

**MINUTES OF A MEETING OF THE PLANNING COMMITTEE OF URCHFONTS PARISH COUNCIL
held on Wednesday 06 January 2016 at 7:00pm in the Conference Room of Urchfont Village
Hall.**

Present: Acting Lead of Planning Cllr: Nicky Mitchell, UPC Chair Cllr: Dave Mottram, Cllrs: Baker, Day, Donald, Hill, Stephens, Thomas & Planning Administrator Sandra Johnston.

Also present: Applicant for 5a) 2 representatives from Redcliffe Homes for 5c) & 9 members of the public.

Cllr Mottram welcomed all present and opened the Planning meeting;

1. Apologies for absence received: Cllrs: Clifton-Page, Gibb, Holt & Wiltshire Cllr. Philip Whitehead.

2. Declarations of Interest: None

3. Minutes of a meeting held on 09 December 2015 were signed as a true record. Proposed by Cllr Day, Seconded by Cllr Mitchell; agreed unanimously.

4. Matters arising from those Minutes: None

5. Plans for discussion

Cllr Mottram reminded Committee Members that they should consider planning applications within the context of the 6 criteria laid down in the current Planning Policy Document. **Namely:** Scale of development; Visual impact upon the surrounding area; Relationship to adjoining properties; Design - bulk, height and general appearance; Environmental /Highway impact; Car parking.

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

5a) 15/11929/FUL - Full Planning Application for removal of existing Conservatory and erection of single storey side & rear Extension. Cover stable exterior and add canopy; all at 'Rosings', Blackboard Lane, Urchfont, Devizes, Wilts., SN10 4QT, for Kate & Mark Walters.

*To date, no letters of objection to this application had been received by UPC and/or WC Planning Office.

A site meeting was held on 31/12/15 at which Mrs Walters, 6 Parish Cllrs & S Johnston were present.

**Councillor Mottram adjourned the planning meeting for public participation:-

Statement by Mr Mark Walters – Applicant:

After living in 'Rosings' for a year, Mr & Mrs Walters now wish to extend and enlarge their ground floor living area to create a more practical and long term family home. Neighbours have been advised of the plans and have no objections and the proposal will have no impact on highways or the environment.

**Councillor Mottram re-opened the Planning Meeting and the Planning Committee found as follows:

- Cllrs questioned whether the plans presented were 100% accurate as the boundary line behind the existing Conservatory is shown incorrectly on the drawings.
- Assured by Mr Walters that the Planning Officer had visited the site and not commented on this mistake.
- Apparently land registry documents also show an incorrect boundary line.

15/11929/FUL - Cllr: Day proposed that UPC Planning Committee **Support** this application: Seconded by Cllr Mitchell; motion passed unanimously.

5b) 15/12089/FUL - Full Planning Application for a Garage extension and Alterations to connecting Conservatory/Barn, at Mulberry House, High Street, Urchfont, Devizes, Wilts., SN10 4SN for Claire Harding.

*To date, no letters of objection to this application had been received by UPC and/or WC Planning Office.

A site meeting was held on 31/12/15 at which Mr & Mrs Harding, 6 Parish Cllrs & S Johnston were present.

Mr & Mrs Harding could not be present: their statement was read out by the Planning Administrator:-

** Thank you for your consideration of our planning application and, in particular, to those of you who gave up your time on 31st December to visit the site.

Our planning application requests approval to extend the existing garage at Mulberry House to accommodate a single car. The current structure was not designed to accommodate the size of cars prevalent today and consequently is too narrow to use as an effective garage. The proposed extension brings the current façade of the

garage forward and incorporates a short existing passageway that currently does not serve a practical purpose. The proposed structure has a roof line consistent with the existing garage and, in addition, has a single span to the existing barn. Our intention and commitment is, while creating an improved and usable covered space, to respect the architectural style of the buildings. The garage will essentially look unchanged when viewed from the front gate. From Manor Farm, the existing garage will be extended but in all other ways unchanged. Consequently, we do not believe the proposed development will impact negatively on neighbours or the broader community. Thank you

The Planning Committee found as follows:

- The applicants have, over the years, been careful to preserve the integrity of their Grade II listed dwelling and the proposed extension would have no negative impact upon the building.
- The plans are a logical solution to create a garage that can fulfill its function.

15/12089/FUL - Cllr: Stephens proposed that UPC Planning Committee **Support** this application: Seconded by Cllr Day; motion passed unanimously.

5c) 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, 9 letters of Objection to this application had been received by UPC and/or WC Planning Office.

**Councillor Mottram adjourned the planning meeting for public participation:-

Statement by Mr G Baker – Development Manager of Redcliffe Homes:

Concerning repairs and management of the Pond Wall; Mr Baker informed those present that the reason Redcliffe Homes had not followed the recommendations of Eastwood & Partners, Consulting Engineers, was because Redcliffe believed the works to be too major and possibly detrimental to the current state of the wall; maybe causing damage and even collapse.

