

## NORTHERN AREA PLANNING COMMITTEE

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### DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 13 JULY 2011 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

#### **Present:**

Cllr Desna Allen (Substitute), Cllr Chuck Berry (Substitute), Cllr Peter Colmer,  
Cllr Christine Crisp, Cllr Peter Davis, Cllr Peter Doyle, Cllr Mollie Groom (Substitute),  
Cllr Peter Hutton, Cllr Simon Killane and Cllr Toby Sturgis

#### **Also Present:**

Cllr Howard Greenman and Cllr Sheila Parker

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#### 65. **Apologies for Absence**

Apologies for absence were received from Cllr Alan Hill (who was substituted by Cllr Mollie Groom), Cllr Howard Marshall (who was substituted by Cllr Desna Allen) and Cllr Tony Trotman (who was substituted by Cllr Chuck Berry).

#### 66. **Election of Chairman for the Meeting**

##### **Resolved:**

**In the absence of the Chairman and the Vice-Chairman, to elect Cllr Peter Davis as Chairman for the meeting.**

Cllr Peter Davis in the Chair

#### 67. **Minutes**

##### **Resolved:**

**To confirm and sign the Minutes of the meeting held on 22 June 2011, subject to the following amendment to Minute No. 59 – Declarations of Interest:-**

Cllr Peter Doyle declared a personal interest in Minute No 63 (b) – Application No 09/01844/S73A – Westwood Farm, Rode Hill, Near Colerne, Wiltshire, SN14

8AR – Alterations and Formation of A Private Way for Agricultural Purposes, and Installation of Associated Access Gates and Railings off Road Hill (Retrospective) because he was a member of **the Cotswolds Conservation Board**. He stated that he would take part in the debate and vote with an open mind.

68. **Declarations of Interest**

Cllr Peter Doyle declared a personal interest in the following applications because he was a member of the Cotswolds Conservation Board. He stated that he would take part in the debates and vote with an open mind:-

Minute No 72 (c) - 11/01210/FUL - Land at Noble Street, Sherston, Malmesbury, SN16 0AA - Erection of Dwelling

Minute No 72 (e) - 11/01416/FUL - The Retreat, Longsplatt, Henley, Box, Corsham, SN13 8DE - Extension & Alterations

Cllr Peter Doyle also declared a personal and prejudicial interest in the following application because he lived in close proximity to the application site. He would therefore leave the Chamber during consideration of this application:-

Minute No 72 (h) - 11/01506/FUL - 17 Vale View, Wootton Bassett, SN4 7BY - Erection of Detached House & Garage including New Vehicular Access

69. **Chairman's Announcements**

The Chairman announced that the following application had been withdrawn from the agenda to allow for the opportunity to review amended plans:-

Item No 7 (c) - 11/01210/FUL - Land at Noble Street, Sherston, Malmesbury, SN16 0AA - Erection of Dwelling

70. **Public Participation and Councillors' Questions**

Members of the public addressed the Committee as set out in Minute No 72 below.

There were no questions received from members of the public or members of the Council.

71. **Planning Appeals**

The Committee received and noted a report setting out details of:-

- (i) Forthcoming hearings and public inquiries between 29 June and 31 October 2011.
- (ii) Planning appeals received between 9 and 29 June 2011.
- (iii) Planning appeals decided between 9 and 29 June 2011.

72. **Planning Applications**

1a **11/01441/REM - Land off Sandpit Road, Calne - Erection of 285 Dwellings & Associated Works (Reserved Matters)**

**The following people spoke against the proposal:**

Mr Philip Wrenn, a local resident  
Mr Chris Nicholson, a local resident  
Mrs Anne Henshaw, representing Campaign for the Protection of Rural England

**The following person spoke in favour of the proposal:**

Mr Keith Annis, Planning Director, Redrow Homes Ltd, representing the joint applicants

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. She introduced the report which recommended that the planning application be approved subject to conditions. She also drew Members' attention to the late items from which it was noted that the application had been revised thus reducing the number of dwellings from 285 to 263.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

After discussion,

**Resolved:**

**To grant planning permission for the following reason:-**

**The reserved matters of appearance, layout, scale and landscaping**

accords with the outline permission granted under 08/02438OUT and would not result in the detrimental impact on any residential amenities, landscape, ecology or highways. The proposal thus accords with Policies C2, C3 and NE15 of the adopted North Wiltshire Local Plan 2011.

