

## WESTERN AREA PLANNING COMMITTEE

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**DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 23 AUGUST 2017 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.**

**Present:**

Cllr Christopher Newbury (Chairman), Cllr Jonathon Seed (Vice Chairman), Cllr Ernie Clark, Cllr Andrew Davis, Cllr Peter Fuller, Cllr Edward Kirk, Cllr Stewart Palmen, Cllr Pip Ridout, Cllr David Halik (Substitute), Cllr David Jenkins (Substitute) and Cllr Gordon King (Substitute)

**Also Present:**

Cllr Fleur de Rhé-Philipe and Cllr Tony Jackson

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56 **Apologies**

Apologies for absence were received from Councillors Trevor Carbin (substituted by Councillor Gordon King), Sarah Gibson (substituted by Councillor David Jenkins) and Philip Alford (substituted by Councillor David Halik). The Chair noted that all other members were in attendance.

57 **Minutes of the Previous Meeting**

The minutes of the meeting held on 26 July 2017 were presented.

**Resolved:**

**To approve as a correct record and sign the minutes of the meeting held on 26 July 2017.**

58 **Declarations of Interest**

It was noted, following a statement made by Councillor Jonathon Seed, that a number of Committee members would have considered application W/11/02440/FUL at Sutton Veny when it was before the Western Area Planning Committee in 2012, but that those members would be considering the matter afresh with an open mind.

Councillor Edward Kirk stated that due to a non-pecuniary interest he would not speak or vote on the application ref 17/05137/FUL - Coopers Chase, Church Street, Hilperton, Trowbridge, Wiltshire, BA14 7RL.

Noting that there was an application in his ward, namely 17/05137/FUL, Councillor Ernie Clark referred the public to his declaration of interest open to public inspection.

59 **Chairman's Announcements**

There were no Chairman's Announcements.

The Chairman gave details of the exits to be used in the event of an emergency.

60 **Public Participation**

The question submitted by Councillor Ernie Clark and the response included in the agenda papers was noted.

It was also noted that an additional question submitted had been responded to directly by officers. The Chairman reminded members that all questions should relate to the business of the Committee.

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

61 **Planning Appeals and Updates**

The Planning Appeals Update Report for the period between the 14/07/2017 and 11/08/2017 was received.

**Resolved:**

**To note the Planning Appeals Update Report for 14/07/2017 and 11/08/2017.**

62 **Planning Applications**

The Committee considered the following applications:

63 **w/11/02440/FUL - Land South Of Farm Bungalow, Deverill Road, Sutton Veny**

Public Participation

Mr William Owen, Mr Ian Walpole and Mr William Pierce spoke in objection to the application.

Mr James Whilding, agent, spoke in support of the application

Cllr Stephen Oxlade, Sutton Veny Parish Council, spoke on the application

Cllr David Searle, Longbridge Parish Council, spoke on the application

Mike Kilmister, as Neighbourhood Planning Manager, outlined the report for the demolition of four existing poultry buildings to be replaced by four new poultry buildings. It was recommended that the application be approved subject to conditions.

The key planning issues identified in the officer's presentation were outlined to include: the principle of development; the location of the site and that it is in the open countryside within an Area of Outstanding Natural Beauty; the history of the application and the three reasons that the Committee deferred the consideration of the application; the access to the site and the connection to the A350; the proximity of other properties including industrial and residential; that the committee had had the opportunity to visit the site; the history and use of the existing buildings, and that the lawful use of the site is for agriculture and that of poultry rearing.

The changes in the application from that previously reported to the Committee were explained including the reduction in the capacity for the number of birds; the comparison of the elevation of the new buildings to those on the site already; the topography of the site and the existence of a bund; the operation of the site and the impact on environmental health issues.

The submitted plans and member site visit identified the provision of screening by trees; however it was acknowledged that additional landscape plan details would need to be submitted, which is recommended by condition, which would require the Council's written approval. The views of the site from the public rights of way and other neighbouring properties were identified and it was confirmed that the applicant had amended the scheme following discussions with the Environment Agency who had issued a permit – which sets out conditions in relation to potential noise, fugitive emissions (incl dust and flies), odour and ammonia releases; as well as pre-commencement conditions that need to be satisfied before on site operations are started.

