

# **MINUTES OF A MEETING OF THE PLANNING COMMITTEE OF URCHFONTS PARISH COUNCIL held on Wednesday 14 December 2016 at 7:00pm in the Conference Room of Urchfont Village Hall.**

**Present:** UPC Chair Dave Mottram (DM) Vice Chair Bill Donald (BD) Lead of Planning Trevor Hill (TH) Cllrs: John Chapman (JC) Graham Day (GD) Helen Gibb (HG) Nicky Mitchell (NM) Royston Thomas (RT) & Planning Administrator Sandra Johnston.

**Also present:** Parish Clerk Bob Lunn (BL), Wiltshire Cllr Philip Whitehead and 3 members of the public.

Cllr Mottram opened the meeting by welcoming all present. The meeting was then handed over to Cllr Hill, as Lead Councilor for Planning, to continue the business of the meeting.

**1. Apologies for absence:** Cllrs Baker & Stephens.

**2. Declarations of Interest:** 5e) Cllr Chapman: Non-pecuniary interest.

**3. Minutes of a meeting** held on 09 November 2016 were signed as a true record. Proposed by Cllr Day, Seconded by Cllr Chapman; agreed unanimously.

**4. Matters arising from those Minutes:**

**T.H.** - Non-compliant Planning issues - As actioned in Planning Minutes of 09 Nov 2016:-

7i) \*The erection of a 6ft fence in Manor Close; **TH** has submitted the relevant form to WC, highlighting a possible planning breach and requesting that any necessary action be taken.

\*Railings removed and wall built at the Old School House; No action taken as **TH** was of the opinion that the replacement railings were 'like for like' and a necessary and creditable repair job had been carried out.

\*New surfaced entrance and fence at Planks Farm, Lydeway; All works carried out & materials used in the access track at Manor Farmhouse are correct and documented in application 15/04461/FUL – supported by UPC and approved by WC Planning Dept.

7iii) \*16/08918/VAR - Plot 19 Manor Farmyard; As actioned, **TH** had checked the revised plans on the WC website, to ensure they related only to the already supported variation elements. The revised plans did not appear on the WC website. The Planning Officer had subsequently approved the revised plans showing only the one original proposed dormer window.

**TH** suggested that awareness be raised amongst parishioners regarding required planning consent for any building / renovation works they may wish to carry out in a Conservation area.

**Action - BL** agreed to place an informative note in the Redhorn News.

## **Plans for discussion**

Council Members were reminded that when considering planning applications they must follow the guidance outlined in the UPC Planning Policy and Procedure document (UPC/18) and its incorporated Statutory Authorities/Governing Documents, all of which can be found on the Wiltshire Council or Urchfont Parish Council websites. Also, that they should have regard to the visual impact upon the surrounding area and its relationship to adjoining properties.

\*\*Urchfont Parish Council's role, as a Consultee, is to provide Wiltshire Council with UPC's views, which will be based on a balanced view across the Urchfont Parish community.

**NB: The meeting was adjourned at the beginning of each Planning Application to enable members of the Public to express their views on that particular application.**

## **5. Plans for discussion**

5a) **16/10415/FUL** - Full Planning Application for a proposed single storey rear extension at Paddock View, Bowdens, Urchfont, Wilts., for Mr & Mrs N Fowler.

\*To date, no letters of representation had been received by WC Planning Office and/or UPC.

A site meeting was held on 08/12/16 at which 6 Parish Cllrs, S Johnston & Mr Fowler were present.

The Planning Committee found as follows:

- Comparison of area of new build to previous Conservatory footprint is virtually similar.
- Height of new build will be less than that of previous.
- Minimum impact on neighbouring properties.

Cllr: Thomas proposed that UPC Planning Committee **Support** this application: Seconded by Cllr Day; motion

passed unanimously.

5b) **16/10617/FUL** - Full Planning Application for the Erection of a two storey extension to the West end of Townsend House, The Bottom, Urchfont, Devizes, Wilts., SN10 4SF for Mr D Summers.

Mr Summers sent apologies for his unavoidable absence from the meeting.

\*To date, no letters of representation had been received by WC Planning Office and/or UPC.

A site meeting was held on 08/12/16 at which 6 Parish Cllrs & S Johnston were present.

