

## NORTHERN AREA PLANNING COMMITTEE

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### MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 11 JULY 2018 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

#### Present:

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice-Chairman), Cllr Chuck Berry, Cllr Christine Crisp, Cllr Howard Greenman, Cllr Gavin Grant, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Toby Sturgis, Cllr Brian Mathew and Cllr Ashley O'Neill

#### Also Present:

Cllr Baroness Scott of Bybrook OBE

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#### 23 Apologies

There were no apologies

#### 24 Minutes of the Previous Meeting

The minutes of the meeting held on 13 June 2018 were presented.

#### Resolved:

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

#### 25 Declarations of Interest

There were no declarations of interest.

#### 26 Chairman's Announcements

There were no Chairman's announcements.

#### 27 Public Participation

The Committee noted the rules on public participation.

#### 28 Planning Appeals and Updates

The Committee noted the contents of the appeals update.

29 **17/05828/FUL - Former Wiltshire College, Cocklebury Road, Chippenham, Wiltshire, SN15 3QD - Update**

The Planning Officer, Simon Smith, introduced a report which provided an update of the actions taken by officers in relation to the Section 106 Agreement since the application was granted by the Committee on 21<sup>st</sup> March 2018.

The Planning Officer explained that there was a slight delay in the formal completion of the Section 106 Agreement, and the reasons for this were detailed in the report. He confirmed that the Agreement had now been completed and the decision issued.

Following a proposal by Councillor Peter Hutton, to note and approve the update, subsequently seconded by Councillor Gavin Grant, the meeting;

**Resolved**

**That the update on the S106 Agreement for the Former Wiltshire College, Cocklebury Road, Chippenham, be noted and approved.**

30 **Planning Applications**

To consider and determine the following planning applications:

31 **18/02153/FUL - Keynes House, The Derry, Ashton Keynes**

Public Participation

Natasha Inzani, local resident, spoke in objection to the application.

Alison Bone, local resident, spoke in objection to the application.

Councillor Dave Wingrove, Chairman of Ashton Keynes Parish Council spoke in objection to the application.

The Planning Officer, Simon Smith, introduced a report which recommended granting planning permission, subject to conditions, for the change of use of land from agriculture to a dog exercise / training area, the erection of a 1.9m deer patrol fence and the creation of a car parking area.

Key issues highlighted included: the location and orientation of the proposal in relation to the settlement framework boundary and within the conservation area; that some works had already been undertaken; the height of the fencing; the access to the site; the views from the site; the impact of the proposals regarding the amenity of residents and noise generated by the use on the site; that officers proposed a temporary permission to be able to assess the impact of the proposals; whether the plan was consistent with the neighbourhood plan; the views of the highways officer and how concerns had been addressed by a mitigation; collection of dog waste is conditioned if permission is granted.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: that the conditions don't control paraphernalia but could be added; the arrangements for addressing noise concerns; that the sand carpark development did require permission but that the existing fencing was permitted development; that four dogs could be using the paddocks and that they could see each other; that a person in charge of a dog and is deemed to be in charge and is referred to legally as the responsible owner.

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

Councillor Chuck Berry, Division Member, spoke regarding the application with the main points focusing on the impact of the neighbourhood plan, that the development is outside the settlement boundary, and whether the use proposed on the site was appropriate.

At the start of the debate a proposal was moved by Councillor Chuck Berry and seconded by Councillor Gavin Grant that permission be refused by reason of the nature of the activities being proposed and its sensitive location within the Ashton Keynes Conservation Area as well as its proximity to surrounding residential properties, it is considered that the proposal would harm the character and appearance of the locality and would adversely impact upon the amenities of residents. The proposal is therefore contrary to the requirements of Policies CP57 (vi) and (vii) and CP58 of the Wiltshire Core Strategy as well as Policy ENP3 of the Ashton Keynes Neighbourhood Plan 2015-2026