Members were advised that the public have been able to comment on the permit, and it was open to public scrutiny. The officer explained that the Environment Agency in reaching their decision took account of all their relevant considerations and legal requirements to ensure the permit would provide a high level of protection for the environment and human health. The Environment Agency raised no objection to this application. The Environment Agency raised no objection to the planning application.

Members were also advised on planning policy and the weight that can be given to tests that are required to be met for major development in the Area of Outstanding Natural Beauty and it was confirmed by officers that these tests had been met. Members were informed about how the visual impact had been assessed and the officer explained in detail about ecology, heritage assets and visual amenity matters and where necessary planning conditions had been attached. The officer explained the views of the highways officers and the need for a traffic management plan and planning conditions to restrict traffic

movements. Any 'fall back' position was explained in terms of the redevelopment/ re-use of the site.

The committee was advised on the late submission received from the Area of Outstanding Natural Beauty officer and that landscape impact, lighting and use of materials and external colour finishes had been fully factored into the officer's report and the planning authority needed to weigh up any public harm against the merits of the application.

Members of the Committee then had the opportunity to ask technical questions of the officer. In response, officers stated: that the lawful use of the site was for agricultural and one which may continue to operate as a poultry unit if required in the future subject to requiring a permit if needed and any permissions required from the Council to bring the buildings up to modern day standards or new buildings; that the three issues raised by the previous committee in their deferral of the application had been addressed and were outlined in the report; along with the confirmation that the local highway authority, other consultees experts in their fields and planning officer had no objections and no refusal reasons were produced. There would be comprehensive control of the site operations under the Environmental Permitting system administered by the Environment Agency. It would be monitored by them regularly, at least annually, to ensure compliance with the permit. Any concern in the future regarding what is discharged from the buildings, ie noise, odour, dust etc it is for the Environment Agency to take any complaint and action accordingly. Failure to take appropriate steps to rectify those concerns would have the risk of having to reduce or cease operations. The Environment Agency have the power to enter the site, unannounced, to investigate any complaints.

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

Councillor Tony Jackson and Councillor Fleur De Rhe-Philippe as the adjacent and local Division Members addressed the Committee.

At the start of the debate Councillor Jonathon Seed moved, subsequently seconded by Councillor Ernie Clark, that the application be approved subject to the conditions outlined in the officer's report.

In the debate that followed, issues discussed included: the commendation given to the case officer for the detailed report, and the work undertaken to provide additional, more detailed planning conditions; how concerns about noise, vehicle movement and pollution could be mitigated against; that the Environment Agency had included pre-operation conditions to assess the impact of the proposals; how the conditions would be enforced and the additional conditions requiring the submission of a pest management plan; that the Environment Agency have confirmed that, following consultation with health bodies, there should not be any public health impacts from the proposals.

It was also recommended that condition no. 17 should restrict hours of demolition and construction; and officers were asked if the planning conditions

would pass the test of 'reasonableness'; members also remarked that the site visit had established the nature of site topography, landscaping and the position of the buildings in relation to the nearby housing; imposing vehicle restrictions for the development and the site was subject to some debate in terms of acknowledging the proximity of the industrial estate. Members were also advised about amending condition no. 12; and how asbestos (if present on site) could be dealt with through the recommended planning conditions regarding the demolition of the site.

Members also appreciated and acknowledged the views and concerns expressed by members of the public. Following advice provided from the planning officer, and with the agreement of the proposer and seconder, the proposal was amended to include revisions to condition no's 4 and 12, and an informative added regarding the removal of asbestos.

At the conclusion of the debate, and having been put to the vote, the meeting;

**Resolved:**

**To approve planning permission subject to the following conditions:**

- 1        a        The development to which this permission relates shall be commenced within three years beginning with the date of this permission.  
          b.        Not less than one week's prior notice shall be provided in writing to the Local Planning Authority of the intended date for commencement of operations under the terms of this permission. Such date shall be referred to hereinafter as the Commencement Date.

**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 shall be carried out in accordance with the hereby approved plans (other than where amended by details submitted to and approved in writing in any subsequent discharge of planning condition application(s))

**JW/0663/2010/200-01 revision B - Location**

**and site plans JW/0663/2010/200-02 -**

**Survey plan**

**JW/0663/2010/200-03 revision D - Proposed**

**layout plan JW/0663/2010/200-04 revision B -**

**Floor plan JW/0663/2010/200-05 revision C -**

Sections and elevations JW/0663/2010/200-

08 revision D - Lighting plan

JW/0663/2010/200-10 revision B - As existing elevations and site sections REASON: In order to define the terms of this permission.

