



**Minutes of the Ordinary meeting of the Parish Council held on Monday 23rd October 2017 at the Band Hall, Gravel Close, Downton at 7.30 pm.**

**Present:** Cllr Sutcliffe (Acting Chairman) and Cllrs Brentor, Cornell, Cordell, Pearce, Quarmby, Ricketts and Yeates.

**In attendance:** Mrs Bev Cornish, Parish Clerk

**Also present:** Eight members of the public.

**Public Question Time:**

Mr Rick Ladds expressed concern about the overgrown section of the Newcourt Carrier beside Moulds Bridge and asked what the Parish Council was going to do about it. He also asked why there were no temporary flood defences, such as one tonne bags of ballast, at the rear of the Memorial Hall which had been promised in the plans once the flood wall had been removed.

**146.17 To receive apologies from Councillors: Cllr Sutcliffe proposed from the Chair and it was RESOLVED that the following apologies and the reasons for them be noted:**

Cllr Mace due to a holiday commitment.

Cllrs Gentle and Mason due to a personal commitment.

Cllr Watts was absent from the meeting.

**147.17 To consider and resolve to approve the Minutes of the Ordinary Meeting held on Monday 9<sup>th</sup> October 2017:** Downton Parish Council RESOLVED to approve the Minutes of the meeting held on 9<sup>th</sup> October 2017 as a true record and they were signed by the Chairman.

**148.17 Declarations of Interest:**

**a. To receive Declarations of Interest in respect of matters contained in this agenda, in accordance with the provisions of the Localism Act 2011 in respect of members and in accordance with the provisions of the Local Government Act 1972 in respect of officers:**

Cllrs Cordell, Pearce and Sutcliffe declared a personal and non-pecuniary interest in planning applications 17/09361/LBC & 17/09097/FUL.

Cllr Sutcliffe said he would not be participating in the discussion or vote on the applications due to his connection with the applicant. He proposed from the Chair and it was RESOLVED that Cllr Quarmby should take the chair when those items on the Agenda were discussed.

**b. To consider any Dispensation Requests received by the Parish Clerk and not previously considered:**

The Clerk advised that she had not received any requests for dispensations.

**149.17 To resolve to refer any business raised by the public in public discussion, and any other matters or items of information from councillors, to the appropriate committee or to resolve to agree on any other action:** Cllr Sutcliffe proposed from the Chair and it was RESOLVED that the responses to questions be noted as follows:

- Cllr Quarmby advised that information on the Environment Agency's maintenance schedules could be found on its website. The Clerk agreed to contact the owner of the property adjacent to Moulds Bridge to remind them of their responsibilities as a riparian landowner.
- Cllr Quarmby advised that the existing flood wall had not been lowered below the height of the existing flood defences elsewhere in the village so no replacement defences were required. He said the Environment Agency was fully aware of the Parish Council's work in that area. They had been on site recently and had raised no issue with the level of the flood wall. The new wall was currently being built on the boundary with the Primary School's leased area of land and the existing wall would not be removed until the new wall had been built above the level of the flood defences elsewhere.

**150.17 Planning and Tree Works Applications:**

**17/08974/FUL Brian Whitehead Sports Centre, Wick Lane, Downton - Siting of two modular portable buildings to be used for occasional meetings and storage for Downton Car Club - Temporary Consent for 3 years:** Following a brief report from Cllr Quarmby, Downton Parish Council RESOLVED to support the revised location for the portable buildings which it considered to be more appropriate in terms of impact on the adjacent residential property and other users of the site.

**17/09839/FUL Linton House, Lower Road, Charlton All Saints - Proposed two storey rear extension:** Downton Parish Council RESOLVED to support this application on the grounds that it had supported the original planning application 14/10295/FUL.

*At this point in the meeting Cllr Quarmby took the Chair.*

**151.17 To consider a recommendation from the New Housing Development Committee with regard to the following planning applications:**

**17/09361/LBC & 17/09097/FUL**

**The Kings, 9 High Street, Downton - Removal of an existing double garage. Construction of a 3 bedroom dwelling:**

Following a detailed explanation and recommendation made by Cllr Quarmby on behalf of the New Housing Development Committee, Downton Parish Council RESOLVED to submit a strong objection to the applications on the following grounds:

1. The impact on the Downton Conservation Area and the designated assets immediately adjacent to it, namely, St Laurence's Church (Grade I listed), the lychgate (Grade II listed) and the Kings Arms (Grade II listed) as well as a number of other buildings and monuments in the immediate vicinity which will be visible from the proposed development.

The proposed building will be visible from the lychgate and the church and in the approach to them in Church Hatch as it will be the nearest dwelling to these significant designated heritage assets. The Parish Council's view is that the impact will be negative and detrimental to their setting and also to the tranquillity of the area, particularly when important events are held at the church such as weddings and funerals. A view of the dormer windows of the dwelling from the lychgate will significantly detract from the setting which is an important part of the conservation designation in this part of the village.

Members are also concerned that there is the potential for noise (note the bi-folding doors from the only living space) from the development detracting from many church events. It is noted that the bi-fold doors and patio will be just 4 metres away from the principal entrance to the church via the lychgate which has the potential to be significantly detrimental to the tranquillity of the setting.