Subject to the following conditions:

1 The north eastern landscape buffer fronting the residential development along Sandpit Road shall be carried out in the first planting and seeding season following the commencement of 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**

2. 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 NE15**

3. (a) No retained tree or hedge shall be cut down, uprooted or

destroyed, nor shall any retained tree or hedge 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 or hedge is removed, uprooted or destroyed or dies, another tree/hedgerow 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.

In this condition “retained tree or hedge ” means an existing tree or hedge 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.

#### **POLICY- C3 NE15**

4. The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

**REASON:** To ensure that the development is served by an adequate means of access.

#### **POLICY – C3**

5. No dwelling shall be occupied until the parking space(s) together with the access thereto, have been provided in accordance with the approved plans.

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

#### **POLICY – C3**

6. The development hereby permitted shall be constructed in accordance with the noise mitigation measures contained within paragraph 5.2.3 of the Noise Assessment prepared by ANV dated October 2008 unless otherwise approved in writing by the Local Planning Authority.

**Reason:** In the interests of the residential amenity of those residents fronting/adjoining Sandpit Road.

**7. 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**

**8. 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/extensions or external alterations to plots 70-84 inclusive and plots 246 and 247.**

**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 external alterations.

**POLICY-C3**

**9. The construction of any part of the development hereby granted shall not include the use on site of machinery, powered vehicles or power tools before 08:00 hours or after 18:00 hours on any weekday, nor before 08:00 hours or after 13:00 hours on any Saturday nor at all on any Sunday or Bank or Public Holiday without the prior approval in writing of the Local Planning Authority.**

**Reason:** In the interests of the amenity of local residents.

**10. Notwithstanding the submitted plans, no permission is given for any access to the sales office. Such an access would require separate planning permission.**

**Reason:** For clarification in the interests of highway safety and the provision and retention of the landscape buffer along this boundary.

**11. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed in**

informative 2. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

**REASON:** To ensure that the development is implemented as approved.

**Informatives**

1. This decision should be read in conjunction with decision 08/02438OUT and the S106 agreement approved therein.

2. plans:

Dated 21 April 2011

PL-01.1 - site layout - part 2

PL-09 Rev G - areas for adoption (part superseded)

PL-11 Rev A - refuse collection plan (part superseded)

PL-12 Rev B - enclosures plan (part superseded)

SS-01 Rev D - street scenes

SS-02 - site sections (part superseded)

House Types etc:

HT-01RevB

HT-02RevB

HT-02a

HT-03aRevA

HT-03b

HT-04RevB

HT-05aRevA

HT-05bRevA

HT-05cRevA

HT-06aRevC

HT-06b

HT-06cRevA

HT-06d

HT-07aRevB

HT-07b

HT-07c Rev A

HT-10a

HT-10b Rev A

HT-10c

HT-11

HT-12a Rev A

HT-12b Rev A

HT-21a

HT-21b

HT-21c

HT-21e Rev A

HT-22a Rev B

HT-22b Rev B

HT- 23a Rev A

HT-23b Rev A

HT-24

GAR-01 Rev A

GAR-02 Rev A

GAR-03 Rev A

GAR-04 Rev A

GAR-05 Rev A

**GAR-06 Rev A  
GAR-07 Rev A**

**HT-AFAPT-01RevB**

**HT-AFAPT-02 Rev B  
HT-OPAPT-03 RevA**

**HT-OPAPT-01 Rev A  
HT-OPAPT-02RevA**

**STORE-01 Rev B**

**Design Statement  
Per-01 0 perspective**

**Drainage, highways, utilities etc (Sandpit Road)**

**R261/7**

**R261/17RevA**

**R261/11  
R261/12  
R261/13 Rev B  
R261/14 Rev A  
R261/15RevA**

**R261/18 Rev A  
R261/19  
R261/20 Rev A  
R261/21  
R261/23**

**Dated 13 May 2011**

**130-500-05 - site levels layout (part superseded)**

**Dated 9 June 2011**

**JBA 10/172-01 Rev G  
JBA 10/172-02 Rev G  
JBA 10/172-03 Rev G  
JBA 10/172-05 Rev E  
JBA 10/172-06 Rev E (part superseded)  
JBA 10/172-07 Rev E (part superseded)  
JBA 10/172-08 Rev E  
JBA 10/172-09 Rev A  
JBA 10/172-TS02 Rev F - Tree Protection Plan (part superseded)  
Tree Protection Fencing detail 3677.TPF-01**

**Dated 20 June 2011**

**PL-05 Rev J - materials plan (part superseded)**



HT-25 Rev B  
HT-08a Rev C  
HT-08c Rev C

Dated 22 June 2011

JBA 10/172-04 Rev H (part superseded)  
Measured works schedule: detailed hard and soft layout proposals for central green  
Litter bin detail

R261/16 Rev B

Dated 8 July 2011

PL-04 Rev B - site plan  
PL-03 Rev C - location plan  
PL-01 -AD - site Layout - part 1

- 1b **11/01501/FUL - Barn 3, Common Farm, Quemerford, Calne, SN11 8UB - Conversion of Barn to Single Dwellinghouse and Ancillary Works (Retrospective) (Revised Proposal)**

**The following person spoke in favour of the proposal:**

Mr Marc Willis, the agent

The Committee received a presentation by the Area Development Manager which set out the main issues in respect of the application. He introduced the report which recommended that the planning application be granted subject to conditions.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received a statement from a member of the public as detailed above, expressing his views regarding the planning application.

After discussion

**Resolved:**

**To grant planning permission for the following reason:-**

**The proposal is for the retention of an unauthorised building. The Council has carefully considered the circumstances relating to this building and other buildings within the complex. The Council has**

concluded that the building does not strictly comply with Policies H4 or BD6 of the North Wiltshire Local Plan. However, it is not considered expedient to take enforcement action seeking its removal. The removal of the building would be unlikely to have any significant beneficial effect upon the setting of adjacent buildings or the wider landscape. Because of the specific circumstances that have lead to this decision is not considered that retention of this building will set a precedent that could be applied more widely. Therefore whilst the building does not comply with Policies H4 and BD6 of the North Wiltshire Local Plan 2011 there are material circumstances that have lead the Council to grant permission.

Subject to receipt of amended plans showing amended boundary treatment and the following conditions:

1. Within six months of the date of this permission the existing roofing material shall have been replaced with second hand clay roman tiles, samples of which shall first been submitted to and agreed in writing with the local planning authority.

Reason: To ensure the building is more appropriate in appearance to its surroundings and neighbouring buildings in accordance with Policy C3.

2. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

Drawing Numbers 2205/01 and 2205/02 received 21<sup>st</sup> April 2011.

REASON: To ensure that the development is implemented as approved.

1c **11/01210/FUL - Land at Noble Street, Sherston, Malmesbury, SN16 0AA - Erection of Dwelling**

It was noted that this application had been withdrawn from the agenda to allow for the opportunity to review amended plans.