- 3 Prior to the commencement of the development a Construction and Operational Lorry Traffic Management Plan (COLTMP) shall be submitted to and approved in writing by the local planning authority, and the site shall be developed and operated in accordance with the approved COLTMP. The COLTMP shall include, inter alia, measures employed to ensure that i) the adjacent highway is kept clear of detritus, ii) there is adequate provision for the parking and turning of lorries within the site,

ii) adequate provisions are made to ensure that the routing of lorries to and from the site, including driver and third party instructions, is only by way of approaching and leaving the site via the A350 at Longbridge Deverill, iv) details of the management of vehicle movements, v) location of any temporary contractor's compound and internal parking provisions.

REASON: In order to ensure that the amenity of the local highway network is adequately protected

- 4 No external lighting shall be installed on site until plans/details showing the type of light appliance, the height and position of fitting, illumination levels and light spillage including methods to prevent any sideways or upward disruption of light 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 within an AONB.

- 5 If during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

REASON: To prevent pollution of controlled waters.

**6** 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,
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- details of the bundings
- details of works for the protection of the public footpath

**REASON:** To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

**7** 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.

- 8** No development shall commence on site in connection with the approval until details of the materials including colour finishes for the external surfaces of 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:** In the interests of visual amenity and the character and appearance of the area.

- 9** No development shall commence on site until details of the LPG tank 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:** In the interests of visual amenity and the character and appearance of the area.

- 10** No development to commence until full acoustic design proposals for the ventilation fans, including sound frequency spectra for inlets, outlets and case radiation of the fans, specifications of the proposed attenuators, duct systems and outdoor terminations and calculations on the sound levels generated by the fans via the paths described in the submitted report 'Second Addendum to Noise Impact Analysis' by S. and D Garritt Ltd dated 16th March 2016, has been submitted to and approved in writing by the local planning authority. All works comprised in the approved details shall be completed before any part of the development is first brought into use. The level of noise emitted from site shall thereafter not exceed a rating Level

(BS4142:2014) of 37dB between 07:00 and 23:00 and 23dB between 23:00 and 07:00 at the boundary of Java Bungalow, Deverill Road.

In meeting these levels the sound from the equipment will be at or below the typical measured background noise level (LA90) as shown in the submitted documents 'Addendum to Noise Impact Analysis' by S. and D Garritt Ltd dated 14th November 2014 and 'Second Addendum to Noise Impact Analysis' by S. and D Garritt Ltd dated 16th March 2016.

**REASON:** 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 order to safeguard the amenities of the area in which the development is located.

- 11        **The development will not commence commercial operations until a written scheme for post completion noise measuring has been submitted to and approved in writing by the local planning authority. The scheme shall be designed by a suitably competent and qualified person. The written scheme shall provide details of how compliance with the sound levels in condition 10 will be demonstrated and include times and locations at which noise monitoring will take place and the equipment that will be used to take measurements. A post completion noise measuring shall be carried out within 12 weeks of the use commencing and within 16 weeks of the use commencing, a report written by a suitably competent and qualified person, detailing the results of the post completion noise measuring shall be submitted to the local planning authority.**

**REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.**

- 12        **Vehicle movements to and from, and on the site will be restricted to the hours of 8am - 6pm Monday to Friday only and no lorry movements on site at weekends and Bank or Public Holidays.**

**REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.**

- 13        **No development shall commence on site (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:**

- a)        Risk assessment of potentially damaging construction activities**
- b)        Identification of 'biodiversity protection zones'**
- c)        Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)**
- d)        The location and timing of sensitive works to avoid harm to biodiversity features**
- e)        The times during construction when specialists ecologists need to be present on site to oversee works**
- f)        Responsible persons and lines of communication**
- g)        The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s)**

- h) Use of protective fences, exclusion barriers and warning signs.**
- i) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.**

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

A report prepared by a competent person(s), certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, shall be submitted to the Local Planning Authority within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner.