Overall, the Parish Council's view is that this proposal will cause substantial harm to the important designated heritage assets, to their settings and to the Downton Conservation Area.

The policies which are impacted negatively are as follows:

- a. The National Planning Policy Framework Section 12 clauses 132-134 (with no public benefit being provided).
- b. It is contrary to Wiltshire Core Policies 57 and 58.
- c. It is contrary to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- d. Neighbourhood Plan policies:
  - i. LC 1 - Development within the Plan area will be expected to respect designated heritage assets, respect local building styles and traditions in accordance with policy (LC2) and safeguard the character of the local environment in general, and the Cranbourne Chase Area of Outstanding Natural Beauty and the River Avon SAC in particular.
  - ii. LC 2 - New development proposals within the Downton Conservation area (as shown on Figure 8) will be required to preserve or enhance its character or appearance. New development proposals will also be expected to conform to the principles included both in the Downton Village Design Statement and in the Downton Conservation Area Appraisal and Management Plan.
  - iii. LC3 - Proposals for development must demonstrate through access and design statements how the development would complement and enhance the character, form and quality of the Parish.
  - iv. LC 6 - The scale and mass of new development will be expected to be informed by, and to be sensitive to the local topography and landscape character of the Plan area. New development will be expected to reflect the character and appearance of the rural landscape. Proposals that fail to do so will be resisted.

2. The design and setting of the proposed dwelling:
- a. The windows to the bathroom, the study, the kitchen and the living room do not meet the standards set out in the Building Research Establishment's "Site Layout Planning for Daylight and Sunlight: A guide to good practice (2011)". The boundary walls are higher than the ground floor windows (as a result of lowering the ground level) and in most places are around 0.5m away. Only the dormer windows, the bi-fold doors and the guest bedroom window will meet the standards.
  - b. Only one of the car parking spaces allocated will accommodate a family-sized car because of the curvature of the retaining wall, even then there is only around 0.5 metres of space in total between the retaining wall and the gates of the property and the car. There is no space for visitors' cars and Church Hatch is already full with existing residents' cars and there is no additional parking in the vicinity.
  - c. Church Hatch is a narrow road with cars parked on one side only and with just enough room for vehicles to pass on the other. The vehicles will also include large hearses which will require access to the church for funerals. In addition, it is the main pedestrian route to the church with no pavement space. The proposed dwelling will result in additional traffic which this road cannot accommodate.
  - d. The amenity space for the dwelling is very limited and dominated by a split level parking bay and a patio leaving minimal outdoor space. Access for maintenance will be challenging as:
    - There is around 0.5 metres to the north between the house and the Grade II listed wall according to the site plan. This will be challenging for both access and maintenance.
    - The area to the east is similar with buttresses to the neighbouring wall being around 0.5 metres away from the proposed dwelling including windows.
    - The area to the south is around 3.5 metres wide and the area to the west is around 4.0 metres wide.

The Parish Council considers, therefore, that the house is too dominant for the plot size and represents over-development of the site with a mass and scale which is not sensitive to the locality and contrary to Policy LC-6 of the Downton Neighbourhood Plan.
  - e. This location is considered to be a 'backland' development as the site does not have a street frontage (the frontage along Church Hatch is a Grade II listed wall for the full length of the development and the access to the house is by means of an access over the rear of the residential properties of The Kings and developed in the garden of The Kings's properties. This is contrary to Core Policy 2 of the Wiltshire Core Strategy.
  - f. The Downton Village Design Statement emphasises the importance of the High Street area with all development expected to enhance the street scene. Although the proposed dwelling has red brick elevations and a claytile roof, the proposed wooden cladding is not present on any other residential buildings in the area, although it is present on some outbuildings.
  - g. The application form states that this development is a replacement property. This is incorrect. Downton has already delivered the 190 houses allocated to

it in the Wiltshire Core Strategy, so this would be an additional house above that figure.

- h. Shared access arrangements are unclear, particularly as one of the neighbouring properties using this shared access has objected to the development.
- i. Downton suffers from both groundwater flooding and sewer flooding as a result of groundwater ingress. It is unacceptable at this stage in an application for foul waste disposal to be unknown.

*At this point in the meeting Cllr Sutcliffe re-took the Chair.*

**152.17 To consider and resolve to agree on a response to the Department for Local Communities and Government's consultation entitled 'Planning for the right homes in the right places: consultation proposals':** Following a brief discussion, Cllr Cordell proposed, Cllr Pearce seconded and it was RESOLVED that Cllrs Brentor and Quarmby be delegated to devise a response with the Clerk.

**153.17 To consider and resolve to agree on a response to the Department for Local Communities and Government's technical consultation on the 2018-19 Local Government Finance Settlement:** Following a brief discussion, Cllr Quarmby proposed, Cllr Cordell seconded and it was RESOLVED that Cllr Brentor be delegated to devise a response with the Clerk.

**154.17 Next meeting:** The next meeting will be held on Monday 13<sup>th</sup> November 2017 at 7.30 pm at the Band Hall, Gravel Close, Downton.

With no further business, the meeting closed at 8.05 pm.

*Members of the Council considered the foregoing in the matters in consideration of their duties: Equal Opportunities, (race, gender, sexual orientation, marital status and any disability); Crime & Disorder, Health & Safety, and Human Rights.*