

AGENDA

Meeting: NORTHERN AREA PLANNING COMMITTEE
Place: Council Chamber, Wiltshire Council Offices, Monkton Park,
Chippenham
Date: Wednesday 19 May 2010
Time: 6.00 pm

Please direct any enquiries on this Agenda to Roger Bishton, of Democratic and Members' Services, County Hall, Bythesea Road, Trowbridge, direct line (01225) 713035 or email roger.bishton@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Peter Colmer
Cllr Christine Crisp
Cllr Peter Davis
Cllr Bill Douglas
Cllr Peter Doyle

Cllr Alan Hill
Cllr Peter Hutton
Cllr Howard Marshall
Cllr Toby Sturgis
Cllr Anthony Trotman

Substitutes:

Cllr Chuck Berry
Cllr Paul Darby
Cllr Mollie Groom

Cllr Simon Killane
Cllr Mark Packard
Cllr Bill Roberts

PART I

Items to be considered when the meeting is open to the public

1. **Apologies for Absence**

2. **Minutes**

To approve and sign as a correct record the minutes of the meeting held on 28 April 2010 (copy herewith).

3. **Declarations of Interest**

To receive any declarations of personal or prejudicial interests or dispensations granted by the Standards Committee.

4. **Chairman's Announcements**

5. **Public Participation**

Members of the public who wish to speak either in favour or against an application on this agenda are asked to register in person no later than 5:50pm on the day of the meeting.

The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered. The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice for Members of Wiltshire Council available on request.

6. **Planning Appeals**

An appeals update report is attached for information.

7. **Planning Applications**

To consider and determine planning applications in the attached schedule.

7. **07/02168/FUL - Former St Ivel Site, Station Road, Wootton Bassett - Erection of 60 One Bedroom Apartments and Associated Parking and Landscaping - Electoral Division Wootton Bassett South**

7. **09/01300/REM - 18-19 Dianmer Close, Hook, Lydiard Tregoz - Erection of Three 4 Bedroom Houses and Garages with Associated Drive - Electoral Division Wootton Bassett East**

- 7. **10/00825/FUL & 10/00826/LBC - The Mansells, Upper Minety, Malmesbury - Extension to Existing South Elevation to Create 2-Storey Bay - Electoral Division Minety**
- 7. **10/01021/FUL - Grove Farm, Startley, Chippenham - Extensions and Alterations to Dwelling - Electoral Division Brinkworth**

8. **Urgent Items**

Any other items of business which, in the opinion of the Chairman, should be taken as a matter of urgency

PART II

Item during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

None

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NORTHERN AREA PLANNING COMMITTEE

**DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING
HELD ON 28 APRIL 2010 AT COUNCIL CHAMBER, WILTSHIRE COUNCIL
OFFICES, MONKTON PARK, CHIPPENHAM.**

Present:

Cllr Tony Trotman (Chairman), Cllr Peter Colmer, Cllr Christine Crisp, Cllr Peter Davis, Cllr Peter Doyle, Cllr Alan Hill, Cllr Peter Hutton, Cllr Simon Killane, Cllr Howard Marshall and Cllr Toby Sturgis.

Also Present:

Cllr Dick Tonge

41. **Apologies for Absence**

An apology for absence was received from Cllr Bill Brown who was being substituted by Cllr Simon Killane.

42. **Minutes**

Resolved:

To confirm and sign the minutes of the meeting held on 7 April 2010.

43. **Declarations of Interest**

Cllr Howard Marshall reported that he was a member of Calne Town Council and had been present at the meeting at which the following planning applications had been considered:-

Application No N/09/01791/FUL – Long Barrow Road, Calne – Residential Development comprising 29 Units.

Application No N/10/00340/FUL – Land at the end of Tern Close, Calne – Proposed Detached House, Detached Garage, Access and Fencing.

He reported that he had not yet decided whether to support or oppose these applications and would come to a decision after hearing the debate.

44. **Chairman's Announcements**

There were no Chairman's Announcements.

45. **Public Participation**

Members of the public addressed the Committee as set out in Minutes Nos 47 and 49 below.

46. **Proposed Diversion of Part of Latton Bridleway 17**

On considering a report by the Service Director, Neighbourhood Services,

Resolved:

To submit to the Secretary of State for the Environment, Food and Rural Affairs for determination the Order made under Section 119 of the Highways Act 1980, providing for the diversion of a section of Bridleway 17 Latton, as shown on Appendix A to the report, with the recommendation that the Order be confirmed as made.

47. **Proposed Diversion of Public Bridleways - Wootton Bassett No 26, Broad Town No 22 & Lydiard Tregoze No 46**

The Committee received a presentation by the Public Rights of Way Manager which set out the main issues in respect of the proposal.

The Committee then received statements from the following members of the public expressing their views regarding this planning application:

The following people spoke against the proposal

Mr Mark Stanton, occupier of Vowley Farm.

The following people spoke in favour of the proposal

Mr Peter Hewitt-Dean, occupier of Vowley Farmhouse.

On considering a report by the Service Director, Neighbourhood Services and on hearing the views of local Members Cllr Peter Doyle and Cllr Mollie Groom, as reported,

Resolved:

To submit to the Secretary of State for the Environment, Food and Rural Affairs for determination the Orders made under Section 119 of the Highways Act 1980, providing for the diversion of sections of Bridleways

26 Wootton Bassett, 22 Broad Town and 46 Lydiard Tregoze, as shown on Appendix D to the report, with the recommendation that the Orders be confirmed subject to the conditions set out in paragraph 15 of the report.

48. **Planning Appeals**

The Committee received a report setting out a schedule of:-

- (i) forthcoming hearings and public inquiries scheduled to be heard 28 April and 31 December 2010.
- (ii) planning appeal decisions decided between 25 March and 14 April 2010.

Resolved:

To note the contents of the report.

49. **Planning Applications**

a N/09/01791/FUL - Long Barrow Road, Calne - Residential Development comprising 29 Units - Electoral Division Calne

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application.

The Committee then received statements from the following members of the public expressing their views regarding this planning application:

The following people spoke against the proposal

Ms Jenny Willis, a local resident

Mr David Short, a local resident

Cllr Carolyn Ramsey, Chairman of Planning Committee, Calne Town Council

The following people spoke in favour of the proposal

Mr Vic O'Brien, Group Director of Development, Green Square Group

Ms Shirley Davies, Head of Neighbourhood Services, Quattro Design Architects

Dr Janet O'Brien, Head of New Housing, Wiltshire Council

The Committee was informed that:

- (a) 23 additional letters of objection had been received in response to amended plans, all making it clear that the amended plans did not fundamentally alter the scheme and therefore did not alter the objections previously raised.
- (b) a communication had been received from Calne Town Council

advising that its members had noted the amendments but considered that these had no bearing on the Town Council's original objections.

- (c) Wiltshire Council Highways had confirmed verbally that there were no fundamental objections to the revised plans, although the relationship of the footway with parking spaces serving units 4-9 did require some small alterations.

The Committee then considered the detail of the report and the views of Cllr Howard Marshall who considered that the proposal, which was mainly for two storey buildings, was out of keeping with the estate. He reported that the local residents were against the level of social housing being proposed and he considered that Calne had exceeded its declared need for social housing.

After discussion,

Resolved: To refuse planning permission for the following reasons:-

- (1) The proposed development fails to respect the character and distinctiveness of the surrounding area with regard to the design, size and scale of the development. As such, the proposal is contrary to the provisions of Policy C3 of the adopted North Wiltshire Local Plan 2011 and national planning guidance contained in PPS3: Housing.**
- (2) In the context of the character of the surrounding Curzon Park housing estate, the proposed development would fail to provide a mix of housing and would fail to create a sustainable, inclusive and mixed community as is required by national planning guidance contained in PPS3: Housing 2006 and would be contrary to the provisions of Policy H5 of the adopted North Wiltshire Local Plan 2011.**
- (3) The proposal fails to provide a scheme for the provision of an adequate level of public open space and therefore fails the requirements of Policy CF3 of adopted North Wiltshire Local Plan 2011.**
- (4) The proposed development does not make any provisions for securing affordable housing on the site or financial contributions towards education provision in the locality or the on-going provision and maintenance of open space on the site. The application is therefore contrary to Policies C2, H5 and CF3 of the North Wiltshire Local Plan 2011 and the North Wiltshire Local Development Framework Affordable Housing SPD (August 2007).**

b N/09/00912/S73A & N/10/01204/S73A - Land adjacent to Calcutt Farm, Calcutt, Cricklade - Change of Use to include the Stationing of Caravans for 14 Residential Gypsy Pitches with Utility/Day Room Buildings & Hard Standing - Electoral Division Cricklade & Latton

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application.