**REASON:** To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

- 14** Before works commence, a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and approved in writing by the Local Planning Authority. The content of the LEMP shall include, but not necessarily be limited to, the following information:
- a) Specification of habitats to be created,**
  - b) Description of features to be managed;**
  - c) The above shown on a site map**
  - d) Aims and objectives of management**
  - e) Management prescriptions;**
  - f) Work schedule including an annual work plan capable of being rolled forward over a 5 year period**
  - g) Details of the body or organisation responsible for implementation of the plan;**
  - h) Ongoing monitoring and remedial measures;**
  - i) Timeframe for reviewing the plan**
  - j) Details and location of the 15 bat boxes and 15 bird boxes.**
  - k) Buffer strips along field edges to be cut less frequently**
  - l) Traditional management of hedgerows**
  - m) Dedication of underutilised areas of the site to create wildflower meadows**

- n) **Hibernalcula and refuge log piles**
- o) **Incorporation of dropped kerbs and sumpless gullies**

**The LEMP shall be implemented in full in accordance with the approved details.**

**REASON: To ensure the long-term management of landscape and biodiversity features, and to maintain and enhance these in perpetuity.**

- 15 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. The approved scheme shall be constructed prior to the use commencing.**

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

- 16 No development shall commence on site until a scheme for the discharge of surface water from the site, 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 approved scheme shall be constructed prior to the use commencing.**

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

- 17 No development shall commence on site (including any works of demolition), 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) **storage of plant and materials used in constructing the development;**
- d) **the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
- e) **wheel washing facilities;**
- f) **measures to control the emission of dust and dirt during construction;**
- g) **a scheme for recycling/disposing of waste resulting from demolition and construction works; and**
- h) **hours of construction, including deliveries;**

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 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.

- 18 The development shall not be first brought into use until a Pests Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Pest Management Plan should include measures for the management and control of pests such as flies and vermin. The approved Pests Management Plan shall be adhered to.

**REASON:** In the interests of the amenity of the area.

- 19 No materials shall be burnt on site at any time on any phase of the development during the building and construction works.

**REASON:** In order to minimise nuisance

**INFORMATIVE(s):** The applicant must ensure the development complies with the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010 (SSAFO). These regulations aim to prevent water pollution from stores of silage, slurry and agricultural fuel oil. They set out requirements for the design, construction and maintenance of new, substantially reconstructed or substantially enlarged facilities for storing these substances. Storage facilities should be sited at least 10 metres from inland freshwater or coastal water and have a 20-year life expectancy. The Environment Agency must be notified in writing about any new, substantially enlarged or substantially reconstructed system at least 14 days before it is first used. Further guidelines and factsheets on the SSAFO regulations are available from the following website:

<http://www.environment-agency.gov.uk/business/sectors/118798.aspx>

**INFORMATIVE:** Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses the site. You are advised to contact Wiltshire Council PROW officer

**INFORMATIVE** The applicant should note that the works hereby approved involve the removal and disposal of asbestos cement roofing. It should only be removed by a licensed contractor. Asbestos waste is classified as 'special waste' and as such, can only be disposed of by obtaining a site licence from the licensing authority (Environment Agency). Any contractor used must also be licensed to carry 'special waste'.

64 **17/05137/FUL - Coopers Chase, Church Street, Hilperton, Trowbridge, Wiltshire, BA14 7RL**

Public Participation

Mr Cooper, spoke in support of the application

Verity Giles, as planning officer, outlined the report for a proposed garage and studio. It was recommended that the application be approved subject to conditions.

The key planning issues identified in the officer's presentation were outlined to include: the principle of development; impact on the neighbouring properties; the views of the local residents including those submitted after publication of the report; the construction material and the windows proposed; the relationship to the existing dwelling and neighbouring properties including the potential impact on privacy and the adjacent listed building; the access to the site;

Members of the Committee then had the opportunity to ask technical questions of the officer. The questions focused on: the position of the dwellings in relation to the map.

Councillor Ernie Clark proposed, subsequently seconded by Councillor David Halik, that the proposal be approved subject to the inclusion of the following additional condition:

*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 enlargements or additional wall and/or roof openings to the garage/studio hereby permitted.*

*REASON: To define the terms of the permission and 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, alterations and enlargements.*

In moving his proposal, Councillor Ernie Clark thanked the officers for their advice on this application. In response to an issue raised, officers advised that a further condition would be required to secure the use of materials to match the

host dwellinghouse, known as Coopers Chase. Following the consent of the proposer and seconder, this was included in the proposal.

