

AGENDA

Meeting: Northern Area Planning Committee
Place: Council Chamber - Council Offices, Monkton Park, Chippenham,
SN15 1ER
Date: Wednesday 7 December 2016
Time: 3.00 pm

Please direct any enquiries on this Agenda to Edmund Blick, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718059 or email edmund.blick@wiltshire.gov.uk

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

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Membership:

Cllr Tony Trotman (Chairman)	Cllr Chuck Berry
Cllr Peter Hutton (Vice Chairman)	Cllr Terry Chivers
Cllr Christine Crisp	Cllr Howard Greenman
Cllr Mollie Groom	Cllr Linda Packard (Substitute)
Cllr Toby Sturgis	Cllr Howard Marshall
Cllr Glenis Ansell	Cllr Chris Hurst

Substitutes:

Cllr Philip Whalley	Cllr Jacqui Lay
Cllr Desna Allen	Cllr Graham Wright
Cllr Mary Champion	Cllr George Jeans
Cllr Ernie Clark	Cllr Melody Thompson
Cllr Dennis Drewett	Cllr Bill Douglas

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Public Participation

Please see the agenda list on following pages for details of deadlines for submission of questions and statements for this meeting.

For extended details on meeting procedure, submission and scope of questions and other matters, please consult [Part 4 of the council's constitution](#).

The full constitution can be found at [this link](#).

For assistance on these and other matters please contact the officer named above for details

AGENDA

Part I

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

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 5 - 10*)

To approve and sign as a correct record the minutes of the meeting held on Wednesday 16th November 2016.

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation**

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register by phone, email or in person no later than 2.50pm on the day of the meeting.

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

Members of the public will have had the opportunity to make representations on the planning applications and to contact and lobby their local member and any other members of the planning committee prior to the meeting. Lobbying once the debate has started at the meeting is not permitted, including the circulation of new information, written or photographic which have not been verified by planning officers.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications.

Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on **Wednesday 30th November 2016**, in order to be guaranteed of a written response. In order to receive a verbal response questions must be submitted no later than 5pm on **Friday 2nd December 2016**. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6 **Planning Appeals and Updates** (*Pages 11 - 12*)

To receive details of completed and pending appeals and other updates as appropriate.

7 **Planning Applications** (*Pages 13 - 18*)

To consider and determine the following planning applications:

16/07182/FUL and 16/07712/LBC- 8 The Forty, Cricklade, Wiltshire, SN6 6HR

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

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

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 16 NOVEMBER 2016 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice Chairman), Cllr Christine Crisp, Cllr Mollie Groom, Cllr Toby Sturgis, Cllr Glenis Ansell, Cllr Chuck Berry, Cllr Howard Greenman, Cllr Howard Marshall, and Cllr Chris Hurst.

Also Present:

Cllr Bob Jones MBE

151 **Apologies**

Apologies for absence were received from Cllr Terry Chivers and Baroness Scott of Bybrook.

152 **Minutes of the Previous Meeting**

Resolved:

To confirm the minutes of the meeting held on 26 October 2016.

153 **Declarations of Interest**

There were no declarations of interest.

154 **Chairman's Announcements**

There were no Chairman's announcements.

155 **Public Participation**

The Committee noted the rules on public participation.

156 **Planning Appeals and Updates**

The Committee noted the contents of the appeals update.

157 **Planning Applications**

158 **16/04920/FUL- Rookery Farm, Seven Bridges, Water Eaton, Swindon, Wiltshire, SN6 6JS**

John Dennis and Aaron Smith spoke in support of the application.

The planning officer introduced the report which was for the erection of an agricultural workers dwelling, livestock barn and machinery/workshop store and the creation of new access. A site plan and location plan were shown alongside photos of the site and proposed access. The officer recommended that the application be refused due to concerns about its siting and prominence on the landscape from surrounding areas and drew attention to the late observations.

There were no technical questions.

Members of the public were then invited to speak, as detailed above.

The local member, Cllr Bob Jones spoke in support of the application.

Following statements from the public the planning officer confirmed that the Council's agricultural consultant had considered the argument for the development in this location to be a marginal case.

In the debate that followed, the Committee considered that the dwelling would be damaging to the surrounding open countryside in the proposed location. The importance of supporting agricultural industry was acknowledged and it was suggested that a structure near to the highway on the edge of the site would be more acceptable in terms of the impact of the development, similarly a temporary structure would be more acceptable.

Cllr Hutton, seconded by Cllr Berry moved the officer recommendation that planning permission be refused for the reason set out in the report.