The Committee then received a statement from Mr Matthew Green, agent, in support of the application.

On considering the report and on hearing the views of Cllr Peter Colmer, as local Member,

Resolved:

(A) In respect of Application No 09/00912/S73A, having regard to the appeal on grounds of non-determination, the Committee would have been mindful to grant temporary planning permission for the reason and subject to the conditions as set out in respect of Application No 10/01204/S73A in (B) below.

(B) In respect of Application No 10/01204/S73A, to delegate to the Area Development Manager the issuing of planning permission, subject to the expiration of the consultation period and no new substantive issues being raised and to the following conditions:-

(1) The use hereby permitted shall be for a limited period being the period 2 years from the date of this decision. At the end of this period the use hereby permitted shall cease, all materials and equipment brought on to the premises in connection with the use shall be removed, and the land restored to its former condition, or such condition as may be authorised by any other extant planning permission.

Reason: The provision of potential sites are being considered in the emerging Gypsy and Traveller Site Allocations DPD. A permanent permission in advance of this process would be premature and a temporary permission in this instance would accord with advice contained in Circular 01/2006 "Planning for Gypsy and Traveller Caravan Sites".

(2) Within 3 months of this permission, a flood evacuation plan shall be submitted to and approved in writing by the Local Planning Authority in conjunction with other relevant bodies.

Reason: In order to ensure a safe, dry access to and from the development in the event of flooding.

- (3) Within three months of this permission, the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- (4) Within three months of the date of this permission 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:
 - (a) indications of all existing trees and hedgerows on the land;
 - (b) details of any to be retained, together with measures for their protection in the course of development;
 - (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
 - (d) finished levels and contours;
 - (e) painted finish to close boarded fence atop the bund.

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

POLICY C3 NE15 H9

- (5) All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season prior to the completion of the development; 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.

POLICY-C3, NE15

- (6) Within three months of the date of this permission, details of a surface water drainage scheme for the site, based on sustainable drainage principles and include an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall also include:

- Details of how the scheme will contain the 1 in 100 year storm (with a 30% allowance for climate change) whole limiting discharge from the site to Greenfield run-off rates (including supporting calculations);
- A detailed plan of the drainage system; and
- Details of how the scheme shall be maintained and managed after completion

The scheme shall subsequently be implemented in accordance with the details approved before the development is completed.

REASON: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

Policy C3

- (7) No commercial or industrial activities shall take place on the land including the storage of materials unless otherwise approved in writing by the Local Planning Authority.

REASON: In the interests of residential and visual amenity.

REASON

The site outside a settlement could be acceptable under adopted policies. The site is not unacceptably harmful in its countryside location but is not wholly sustainable in terms of its access to services and amenities having regard to the emerging Gypsy and Traveller Site Allocations DPD. The proposal is, therefore, unacceptable at this juncture. In accordance with paragraphs 45 and 46 of Circular 01/2006 "Planning for Gypsy and Traveller Caravan Sites, on the basis of the emerging DPD it is entirely appropriate for a temporary permission to be granted to allow for the DPD process to take place and a permanent permission to be granted on an allocated site(s) when such a site(s) becomes available.

c N/09/02107/FUL - 21 The Maltings, Malmesbury - Single Storey Rear Extension, Loft Conversion including Two Roof Lights & Roof Extension - Electoral Division Malmesbury

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application.

The Committee then received statements from the following members of the public expressing their views regarding this planning application:

The following people spoke against the proposal

Ms Alex Hamilton Burnett, a local resident

Mr Scott Fleming, Chairman, Maltings Mill Management Company

The following people spoke in favour of the proposal

Mr Michael Kemp, applicant

On considering the detail of the report and the views of Cllr Simon Killane, as local Member,

Resolved: To grant planning permission subject to the following condition:-

(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.

REASON

It is considered that the proposal is acceptable in terms of size scale and design and that there will be no significant adverse impact on the amenities of the adjacent properties. The application preserves the character and appearance of the Malmesbury Conservation Area and is therefore considered to be in accordance with Policies C3, HE1 and H8 of the North Wiltshire Local Plan 2011

d N/10/00001/FUL - 52 North Street, Calne - Single Storey Extensions - Electoral Division Calne Chilchester & Abberd

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application.

On considering the detail of the report and the views of Cllr Alan Hill, as a local Member,

Resolved: To grant planning permission subject to the following condition:-

- (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.

REASON

It is considered that the proposal is acceptable in terms of size scale and design and that there will be no significant adverse impact on the host dwelling or the amenities currently enjoyed by the neighbouring residents. The proposal is considered to be in accordance with Policies C3 and H8 of the North Wiltshire Local Plan 2011.

e N/00340/FUL - Land at the end of Tern Close, Calne - Proposed Detached House, Detached Garage, Access & Fencing - Electoral Division Calne Central

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application.

The Committee also received a statement from Mr Paul Wheal, a local resident, objecting to the application.

The Committee then considered the detail of the report and the views of Cllr Howard Marshall, as local Member, who objected to the proposal on account of its size, scale and design.

After further discussion,

Resolved:

To invite the applicant to enter into an Agreement in respect of Public Open Space contributions, following completion of which to authorise the Development Control Manager to grant 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) No development shall commence on site until details and samples of the materials to be used for the external walls and roofs 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.

POLICY C3

(3) 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:

- (a) indications of all existing trees on the land;**
- (b) details of any to be retained, together with measures for their protection in the course of development;**
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings and other works;**
- (d) hard surfacing materials;**

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

POLICY C3

(4) 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.

POLICY-[C3]

(5) 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(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To safeguard the amenities and character of the area and in the interest of highway safety.

POLICY C3

(6) The development hereby permitted shall not be occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

POLICY C3

(7) 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, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use/first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

POLICY C1 & C3

(8) No dwelling shall be occupied until the parking spaces (driveway and garage) together with the access thereto, have been provided in accordance with the approved plans. The driveway and garage shall be kept for this purpose for parking and vehicle maneuvering thereafter.

REASON: In the interests of highway safety and the amenity of future occupants.

POLICY C3

(9) 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 those Orders with or without modification), no development within Part 1, Classes A-E shall take place on the dwellinghouse hereby permitted or within their curtilage.

REASON: 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 or enlargements.

POLICY C3

(10) 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), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the side elevations of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

POLICY C3

(11) No construction work, including the removal of debris resulting from the works (excluding any internal works) shall take place on Sundays or public holidays or outside the hours of 8.00am to 7.00pm weekdays and 8.00am to 1.00pm Saturdays.

Reason: To minimise the disturbance which noise from the construction works associated with the proposed development could otherwise have upon the amenities of nearby dwellings.

Policy C3, NE18

INFORMATIVES:

1 - This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this

Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan Ref:-

**Location Plan dated 01.02.2010;
SD/EW/05 dated 01.02.2010
DG/1.0/1B dated 01.02.2010;
TCC/100/1A dated 01.03.2010;
3.114/P/B/L dated 01.03.2010;
TCC/100/2 dated 01.03.2010.**

REASON

The application site is located within the settlement framework boundary of Calne where the presumption allows for suitable residential infilling. Whilst the land is currently open, there is no right of public access. The proposal, by virtue of its siting, scale and design is considered to be in keeping with the character and appearance the streetscene in Tern Close and will have no demonstrable impact upon the amenities currently enjoyed by the nearby residents. The development will therefore accord with the aims and objectives of the development plan, having particular regard to Local Plan policies C3 and H3 of the adopted North Wiltshire Local Plan 2011 and there are no other material considerations which would make the development otherwise unacceptable.

f N/00589/S73A - Lower Lodge, 35 Bowden Hill, Lacock - Single Storey Extension to Side/Rear of Property - Electoral Division Corsham Without & Box Hill

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application.

The Committee also received a statement from Mr David Pearce, the agent, in support of the application.

The Committee then considered the detail of the report and the views of Cllr Dick Tonge, the local Member, in support of the application.

Members considered that the proposal was modest in size and well

screened from neighbouring properties.

After further discussion,

RESOLVED:

To grant planning permission, subject to the following condition:-

- (1) Within one month of this decision details of all new external joinery have been submitted to, and approved in writing by, the local planning authority. These details shall include depth of reveal, materials and full drawings including both horizontal and vertical sections, to a scale of not less than 1:10. The development/works shall be completed in accordance with the approved details and at no time shall the approved joinery be altered without the prior written approval of the local planning authority.**

Reason: To enable the local planning authority to be satisfied with the completed appearance of the development.