The Planning Committee found as follows:

- The proposed build extends the W end of the building to approximately 1 metre from the boundary.
- The site was also viewed from the neighbouring garden, situated to the West of Townsend House.
- Minimal light loss to this neighbour's solar panels; neighbour had no issue with this.

Cllr: Mitchell proposed that UPC Planning Committee **Support** this application: Seconded by Cllr Chapman; motion passed with 5 votes in favour, 2 Cllrs (**RT** & one other) against.

5c) **16/10921/TCA** - Works to Trees in a Conservation Area to consist of; 1 no. Copper Beech - Reduce by 20% and crown raise by 3-4m. 3 no. Pine Trees – to Fell. All at The Old Bakehouse, High Street, Urchfont, Devizes, SN10 4QL for Mrs C Charlesworth.

\*To date, no letters of representation had been received by WC Planning Office and/or UPC.

A site viewing took place from School Lane on 08/12/16 at which 5 Parish Cllrs & S Johnston were present.

The Planning Committee found as follows:

- The Copper Beech is in need of a reduction and the 3 Pines are virtual poles with no benefit to wildlife.
- Cllr: Hill proposed that UPC Planning Committee **Support** this application: Seconded by Cllr Chapman; motion passed unanimously.

5d) **16/10981/TCA** - Works to Trees in a Conservation Area to consist of: 1 no. Sycamore tree – to Pollard, remove overhanging branches and increase light levels; at Breach House, Cuckoo Corner, Urchfont, Devizes, Wilts., SN10 4RA, for Mr Philip Milanes.

\*To date, no letters of representation had been received by WC Planning Office and/or UPC.

Site viewings made independently by Parish Cllrs.

The Planning Committee found as follows:

- The Sycamore will benefit from the proposed works.

Cllr: Hill proposed that UPC Planning Committee **Support** this application: Seconded by Cllr Thomas; motion passed unanimously.

5e) **15/11764/VAR** – Variation of Condition 6 of Planning Permission E/2012/0147/FUL to enable agreement of Pond Wall repair/maintenance scheme, at Manor Farmyard, Urchfont, Devizes, Wilts., SN10 4QP; for Redcliffe Homes Ltd.

\*To date, 3 new letters of representation had been received by WC Planning Office and/or UPC.

A site meeting was held on 08/12/16 at which 6 Parish Cllrs & S Johnston were present.

A 2<sup>nd</sup> site meeting was held on 12/12/16 at which 5 Parish Cllrs were present and 2 representatives of Redcliffe Homes – Chris Crowley, Contracts Manager & Gerrian Baker, Technical Manager.

\*\*The Planning meeting was adjourned for public participation:-

Councillor John Chapman stepped down from the planning meeting to read out a letter of representation he had sent to WC Planning Officer, Karen Guest. This can be seen in full on WC planning website.

- Proposed programme of works significantly less comprehensive than that suggested in original consulting engineer's report.
- In accord with a condition of the original Planning Permission, this work should have been completed before Manor Farmyard was developed. Why was this not enforced?
- M.F. residents have endured noise, mud, dust & general disruption from various contractors & their machinery for more than 18 months. What action is being taken to exclude vehicles & machinery from the Farmyard while these works are in progress?

- Pond Wall is specifically not mentioned, or included, in the plans forming part of the documentation of the transfer deeds conveying ownership to freeholders of Manor Farmyard. It cannot therefore be assumed that long term responsibility for the wall will be conveyed to the Management Company.
- Setting aside the question of ongoing ownership and responsibility, the developer might restore goodwill & local credibility by completing repairs comprehensively & speedily, with the minimum of disruption, to MF residents and the village as a whole.

Statement from Richard Hawkins – Bullet pointed;

- Expressed the hope that all members of UPC Planning Committee had read his detailed letter to WC.
- Believed that UPC should not be here tonight discussing these issues: issues that have been caused by design or by negligence.
- Mr Hawkins felt exasperated that he had spent the best part of 4 years asking questions, writing emails and speaking at Urchfont Parish Council meetings.
- The community had been assured at an early stage that the Pond Wall would be the responsibility of the Management committee of Manor Farmyard. Despite repeatedly asking for written confirmation none was ever received.
- The wording in the Management Strategy Plan has now been altered to add the Pond Wall to the green coloured area. This being done after sales documents had already been signed.
- Mr Hawkins wondered whether, in the future, prospective buyers would wish to purchase those houses with the pond wall maintenance imposed on them?