Resolved:

To REFUSE planning permission for the following reason:

The proposed development would, by reason of its siting, scale, form bulk and mass in conjunction with the significant length of access road required to be created, result in harm to the visual amenities and open character of the countryside. Therefore, the development is considered to be contrary to Core Policy 51 & 57 i) & iii) of the Wiltshire Core Strategy and Paragraph 7 & 14 of the National Planning Policy Framework.

159 **16/06342/FUL - Besants Garage, Main Road, Christian Malford, SN15 4AZ**

Colin Read spoke in objection to the application in his capacity as a local resident and not on behalf of the parish council.

Mark Willis spoke in support of the application.

The planning officer introduced the application which was for the erection of a workshop building and stables, it was noted that the application was partly retrospective. The location of the site and photographs of the current development were shown alongside the plans for the site and details of the previously approved scheme. Members commented that it was difficult to compare the new plans with the previously agreed plans and it was explained that the span of the building had been enlarged, and there were changes to the dormer elevations and stepping down arrangements. It was confirmed that the application included a change of use for the adjacent land. The officer recommended that planning permission be granted, subject to the conditions outlined in the report.

In response to technical questions, it was confirmed that the application was dissimilar to an application previously refused for a residential element to the dwelling; the current application gave no provision for residential use. The planning officer detailed where the building was to be widened beyond the approved scheme however noted that the eaves and ridge height would remain the same.

Members of the public were then invited to speak as detailed above.

The local member, Cllr Howard Greenman, spoke in objection to the application.

Following statements from the public the planning officer confirmed that under condition 5, use of the workshop should only take place between 10am and 6pm on Sundays.

In the debate that followed, members expressed disappointment that the development had not been built in accordance with the previously approved plans. The Committee considered that the new proposals were significantly different and larger than the previous application and as such would cause more harm. It was considered that the height, mass and scale of the proposal would fail to conserve the setting of the neighbouring property which was a historic building. It was also noted that the Parish Council had objected to the application. Concern was also raised that the application was similar to an application that had previously been refused, however it was noted that this was refused on the grounds that it included a residential element.

Cllr Greenman, seconded by Cllr Crisp, moved that the application be refused on the grounds that the scale, bulk, massing and design would result in harm to the neighbouring residential amenity and property through overbearing impact and harm to the character and appearance of the area and damage to the neighbouring heritage asset.

Resolved:

To REFUSE planning permission for the following reason:

The proposed development, by reason of its scale, bulk, massing and design, will result in an unacceptable overbearing impact on the neighbouring property and consequent loss of residential amenity to occupiers. The proposal therefore conflicts with Core Policy 57 (vii) of the adopted Wiltshire Core Strategy and Paragraph 17 of the National Planning Policy Framework.

The proposed development, by reason of its scale, bulk, massing and design, will adversely affect the character and setting of the adjacent undesignated heritage asset to a degree not outweighed by other considerations. The proposal therefore conflicts with Core Policies 57(i) and 58 of the adopted Wiltshire Core Strategy and Paragraph 135 of the National Planning Policy Framework.

160 **16/08839/FUL- Land at Newlands, Littleton Drew, Chippenham, Wiltshire , SN14 7NB**

Linda Peak spoke in objection to the application.

Kathleen Philips spoke in support of the application.

Cllr Jeff Batty, Grittleton Parish Council, spoke in objection to the application.

The planning officer introduced the application which was for the change of use of land from agricultural to equestrian, the construction of stables, horse walker

and associated parking/turning area. It was recommended that planning permission be approved, subject to the conditions detailed in the report. It was highlighted that the application was partly retrospective and the proposed site layout was presented. Photos of mobile field shelters were shown and it was explained that proposed conditions attached to permission would restrict the site for personal rather than commercial use.

Members were invited to ask technical questions, in response to which the planning officer advised that submitted plans should be to scale, however if councillors were concerned this was not the case, the submission of more detailed drawings could be conditioned.

Cllr Toby Sturgis spoke on behalf of the local member, Baroness Scott of Bybrook, in objection to the application.

In the debate that followed, the Committee expressed concern that, although horses were kept on neighbouring fields, the appearance of neighbouring sites was agricultural and the application in question appeared commercial due to the number of horses and installation of a horse walker. Members considered that the hardstanding, gates and paraphernalia were harmful in urbanising the site and that the fencing was harmful to the setting in the Area of Outstanding Natural Beauty (AONB). The Committee felt that the large gate to access the site was out of proportion and uncharacteristic of the area and that the application was contrary to policies of horse keeping in the AONB. The Chairman highlighted that there was already a right of vehicular access to the site and that the enforcement of conditions was not a planning consideration, however the Committee concluded that no conditions could make a development of this type acceptable in this location.

