

## NORTHERN AREA PLANNING COMMITTEE

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### MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 1 JUNE 2016 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

#### **Present:**

Cllr Peter Hutton (Vice Chairman), Cllr Christine Crisp, Cllr Mollie Groom, Cllr Toby Sturgis, Cllr Philip Whalley (Substitute), Cllr Terry Chivers, Cllr Howard Greenman, Cllr Jacqui Lay (Substitute), Cllr Howard Marshall and Cllr Chris Hurst

#### **Also Present:**

Cllr Sheila Parker

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#### 61 **Apologies**

Apologies were received from the Chairman, Cllr Trotman, who was substituted by Cllr Whalley and Cllr Berry, who was substituted by Cllr Lay.

Cllr Hutton acted as Chairman for the meeting.

#### 62 **Minutes of the Previous Meeting**

##### **Resolved:**

**To approve as a true and correct record the minutes of the meeting held on 4 May 2016.**

#### 63 **Declarations of Interest**

There were no declarations of interest.

#### 64 **Chairman's Announcements**

The Chairman advised that Cllr Hurst was to replace Cllr Parker as a full member of the Committee; Cllr Bill Douglas was to replace Cllr Hurst as a substitute member.

The Chairman thanked Cllr Parker for her commitment as a long-standing member of the Committee.

65 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

66 **Planning Decisions and Updates**

The Committee considered an update on planning appeals and inquiries; the Chairman advised that there was an error in the report in respect of application 14/09744/WCM in that the officer recommendation had been for approval. Officers advised that this error would be corrected.

The Committee was advised that an informative had been added by officers under delegated authority to a Committee resolution at the previous meeting in respect of 15/12651/FUL refusal reason 4. The addition was a standard informative attached to decision notices. A full report was available in the agenda pack.

**Resolved:**

**To note the update on planning appeals and inquiries and officer recommendation in respect of 14/09744/WCM.**

**To note the addition of the informative to the Committee resolution in respect of 15/12651/FUL The Pippin, Calne.**

67 **Planning Applications**

68 **16/01382/FUL - Land Adjacent to Ashley Lane, Box, Wiltshire, SN13 8AN**

Mr Alan Brewster spoke in objection to the application.

Mr Michael Regnard spoke in support of the application.

Cllr Hill, Box Parish Council, spoke in objection to the application.

The Planning Officer introduced the application for the erection of an American style barn on the site; the site was approximately 4 hectares in size and the building would replace existing stables and storage containers. The proposed elevations of the barn were shown and it was explained that the proposals had been reduced in scale from the original submission including a reduced number of stables. If permission were to be granted, the area for parking a horsebox would be removed, and hard standing onsite reduced. It was acknowledged that the site was located within the Cotswolds Area of Outstanding Natural Beauty (AONB) and Bristol- Bath Green Belt, however the officer considered the application would reduce the impact on both the openness of the Green Belt and the landscape quality of the AONB in comparison to the existing

permissions and development on site by providing storage in one single location. It was identified that facilities for outdoor sport and recreation were one of the uses identified in national guidance as not constituting inappropriate development within the green belt. The officer recommended that the application be approved, subject to the conditions and informatives outlined in the report and amendments to conditions 3 and 8 and the addition of two further conditions as detailed in Agenda Supplement 1. The planning officer also recommended the addition of further condition to provide that foul sewage be connected to the main drain.

Members of the public were then invited to speak as detailed above.

The local member, Cllr Parker spoke in objection to the application and recommended that the application be refused on Core Policy 51 and 61 of the Wiltshire Core Strategy. The councillor recommended that, should permission be granted, it would be essential to condition the connection of foul sewage to the main drain.

The planning officer responded to comments raised by the public, advising that the floor print of the proposed development was not too dissimilar to space already allocated to storage on site and would clearly be of the character and appearance of an agricultural building rather than residential dwelling. It was explained that the removal of containers from the site was provided for by way of condition and the lighting on site would also be controlled by condition.

During the debate that followed, councillors sympathised with residents' concern about enforcement issues and agreed that applying the correct conditions to permission would be essential. Cllr Sturgis, seconded by Cllr Greenman, moved the officer's recommendation subject to an amendment to condition 8 (as appeared in Agenda Supplement 1) to reflect that no outside storage of any kind be permitted on site and amendment to condition 3 (as appeared in Agenda Supplement 1) that the building not be subdivided into more than 4 stables, and to delegate the exact wording of these conditions to the Area Development Manager. The proposed amendment to condition 8 was to provide clarity and the amendment to condition 3 was to allow that foals may need to be stabled with their mothers in the winter. The Committee agreed that the development would be acceptable if the conditions were observed.

**Resolved:**

**Planning Permission be GRANTED 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. The development hereby permitted shall be carried out in accordance with the following approved plans: layout plan PL05C & PL07A; elevations and floor plan PL01B, side elevations PL02A dated 4th April 2015.

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

3. There shall be no more than 10 horses kept on the site at any one time, including foals at foot, and there shall be no more than 4 stables within the building hereby approved without the prior approval of the Local Planning Authority.

**REASON:** To prevent overgrazing of the land to the detriment of the landscape quality of the AONB and to clarify the permission.

4. Within 2 months of the date of the first occupation of the development hereby permitted being occupied, the existing stables on site (not field shelters) and 2 containers on site, including any fixtures and ancillary pipework, shall be fully removed from the site.

**REASON:** To protect the amenity and landscape quality of the Area of Outstanding Natural Beauty and Green Belt.

5. No fences or jumps shall be erected on the site without the prior approval in writing of the Local Planning Authority.

**REASON:** In order to protect the living conditions of nearby residents and/or the rural character of the area.

6. The development hereby permitted shall only be used for the private stabling of horses and the storage of associated equipment and feed and shall at no time be used for any commercial purpose whatsoever, including for livery, or in connection with equestrian tuition or leisure rides.

**REASON:** In the interests of highway safety and/or to protect the living conditions of nearby residents.

7. There shall be no parking of horse boxes, caravans, trailers or other vehicles during the hours between dusk and dawn on the site.

**REASON:** In order to protect the living conditions of nearby residents and/or the rural character of the area.

8. There shall be no external/outdoor storage of any kind at the site and there shall be no portable buildings or structures (other than the field shelters approved under 14/09422/FUL), van bodies,

**trailers, vehicles or other structures used for storage, shelter, rest or refreshment, stationed on the site without the prior approval in writing of the Local Planning Authority.**

**REASON: In order to protect the landscape quality of the AONB and the openness of the Green Belt.**

- 9. 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.**

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

- 10. 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.**

- 11. 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.**

**12.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, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.**

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

**13.No part of the development hereby permitted shall be first brought into use until 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.**

**14.No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.**

**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 that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.**

**15.The development hereby permitted shall not be brought into use until the approved sewage disposal works proposed have been completed in accordance with the submitted and approved details.**

**REASON: To ensure that the development is provided with a satisfactory means of drainage.**

**INFORMATIVE TO APPLICANT:**

**The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If**

an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website [www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy).

**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.

**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.

**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.

**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.

69 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 3.25 pm)

The Officer who has produced these minutes is Libby Beale, of Democratic Services,  
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