Where RH believes we are at this moment in time:

- The wall is a fragile structure although relatively happy at the moment.
- The proposed works will make the wall look superficially better but will not improve the long term stability. Mr Hawkins believes the proposed works may accelerate instability.
- It is a given that something will happen to the wall at sometime in the future - days, months or years.
- The financial responsibility cannot be left with the developer.

Statement given by Rodney Gillington: resident of Manor Farmyard.

Mr Gillington was concerned that in the Craddy report there was no mention of doing works below water level, whilst in the Eastwood & Partners report there was concern over the condition of the wall below water level.

In the construction plan for the proposed works it is mentioned that materials would be stored in the garage and car port of Plot 1 - the thatched house - but this house is now under offer, so quite possibly the planned storage area will not be available when work starts.

In Mr Gillington's opinion this application for variation should not be approved, as the suggestions in the Eastwood report had been approved and were more extensive and appropriate.

Statement given by Stephen Hodges: resident of Manor Farmyard.

• Condition 6 was formerly discharged on 13/06/2014, when the repair schedule from Eastwood & Partners was accepted by WC planning dept, subject to conditions. In the current proposed variation, the schedule of works from Craddy does not address all issues identified in the original Eastwood & Partners report. Although the original Eastwood & Partners repair schedule document of 12/2013 has not been published into the public domain, Mr Hodges understands from comments of others that, for example, the report identified structural issues requiring remediation sub-waterline, which Craddy's schedule does not propose to remediate. Mr Hodges objects to this application on the basis that a valid assessment cannot be made if proper scrutiny of the proposed works against the original Eastwood & Partners report is not carried out.

• The Pond wall never appeared in any Searches carried out by solicitors acting for the property owners. It is not mentioned in any sale or conveyancing documents, nor was it listed in the Management Company Plan. The applicant is proposing, through the provision of documents not recognisable to the owners of properties in Manor Farmyard, a Management Company maintenance scheme that Mr Hodges believes cannot be fulfilled. Consequently the proposed maintenance scheme, described in the management strategy plan, cannot be sufficient to discharge Condition 16, as no transfer of ownership or liability has been agreed with the property owners. On this basis, he believes the application should not be approved by WC Planning Department.

**\*\*Public participation was closed and the planning meeting re-opened:**

The Planning Committee debated as follows:

**TH** gave a resume of general discussion and information received at the two Pond Wall site meetings. As a preamble, he read out the proposed schedule of works as recorded in the variation planning application.

*'Description of Project, Proposed Works:- Remove existing tree stumps and their root balls, taking care not to damage the wall. Remove historic trees that still remain and their root ball, taking care not to damage the wall. Remove recently planted high water demand hawthorn trees. Eradicate vegetation growing out of the wall, ie ivy & saplings. Over slung scaffolding will be constructed along the full length of the wall. Undertake remedial works to the retaining base section of the wall. These works will include areas of infilling/ re-building with stone to match existing, all in a lime based mortar. General cosmetic repointing works, again in a lime based mortar. The free standing section of the wall needs to be demolished in part; sections with eccentricities in excess of 40mm need to be rebuilt. Re-construction can re-use existing bricks or be of an approved new type. Construction should include open movement joints at max 6.0m centres.'*

At the site meeting on 08/12/16, it had been noted (and reported to the Planning Officer by **TH**) that tree works along the length of the wall had commenced before planning approval had been received. Cllrs also agreed that it was difficult to understand from the schedule the extent of the works to be undertaken until work actually commenced and structural issues along the wall were discovered. Through discussion of site management, material storage and parking issues, there was general agreement that UPC as a whole should be concerned as to the possible and probable disruption to residents, in Manor Farmyard and around Pond Green, when works commenced.

At the site meeting on 12/12/16, UPC requested details of works from Redcliffe representatives.

In brief; to remove foliage from wall, to remove 2 x remaining trees, to rebuild parts of the wall that are 'bulging'. Where needed, to use new bricks left over from the Plot 19 rebuild. To re-point where needed, to use various bonding materials where needed and to investigate a reported rat infestation on site. When questioned at the site meeting, Redcliffe representatives had stated, emphatically, that no works would be carried out below the waterline. Regarding Site Management they stated that, until the end of January, Plot 1 Garage and Car Port would be used for materials storage. They will ensure that a temporary duck ramp is provided for the duration of the works. Duration of these works expected to be of 6/7 weeks.