REASON

The proposed development by reason of its scale, design and siting would be in keeping with the host dwelling and preserve the character and appearance of the Conservation Area in accordance with Policies C3, HE1 and H8 of the adopted North Wiltshire Local Plan 2011.

50. **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.00pm – 8.50pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic Services, direct line (01225) 713035, e-mail roger.bishton@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

Wiltshire Council – Area North

Planning Committee

19th May 2010

Appeals Update Report

Forthcoming Hearings and Public Inquiries between 19/05/2010 and 31/12/2010

| Application No | Location | Parish | Proposal | Appeal Type | Date |
|----------------|---|------------------------------|--|------------------|------------|
| 09/00593/FUL | Land Adjacent The Golf Academy, Yatton Keynell, Chippenham, Wiltshire, SN14 7BY | Chippenham Without | Change of Use of Land to 18 Hole Par 3 Golf Course and Associated Works | Public Inquiry | 02/06/2010 |
| 09/01033/S73A | Land Adjacent Framptons Farm, Sutton Benger, Wiltshire, SN15 4RL | Sutton Benger | Removal of Condition 1 Attached to Permission 08/02114/FUL to Allow Permanent Use as One Gypsy Pitch | Public Inquiry | 27/07/2010 |
| 09/01934/FUL | Rose Field Caravan Site, Hullavington, Malmesbury, Wiltshire, SN16 0HW | Hullavington/St Paul Without | Gypsy Site for Irish Families Comprising Six Mobiles and Six Touring Caravans (Partially Retrospective) Resubmission of 09/00683/FUL | Informal Hearing | 15/06/2010 |

Planning Appeals Decided between 14/04/2010 and 07/05/2010

| Application No | Location | Parish | Proposal | Appeal Decision | DEL or COM | Officer Recommendation | Appeal Type |
|----------------|---|-----------------|---|-------------------------|------------|------------------------|-------------------------|
| 09/02044/FUL | AMBERWELL, BOX HILL, RUDLOE, BOX, CORSHAM, SN13 8EU | Box | Conservatory | Allowed with Conditions | DEL | Refusal | Written Representations |
| 08/01961/ADV | 146 HIGH STREET, WOOTTON BASSETT, SWINDON, SN4 7AB | Wootton Bassett | Erection of Two Illuminated Projecting Signs, New Fascia Sign and External Lighting (Retrospective) | Appeal Dismissed | DEL | Refusal | Written Representations |
| 09/00978/LBC | 146 HIGH STREET, WOOTTON BASSETT, SWINDON, SN4 7AB | Wootton Bassett | Erection of Two Illuminated Projecting Signs, A New Fascia Sign and External Lighting (Retrospective) | Appeal Dismissed | DEL | Refusal | Written Representations |
| 09/01914/FUL | Mayfield, Parsonage Lane, Clyffe Pypard, Wiltshire, SN4 7RY | Clyffe Pypard | Extensions and Alterations to Dwelling | Appeal Dismissed | DEL | Refusal | Written Representations |
| 09/01429/LBC | 147-148 HIGH STREET, WOOTTON BASSETT, SWINDON, SN4 7AB | Wootton Bassett | Erection of Illuminated Fascia and Projecting Signage | Split Decision | DEL | Refusal | Written Representations |

Planning Appeals Received between 14/04/2010 and 07/05/2010

| Application No | Location | Parish | Proposal | DEL or COM | Officer Recommendation | Appeal Procedure |
|-----------------------|---|---------------|---|-------------------|-------------------------------|-------------------------|
| 09/01509/FUL | Robinswood House, Upper Minety, Malmesbury, Wiltshire, SN16 9PT | Minety | Erection of Bungalow and Creation of New Access | DEL | Refusal | Written Representations |
| 09/02062/S73A | NABLES FARM, UPPER SEAGRY, CHIPPENHAM, SN15 5HB | Seagry | Retention of Existing B2 & B8 Uses, Alterations to Access and Proposed Landscaping | DEL | Refusal | Informal Hearing |
| 09/02194/FUL | 1 MARKET LANE, MALMESBURY, WILTSHIRE, SN16 9BQ | Malmesbury | Erection of Single Storey Rear Extension | DEL | Refusal | Written Representations |
| 09/02209/LBC | 1 MARKET LANE, MALMESBURY, SN16 9BQ | Malmesbury | Demolish Single Storey Rear Extension, Erect New Single Storey Rear Extension plus Internal Alterations | DEL | Refusal | Written Representations |

Agenda Item 7

INDEX OF APPLICATIONS ON 19/05/2010

| | APPLICATION NO. | SITE LOCATION | DEVELOPMENT | RECOMMENDATION |
|----|------------------------|--|--|---|
| 01 | 07/02168/FUL | Former St Ivel Site, Station Road, Wootton Bassett, Swindon, SN4 7ED | Erection of 60 One Bedroom Apartments and Associated Parking and Landscaping | Delegated to Implementation Team Leader |
| 02 | 09/01300/REM | 18-19 Dianmer Close, Hook, SN4 8EB | Erection of 3no. 4 Bedroom Houses and Garages with Associated Drive | Delegated to Implementation Team Leader |
| 03 | 10/00825/FUL | The Mansells, Upper Minety, Malmesbury, Wiltshire, SN16 9PY | Extension to Existing South Elevation to Create 2-Storey Bay | Refusal |
| 04 | 10/00826/LBC | The Mansells, Upper Minety, Malmesbury, Wiltshire, SN16 9PY | Extension to Existing South Elevation to Create 2-Storey Bay | Refusal |
| 05 | 10/01021/FUL | Grove Farm, Startley, Chippenham, Wiltshire, SN15 5HQ | Extensions and Alterations to Dwelling | Refusal |

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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

| | | | |
|----------------------------|---|-----------------------|-------------------------------------|
| Date of Meeting | 19 May 2010 | | |
| Application Number | 07/2168/OUT | | |
| Site Address | Former St Ivel Site, Station Road, Wootton Bassett | | |
| Proposal | Erection of 60 one bedroom apartments and associated parking and landscaping | | |
| Applicant | David Wilson Homes | | |
| Town/Parish Council | Wootton Bassett | | |
| Electoral Division | Wootton Bassett South | Unitary Member | Peter Doyle |
| Grid Ref | 407247 181761 | | |
| Type of application | Outline | | |
| Case Officer | Tracy Smith | 01249 706642 | Tracy.smith@wiltshire.gov.uk |

Reason for the application being considered by Committee

This application has been deferred from Committees in October 2007, November 2008 and April 2009 having originally been called in by former District Councillors Wannell and Roberts to assess the impact on the community.

Essentially, the Committee requested the provision of affordable housing as part of the development and four units were agreed at Committee on 29 April 2009 to be provided notwithstanding that such provision is expressly not required in the signed legal agreement relating to the whole site in order to facilitate the delivery of Station House to the Town Council. The application was delegated for APPROVAL and a copy of the last report presented to the Committee is contained in Appendix I.

The provision of four units as part of this 60 bed scheme is not viable as this form of accommodation is no longer preferable to the RSLs or the Council and its integration within the scheme is not possible causing numerous management difficulties.

In light of the above, officers have negotiated with the applicant, the provision of two affordable houses on the main site. As this is a departure from the member's recommendation, the application is being brought back to Committee for members' approval.

1. Purpose of Report

To consider the provision of two affordable houses as part of the adjacent development rather than four flats on the site and recommend that the application be DELEGATED to the Area Development Manager subject to a legal agreement requiring the provision of the two units as affordable housing.

2. Main Issues

This application proposes the erection of 60 one bed apartments and associated parking and landscaping at the former St Ivel site, Wootton Bassett on that part of the site which has been allocated as employment in the adopted Local Plan 2011 and for which outline planning permission has already been granted.

The application has been submitted with the sole purpose of enabling the delivery of Station House as a Town Council facility in lieu of any other planning obligations and as required by the S106 agreement as part of the permission granted by Committee in 2007.

The key point to consider now is whether the provision of two affordable dwellings off-site (that is the application site) on the main development site in lieu of four affordable flats.

3. Proposal and Site Description

The application is seeking outline planning permission for the erection of 60 one-bed apartments, associated parking and landscaping at the former St Ivel site, Wootton Bassett.

The apartments are to be provided on 0.4ha on the southern part of the site currently allocated for 3ha of employment and benefiting from outline permission for 6,840sqm of B1 floorspace.

The revised scheme still provides the apartments in two adjacent blocks, one with 24 units and the other with 36 units. The blocks have been re-sited with block 1-3 set at a slightly oblique angle with the road. Both units have been set back further into the site from the housing to the north.

The four affordable units for rent are to be provided were previously within block 5.

The density of the scheme will be 150 dwellings per hectare.