### **Resolved**

**That planning permission be refused for the following reason:**

**By reason of the nature of the activities being proposed and its sensitive location within the Ashton Keynes Conservation Area as well as its proximity to surrounding residential properties, it is considered that the proposal would harm the character and appearance of the locality and would adversely impact upon the amenities of residents. The proposal is therefore contrary to the requirements of Policies CP57 (vi) and (vii) and CP58 of the Wiltshire Core Strategy as well as Policy ENP3 of the Ashton Keynes Neighbourhood Plan 2015-2026**

### **32 18/03185/FUL - The Barns at Mays Farm, Hullavington**

#### **Public Participation**

Sue Upton, local resident, spoke in objection to the application.

Clare Wallace, local resident, spoke in objection to the application.

Kevin Hamilton, applicant, spoke in support of the application.

Simon Chambers, planning agent, spoke in support of the application.

Councillor Maggie Bawden, Chairman of Hullavington Parish Council, spoke in objection to the application.

The Planning Officer, Simon Smith, introduced a report which recommended granting planning permission, subject to conditions, for the erection of 2 new dwellings.

Key issues highlighted included: the location of the proposals within the settlement boundary and that the emerging plan agrees that the settlement boundary would mean that the site would be outside of that boundary but that the adopted plan should be given greater weight than the emerging plan; that the highway officer had not made an objections; the design and elevations of the proposals; the material to be used; the additional drainage conditions; the distances of the proposals in relation to existing proposals.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: the arrangements for accessing the site; the arrangements for bins and refuse collections; the relevance of permitted development rights.

Specific advice was sought from officers regarding the weight that could be given to the proposed new settlement boundary adopted into the draft Wiltshire Housing Site Allocation Plan. The officers view was that Wiltshire Housing Site Allocation Plan still carries relatively limited weight and the application should be determined against the current adopted plan.

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

Councillor Baroness Jane Scott of Bybrook OBE, Division Member, spoke in objection to the application with the main points focusing on the concerns over access to the site, the difficulties of waste facilities for the proposal, the location of the proposal in relation to the settlement boundary, and the allocation of housing land existing for the village.

At the start of the debate a proposal was moved by Councillor Sturgis and seconded by Councillor Gavin Grant to refuse planning permission as the proposal results in the access road being routed through the open countryside, falling out side of the current settlement boundary for Hullavington village. Further, the Wiltshire Housing Site Allocations Development Plan Document, now formally approved by the Full Council on 10/07/18, substantively excludes the application site from the settlement boundary, and can therefore be given considerable weight in decision making. For the above reasons, the proposal would take place in the open countryside, outside of the village settlement boundary and would adversely impact upon the character and appearance of locality contrary to the provisions of Policies CP57 of the Wiltshire Core Strategy.

Prior to the vote, the Planning Officer reiterated his previous advice that only limited weight could be given to the emerging Wiltshire Housing Site Allocation Plan and that the application should be determined against the policies within the adopted Wiltshire Core Strategy.

At the conclusion of the debate, the meeting;

## **Resolved**

**That planning permission be refused for the following reason:**

**The proposal results in the access road being routed through the open countryside, falling out side of the current settlement boundary for Hullavington village. Further, the Wiltshire Housing Site Allocations Development Plan Document, now formally approved by the Full Council on 10/07/18, substantively excludes the application site from the settlement boundary, and can therefore be given considerable weight in decision making. For the above reasons, the proposal would take place in the open countryside, outside of the village settlement boundary and would adversely impact upon the character and appearance of locality contrary to the provisions of Policies CP57 of the Wiltshire Core Strategy.**

### **33 17/12403/FUL - Land at Kent End, Back Street, Ashton Keynes**

#### Public Participation

Callan Powers, planning agent, spoke in objection of the application on behalf of one of the local residents.

Laura Glynn-Jones, applicant, spoke in support of the application.

Dave Wingrove, Chairman of Ashton Keynes Parish Council, applicant, spoke in objection to the application.