The second firm to be consulted, Craddy Pitchers Ltd., offered a more simplistic way of maintaining the wall rather than underpinning, etc., as was Eastwood's solution.

Statement by Mr A Shelbourn – of Redcliffe Homes:

From an initial build point of view, removal of trees on Pond Wall boundary was a priority as these had been pushing the wall out of true for years. To allow the ground to return to its original state, the roots were left in situ as, living or dead, trees affect ground conditions. Ivy was also removed to discontinue damage. Craddy's are a reputable engineering firm with 40 years experience. They have been monitoring the pond wall regularly for movement and will do so again in 6 months time. In July 2014 survey stations (monitoring tags) were placed strategically on the wall by Redcliffe Homes and Craddy's reported that, over a 12 month period, .00ml of movement had been measured. After the next review, Craddy's will be asked to give their recommendation as to the way forward: what is the best way to treat the wall, whilst trying to limit damage. The Management Company is set up by Redcliffe Homes with the directors of Redcliffe becoming directors of the Management Company. When the last house on site is sold, then Redcliffe directors hand the Management Company over to the residents and these people will then become members and directors. In the long term, the pond wall will become the responsibility of Manor Farmyard Management Company but is not Redcliffe Homes intention, or practice, to hand over an asset, to their purchasers, that is not considered functionally sound for the foreseeable future. It will only be handed over when it is fit for purpose.

Residents of Manor Farmyard present at the meeting maintained that the pond wall was not shown on their documents of conveyance. In answer to a question, Mr Shelbourn stated that pond wall had been owned by FJ Snook & Sons, not by the Parish.

Statement by Richard Hawkins – Resident of Urchfont: (Printed as requested by Mr Hawkins)

- Concern at public meeting on 28th February 2012. Members of the public were invited to record their comments, issues and concerns on feedback sheets which will be used to inform the Parish Council.
- In March 2012 Justin Paterson sent comments to UPC on Feedback - '*Point 20. Pond wall will be repaired during the Development. The maintenance of the wall will become the responsibility of the Management Company.*' (Available on the UPC website).

- The wall was subject to Condition 6 in the planning permission. (*Repair schedule for the pond side wall and a timetable of works to be submitted*).
- The detailed Eastwood & Partners Structural Report was used by the developer to discharge Condition 6 of the Planning Conditions. The new Craddy A4 letter is not a Structural Report: In my opinion it is a meaningless measurement survey with some dubious stability statements added.
- For a number of months, it has been apparent to me that the Developer is unlikely to carry out any repair works to the Pond Wall.
- I have bored you all to death by asking, over a prolonged period, if anyone had confirmation that the Pond Wall was part of the Management Company remit.
- I was even told by a Parish Councillor that the only way I would find out was to buy a house!
- To this day I do not know if an Urchfont Parish Councillor has seen any relevant documents.
- I have now seen a copy of the relevant marked up plan showing the areas the Management Company are responsible for. In my opinion, it appears we may have all been misled.
- I am angered that the very scenario I think we all wanted to avoid is the one we now seem to have. A developer who may leave, having done nothing to the wall and a Management Company who may not be responsible for any future repair work.
- We were told the backdrop to Urchfont Pond was of great importance to the developer. In my opinion, they have reneged on this statement. We now have a pond wall which has not been repaired, Plot 19, a derelict barn, not being built but sold on and an unattractive thatched house on Plot 1 that has been incorrectly built and is temporarily unsaleable.
- I would request that Urchfont Parish Council do not support this application.

Bob Pirie – Resident of Manor Farmyard:

it was in the best interest of residents from Manor Farmyard to attend this PC meeting but he wished to assure the representatives from Redcliffe Homes that they should not view their presence as an 'ambush'. He queried if it were feasible for Redcliffe Homes to create a sinking fund or an indemnity to guarantee future Pond Wall repair/maintenance funds should the need arise.

Mr Pirie also would have expected, and been grateful for, sight of the structural report from Eastwood's during his purchase process.

