

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 13 JULY 2016 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 Mark Packard, Cllr Toby Sturgis, Cllr Philip Whalley (Substitute), Cllr Chuck Berry and Cllr Howard Greenman

Also Present:

81 Apologies

Following the meeting of Council on 12 July 2016, Councillor Mark Packard had been replaced by Councillor Glenis Ansell as a member of the Committee.

Apologies were received from Councillors Glenis Ansell and Howard Marshall.

Councillor Marshall was substituted by Councillor Philip Whalley.

82 Minutes of the Previous Meeting

The minutes of the meeting held on 22 June 2016 were presented for consideration, and it was,

Resolved:

That subject to inclusion of Councillor Tony Trotman among the attendees, to approve as a true and correct record and sign the minutes.

83 Declarations of Interest

There were no declarations of interest.

84 Chairman's Announcements

There were no Chairman's announcements.

85 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation, including that no lobbying of members would be permitted once debate had started.

86 **Planning Appeals**

The Committee noted the contents of the appeals update.

87 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and included in the agenda supplement.

88 **16/02586/FUL and 16/02820/LBC The King's Arms, Calne**

Public Participation

Mr Andrew Tregay, agent, spoke in support of the application.

The Development Control Team Leader, Mr Lee Burman, presented the report which recommended permission be refused for creation of a new pedestrian access at The King's Arms, Calne. Key issues included the principle of the proposal, impact upon the setting, character and appearance on the listed building and the area and impact on amenities. It was confirmed there were five existing ground floor accesses into the building, and there had not been a door at some stage in the proposed location for the new access.

Members of the Committee had the opportunity to ask technical questions of the officer.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

A debate followed, where the historic and present nature of the building was discussed, along with the impact of the proposal, and whether there were any public benefits to outweigh any harm to the character and appearance of the building.

A motion was moved by Councillor Peter Hutton, seconded by Councillor Howard Greenman, to refuse the application in accordance with the officer's recommendation.

Subsequently to the vote, a motion was moved by Councillor Peter Hutton, seconded by Councillor Chuck Berry, to refuse the listed building consent in accordance with the officer's recommendation.

Resolved:

That planning permission is **REFUSED**, for the following reason:

- 1 The works proposed would not contribute to the significance or sustainability of the heritage asset and would result in the unjustified loss of historic fabric, which fails to preserve or enhance the listed building. The works, resulting in less than substantial harm, are not required to secure the optimum viable use of the heritage asset and would have no public benefits. The proposal is therefore contrary to Core Policy 58 of the Wiltshire Core Strategy, Paragraphs 131, 132 and 134 of the National Planning Policy Framework and Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990.**

That listed building consent is **REFUSED**, for the following reason:

- 1 The works proposed would not contribute to the significance or sustainability of the heritage asset and would result in the unjustified loss of historic fabric, which fails to preserve or enhance the listed building. The works, resulting in less than substantial harm, are not required to secure the optimum viable use of the heritage asset and would have no public benefits. The proposal is therefore contrary to Paragraphs 131, 132 and 134 of the National Planning Policy Framework and Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990.**

89 **16/04077/FUL- Oak Hill House, Upper Seagry**

Public Participation

Mr Andrew Miles, agent, spoke in support of the application.

Mr Mark Staincliffe, Development Control Team Leader, presented the recommendation that permission be granted for the erection of two detached dwellings within the grounds of Oak Hill House, Upper Seagry. Key issues were stated to include the principle of the development, impact on the character and appearance of the area and the proposed access. It was stated an appeal had been granted at the site for two dwellings with an indicative layout, and that the village had a mix of styles of dwellings.

Members of the Committee had the opportunity to ask technical details of the officers. Clarification was sought on the specific area covered by the application, which did not include all the land in the possession of the applicants, and it was confirmed the proposed dwellings remained within the site application line.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Committee then debated the application, noting the acceptance of the principle of two dwellings and assessing if the proposed dwellings were not

excessive. It was also noted the site lay within the village boundary line, making the proposals infill development.

The Committee also discussed drainage concerns and discussed the proposed access which had been granted on appeal, and whether the addition of a white line permitting parking on one side of the road had any impact upon the lack of objection from Highways.

A motion was moved by Councillor Toby Sturgis to approve the application delegate to the Area Development Manager to approve the application in accordance with officer recommendations, subject to confirmation from officers from Highways that there remained no objection to the proposed access in light of the street parking located opposite the site entrance. The motion was seconded by Councillor Molly Groom.

Resolved:

To delegate to the Area Development Manager to approve that application subject to confirmation from the Council Highways Officer that no objection is raised in relation to the proposed access, 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 the exact 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission.

- 3 **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:**
 - a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
 - means of enclosure;

- 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/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, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 4** 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.

- 5** The development hereby permitted shall not be first occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 6** 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.

- 7** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

- 8** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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** The development hereby permitted shall not be occupied until details of and the location of the bin storage and recycling facilities has been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided prior to first occupation and thereafter be maintained in accordance with the approved details thereafter.

REASON: To ensure the provision of satisfactory facilities for the storage of refuse and recycling.

- 10** No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

- 11** 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. 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

- 12** No development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels 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, in the interests of the amenity of adjoining properties.

- 13** The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.

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

Site Location Plan

LPC/3074/SD1/1C

LPC/3074/SD1/2B

LPC/3074/SD1/3B

LPC/3074/SD1/4B

LPC/3074/SD1/5C

LPC/3074/SD1/6

LPC/3074/SD1/7A

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

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.

Councillor Howard Greenman requested his abstention to the motion to approve the application be recorded.

90 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 3.45 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic & Members' Services, direct line , e-mail

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