Cllr Sturgis, seconded by Cllr Greenman, proposed that the application be refused on the grounds of harm to the landscape of the area and AONB and non-compliance with AONB guidelines on the keeping of horses.

Resolved:

To REFUSE planning permission for the following reason:

The proposed development, by reason of the cumulative scale and form of physical development will have an urbanising effect on the site and its setting, resulting in harm to the character, appearance and openness of the landscape and intrinsic quality of the Cotswolds AONB. The proposal therefore conflicts with Core Policy 51(ix) of the adopted Wiltshire Core Strategy and Criteria 1, 2, 3, 5, 7, 10 and 12 of the Cotswolds Area of Outstanding Natural Beauty Management Plan 2013 - 2018

161 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 4.45 pm)

The Officer who has produced these minutes is Libby Beale, of Democratic Services,
direct line 01225 718214, e-mail Elizabeth.beale@wiltshire.gov.uk

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

Wiltshire Council
Northern Area Planning Committee
7th December 2016

Planning Appeals Received between 04/11/2016 and 25/11/2016

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overtturn at Cttee
16/01456/106	2 Fairfield Upper Castle Combe Wiltshire, SN14 7HE	CASTLE COMBE	Removal of Section 106 Legal Agreement for N/02/02695/FUL	DEL	Written Representations	Refuse	10/11/2016	No
16/04507/FUL	Land South of Castle Walk, Castle Walk, Calne Wiltshire, SN11 0EZ	CALNE	Erection of 36 Dwellings & Associated Works.	DEL	Hearing	Refuse	22/11/2016	No
16/06945/FUL	Braydon Fields Farm The Common, Braydon Swindon, Wiltshire SN5 0AG	BRAYDON	Erection of Equestrian Buildings, Track and Hardstanding (Retrospective) and Proposed Erection of a Horse Walker	DEL	Written Representations	Refuse	10/11/2016	No

Planning Appeals Decided between 04/11/2016 and 25/11/2016

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
16/00267/LBC	Former Moravian Church Hall, Oxford Street, Malmesbury, Wiltshire SN16 9AX	MALMESBURY	Change of Use of Former Church Hall to Community Art Studio and Psychological Therapy Rooms with Internal Work & External Repairs with Velux Window to the Rear Roof	DEL	Written Reps	Consent	Consent varied	24/11/2016	No

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REPORT OUTLINE FOR AREA PLANNING COMMITTEES		Report No.
Date of Meeting	7 December 2016	
Application Number	16/07182/FUL and 16/07712/LBC	
Site Address	8 The Forty Cricklade Wiltshire SN6 6HR	
Proposal	Remove existing single storey rear porch, construction of two storey gable to rear and construction of flat roof extension to rear.	
Applicant	Mr & Mrs Lally	
Town/Parish Council	CRICKLADE	
Electoral Division	CRICKLADE AND LATTON – Cllr Bob Jones	
Grid Ref	409925 193169	
Type of application	Full Planning	
Case Officer	Sam Croft	

Reason for the application being considered by Committee

Applications called in by Councillor Bob Jones for the due consideration for development of support for listed building.

1. Purpose of Report

To consider the above applications and to recommend REFUSAL.

2. Report Summary

The main issues in the consideration of this application are as follows:

- Impact on the Listed Building & Conservation Area
- Impact on the locality/amenity
- Highways

Cricklade Town Council supports the application subject to approval from the Conservation Officer regarding the window provision, and the neighbour's concerns. 2 letters were received from local residents of which 1 was in objection to the proposal in its current form and 1 which raised no formal objection but raised a number of matters for considerations.

3. Site Description

The property is a Grade II Listed house located on the B4553 in Cricklade, Wiltshire. The site is also located within the Cricklade Conservation Area. Vehicular access to the property is via a private driveway off the main road.

4. Planning History

No relevant planning history

5. The Proposal

The applications seeks the removal of existing single storey porch to rear of property and the construction of new two storey gable and single storey flat roof with parapet wall. The extension will provide dining room and play room at ground floor level with a master bedroom and ensuite on the first floor. The single storey extension will comprise flat roof with traditional roof lantern along with bifold doors to rear. The gable extension will comprise bifold doors to side and window to rear along with double doors to first floor with handrail. At ground floor level the exposed timber joists to ceiling are to receive plasterboard with plaster skim, existing historic beams are to be retained and kept visible.

The plaster throughout the property is defective in various areas and it is proposed to remove all plaster and replace with plasterboard and skim.