****Councillor Mottram closed public participation and re-opened the Planning Meeting.**

The Planning Committee found as follows:

- Unfortunately, the Parish Council has no powers over the matter of the transfer of Pond wall from Redcliffe Homes to the Management Company but, along with the future Manor Farmyard Management Company, has a mutual interest in its outcome.
- A Cllr refuted that Redcliffe had done nothing to the wall. A certain amount had been done: trees removed and roots correctly left in. Invasive Ivy also removed. Ivy needs maintenance as it can cause damage to brickwork. He believed the developers have to follow professional guidance on this matter and because the Craddy Structural Report was not for a remedial strategy, Redcliffe are correct in awaiting a final report from the Engineers. He believed the visual aspect of the wall had hardly changed at all in the last 12-18 months and saw no reason to reverse this by adopting radical remedial works.
- It was argued that more trees had been planted as part of the planning consent for landscaping, including Alders which are a water seeking species. As these trees grow and their roots enlarge, in all probability they will cause just as much damage as had the previous self set trees and bushes.
- It is hoped that the next Craddy report will be more detailed and that some sort of repair will be carried out to the facing side of pond wall. It is an important feature of the village, frequently photographed.
- A concern was then raised as to what happens if Craddy's final recommendation to Redcliffe is that nothing be done to the Wall? UPC would not consider that an adequate end to the matter.
- Concern was expressed that, when the time comes to hand over the Management Company, some residents of Manor Farmyard might refuse to sign the contract with Redcliffe and a legal issue ensues.
- What possible impact might the demolishing and rebuilding of plot 19 have on the foundations of Pond Wall? The issue of who would pay for the pond wall if it fell down has still not been resolved.

****Councillor Mottram adjourned the planning meeting for an Open Question:-**

Andy Shelbourn opined that, where plot 19 is situated, there should be no adverse effect on the pond wall as the same practices would be followed as when Plot 18 was built. Unless builders are totally incompetent, they should not cause damage to the wall. Negligence could cause it but concerning the wall's foundations, engineering wise, then no.

****Councillor Mottram re-opened the Planning Meeting:**

- A Cllr with a background in engineering took issue with the non-movement claim. Over the past year, he had measured movement of the wall at 3-5 ml, W towards the Pond. Significantly more than the measurement quoted in the structural survey report from Craddy. Eastwood's recommendation was for serious civil engineering works to pond wall and it was his opinion that they were in part correct and some sort of major work did need to be carried out on the wall to stabilize it for the future.
- He believed the planning committee should focus on the exact wording of Condition 6 of the original planning consent – *that no development shall commence on the sight etc.*, – Surely this was part of a non-negotiable condition of consent given by WC: an enforcement rather than a condition to be varied.
- This application also gives no indication as to what Condition 6 would be 'varied to'?
- The original planning permission from Wiltshire Council was based on a detailed and thorough report from Eastwood & Partners Consultant Engineers and the developers should not be able to replace that report with what appears to be a monitoring letter from Craddy Pitchers.

Councillor Mottram summed up: He felt a constructive and beneficial discussion had taken place that evening; it being part of a chain of events which would hopefully lead to a mutually acceptable conclusion to the issue of Pond Wall. Councillors should now consider the application as presented:

15/11764/VAR –

Cllr: Day proposed that 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: Seconded by Cllr Baker: motion passed unanimously.

6. Decisions received from Wiltshire Council since 03 December 2015 - None

7. Matters for Report

a) Following on from discussions about the Pond Wall under item 5c it was agreed that UPC would write letters as follows:

- 1) To John Snook to seek written confirmation that he was the owner of Pond Wall until Manor Farmyard was sold to Redcliffe Homes Ltd., and that the Pond Wall was included in that sale.
- 2) To Redcliffe Homes Ltd. to seek written confirmation that they are the current owners of the Pond Wall, which formed part of the Manor Farmyard purchase. They should also confirm that the Title Deed for Manor Farmyard currently held by the Land Registry shows Redcliffe Homes as the owners and that the Pond Wall is included in this Title Deed.

Action: DM to draft the above letters, for approval by BD and SH, before being sent out by SJ.

b) Wedhampton – Cllr Donald reported that over the past year, 2 adjacent Cottages in The Cartway have been refurbished and are now re-inhabited. Rainwater drains from the roofs and environs of the houses into a sump under the communal driveway and then into a drain that should then run under the roadway and into the wooded areas on the far side of the road. The builder has to date failed to get this work completed in time for The Cartway re-surfacing, scheduled for 21st January. As a result water continues to flow down the road.

NB Post meeting: With the help of Councillor Whitehead, the project manager for the re-surfacing has now met with the builder and agreed a resolution prior to commencement of The Cartway re-surfacing.

There being no other business, the Planning Meeting closed at 8:40 pm.

The proposed date of the next Planning Meeting is now **Wednesday 10 February 2016 at 7:00 pm** in Urchfont Village Hall: at item A on the Full Council agenda.

N.B. There will be no Parish Council Meeting on 20 January 2016 as previously stated.

Planning Administrator Sandra Johnston – 01380 848774 – 07808 124721 – 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 or go to www.wiltshire.gov.uk and click on 'Planning Applications' – then 'Planning applications online', then 'Search by planning application number'; type application number into the box, click 'Search' and when the Planning Application Search comes up in blue, click on the underlined case number and the webpage for this planning application should open.

Signed

Date