The Planning Officer, Victoria Griffin, introduced a report which recommended refusing planning permission, for the erection of a two bedroom holiday cottage with mostly natural stone elevations and a natural slate roof above.

Key issues highlighted included: the location of the plan, and its location within the conservation area; the current buildings on the site; the orientation of the proposals and their elevation on the site; the views of the site from the highway; the proposed floorplan; the materials proposed to be used; the relationship of the proposals to existing buildings; the size of the proposals and their impact on the character of the conservation area;

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: the views from different angles and the existing properties that had previously been on the site.

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

Councillor Chuck Berry, Division Member, spoke in relation to the application with the main points focusing on the relevance of the neighbourhood plan.

At the start of the debate a proposal was moved by Councillor Chuck Berry and seconded by Councillor Hutton for refusal as detailed in the report.

**Resolved:**

**That Planning Permission be refused for the following reason:**

**The proposal would create a large dominant detached dwellinghouse within a modest plot which would cause an unacceptable level of visual and physical harm to the wider historic setting and setting within the Conservation Area contrary to policies CP58 & CP 57 (i) of the Wiltshire Core Strategy, policy HCP1 of the Ashton Keynes Neighbourhood Plan (2017) and the aims and requirements of Section 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990 and Section 12 'Conserving and enhancing the historic environment' of the National Planning Policy Framework.**

**34 18/03233/FUL - Priestly Primary School, Prince Charles Drive, Calne**

Public Participation

Anthony Dixon, applicant, spoke in support of the application.

The Planning Officer, Rose Fox, introduced a report which recommended granting planning permission, subject to conditions, for a phased 8 classroom extension with ancillary rooms, new main entrance, enlarged staff room and associated external works.

Key issues highlighted included: the phased developments for the plan; that the proposals would allow the school to take more pupils; the improvements to parking, classrooms, access and sports facilities; the elevations of the proposals; the impact on the proposals on the neighbours; that public protection officers had no objections in relation to increased noise arising from the developments; phase two may only be required if more housing was brought forward, but that phase one would meet current housing coming forward; seeking to relocate trees.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: the loss of trees from the proposal; whether an advisory regarding a traffic management plan could be added.

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

At the start of the debate a proposal was moved by Councillor Gavin Grant and seconded by Councillor Peter Hutton to grant planning permission as detailed in the report with the addition of a condition regarding travel planning.