**1d 11/01314/S73A - Land at Harpers Lane, Bristol Street, Malmesbury, SN16 0AX - Improvement Works including Replacement Walls and Fencing, Resurfacing, Planting and Lighting (Revision of 10/04503/S73A)**

**The following people spoke against the proposal:**

Ms Jessica Branton, a local resident

Mr Mike Elam, a local resident

Cllr Patrick Goldstone, Chairman, Malmesbury Town Council's Planning & Environmental issues Committee

The Committee received a presentation by the Area Development Manager which set out the main issues in respect of the application. He introduced the report which recommended that the planning application be granted subject to conditions.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

After discussion

**Resolved:**

**The proposed development is considered to be wholly out of keeping with the character and appearance of Harpers Lane and fails to preserve or enhance the character and appearance of the Malmesbury Conservation Area at this location contrary to Policies C3 and HE1 of the adopted North Wiltshire Local Plan 2011.**

**1e 11/01416/FUL - The Retreat, Longsplatt, Henley, Box, Corsham, SN13 8DE - Extension & Alterations**

**The following people spoke in favour of the proposal:**

Mr William Phillips, applicant

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that the planning application be refused.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received a statement from a member of the public as detailed above, expressing his views regarding the planning application.

Members then heard the views of Cllr Sheila Parker, the local member in support of the application.

After discussion

**Resolved:**

**To defer consideration of the application until the next meeting, requesting the officers to obtain details of the planning history so as to establish the square metrage of the original dwelling and approved extensions.**

**1f 11/01456/FUL - Loreley, Newlands Green, Kington Langley, SN15 5NZ - Extension to Provide First Floor to Part of Property**

**The following people spoke against the proposal:**

Mr Bain, a local resident  
Cllr Dr M Dixon, Chairman of Kington Langley Parish Council

**The following people spoke in favour of the proposal:**

Mr Jens Anderson, applicant  
Mr Nick Elkins, architect

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that the planning application be granted subject to conditions. He also drew Members' attention to the late items.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

Members then heard the views of Cllr Howard Greenman, the local member who expressed some concern at the scale of the development and its likely effect on the residents of Wayside Close.

After discussion

**Resolved:**

**To defer consideration of the application until the next meeting, in order to hold a site inspection on Wednesday 3 August at 4.00pm.**

**1g 11/01495/FUL - The Turnpike Site, Heddington Wick, Heddington - Change of Use from Stock Barn to Generator Shed**

**The following people spoke against the proposal:**

Mr Hugh Appleby, a local resident  
Mr Thomas Jago, a local resident

**The following people spoke in favour of the proposal:**

Mr Adam Overfield, for the agent

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that the planning application be granted subject to conditions. He also drew Members' attention to the late items.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

After discussion

**Resolved:**

**To defer consideration of the application in order that:-**

- (1) a fuller report could be prepared setting out the views of Public Protection, and in particular those of the Environmental Health Officer, and**
- (2) a decibel report be prepared by the applicant, together with clarification of the times of operation and a setting out of the technical specification of the generators.**

**1h 11/01506/FUL - 17 Vale View, Wootton Bassett, SN4 7BY - Erection of Detached House & Garage including New Vehicular Access**

(Cllr Peter Doyle left the Chamber, having declared a personal and prejudicial interest as detailed in Minute No 68 above.)

**The following person spoke against the proposal:**

Mr Michael Witherden, a local resident

**The following people spoke in favour of the proposal:**

Mr Viv Vines, the agent  
Cllr Owen Gibbs, Chairman of Wootton Bassett's Planning Committee

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. She introduced the report which recommended that the planning application be refused. She also drew Members' attention to the late items.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

After discussion

**Resolved:**

**To refuse permission for the following reasons:-**

- 1. The proposed dwelling would be intrusive in the street scene and detrimental to the open character of this area, failing to respect the local distinctiveness of the locality and would cause an unacceptable loss of privacy and amenities of adjacent neighbours contrary to policies C3 and H3 of the North Wiltshire Local Plan 2011.**
- 2. No legal agreement has been secured to bring forward the required contribution of £4,200 towards public open space as is required by Policy CF3 of the North Wiltshire Local Plan 2011 and the supporting guidance contained within the North Wiltshire Open Space Strategy 2004.**

**Informative**

**This decision relates to documents/plans submitted with the application, listed below.**

**Plan Ref: Drwg No: 2011-07-1 received 27/4/2011**

**73. Urgent Items**

There were no urgent items.

(Duration of meeting: 6.00 - 9.25 pm)

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

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