**

REASON: In the interest of the residential amenities of adjoining properties

- 11. The Helicopter pad hereby approved shall be only be used for purposes ancillary to the use of the site.**

REASON: in the interest In the interest of the residential amenities of adjoining properties.

- 12. No development shall take place within the application site until the applicant, or their agents or successors in title, has secured a written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority. The approved programme of archaeological work shall be carried out in accordance with the approved details.**

REASON: To enable the recording of any matters of archaeological interest.

13. No development shall commence within the application site until:

- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and**
- b) The approved programme of archaeological work has been carried out in accordance with the approved details.**

REASON: To enable the recording of any matters of archaeological interest.

INFORMATIVES:-

- 1. The applicant is advised that the Local Planning Authority consider that the detailed designs for the development hereby permitted including traffic junctions and related highways works should be the subject of comprehensive public engagement and consultation.**
- 2. The applicant is advised that the Local Planning Authority consider that the detailed design for traffic junction works at the proposed Nurdington roundabout/junction scheme should be the subject of comprehensive engagement and consultation including a site meeting with the residents of the neighbouring residential property known as Inglenook, Crudwell Rd, Malmesbury SN16 9JL. Also that the design of the proposed secondary egress from the site at Beuttel Way should be the subject of comprehensive engagement and consultation with neighbouring properties including any residents and businesses.**

66 **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.00 - 8.25 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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