

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 10 DECEMBER 2014 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice Chairman), Cllr Christine Crisp, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Mark Packard, Cllr Sheila Parker, Cllr Toby Sturgis, Cllr Nick Watts, Cllr Terry Chivers (Substitute) and Cllr Jacqui Lay (Substitute)

145 **Apologies**

Apologies for absence were received from Cllr Philip Whalley who was substituted by Cllr Jacqui Lay.

Cllr Simon Killane was substituted by Cllr Terry Chivers.

146 **Minutes of the Previous Meeting**

The minutes of the meeting held on 19 November 2014 were presented.

Resolved:

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

147 **Declarations of Interest**

Cllr Watts declared he was the local member for the application under consideration for item 6b. He would participate in the debate and vote on each item with an open mind.

148 **Chairman's Announcements**

There were no Chairman's announcements.

149 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

150 **Planning Applications**

151 **14/09769/OUT - Land at Former Blounts Court Nursery, Studley Lane, Studley, Calne, Wiltshire, SN11 9NQ**

Keith Robbins spoke on behalf of Danielle Saint in objection to the application, Dave Clements and Janet Robbins also spoke in objection to the application.

Peter Lawson spoke in support of the application.

The officer introduced the report which recommended to delegate authority to grant planning permission to the Area Development Manager, subject to the signing of a Section 106 agreement; and subject to planning conditions. It was explained that the application was for outline planning permission and was a resubmission of an application previously refused by the Committee. A site location plan was shown, landscaping and access routes were identified and attention was brought to the late observations.

The Committee then had the opportunity to ask technical questions during which it was confirmed that the neighbouring saw mill owner was a signatory to the section 106 agreement and that a future owner would be bound by this agreement. The officer advised that two additional standard conditions were needed and these were explained. The Committee was advised that, as a result of the development, the road junction would be widened and that tree surveys and landscaping would be dealt with at a reserved matters stage.

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

The local member, Cllr Crisp, described how the approach to the application had changed over time. The Councillor suggested the site was one of the only locations in Calne rural area that could accommodate housing and it was also a brownfield site, additionally the applicant had offered to provide a signal controlled crossing which would have the benefit of slowing traffic.

The planning officer responded to issues raised by members of the public by confirming Public Protection and Spatial Planning raised no objections to the scheme. It was confirmed the area did have a five year land supply and the applicant was offering a crossing as part of the development. Members were advised that landscaping onsite would be adequate.

In the debate that followed it was noted there had been some member support for the original application and that the application made use of one of the only

available brownfield sites in the area and would secure community benefits such as the crossing. The Committee considered the differences between the original and this revised application and stressed the importance that a controlled crossing would be constructed as part of the scheme.

Resolved:

To DELEGATE authority to grant planning permission to the Area Development Manager subject to the signing of a Section 106 agreement with the following heads of terms:

- **30% affordable housing**
- **Provision of noise mitigation measures in accordance with the submitted noise report prior to the first occupation of any residential unit.**
- **On-site provision of 1920m², of public open space of which 216m² allocated as specific play provision, to be subject to a commuted fee to cover maintenance;**
- **Off-site financial contribution of £18,123 to satisfy the Sport and Recreation requirement of Planning Policy C2.**
- **A sum of £134,144 towards primary education infrastructure**
- **A sum of £112 per unit towards residential refuse bins**
- **TRO for the reduction of speed limit from 60mph to 40mph to be completed prior to the occupation of any units on site.**
- **Provision for a signal controlled pedestrian crossing of the A4 in the vicinity of the site.**

and subject to the following planning conditions:

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 as amended by the Planning and Compulsory Purchase Act 2004.

No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The scale of the development;**
- (b) The layout of the development;**
- (c) The external appearance of the development;**
- (d) The landscaping of the site;**

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

An application for the approval of all 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.

No more than 28 dwellings shall be developed on the application site edged red on the submitted Site Plan.

