

## NORTHERN AREA PLANNING COMMITTEE

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### MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 7 OCTOBER 2015 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

#### **Present:**

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice Chairman), Cllr Chuck Berry, Cllr Howard Greenman, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Mark Packard, Cllr Sheila Parker, Cllr Toby Sturgis, and Cllr Jacqui Lay (Substitute)

#### **Also Present:**

Cllr Alan MacRae

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#### 103 **Apologies**

Apologies for absence were received from Cllr Christine Crisp who was substituted by Cllr Jacqui Lay.

#### 104 **Minutes of the Previous Meeting**

The minutes of the meeting held on 16 September 2015 were presented.

#### **Resolved:**

**To confirm as a true and correct record the minutes of the meeting held on 16 September 2015.**

#### 105 **Declarations of Interest**

There were no declarations of interest.

#### 106 **Chairman's Announcements**

The Chairman announced that, following the full Council meeting on 29 September 2015, Cllr Ernie Clark was now a full member of the Committee and Cllr Howard Marshall was no longer a member of the Committee.

#### 107 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

108 **Planning Applications**

109 **15/07077/FUL - Former Garage Site, To The Rear of No's 41-45 Queens Avenue, Corsham, Wiltshire, SN13 0DX**

Terri Penny spoke in support of the application.  
Colin Payne and Jeremy Du Toit spoke in opposition to the application.

The Planning Officer introduced the report which recommended that authority to grant planning permission be delegated to the Area Development Manager, subject to the signing of a Section 106 agreement and conditions. The application was for the erection of six semi-detached dwellings with associated garden, amenity space and parking, following the demolition of existing garages.

The Planning Officer drew attention to late items. Some of the concerns raised related to the ownership of the land. Following clarification with the applicant and the receipt of the title deeds, it was confirmed that the applicant did own the land.

It was explained that the existing garages had, until recently, provided rentable storage for local residents. The proposals were simple but well designed with detailing such as sills and lintels. The proposed materials were of a good quality and the application was to provide 30% affordable housing.

The Committee then had the opportunity to ask technical questions and it was confirmed that it was possible to add details of signage to Condition 4 of the officer recommendation. It was hoped that this would reduce some concern relating to the narrow street entrance. The Planning Officer clarified that any vehicle parking on the site would be at the discretion of the landowner and that any unauthorised parking would be a civil matter. It was explained that the parking provision for the site met Wiltshire Council standards.

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

The Planning Officer responded to comments from the public and confirmed that the Highways Authority had raised no objection to the circulation within the site. It was also confirmed that there were no objections from the Highways Safety Team and that local residents could submit an application for double yellow lines to prevent parking on the bend by approaching their local councillor or town council. It was explained that the Wiltshire Council parking requirements were met and that the applicant had provided evidence to show that a significant number of the rented garages were not in use. As the site was private land, there was no right to park and, as such, no displacement of vehicles in the area.

The Planning Officer also explained that concerns about refuse collection had been raised with the Waste Collection Team. It was noted that the refuse

collection vehicles were not permitted to use the private road and that refuse should be collected from the front of the properties. It was highlighted that an area of hardstanding would be provided by the applicant fronting onto Queen's Avenue for refuse collection and that the Waste Collection Team consider the suggested refuse collection point to be appropriate.

The local member, Cllr Alan MacRae, explained that he had been contacted by a number of local residents regarding the safety of the proposal. It was highlighted that the main access for the estate was located on the A4. This road was a main route to a primary school and the site of a recent road traffic collision. The local member also raised concerns that the provision of hardstanding on Queen's Avenue was insufficient for the number of bins likely to be stored there.

In the debate that followed, the Committee considered issues of highway safety, the existing garages, and the response from the Highway Safety and Waste Collection Teams.

**Resolved:**

**To DELEGATE authority to grant planning permission to the Area Development Manager, subject to the signing of a s106 agreement; and subject to planning conditions, including the addition to Condition 4, as set out below:**

- 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 dwelling shall be occupied until all the existing buildings on site have been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.**

**REASON: In the interests of the character and appearance of the area.**

- 3. No railings, fences, gates, walls, bollards and other means of enclosure shall be erected in connection with the development hereby permitted until details of their design, external appearance and height have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.**

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

**4. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-**

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- all hard and soft surfacing materials;
- details of signage;

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission.

**5. 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.

**6. No development shall commence on site until details of the bricks & roof tiles to be used on the development 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:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and/or [DELETE as appropriate] the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in

the interests of visual amenity and the character and appearance of the area.

7. 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.

8. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365, has been submitted to and approved in writing by the Local Planning Authority.

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

9. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

10. The dwelling(s) hereby approved shall achieve Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate for it has been issued and submitted to, and approved in writing by, the local planning authority certifying that Code Level 4 has been achieved.

**REASON:** To ensure that the objectives of sustainable development set out Policy CP41 of the Wiltshire Core Strategy are achieved.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, B, C, D & E shall take place on the dwellinghouse(s) hereby permitted or within their curtilage.

**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 enlargements.

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

**5096 P01 Rev A**

**P01**

**P03**

**P04**

**P05**

**Received 17 July 2015**

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

**13. 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.**

**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: 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.**

110 **15/03266/FUL - Land off Shirehill Lane, West Kington, Chippenham, Wiltshire, SN14 7AR**

David Pearce spoke in support of the application.