The former St Ivel site has been cleared of all buildings with the exception of the Listed Brewery buildings and Station House.

By way of background information, as part of the outline application for the site to which 05/02263/OUT refers, there was a S106 agreement for the site.

As part of that agreement and at the request of the Town Council, the developer was required under Clause 16 to submit an outline application to the Council seeking the grant of a "Suitable Planning Permission".

This term is defined at 8.1.44 as a grant of outline planning permission for the residential development of not less than 0.4ha of land located within the employment development land. Such permission should also be free of any obligations.

Thus the applicants were not originally proposing to make provision for any affordable housing, education or open space contributions as part of this outline proposal.

In the event that a suitable planning permission is granted, the developer is required within three months of that permission to offer the transfer of Station House to the Town Council for the consideration of one pound (£1).

| 4. Relevant Planning History | | |
|-------------------------------------|--|----------|
| Application number | Proposal | Decision |
| 05/02263/OUT | Residential and Commercial (B1) Development, Change of Use of Station House to Community Use, New Means of Access, and Associated Works Including Details of Siting, Design & External Appearance for Land Adjacent Listed Brewery Buildings | Granted |
| 07/00628/FUL | Provision of Roads and Associated Landscaping Works | Granted |

| | | |
|--------------|--|---------|
| 07/01984/REM | Residential Development Consisting of 50 Dwellings Along With Garages, Roads, Parking and Associated Works | Granted |
| 07/02297REM | Erection of 200 residential units | Granted |
| 08/02749/FUL | Erection of 60 Bed Care Home; Associated Infrastructure Including the Provision of 20 Parking Spaces | Granted |

5. Consultations

No consultations have been undertaken in respect of this amended position.

6. Publicity

No further publicity has been undertaken in respect of this amended position.

The application was advertised by site notice, press advert and neighbour consultation.

7. Planning Considerations

This application was required to be submitted and permission sought for the sole purpose of funding the delivery of Station House for the potential transfer to the Town Council for the sum of one pound (£1).

The officer has documented in previous reports and remains that the provision of Station House fails to meet the guidance contained in Circular 05/05 "Planning Obligations".

However, the officer accepts that the Committee have made their decision to support and approve the development subject to the provision of four affordable units.

Such provision is less than the 30% requested but was considered appropriate having regard to the circumstances of the site.

Since the application was previously presented, the house building market has changed and it became clear that the provision of four affordable flats to rent as part of a scheme for flats to be sold on the open market, was problematic for both the developer and RSL's in terms of sales and future management regimes.

Following discussions with Housing Officers, it was agreed that the provision of four affordable flats was the equivalent of one two and one three bed house and that the provision of these could be facilitated on the adjacent site through simple changes to the tenure without the need to alter the layout of the development

The site as a whole will deliver 31.1% affordable housing in accordance with Policy H5 of the 2011 Local Plan.

8. Conclusion

The provision of two affordable homes as part of the main development site in lieu of the four affordable flats will more accurately reflect current housing needs.

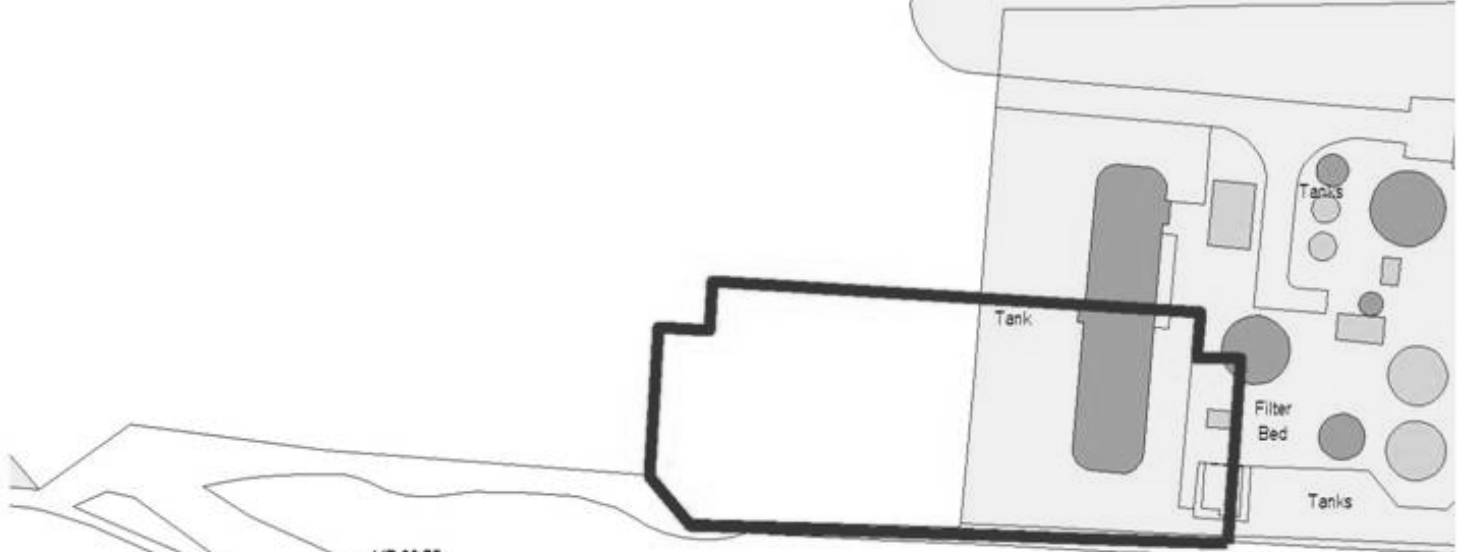
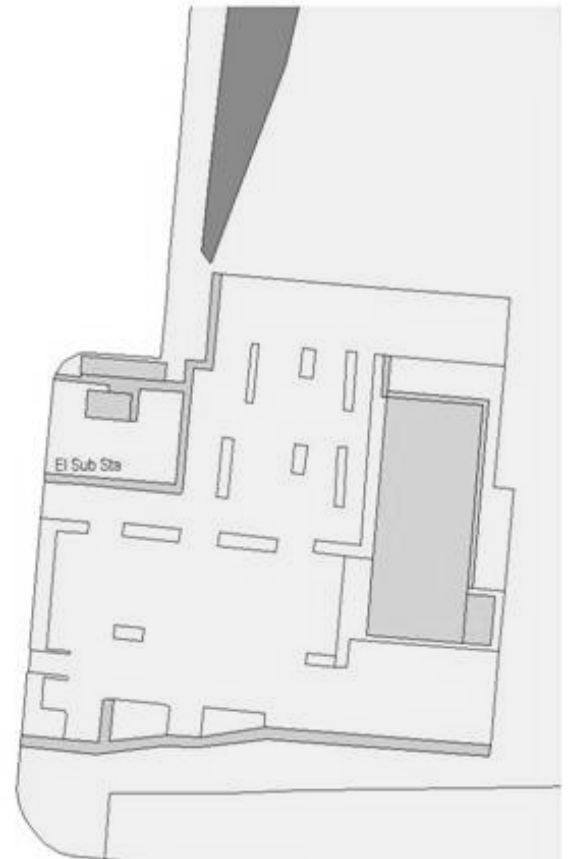
9. Recommendation

DELEGATE to the Area Development Manager for approval subject to a legal agreement to secure the provision of one two bedroom dwelling and one three bedroom dwelling:

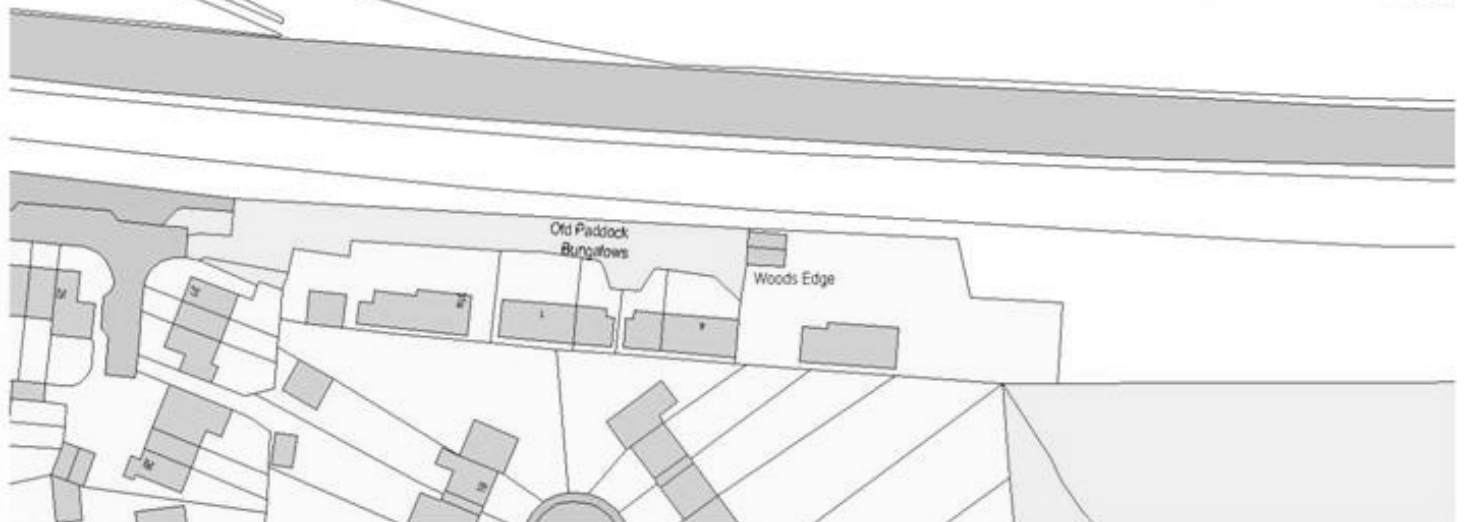
For the following reason:

The proposed development is acceptable in terms of its appearance, impact upon the amenity of the area and the benefits secured for the local community. The Council considers that as Wootton Bassett continues to expand the provision of a public building for the use of the Town Council is an important material consideration. The application proposal therefore complies with Policies C3 and BD2 of the North Wiltshire Local Plan 2011.

| | |
|---|--|
| Appendices: | Previous committee report dated 29 April 2009 |
| Background Documents Used in the Preparation of this Report: | 1.20; 2.02; 2.10; 4.02; 4.04; 4.06; 5.01; 5.03; 6.01; |



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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

| | | | |
|----------------------------|--|-----------------------|---|
| Date of Meeting | 19th May 2010 | | |
| Application Number | 09/01300/REM | | |
| Site Address | 18-19 Dianmer Close, Hook, SN4 8EB | | |
| Proposal | Erection of 3no. 4 Bedroom Houses and Garages with Associated Drive | | |
| Applicant | Dr H Aslam | | |
| Town/Parish Council | Lydiard Tregoz | | |
| Electoral Division | Wootton Bassett East | Unitary Member | Mollie Groom |
| Grid Ref | 407694 184462 | | |
| Type of application | Reserved Matters | | |
| Case Officer | Simon T Smith | 01249 706633 | <u>simon.smith@wiltshire.gov.uk</u> |

Reason for the application being considered by Committee

This application was originally to be considered by Northern Area Planning Committee at the meeting of 3rd February 2010. The application was deferred at that meeting to enable the submission and consideration of further details relating to drainage issues on the site. Such details have now been submitted and considered by the Council's Drainage Engineer and the application is therefore before Members of the Development Control Committee for determination.

The application was originally requested by Wiltshire County Councillor Groom to be considered by the Development Control Committee to enable the consideration of the scale of development, its visual impact upon the surrounding area, relationship to adjoining properties, its design and its environmental/highway impact.

1. Purpose of Report

To consider the above application and to recommend that planning permission be delegated to the Area Development Manager.

2. Main Issues

This is the submission of reserved matters for the erection of 3 detached dwellings, pursuant to a 2003 outline permission for same. As such the main issues to consider are as follows:

1. Principle of development and meaning of outline permission
2. Scale, form and layout of development
3. Impact upon residential amenity
4. Drainage

3. Site Description

The 0.38Ha application site comprises the residential garden areas to No.18 and 19 Dianmer Close, which is a small grouping of detached, semi-detached and terraced properties largely dating from the mid – late C20th. The entire site is within the defined Settlement Framework Boundary to Hook.

| 4. Relevant Planning History | | |
|-------------------------------------|--|------------------------|
| Application Number | Proposal | Decision |
| 06/01488/OUT | Erection of 3 detached dwellings and associated works (outline) – means of access not reserved | Permission 02/05/06 |

5. Proposal

This is a proposal for the erection of 3 four-bedroom detached dwellings. The proposal is in the form of reserved matters submitted pursuant to the grant of outline planning permission. With the exception of means of access, all matters were reserved for consideration under this application, namely: appearance, landscaping, layout and scale.

6. Consultations

Lydiard Tregoz Parish Council:

Strong objection on the following grounds:

- “1. This application does not comply with NE21 North Wilts Local Plan 20011 or NE 22 22 6.59. Also C2 Environmental Protection and Enhancement is comprised.
2. Because of recent development in the village, (5 newly built detached houses and 5 proposed in Bollingbroke Close) extended properties, large areas of paving and climate change since the outline permission was granted there is now a great risk of flooding. The outline planning permission has expired.
3. Dianmer Close, as its name implies, is a cul-de-sac which ends at the M4 Motorway. Before the motorway was built it was the road from Purton to Wootton Bassett. Off Dianmer Close is another cul-de-sac, The Meadows which is between Dianmer Close and the embankment leading to the bridge over the M4, This area is the lowest part of the village and after heavy rain it is subject to flash flooding caused by surface water. The Meadows also suffer with foul water coming up through the ground floor toilets at these times. Danny Everett of Wiltshire Council is aware of these problems and investigation into them started in April but has come to an abrupt end with no conclusion as yet. Three extra houses with the large amount of block paving shown on the plan will only exacerbate the problem further. There are no details on the plans for foul water or surface water drainage.
4. A Four bedroom detached property seems rather grand for an “Affordable House” especially as we have affordable houses in the village which are difficult to sell.”

In respect of additional and revised plans: Objection on the same grounds as original application. We should point out the concern of the applicants from Bolingbroke Close who have been asked for contributions for extension of pumping station, affordable homes and community facilities, “would the same conditions apply to the Dianmer Close development”.

Highway Engineer:

In response to the application as initially submitted:

“...there are drainage issues both up and downhill of the site. Our authority has had the Hook highway drainage system jetted, repaired where necessary and CCTV'd. There has been a half hearted attempt by certain downstream residents to re-cut the watercourses into which the highway system discharges. At the head of this system is the proposed site with a poor discharge area as it meets Dianmer Close. If all this system were clear (and we really mean the open watercourses) then the site would have a better chance of draining. The parish council were chasing the responsible landowners as recently as mid December but it is looking like an official nudge will be necessary and Danny Everett is in contact with Lydiard Tregoz PC to assist them in this enforcement respect.

In addition, the site itself will suffer from surface water run-off from the fields at the rear. There is no evidence on my drawing that these flows will be intercepted and dealt with. Some months ago I spoke to an upstream farmer who is keen to clear out his watercourses which will only increase the flood risk on this downstream development. I would be happier if there was some form of surface water cut off arrangement on the site boundary, which in turn was attenuated so that when it discharges somewhere (this would most likely be Dianmer Close), it didn't overstress the existing drainage system.”

In response to the amended drainage scheme now submitted, the Council's Drainage Engineer raises no objections. His comment repeated in full:

“I apologise for the delay in responding to your engineers proposed drainage solution to the likely un attenuated storm water run off problems at 18 – 19 Dianmer Close, Hook. I was able to run off a copy of the DG Surface Water Assessment report this morning and have just completed reading it. It is always difficult for me to explain to others that there can be an improvement to the flood risk by careful design and I the DG Engineering report supplies the proof of this.

We are somewhat tied by the existing receiving drainage system and therefore your proposal to create 17m³ of on site storage prevents the creation of a peak in the flows which would create flooding down stream. The traditional green field run off rate is maintained and its traditional point of entry is also maintained so the traditional drainage system is convinced that there is no alteration to the drainage regime. Of course this lower flow will flow for longer but the overall flood risk will be less and therefore I am prepared to recommend this proposal to our planners.”

Wessex Water:

There are issues with storm water run-off from fields and flooding road, this surface water flow enters our sewers illegally. Under normal operation conditions in dry weather the addition of foul flow only from 3 new properties should not be an issue. Storm flows from the properties will not be allowed to be connected to the foul sewer as there are already issues with land/road flooding this could be an issue for the highways and land drainage authority as they will need to comment further.

Housing Officer:

Comments that the scheme should deliver a financial contribution towards affordable housing in lieu of the provision of an affordable dwelling unit on site itself. Note: the outline planning permission requires the submission and implementation of a scheme for the provision of affordable housing, and therefore no further action or consideration is required at this stage under this Reserved Matters application.

7. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

Five (5) letters of objection received. Summary of key relevant points raised:

- Development will encroach into countryside
- Impact upon neighbours amenity from scale of development – particularly upon No.20
- Access to the site is unsuitable and dangerous
- Destruction of hedgerows and ecological value of site
- Increased risk of surface water flooding from increased built development
- Old sewer pumping station in Dianmer Close cannot cope with additional houses

8. Planning Considerations

Principle of development and meaning of outline permission

The application site is wholly contained within the Settlement Framework Boundary to Hook, where new residential development is generally considered to be appropriate. Furthermore, it is also the subject of an extant outline planning permission for three new dwellings to the rear of the two existing dwellings on the site (ie. Nos. 18 and 19). Therefore, the principle of building 3 new dwellings is established. Further debate as to whether new development is suitable is neither possible or relevant to the consideration of this application.

This application therefore takes the form of the submission of the details of development pertaining to the appearance of development, its landscaping, layout and scale. Access to the site is to be via a new point of access, central to the site frontage. This arrangement was determined under the previous outline permission and requires no further debate.

The outline permission includes a planning condition relating to the preparation, submission and implementation of a scheme for the provision of affordable housing as a result of development. The condition does not make it clear as to whether the scheme should take the form of a financial contribution or the transfer of one or more of the new dwellings over to, for example, a RSL (registered Social Landlord). The condition requires such a scheme to be prepared and submitted for approval prior to the commencement of development and therefore does not directly affect the consideration of the Reserved Matters application.

Scale, layout, appearance and landscaping of development

In a similar manner to that illustrative scheme submitted at the time of the outline application, the proposed development takes the form of three detached dwellings, each with their own garage, positioned to the rear of the two existing units on the site. Again, as before, there is a new single point of access to all five units.

The five units are evenly spaced across the site on alternate sides of the central access road, though No.18 and 19 do retain a significant proportion of the garden space. The site area is considered to be sufficient to accommodate development in the layout proposed.

The three new units are of homogeneous design, being of four-bedrooms and conventional “gable-at-either-end” arrangement. Design features such as short-stack external chimney, brick headers and quoins, and simple porch canopy are welcomed and do add some quality to an otherwise typical modern house design. Materials of brick, render, concrete tiles and uPVC windows are considered to be appropriate to the context of surrounding modern development.

At 8.8m and 5.0m to ridge and eaves respectively, the proposed dwellings are on the taller side, but cannot be described as excessive and would not be out of character with the locality.

Proposed landscaping is, as would be expected for domestic gardens, minimal. The majority of boundary treatments are to be left unaltered with judicious additional native planting at the rear to replace existing hedging.

Impact upon residential amenity

The western boundary of the site is to open field, with the neighbouring No.17 being positioned some way forward toward the highway. The truncated curtilage to No.17 means that the garage to the closest new dwelling (unit 1) would be some 25.0m distant from the boundary.

The positioning close to the common boundary of the neighbouring property to the east (No.20 Dianmer Close) does allow for a much closer relationship between existing and new dwellings. Although it is evident that existing properties No.19 and No.20 are currently much closer than that now proposed, this is an existing situation and it is important to ensure that new development does not infringe upon living conditions to any greater extent.

In this particular instance unit 2 is set away from the common boundary by some 6.0m (the detached garage by some 5.5m), which whilst some oblique views of the development would be possible from No.20, such a distance would be sufficient to mitigate against a perception of “oppressiveness” or a “crowding” of the occupiers amenity. Similarly, windows in the side gable of unit 2 is limited to a first floor shower room, which can be fitted with obscure glazing, so as to avoid overlooking.

Although clearly as the applicants, the occupiers of Nos.18 and 19 will have recognised and accepted the reduction in garden space as a result of development, the planning system must also ensure the absolute level of future resident’s amenity is suitably secured. In this particular instance distances between properties and intervening position of garages are considered sufficient to mitigate against any unacceptable impact.

Drainage

A revised drainage layout scheme and accompanying report has been submitted with the application, which demonstrates a connection with mains sewer at Dianmer Close. Wessex Water have raised no immediate objection to the proposal, although they do acknowledge historic drainage issues in the locality.

Because of the local concern regarding surface and foul water drainage matters, the Council’s Drainage Engineer has been asked to comment upon the proposed scheme. These comments are now reported in full above. It will be noted that although recognising historic problems with drainage in the locality, the Council’s Drainage Engineer has concluded that the overall flood risk to the locality will be lower, provided the scheme now submitted is implemented. There is no reason to disagree with this conclusion.

Unfortunately, whilst it is acknowledged that other recent planning permissions in the locality have provided a contribution towards the upgrading of the local pumping station, it will not be possible to request such a contribution as part of a Reserved Matters proposal. The appropriate time would have been to address such an issue under the Outline approval.

9. Conclusion

The proposed development is for the erection of three new dwellings of a scale, design and appearance that is appropriate to the context of Dianmer Close. The layout of development on this site of significant size is such that it would allow for development to avoid a detrimental impact upon the amenities of existing occupiers.

10. Recommendation

RESERVED MATTERS BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. 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.

2. (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the local planning authority to ensure the retention of trees on the site in the interests of visual amenity.

3. No development shall commence on site until details of any screen walls and/or fences have been submitted to and approved in writing by the Local Planning Authority. The screen walls and/or fences shall be erected in accordance with the approved details prior to the occupation of the dwelling(s) hereby permitted and shall be maintained as such at all times thereafter.

REASON: To prevent overlooking & loss of privacy to neighbouring property.

4. Before the development hereby permitted is first occupied all first floor bathroom, toilet and shower room windows shall be glazed with obscure glass only and the windows shall be maintained with obscure glazing at all times thereafter.

REASON: In the interests of residential amenity and privacy.

5. No development shall commence on site until details of the materials 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.

6. 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 to, or extensions or enlargements of any building forming part of the development hereby permitted.

REASON: 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 or enlargements.

7. The development hereby permitted shall not be occupied until the drainage works proposed have been completed in accordance with the submitted and approved details.

REASON: To ensure that the development is provided with a satisfactory means of drainage.

POLICY-C3

Informatives:

1. This approval of matters reserved discharges condition 01 of outline planning permission 06/01488/OUT dated 02/08/2006, but does not by itself constitute a planning permission.

Reason for Decision

The proposed development is for the erection of three new dwellings of a scale, design and appearance that is appropriate to the context of Dianmer Close. The layout of development on this site of significant size is such that it would allow for development to avoid a detrimental impact upon the amenities of existing occupiers. Accordingly, the proposal is considered to comply with the provision of Policy C3 and H3 of the adopted North Wiltshire Local Plan 2011.

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|---|-------------------------------------|
| Appendices: | None |
| Background Documents Used in the Preparation of this Report: | 1.20; 2.02; 4.03; 4.04; 5.02 |



REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

| | | | |
|----------------------------|---|----------------|--------------------------------|
| Date of Meeting | 19 th May 2010 | | |
| Application Number | 10/00825/FUL and 10/00826/LBC | | |
| Site Address | The Mansells, Upper Minety, Malmesbury, Wiltshire, SN16 9PY | | |
| Proposal | Extension to existing south elevation to create 2-storey bay. | | |
| Applicant | Mr O Malik. | | |
| Town/Parish Council | Minety Parish Council | | |
| Electoral Division | Minety | Unitary Member | Carole Soden |
| Grid Ref | 400614 171373 | | |
| Type of application | Full and listed building consent | | |
| Case Officer | Andrew Robley | 01249 706659 | Andrew.Robley@wiltshire.gov.uk |

Reason for the application being considered by Committee

Councillor Mrs Soden has requested it be called to committee if the recommendation is for refusal for the following reasons -

To consider the effect of the proposals on the character of the building.

1. Purpose of Report

To consider the above application and to recommend that planning permission be REFUSED.

2. Main Issues

The application is for the removal of two original windows and fabric below and between them from the 1700 wing and the construction of a two storey bay. The key points to consider are as follows:

- Implications on DC Core Policy HE3
- The irreversible loss of original fabric
- The justification in respect of residential amenity.

3. Site Description

The Mansells forms part of a small historic group which includes Mansells Coach House to the north and a separately listed barn to the west. From the outside, the house is a picturesque mix of stone, plaster and half timbering in a roughly "H" shaped plan form of blocks of varying height under steeply pitched stone roofs. The variety of form, detail and materials displayed within the house is fundamentally representative of the three main historical phases but also to an extent due to the somewhat whimsical and eclectic nature of the north (Victorian) wing.

Historically the most significant part is the central 1656 linear core which runs roughly north south and the 1700 east addition to it. The Victorian north wing is less significant in historical terms but has more architectural pretensions rather than the earlier parts which are more simple and vernacular. However, the Victorian wing does internally contain some introduced historical fabric including a C15th traceried timber ceiling which although out of context is clearly a significant historic feature.