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

An Urban Design and Landscape Framework Plan for the development of the site hereby permitted shall be submitted to the local planning authority no later than the first submission for approval of any of the reserved matters and shall be approved in writing by the local planning authority. The Urban Design and Landscape Framework Plan shall be broadly in accordance with the submitted Master Plan (Plan Number H.0360_01F) and shall include details of:

- (a) The location, orientation and heights of buildings;**
- (b) The format of the public realm, including all routes and spaces and the location of children's play areas;**
- (c) The location of open spaces available to the public, including their function and means of maintenance access.**
- (d) Tree and hedgerow protection plan**
- (e) Landscaping details including planting plans, species and density of planting**
- (f) Hard and soft landscaping details**
- (g) Materials to be used in the construction of the dwellings**

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

REASON: For the avoidance of doubt and to ensure the development is of an acceptable visual appearance.

The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

REASON: To ensure that the development is served by an adequate means of access.

Prior to the commencement of the development Studley Lane shall be widened and improved in accordance with details which shall first have been submitted to and approved by the local planning authority. The details of the widening shall include the widened lane, and the provision of a bellmouth junction to the site, which shall include visibility splays for the access, and improvements, by way of forming a footway crossing, to the access retained for car parking for the adjacent sawmills site.

REASON: In the interests of highway safety.

No dwelling built on the site shall be occupied until it has have been provided with car parking spaces in accordance with the minimum standards as required by the Wiltshire LTP 2011-2026 Car Parking Strategy. Any garage counted as a parking space shall have an internal dimension of at least 3m by 6m per space

REASON: To ensure adequate parking space is provided on site clear of the highway.

Before any application for approval of reserved matters is submitted to the Council, the noise mitigation measures set out in 'Emtec Noise Level Survey and Noise Control Measures'- Issue 18 July 2014 shall have been implemented in full. Once the works are complete and before any application for approval of reserved matters is submitted to the Council a Noise Level Survey in accordance with BS4142:1997 shall have been submitted to and approved in writing by the Local planning authority demonstrating that the noise levels from the sawmill have been suppressed so as to achieve a Rating Level of 35dB(BS4142:1997) at 1m from the nearest noise sensitive properties. This noise mitigation shall thereafter be permanently retained.

REASON: To ensure adequate residential amenities of future residents.

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.

Prior to the occupation of the first dwelling on the site, a controlled pedestrian crossing and a 2 metre wide footway shall have been provided on the A4 in accordance with details which shall first have been submitted to and agreed by the local planning authority.

REASON: In the interest of highway safety

The development hereby approved shall be carried out broadly in accordance with the indicative layout plan ref: DH/P/002 dated 14/10/2014.

REASON: In the interests of the proper planning of the site.

The development hereby approved shall be for no more than 28 dwellings.

REASON: In the interests of the proper planning of the site.

152 **14/04658/FUL- 9A Malmesbury Road, Chippenham, SN15 1PS**

The officer introduced the report which recommended to delegate authority to grant planning permission to the Area Development Manager, subject to the signing of a Section 106 agreement; and subject to planning conditions. Attention was drawn to the late observations and photographs showing the character of the street were presented. The location of the site next to a Grade II* listed church was explained alongside the modern architectural design of the proposed dwellings.

The Committee then had the opportunity to ask technical questions and the level of the roof terraces was confirmed. The Committee was advised that the dwellings would be of an acceptable density with sufficient car parking.

A question was raised over whether 30% affordable housing was required for the scheme and the meeting was adjourned to seek legal advice.

Resolved:

To DEFER determination of the application to the next Committee meeting for the following reason:

To allow officers to re-consult with the New Housing Team in respect of potential affordable housing requirements following the receipt of the emerging Wiltshire Core Strategy Inspector's Report dated 1/12/14; and to receive Legal advice as to the implementation of Government changes to policy and practice relating to Section 106 requirements and in particular contributions in respect of affordable housing for housing schemes of less than 10 dwellings as set out in the ministerial statement dated 28/11/14 and related changes to the Planning Practice Guidance.

153 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 4.38 pm)

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