**JC** – Where will materials be stored once the expected sale of Plot 1 is completed at the end of January? Also, if problems are uncovered and works take longer than forecast, will Scarecrow Weekend and Urchfont Best activities be compromised?

**TH** – Does the proposed schedule of works secure the Wall for the future? Eastwoods & Partners survey and subsequent report included the foundations of the Wall.

**\*\* The Chairman adjourned the planning meeting for public participation:-**

Richard Hawkins informed the Committee that the Eastwood & Partners survey mentions the sinking of two trial holes on the land side of Pond wall and a subsequent report stating that loose unbounded stone had been found below the water line. Mr Hawkins opined it was unfortunate that Craddy's had not utilised this same practice in their March 2016 survey.

Stephen Hodges believed that it was dangerous ground for UPC to be voting either way concerning maintenance of Pond Wall. The current proposal is for a variation of the original conditions and in Mr Hodges opinion, any maintenance agreement would legally need underpinning with funding.

**\*\* Public participation was closed and the planning meeting re-opened:**

**BD** – Was not comfortable with voting on this application, as did not feel qualified to form an opinion.

**DM** - believed that UPC Planning Committee was not qualified to make decisions based on any technical issues surrounding the condition of Pond Wall. There were also no financial connections to be considered, as the wall is not the property of Urchfont Parish Council. Cllr Mottram opined that, being the owners, whatever Redcliffe Homes does or does not do to the pond wall before transferring ownership to the Management Company, was not in UPC Planning Committee's remit. If no maintenance scheme was included in the transfer, then those residents who formed the Management Company should contact WC about this. UPC Planning Committee should now be considering just the application put before them and not possible eventualities.

**TH** – If no work is to be undertaken sub-waterline on the wall, then surely its condition sub waterline can

only be conjecture? If the foundations do have problems, it is his opinion that any proposed above waterline works would only be cosmetic at best. Should not Karen Guest, the assigned officer, be apprised of concerns regarding the handing of this wall over to another party?

**GD** – believed that the original plans for the pond wall, submitted by Redcliffe, had been ‘watered down’ and it was his proposal that the responsibility for this wall be left with Redcliffe Homes.

**RT** – Had concerns that any discrepancy in the long term ownership of the wall would have to be sorted out legally.

A complex debate commenced, concerning all the above points.

The Planning Committee then found as follows:

Cllr Day proposed UPC Object to the amended application 15/11764/VAR and the following observation be returned to WC - ‘Wiltshire Council is encouraged and expected to ensure that all original conditions associated with the original approval of the development should be satisfied in full as soon as possible’.

Proposal Seconded by Cllr Thomas; motion carried unanimously.

TH & SJ composed the final statement of Objection and obtained a quorate email agreement of the wording on 15/12/16. The following Observation was returned to the Planning Officer:-

**Planning Application 15/11764/VAR** – For clarity, Urchfont Parish Council reiterates its previous observations (made at an UPC Planning Meeting held on 06 January 2016), when first asked by Wiltshire Council to consider the above Variation of Condition 6 of a Planning Permission:-

\* “*Urchfont Parish Council’s Planning Committee **OBJECT** to the requested Variation of Condition 6 of planning permission E/2012/0147/FUL because it does not implement the requirements of the original Condition 6 of the grant of planning permission in terms of repair schedule and timetable”.*

Urchfont Parish Council has now been asked to consider further amended plans for this proposal and would answer as follows:-

At a meeting held on 14 December 2016, Urchfont Parish Council’s Planning Committee **OBJECTED** to requested amendments to the Variation of Condition 6 of planning permission E/2012/0147/FUL because these do not go far enough in meeting the requirements of the original Condition 6 of the grant of planning permission in terms of repair schedule.

Urchfont Parish Council would also strongly encourage and expect Wiltshire Council to ensure that all original conditions associated with the original approval of the development be satisfied in full as soon as possible.