Externally, the windows to the north Victorian wing are generally relatively large and of varying architectural styles from the 3 light stone mullioned window on the north elevation to the very large 5 light oriel window on the east elevation.

The early central core retains original window openings at first floor and attic level, but ground floor windows are largely not original, having largely been deepened or replaced with gothic style traceried bays.

The 1700 range alone retains all its original windows. It comprises a single room on each of its three floors and each room has a complete set of three original windows, one on each external wall. These are described in the list description as 3-light oak mullions with small leaded pane casements. Close inspection shows them to be good quality heavy section hand carved oak ovolo moulded mullions, subtly lighter in section on the first floor, the mouldings matching those on the main interior beams, also of heavy section and good quality. There is no doubt that these are the original frames and thus over 300 years old. It is understood that there is no dispute in this regard by the applicant. It is understood that the leaded lights have been progressively reglazed during the owner's tenure and that there is now little or no original glass. It is not disputed either that the bottom rails and lower sections of the frames have been attacked by death watch beetle. However, it is stated in the design and access statement which accompanied the application, that they are capable of repair, although in a later supplementary statement it is stated that the ground floor window is not capable of repair.

| 4. Relevant Planning History | | |
|-------------------------------------|---|-----------------|
| Application number | Proposal | Decision |
| N.87.517.LB. and 0458.F | Erection of bay window. | Granted |
| N.87.1318.LB | Alterations. | Granted |
| N.87.2007.LB | Extensions and alterations. | Granted |
| N.94.0543.LB | Alteration of drawing room window on west elevation. | Granted |
| N.94.2105.LB | Alterations to glazed frontage of garden room/conservatory. | Granted |
| 99.01455.FUL and 01456.LBC | Demolition of modern porch and erection of new porch. | Granted |

5. Proposal

The proposal is for a two storey flat roofed bay window 2.275 M wide by 1.510M deep by 4.63M high. This would be situated on the south elevation of the 1700 range. It would be constructed of lime roughcast pillars and spandrel panels onto a stone plinth and under a stone cornice. The windows at first floor would comprise a 3- light casement to the front with 2No single light casements to the sides. On the ground floor, the arrangement would be similar but the windows would be taller, each having transom lights at high level. The window frames would be of oak, glazed with leaded lights in metal frames.

In order to accommodate the new bay, two of the original windows would be removed and the fabric beneath and between them (0.6 M thick presumed plastered stone) would be removed (total area removed approximately 3.68 sq.m).

6. Consultations

Minety Parish Council - No objections

7. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

A letter of support was received from Mr & Mrs. A Turner of Mansell's Cottage which is two properties to the south.

8. Planning Considerations

Policy and Legislative Background

Policy HE4 requires that alteration affecting a listed building will only be permitted where it preserves or enhances the building and any features of special architectural or historic interest that it possesses.

Government advice is now under the new PPS5 and accompanying Practice Guide by English Heritage which replace PPG15.

Particularly relevant sections are HE7, HE9 of PPS5 and clauses 72, 79,178,179,180 and 186 of the practice guide.

Discussion

The reasons for the proposal are stated in detail in the applicant's design and access statement.

The primary reason is to improve the levels of daylight and sunlight into the ground floor room of the 1700 wing. The applicant works from home and uses this room as his study/office. He argues that there is insufficient natural light by which to work and insufficient sunlight which would help to heat the space by solar radiation.

The secondary reason is that he considers that the south elevation of the house is undistinguished and would benefit from the addition of the bay as an architectural feature. A further reason is the decay that is in the base of the ground floor windows particularly, although the statement acknowledges that they are repairable.

It is argued in the statement that the building has several different historical phases and has had a number of later additions and alterations particularly to windows, that have enhanced the house, the proposals are described as another such addition which would enhance this part of the house. The agent has submitted a supplement to the design and access statement to argue that there is no suitable alternative room within the house which could serve as the office. It also states that the first floor window to be removed as part of the application is beyond repair. This is inconsistent with the original statement, and moreover officers consider them to be repairable. The agent also argues that the special character of the building derives from the eclectic mix of later variations rather than in any of the original fabric. These arguments were re stated in a further e mail from the applicant following officer's suggestions that other options be considered.

Clearly the removal of the two windows is a significant loss to the historic and architectural character of the building. The window frames are hand made in oak, with good mouldings. They are over 300 years old and contemporary with this wing of the house, which is agreed to be circa 1700. They contribute to the architectural character, which in this wing is remarkably consistent.

PPS5 HE7.1 says that in considering applications, ".... the significance of any element should be taken into account....".

HE9.1 says ".....there is a presumption in favour of conservation of heritage assets..... that once lost they cannot be replaced and that significance can be.... harmed or lost by alteration or destruction..... Loss affecting any heritage asset should require clear and convincing justification."

The Practice Guidance provides further guidance.

Clause 178 says "....It would not normally be acceptable for new work to dominate the original asset or its setting in either scale or material...."

Clause 180 Says "...Where possible it is preferable for new work to be reversible so that changes can be undone without harm to the Historic fabric...."

Clause 186 Says "....New features added to a building are less likely to have an impact on the significance if they follow the character of the Building...."

Most significantly, Clause 179 of the practice guide says "The fabric is always an important part of the asset's significance. Retention of as much historic fabric as possible is therefore a fundamental part of any good alteration or conversion, together with the use of appropriate materials and methods of repair. It is not appropriate to sacrifice old work simply to accommodate the new". The work once carried involves loss of original fabric and is therefore irreversible and thus not in accordance with clause 180."

The applicant and his agent argue that the proposed bay would enhance the building and in particular that the south elevation is plain and undistinguished. In fact this elevation and specifically the 1700 wing is largely unaltered, unlike the majority of the building, having features of overhanging bracketed eaves, boldly ovolo moulded beams and cornices and bold ovolo moulded window frames, all characteristic, of a piece and dateable to the period. The proposed two storey bay is a strong introduction of a major vertical element, whereas clause 186 of the practice note advises that "new features added to a building are less likely to have an impact on the significance if they follow the character of the building.....". Certainly whatever its architectural merits, it diminishes the architectural unity and completeness of the 1700 wing.

The proposed damage to the building has to be weighed against the applicant's justification argument which is made in detail in the design and access statement and summarised above.

The main justification argument is that there is insufficient sunlight and daylight in which to work and that the lack of solar radiation penetration renders the room cold, bearing in mind that the applicant works at home. Supporting information in the design and access statement is given both in respect of the amount of sunlight that enters the room in February and in terms of the comparative inside and outside temperatures at different times of the day in June.

There is no reason to doubt the figures given. However, the room does benefit from triple aspect and two of the three windows, facing south and east do admit sunlight. The windows are small and the area of glass compared to floor area as given in the statement is low by modern standards. There is no doubt that supplementary electric light would be required to work in the room.

The argument over solar radiation is less easy to understand. During winter when more heat is needed, normally, more is lost through windows than gained and a room with bigger windows such as the three sided bay proposed will be colder and require more heat input on all but the sunniest days. The 600mm thick walls should serve to retain heat having good insulation value and high thermal capacity and therefore the room should not be inordinately difficult to heat and would not be improved by addition of the bay.

In summary, the room does receive relatively low levels of sunlight and daylight but can function adequately as an office with supplementary electric light, which is fairly normal. However, the perception of adequacy of daylight and sunlight is a subjective thing and the applicant clearly feels the room is unsuitable as it stands.

The justification for the loss of the first floor original window and associated masonry is less supportable in any case, as this would be to a bedroom, where the need for daylight and sunlight is less. The reasoning in the design and access statement is that a single storey bay would be unsatisfactory in architectural terms. However elsewhere on the building there are several single storey ground floor bays and first floor oriels and only one double storey bay (on the west elevation).

Officers have sought to discuss with the agent alternative proposals that might be less damaging to the building, for example using a room elsewhere in the building as the office. In particular it is considered that parts of the Victorian wing are less important historically. The first floor north east room is spacious, well located, is already well lit from a large 7 light oriel window and has potential for the addition of a further south facing window; the ground floor is currently split into several small rooms and further re-ordering of this 1899 interior would be less damaging than the loss of circa 1700 fabric as proposed. These options were explored further at a meeting between officers and the agent but regrettably have proved unacceptable to the applicant, who wishes the applications to be determined as submitted.

Conclusions.