The extension walls to the rear are proposed to be Cotswold rubble stone to the lower portions with smooth coat of-white painted render to the upper proportions. Dressed stone quoins are proposed to all corners and gable ends.

6. Local Planning Policy

National Planning Policy Framework 2012 (NPPF)

Paragraph 7, 14 and 17

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 8 - Promoting Healthy Communities

Section 12 - Conserving and Enhancing the Historic Environment

Wiltshire Core Strategy (Adopted January 2015)

CP57 - Ensuring High Quality Design and Place Shaping

CP58 - Ensuring the conservation of the historic environment

7. Summary of consultation responses

Cricklade Town Council - This is an application for an extension and alterations to a Grade II Listed Building. The construction materials appear to be in keeping with the original building. The flat roof with lantern may minimise the impact to the adjoining neighbouring property and the applicant has verbal agreement with a neighbour regarding window installation. In general the extension is not easily viewed from the road frontage, and appears to not overlook properties at the rear of the building. The Parish concluded that they support the application subject to the approval of the Conservation Officer regarding the window provision, and the neighbour's concerns.

Conservation Officer - Objection

Highways - No objection

8. Publicity

Local Residents - 2 letters were received from members of the public in respect to this application. Of these 1 was in objection to the proposal in its current form and 1 which raised no formal objection but raised a number of matters for considerations. The letter raised the following concerns:

- Loss of amenity
- Loss of light to garden
- Impact of construction works

The applications we advertised in the Wiltshire Gazette and Herald on the 08/09/2016.

9. Planning Considerations

Impact on the Listed Building/Conservation Area

The property is Grade II Listed and is located within the Cricklade Conservation Area, meaning that Core Policy 58 of the WCS which requires that development should protect, conserve and where possible enhance the historic environment, and should not have an unacceptable impact on the historic environment, particularly where this could be avoided or mitigated.

The application has been considered by the Council Conservation officer who has raised an objection to the proposal. The Officer has stated that they would not support the provision of a two storey extension to this dwelling as it would dramatically increase the size, bulk and massing of the listed building and be out of keeping with the character of the heritage asset. It is also considered that the removal of the rear wall in order to allow for access into the new extension, along with other works, would result in unacceptable loss of historic fabric. Furthermore, an extension running the full length of the rear elevation is considered to be too much given the current scale and massing of the dwelling. The Officer has stated that the removal of the porch is considered acceptable and that a smaller scale rear extension might be considered acceptable but the current proposal will not sustain or enhance the significance of the heritage assets nor make a positive contribution to the local character and distinctiveness.

The Officer concluded that they consider that the proposed works will result in an unjustified loss of historic fabric and will be harmful to the listed building. The works will not sustain or enhance the significance of the heritage assets nor make a positive contribution to the local character and distinctiveness. Therefore, the proposed works are contrary to Core Policy 57 and 58 of the Wiltshire Core Strategy (WCS) and S16(2) and 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

Impact on the locality/amenity

Core Policy 57 also seeks to avoid creating developments with unacceptable low levels of privacy and amenity and avoid the unacceptable loss of privacy and amenity to adjacent dwellings. It is not considered that the development would result in loss of privacy and amenity to adjacent dwellings nor would it result in unacceptable low levels of privacy and amenity for the future occupiers such that permission ought to be refused on this basis. It is therefore considered that the proposal complies with Core Policy 57 of WCS.

It is noted that local residents have raised concerns about a loss of amenity as a result of the window on the first floor above the proposed single storey extension; however, this window would be over 12 metres from the nearest neighbouring boundary and would offer limited opportunity for overlooking over and above that already experienced by the property in question. Furthermore the applicant has expressed that they would consider the removal/obscuring of this window in order to address the applicants concerns. Concerns were also raised about loss of light but given the siting an orientation of the building it is not considered that the proposed extension would result in unacceptable loss of light to neighbouring properties.

Highways

The application has been reviewed by the Council's Highways Officer and they have raised no objection to the application.

10. Conclusion (The Planning Balance)

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications

must be made in accordance with the Development Plan, unless material considerations indicate otherwise. The proposed works will result in an unjustified loss of historic fabric and will be harmful to the listed building. The works will not sustain or enhance the significance of the heritage assets nor make a positive contribution to the local character and distinctiveness. The harm caused by these works are not outweighed by any public benefit or by securing the optimum viable use of the assets. Therefore, the proposed works are contrary to Core Policy 57 and 58 of the Wiltshire Core Strategy (WCS) and paragraphs 131, 132, 134 and 137 of the National Planning Policy Framework (NPPF) 2012. The proposal is also considered contrary to S16(2) and 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990

RECOMMENDATION

Planning Permission is REFUSED for the following reason:

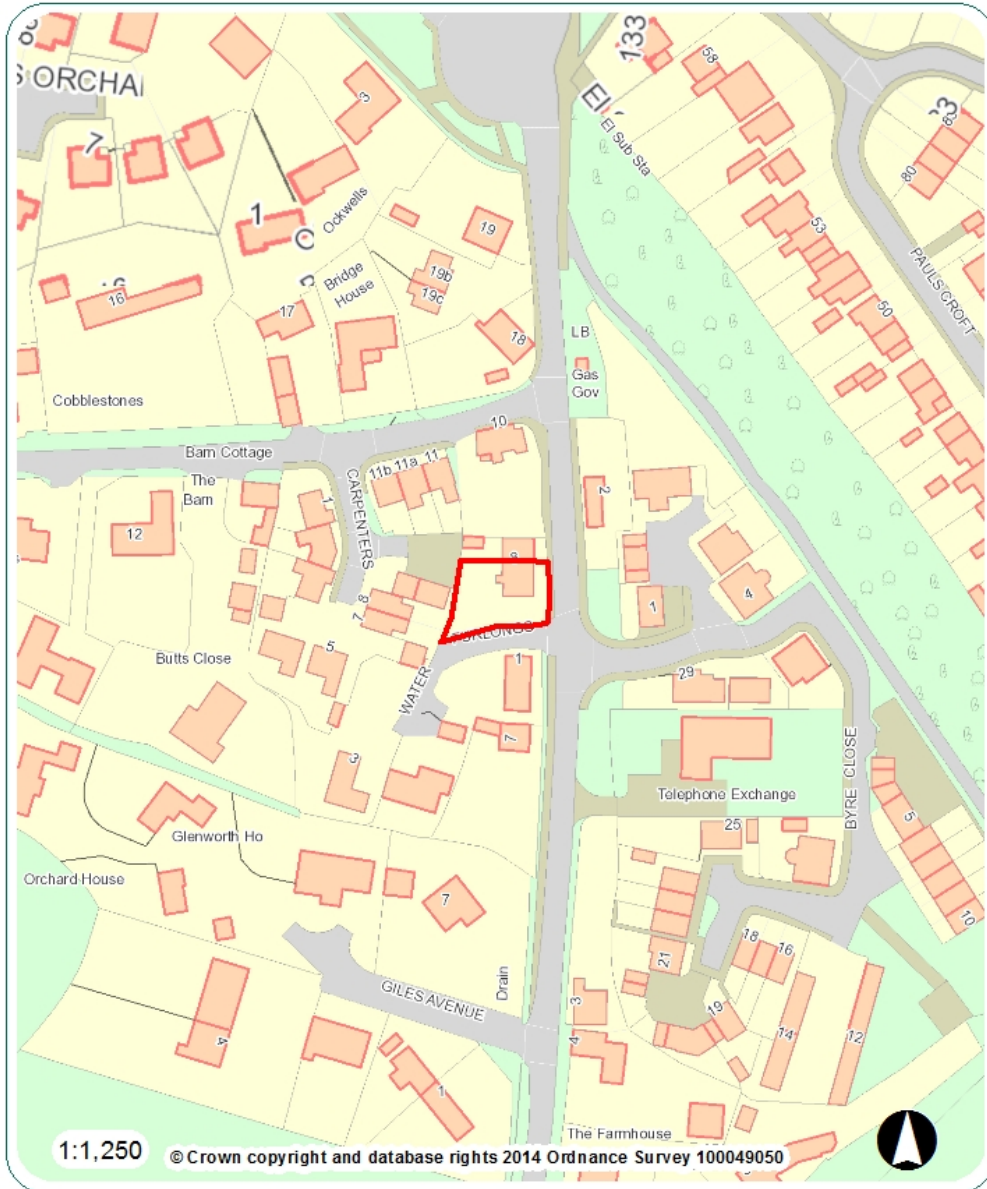
1. The proposed development, by reason of its siting, scale, massing and design, fails to conserve the character or appearance of the listed building and is not otherwise justified by any wider public benefit. The proposal is therefore contrary to Core Policy 57 and 58 of the adopted Wiltshire Core Strategy and paragraph 131, 132, 134 and 137 of the National Planning Policy Framework.

Listed Building Consent is REFUSED for the following reason:

2. The proposed development, by reason of its siting, scale, massing and design, fails to conserve the character or appearance of the listed building or and is not otherwise justified by any wider public benefit. The proposal is therefore contrary to S16(2) and 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

16/07182/FUL and 16/07712/LBC

8 The Forty
Cricklade
SN6 6HR



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