## **6. Decisions received from Wiltshire Council since 10 November 2016**

6a) **16/09827/LBC** – Listed Building Consent for a replacement Bathroom Window at Spring Cottage, 26 Greengate Road, Wedhampton, Wilts., SN10 3QB, for Mr J Ford. **Approve with Conditions**

6b) **16/08918/VAR** - Variation of Condition 2 on planning application 15/02170/FUL, to allow for changes to the ridge height, use of leadwork around windows on East elevation, change in materials on NE corner and insertion of a second dormer to the West elevation: all at Plot 19, Manor Farmyard, Urchfont, Wilts., SN10 4QP, for Mr J Browne of Jeremy Browne Associates. **Approve with Conditions**

6c) **16/09756/TCA** - Works to Trees in a Conservation Area to consist of Crown reducing 1 no Elder by approx 40%. Felling 1 no Bullace. Felling 1 no Beech and Crown reducing 2 no Beech by approx 3 mtrs: all at Green View, The Green, Urchfont, Wilts., SN10 4QU, for Mr & Mrs K Lloyd. **No Objection**

6d) **16/10794/TCA** - Works to Trees in a Conservation Area to consist of the Felling of 1 no. Horse Chestnut and 2 Scots Pine; all at Breach House, Cuckoo Corner, Urchfont, Wilts., SN10 4RA, for Mr & Mrs P Milanes. **No Objection**

### **\*\*Town and Country Planning Act 1990 - Appeal by QDOS Homes Limited**

Decision date: 17th November 2016.

**Site Address: The Beeches, Blackboard Lane, Urchfont, Devizes, Wilts. SN10 4RD.**

Site visit made on 8 November 2016 by Debbie Moore BSc (HONS) MCD MRTPI PGDip, an Inspector

appointed by the Secretary of State for Communities and Local Government.

**Appeal Ref: APP/Y3940/W/16/3156377**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by QDOS Homes Ltd against the decision of Wiltshire Council.
- The application Ref 16/01099/FUL, dated 3 February 2016, was refused by notice dated 22 June 2016.
- The development proposed is described as "demolition of existing dwelling and erection of 2 three bedroom and 2 four bedroom houses, garages and associated works".

**Appeal Decision** - The appeal is dismissed.

**\*\*** The Chairman adjourned the planning meeting for public participation:-

6b) 16/08918/VAR – Plot 19 Manor Farmyard - Stephen Hodges - For UPC awareness...

With regard to the building of Plot 19, Mr Hodges stated that, in the planning approval conditions, the re-claimed Bullnose bricks were meant to be reused on the SE and SW corners of the building, as described in the Historic Building report. However, they have been used on the SE and NE corners and standard square edge bricks on the SW. The Variation was for new bullnose bricks to be used on the NE corner. Mr Hodges raised this issue with Wiltshire Council. The response was that they believed the new bricks would fade and blend in, so not be an issue to the public. This statement, in Mr Hodges' opinion, totally ignores the fact that the bullnose bricks have been used on the wrong corner of the building and that the SW corner is void of the bullnose bricks the planning condition required. Mr Hodges concern is that the Planning Department is, in all probability, not aware that the condition for reuse of the bullnose bricks on the SW corner, has not been complied with.

**\*\***Public participation was closed and the planning meeting re-opened:

**DM** – Thanked Mr Hodges for bringing this to the attention of UPC. The house has now been built on Plot 19 and therefore, if a Planning Breach has been committed, the responsibility for such would not lie with UPC but with the WC Conservation Officer and/or the Enforcement Officer.

The Beeches Appeal:

**GD** – Questioned if there was knowledge of a further appeal?

**DM** – Mr Harbour (Qdos Homes Ltd) had informed Cllr Mottram that he was in consultation with his architect to draw up new plans that might be more acceptable to the Parish Council and the Community.

**7. Matters for Report** - None

There being no other business, the Planning Meeting closed at 8:00 pm.

The proposed date of the next Planning Meeting is **Wednesday 11 January 2017 at 7:00 pm** in Urchfont Village Hall: preceding the Full Council meeting.

Planning Administrator Sandra Johnston – 01380 848774 – 07808 124721 – [sandra-j@virgin.net](mailto:sandra-j@virgin.net)

**NB** Hard copies of all Planning Applications & Plans are with the Planning Administrator and may be inspected by arrangement at any time. Planning Applications and their documents should also be visible on [www.urchfont-pc.gov.uk](http://www.urchfont-pc.gov.uk) or go to [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk) and click on 'Planning Applications' – 'Planning applications online' - 'Search by planning application number'.

Signed .....

Date .....