The proposed two storey bay would result in disruption to the 1700 wing, which at present has survived largely in its original form. In particular, two original 300 year old oak framed windows would be irretrievably lost. The irreversible loss of these very early frames is a serious matter, only to be considered as a matter of last resort. The justification put forward is that the windows are too small and that there is insufficient daylight or sunlight. The windows are typical in size to many rural historic buildings in the district and the rooms concerned do benefit from triple aspect. Furthermore, this is a large house with many rooms on three levels and later wings of less importance. Insufficient consideration has been given to utilising other spaces, which either already benefit from more natural light or could be altered to provide more with much less damage to the significance of the building, particularly the north east first floor room in the Victorian wing. .

This proposal is not adequately justified, given that the rooms remains useable and that there are other alternative rooms within the house with larger windows or which are capable of being equipped with larger windows with less damage to significant features.

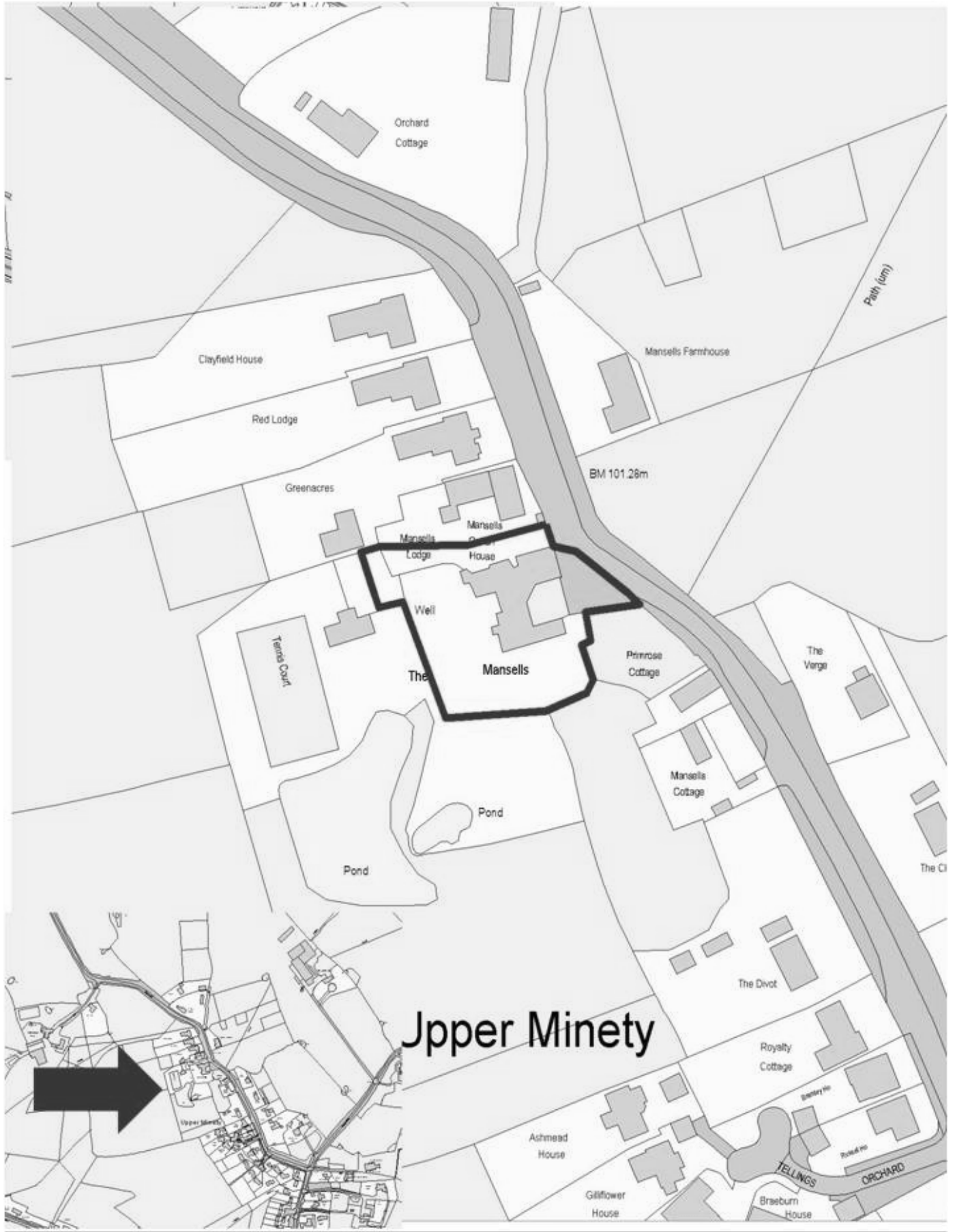
It is therefore recommended that the applications are refused in respect of policy HE4 because the proposed extension and alteration would not preserve or enhance the building, its setting or features of special interest that it possesses i.e. 2 No. 1700 window frames and associated fabric and would not be adequately justified. In addition the proposal would not comply with PPS5 policies HE 9.1 , 9.2 and 9.4 and 179 of the practice guide in these respects.

9. Recommendation:

Listed Building Consent and Planning Permission be REFUSED for the following reason:

1. The proposals would damage the listed building and features of special architectural and historic interest without sufficient justification.

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| Appendices: | None |
| Background Documents Used in the Preparation of this Report: | 1.20, 4.09, 5.01, 6.02 |



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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

| | | | |
|----------------------------|---|----------------|------------------------------|
| Date of Meeting | 19 th May 2010 | | |
| Application Number | 10/01021/FUL | | |
| Site Address | Grove Farm, Startley, Chippenham SN15 5HQ | | |
| Proposal | Extensions and alterations | | |
| Applicant | Mr and Mrs Humphrey | | |
| Town/Parish Council | Great Somerford | | |
| Electoral Division | Brinkworth | Unitary Member | Toby Sturgis |
| Grid Ref | 394290 182573 | | |
| Type of application | Full | | |
| Case Officer | Tracy Smith | 01249 706642 | tracy.smith@wiltshire.gov.uk |

Reason for the application being considered by Committee

Councillor Sturgis has requested the application be considered by the Committee in respect of the size in relation to the holding.

1. Purpose of Report

To consider the above application and to recommend that planning permission be REFUSED.

2. Main Issues

The application is for two storey and single storey extensions to the property known as Grove Farm. The key issues are:

- Impact of the character and appearance of the host dwelling (Policies C3 and H8).

3. Site Description

Grove Farm comprises a modest detached dwelling constructed of brick, render and slate in the traditional cottage vernacular with a catslide (mono-pitch) roof on the rear elevation which forms a latter addition to the property. Prior to this more recent extension it was a two up two down cottage and currently has two bedrooms at first floor.

The property is set back from the road, partially obscured by existing farm buildings with views to the property only really achievable from any public vantage by the access itself.

| 4. Relevant Planning History | | |
|-------------------------------------|--------------------------------------|-----------------|
| Application number | Proposal | Decision |
| 09/02258/FUL | Two storey extension and alterations | Withdrawn. |

5. Proposal

The proposal sees to extend the cottage through providing essentially a first floor extension to the rear (effectively building out the catslide roof on a larger footprint) to form a twin rear gable feature together with a two storey extension to the side (as part of the rear twin gable) and a single storey extension to the side of the new two storey element.

The resultant effect of the extensions is that the property will increase in size to provide five bedrooms.

6. Consultations

Parish Council – raise no objections.

7. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

1 letter of support has been received on grounds that the house and farm was formerly owned by the Council with the farm buildings falling into disrepair and the farmhouse too small and inadequate. The restoration of the buildings is welcome and a large family farmhouse at the centre seems right.

8. Planning Considerations

Impact on the character and appearance on the host dwelling

The extensions will increase the size of the dwelling from a modest two bedroom cottage to a large five bedroom dwelling.

The two storey extension to the rear and side is considered to be in keeping with the host dwelling, reflecting a traditional manner in which many cottages have been extended through the provision of an additional or twin gable. The two storey element to the side with its lower ridge height and being set back is also acceptable and in keeping. However, it is considered that it is the single storey element which results in the cumulative impact of the extensions being harmful to the character and appearance of the host dwelling.

The officer is mindful that the application may be approved. It is possible that the property could be extended further using permitted development rights. Accordingly, in order to prevent the exacerbation of the cumulative impact of extensions to this cottage, it is considered that in the event of any approval, it would be appropriate to withdraw the permitted development rights of the property in relation to extension in order that any extensions could be appropriately considered.

9. Recommendation

Planning Permission be REFUSED for the following reason:

1. The proposed extensions by reason of their scale, bulk and massing are out of keeping with the host dwelling which itself is a very modest cottage, contrary to Policies C3 and H8 of the adopted North Wiltshire Local Plan 2011.

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| Appendices: | None |
| Background Documents Used in the Preparation of this Report: | 1.21 4.02 4.03 5.01 |