**Resolved:**

**Delegate to office appropriate plan on tree planning and on landscaping and school travel plan.**

**To Grant planning permission, subject to the following conditions:**

**Time limit:**

- 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.**

**Approved plans:**

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

**Plans as received by the LPA 04/04/2018:**

**Site Location Plan (0001 Rev: A, dated: 29/03/18)**

**Existing Site Plan (0002 Rev: B, dated: 13/04/18)**

**Existing First Floor Plan (0202 Rev: A, dated: 29/03/18)**

**Existing Roof Plan (0206 Rev: A, dated: 29/03/18)**

**Plans as received by the LPA 29/06/2018:**

**Proposed Phase 1 Site Plan (0003 Rev: D, dated: 29/06/2018)**

**Proposed Phase 2 Site Plan (0004 Rev: E, dated: 29/06/2018)**

**Contractor access plan (0005 Rev: C, dated: 29/06/2018)**

**Children's Centre Boundary (0006 Rev: C, dated: 29/06/2018)**

**Existing Ground Floor Plan (0201 Rev: B, dated: 27/06/18)**

**Proposed Phase 1 Ground Floor Plan (0203 Rev: B, dated: 27/06/18)**

**Proposed Phase 2 Ground Floor Plan (0204 Rev: C, dated: 27/06/18)**

**Proposed Phase 1 & 2 First Floor Plans (0205 Rev: B, dated: 27/06/18)**

**Proposed Phase 1 Roof Plan (0207 Rev: B, dated: 27/06/18)**

**Proposed Phase 2 Roof Plan (0208 Rev: B, dated: 27/06/18)**

**Existing Elevations (2001 Rev: B, dated 13/04/18)**

**Proposed Phase 1 Elevations (2002 Rev: C, dated: 27/06/18)**

**Proposed Phase 2 Elevations (2003, Rev: B), dated: 27/06/18)**

**Existing and Proposed Site Section A-A (3001, Rev: B, dated: 27/06/18)**

**Existing and Proposed Site Section B-B (3002, Rev: B, dated: 27/06/18)**

**Existing and Proposed Site Section C-C (3003, Rev: B, dated: 27/06/18)**

**Existing and Proposed Site Section D-D (3004, Rev: B, dated: 27/06/18)**

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

**Amenity:**

- 3. No development shall commence on phase 1 (including any works of demolition) until a Construction Method Statement (CMS) has been submitted to and approved in writing by the local planning authority.**

The statement shall include details of 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;**
- h) measures for the protection of the natural environment;**
- i) hours of construction, including deliveries**

The approved Statement shall be adhered to throughout the construction period.

**REASON:** To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through risks of pollution and dangers to highway safety, during the construction period.

- 4. No development shall commence on phase 2 (including any works of demolition) until a Construction Method Statement (CMS) has been submitted to and approved in writing by the local planning authority.**

The statement shall include details of 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;
- h) measures for the protection of the natural environment;
- i) hours of construction, including deliveries

The approved Statement shall be adhered to throughout the construction period.

**REASON:** To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through risks of pollution and dangers to highway safety, during the construction period.

5. 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.

6. The development hereby permitted shall not be first brought into use until details of the play equipment proposed for relocation has been submitted to and approved in writing by the Local Planning Authority.

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

7. The new games court as indicated on the Proposed Phase 2 Site Plan hereby permitted shall not be enclosed by any boundary treatment unless this has been submitted to and approved in writing by the Local Planning Authority.

**REASON:** In the interests of residential and visual amenity.

8. No part of the relevant phases (1 or 2) shall be first brought into use until all the excess cut and fill from the levelling works related to that phase has been removed from the site.

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

**Highways:**

9. No development shall commence on site until details of the proposed temporary site access have been submitted to and approved in writing by the local planning authority. The temporary access shall be constructed in accordance with the approved details. No later than one month after the new development is first brought into use, the temporary access shall be removed and the verge/footway crossing reinstated in accordance with details which shall have been submitted to and approved in writing by the local planning authority.

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

10. Prior to the first occupation of phase 1 of development, the proposed parking areas (as demonstrated on Proposed Phase 1 Site Plan 0003 Rev D) must be consolidated, surfaced and laid out in accordance with the approved details. The parking areas 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.

11. Prior to the first occupation of the development hereby permitted, the footpath to the Western edge of the site shall be improved to form a 2.5m wide shared use surface, linking to the town recreation ground to the West of the site. The shared used path shall be completed in accordance with plans which shall have been submitted to and agreed in writing by the Local Planning Authority beforehand.

**REASON:** In the interests of promoting sustainable transport by the improving access to the school via means other than by the private car in accordance with Core Policies 60 & 61 of the Wiltshire Core Strategy.

**Drainage:**

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 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.

13. 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.

14. No part of the development shall be brought into use, until the schools Green Travel Plan has been updated and submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

**REASON:** In the interests of road safety and reducing vehicular traffic to the development.

**INFORMATIVES:**

Wales and West Utilities gas pipelines may be affected and at risk during construction and you must contact Sophie Dawkins on 02920 278912 before starting any work.

The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from the local highway authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact the Council's Vehicle Crossing Team on [vehicleaccess@wiltshire.gov.uk](mailto:vehicleaccess@wiltshire.gov.uk) and/or 01225 713352.

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.

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.**

**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.**

**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.**

### **35 Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 5.33 pm)

The Officer who has produced these minutes is Stuart Figini of Democratic Services, direct line 01225 718221, e-mail [stuart.figini@wiltshire.gov.uk](mailto:stuart.figini@wiltshire.gov.uk)

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