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

At the conclusion of the debate it was;

**Resolved:**

**To approve planning permission 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:**

**Location Plan - Drawing No Drawing No. 2479-06 - received on 13 June 2017; Site Plan and Block Plan, as received on 15 June 2017; Drawing No. 2479-10 Rev B, and Proposed Elevations and Floor Plans, Drawing No 2479-11 Rev A - received on 5 July 2017**

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

- 3 The garage and studio accommodation hereby permitted shall not be used at any time other than for purposes ancillary to the residential use of the main dwelling, known as Coopers Chase and it shall remain within the same planning unit as the host dwelling.**

**REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit the creation of a separate dwelling and additional residential unit.**

- 4 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), the garage hereby permitted shall not be converted to habitable accommodation.**

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

- 5** No development shall commence on site (including any works of demolition), 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) storage of plant and materials used in constructing the development;
  - d) the erection and maintenance of security hoarding including any decorative displays and facilities for public viewing (if applicable);
  - e) wheel washing facilities;
  - f) measures to control the emission of dust and dirt during construction;
  - g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
  - h) measures for the protection of the natural environment.
  - i) hours of construction, including deliveries;

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:** 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.

- 6** Notwithstanding the details set out within the completed application form, the materials to be used in the construction of the external wall and roof surfaces of the development hereby permitted shall match the material, colour and texture used for the host dwellinghouse, known as Coopers Chase.

**REASON:** In the interests of visual amenity and 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), there shall be no additions, extensions or enlargements or additional wall and/or roof openings to the garage/studio hereby permitted.

**REASON: To define the terms of the permission and 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, alterations and enlargements.**

*Admin Note: Councillor Edward Kirk did not participate in the debate or vote having previously declared an interest in the item.*

65 **17/05690/FUL - 8 Rowan Court, Melksham, Wiltshire SN12 6HS**

Public Participation

Colin Goodwood, agent, spoke in support of the application

Kate Sullivan, as planning officer, outlined the report for a car port. It was recommended that the application be refused.

The key planning issues identified in the officer's presentation were outlined to include: the materials to be used in the proposals; how the proposals is not considered permitted development; the relationship of the site to adjacent properties and the views from the street; and the objection raised by the Town Council;

Members of the Committee then had the opportunity to ask technical questions of the officer. In response to the questions, the following matters were confirmed: the position of the gazebox, the parking provision and amount of hardstanding; the potential impact of the gazebox on vehicle movements to and from the existing access; that consideration of any future applications for similar gazeboxes would be decided on their own merits.

Members of the public had the opportunity to present their views to the Committee, as detailed above. Councillor Jonathon Seed read out the statement submitted by the local ward member, Councillor John Hubbard who was unable to attend the meeting.

At the start of the debate Councillor Gordon King, subsequently seconded by Councillor Edward Kirk, moved that permission should be granted for the proposal subject to appropriate conditions.

In the debate that followed, issues discussed included: the need to delegate authority to officers to finalise the conditions to address issues including the panel material, lighting and screening.

Following the conclusion of the debate, the meeting;

**Resolved**

To delegate authority to the Head of Development Management Services to grant planning permission subject to conditions to be determined by officers, including conditions to address issues of the internal and external lighting, mechanical openings and vinyl coverings to be used; and to ensure the retention of appropriate boundary treatments.

The wording of these conditions was delegated to officers and subsequently agreed as:

- 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:

Revised site location plan - received 04.07.2017; Block plan - received 04.07.2017; proposed plans - received 04.07.2017; proposed gazebox view - received 04.07.2017

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

- 3 Prior to commencement of the development hereby approved, details pursuant to any internal and external lighting, mechanical openings and vinyl coverings shall be submitted to and for the written approval of the Council. Development shall be carried out in accordance with the approved details.

**Reason:** To define the terms of the permission and in the interests of amenity.

- 4 The hedged boundary at and around the site frontage shall be retained and maintained for the lifetime of the development hereby approved. If the retained hedge is removed, uprooted, destroyed or dies, another hedge shall be planted at the same place, of a size and species and planted to be agreed in writing with the Local Planning Authority.

**Reason:** In order to secure a level of screening and safeguard street scene amenity.

66 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 3.00 - 6.05 pm)

The Officer who has produced these minutes is Jessica Croman of Democratic Services, direct line 01225 718262, e-mail [jessica.croman@wiltshire.gov.uk](mailto:jessica.croman@wiltshire.gov.uk)

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