Suzanne Holdem spoke in opposition to the application.

Cllr David Kerr, Nettleton Parish Council, spoke in opposition to the application.

The Planning Officer introduced the report which recommended that planning permission be granted subject to conditions. The application was for the erection of a general purpose agricultural building. It was explained that the

Committee had considered the application at the meeting on 5 August 2015 and that it had been deferred in order to obtain further information on highways movements, current and proposed agricultural works, and the cross-section of the bund and height of the building. This information had been provided to officers and there was no objection from Highways Officers at Wiltshire Council or South Gloucestershire Council.

Attention was drawn to the late items and it was also highlighted that the proposed access was considered appropriate by Highways and that there were no objections from the Cotswolds Conservation Board.

The Committee then had the opportunity to ask technical questions. It was noted that the applicant proposed to store grain on nearby land during the harvest period and the exact meaning of 'nearby land' was enquired. The Planning Officer explained that this reference was part of the applicant's submission and was unable to confirm the exact meaning. However, it was clarified that the applicant had provided an idea of the loads and that no objection had been raised by Highways.

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

The Planning Officer responded to comments from the public and it was confirmed that the reference to 'nearby land' could be removed from the officer report. It was highlighted that the Highways Teams from Wiltshire and South Gloucestershire considered the site access to be suitable.

Cllr Toby Sturgis spoke on behalf of the local member, Cllr Baroness Scott of Bybrook OBE, and highlighted that there would be increased traffic in the area during the construction phase. It was suggested that the effect of this traffic could be minimised if the applicant were required to submit a construction method statement. It was also highlighted that local highways issues could also be processed through Area Boards and the Community Area Transport Groups (CATGs). Concern was also expressed regarding the potential planting of silver birch trees in the area as these were not natural to the area. It was suggested that, should the Committee be minded to approve the application, it should encourage a more native tree to be considered by the applicant.

In the debate that followed, the Committee considered the suitability of the road and relevant junctions for agricultural vehicles. An additional condition was proposed and seconded requiring the applicant to submit a Construction Method Statement to the Local Planning Authority. An additional informative was also proposed and seconded to ask the applicant to ensure all employees and contractors using the barn were made aware of the sensitivity of the area and their responsibility to respect local residents and users of the local highway network.

The Committee also addressed the planting proposed on the site and an amendment to Condition 4 was proposed and seconded to require some

planting of native species and evergreen in the scheme of hard and soft landscaping.

Some members also drew attention to need to support the local farming community and hoped that the additional conditions and informatives would mitigate any negative impact on the landscape.

**Resolved:**

**To DELEGATE authority to grant planning permission to the Area Development Manager, subject to the signing of a s106 agreement, and 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. 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.**

- 4. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-**

- location and current canopy spread of all existing trees and hedgerows on the land;**

- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities; Planting shall be native species typical of the area some of which shall be evergreen;
- finished levels and contours;
- all hard and soft surfacing materials;

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

5. 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.

6. No development shall commence on site until a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out as approved in accordance with the approved details.

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure the proper management of the landscaped areas in the interests of visual amenity.

7. The development hereby permitted shall not be first brought into use until the access measuring 5m in width for the first 15m, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). Any gate will be required to be set back 15m and be made to open inwards. The access will be required to drain away from the highway and shall be maintained as such thereafter.

**REASON:** In the interests of highway safety.

8. 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 43 metres to the West and 43 metres to the East 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 900mm above the level of the adjacent carriageway.

**REASON:** In the interests of highway safety.

9. The development hereby permitted shall be carried out in accordance with the following approved plans and documentation:

Application Form  
Supporting Statement  
LDC.1900\_001 Location Plan  
LDC.1900\_002 Site Plan  
LDC.1900\_004 Proposed Building Plan  
LDC.1900\_005 Proposed Elevations  
Received on 07/04/2015.

LDC.1900\_003A Proposed Site Plan  
LDC.1900\_006 Section AA & BB  
Received on 19/08/2015

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

10. No development shall commence on site, until a Construction Method Statement, which shall include the following:
  - (a) the parking of vehicles of site operatives and visitors;
  - (b) loading and unloading of plant and materials;
  - (c) wheel washing facilities;
  - (d) Construction traffic and construction delivery vehicle and waste removal route;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, 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.

**11. 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.

**12. 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.

**13. 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.

**14. INFORMATIVE TO APPLICANT:** Please note that all active bird nests are protected under the Wildlife and Countryside Act (1981); this permission does not override that legal protection. If vegetation clearance is to be carried out during the breeding bird season (March – August inclusive) it is recommended that the area be carefully checked for active nests prior to commencement of works. In the event that an active nest is identified, vegetation removal should be suspended until such time as the breeding attempt is complete.

**15. INFORMATIVE TO APPLICANT:** The site owner should ensure that all employees and contractors using the barn are made aware of the

**sensitivity of the area and their responsibility to respect local residents and users of the local highway network.**

111 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 4.15 pm)

The Officer who has produced these minutes is Fiona Rae, of Democratic Services, direct line 01225 712681, e-mail [fiona.rae@hotmail.co.uk](mailto:fiona.rae@hotmail.co.uk).

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