

AGENDA

Meeting: Northern Area Planning Committee
Place: Council Chamber - Council Offices, Monkton Park, Chippenham,
SN15 1ER
Date: Wednesday 14 December 2011
Time: **6.00 pm**

Please direct any enquiries on this Agenda to Pam Denton, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line (01225) 718371 or email pam.denton@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 Peter Doyle
Cllr Alan Hill

Cllr Peter Hutton
Cllr Simon Killane
Cllr Howard Marshall
Cllr Toby Sturgis
Cllr Anthony Trotman

Substitutes:

Cllr Desna Allen
Cllr Chuck Berry
Cllr Bill Douglas

Cllr Mollie Groom
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** (*Pages 1 - 28*)

To approve and sign as a correct record the minutes of the meeting held on 23/11/11.

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 and Councillors' Questions**

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 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 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. The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice.

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 07 December. 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** (*Pages 29 - 30*)

An appeals update report is attached for information.

7. **Planning Applications** (*Pages 31 - 32*)

To consider and determine planning applications in the attached schedule.

7.a **N/10/04602/FUL - Sainsbury's Supermarket, Bath Rd, Chippenham, SN14 0BJ** (*Pages 33 - 46*)

7.b **N/11/02637/FUL - 38 Stone Lane, Lydiard Millicent, Swindon, SN5 3LD** (*Pages 47 - 54*)

7.c **N/11/03223/FUL - 15A Court Street, Sherston, Malmesbury, SN16 0LL** (*Pages 55 - 62*)

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 23 NOVEMBER 2011 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Christine Crisp, Cllr Peter Davis, Cllr Mollie Groom (Substitute), Cllr Peter Hutton, Cllr Simon Killane, Cllr Howard Marshall, Cllr Mark Packard (Substitute), Cllr Toby Sturgis and Cllr Anthony Trotman (Chairman)

Also Present:

Cllr Jane Scott, Cllr John Thompson, Cllr Jacqui Lay, Cllr Shiela Parker

98. **Apologies for Absence**

Apologies were received from Cllrs Peter Colmer, Peter Doyle and Alan Hill. Cllr Mark Packard substituted for Cllr Colmer and Cllr Mollie Groom substituted for Cllr Hill.

99. **Minutes**

The minutes of the meeting held on 2 November 2011 were presented.

Resolved:

To approve as a correct record and sign the minutes.

100. **Declarations of Interest**

Cllr Anthony Trotman declared a prejudicial interest in Application 11/02159/FUL: *Deceunick, Stanier Road, Calne, SN11* because he was a director of Calne Leisure Centre. He stated he would step down from the Chair and leave the Chamber for the duration of the Application.

Cllr Howard Marshall declared a personal interest in Application 11/02159/FUL: *Deceunick, Stanier Road, Calne, SN11 9PX* because he was a member of Calne Town Council. He stated he had not participated in any debate on this application at a Town Council meeting and would therefore take part in the debate and vote with an open mind.

Cllr Mark Packard declared a personal interest in Application 10/04602/FUL: *Sainsburys Supermarkets LTD, Bath Road, Chippenham, Wiltshire, SN14 0BJ*

because he was a member of Chippenham Town Council. He stated he was not a member of the Town Council's Planning Committee, and would therefore take part in the debate with an open mind.

101. **Chairman's Announcements**

There were no announcements.

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

The committee noted the rules on public participation.

103. **Planning Appeals**

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

- (i) Forthcoming hearings and public inquiries between 23/11/2011 and 29/02/2012
- (ii) Planning appeals received between 19 October 2011 and 10 November 2011.

104. **Planning Applications**

104a. **11/02918/FUL - The Old Hall, The Street, Grittleton, Chippenham**

The Committee received a presentation by the Planning Officer detailing the main issues in respect of the application and recommended that planning permission be granted. It was noted that the item had been deferred from 02/11/11 to allow further consultation with Grittleton Parish Council and local residents. Attention was also drawn to the late observations provided with the report.

Members of the Committee then had the opportunity to ask technical questions to the Planning Officer. Clarification was sought regarding the issue of parking and construction materials.

Cllr Jane Scott, the local Member, spoke in support of the application.

After discussion,

Resolved:

That Planning Permission be GRANTED for the following reason:

The proposal has now been significantly reduced from the original scheme and is considered to an appropriate form of development which would

preserve this part of the Grittleton Conservation Area and the adjoining listed buildings to the west. Subject to the imposition of appropriately worded planning conditions the proposal is considered to comply with Policies C3 HE1 HE4 and H8 of the North Wiltshire Local Plan 2011 and the guidance contained in PPS5.

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; HE1; HE4; H8

3. No development shall commence on site until a sample wall panel, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICY: C3; HE1; HE4; H8

4. No development shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys, dormers and canopies 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; HE1; HE4; H8

5. No development shall commence on site until details of the finish to external timber, including any paint or stain to be used on the external walls and window joinery have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being first brought into use / occupied.

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICY: C3; HE1; HE4; H8

6 (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.

POLICY: C3; HE1

7. The extension (building) hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known The Old Hall, The Street, Grittleton, Wiltshire.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

POLICY: C3; HE1; HE4; H8

Informatives:

1. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

2. Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses the site. You are advised to contact the PROW officer.

104b. 11/03115/S73A - Purdy's Farm, Wood Lane, Brinkworth

Public Participation:

Mr Perrin, agent, spoke in support of the application.

Cllr Jacqui Lay, representing Purton Parish Council, spoke in objection to the application.

The Committee received a presentation by the Planning Officer detailing the main issues in respect of the application, noting the commitment of the Council to provide certain numbers of Gypsy and Traveller sites which the application would help meet, and recommended that planning permission be granted. It was noted that the item had been deferred from 02/11/11 pending receipt of the views of Purton Parish Council.

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

Cllr Mollie Groom, as local Member, spoke in objection to the application.

After discussion,

Resolved:

Planning Permission be GRANTED for the following reason:

The proposed development is considered to be acceptable based on its scale and nature which will limit impact on the character and amenity of the locality, residential amenities and highway safety and meet an established and identified need for Gypsy site provision in the former North Wiltshire area. The proposal is in accordance with Policy DP15 of the Wiltshire and Swindon Structure Plan 2016, Policies C3 & H9 of the North Wiltshire Local Plan (2011), PPS3 "Housing" and advice contained in Circular 01/2006.

Subject to the following conditions:

1. Within the first planting and seeding season following the date of the permission; 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 as shown in the Site Development Scheme Plan PF:2C dated 16 September 2011.

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

2. The site shall not be permanently occupied by persons other than Gypsies and Travellers as defined in paragraph 15 of ODPM Circular 01/2006.

REASON: Planning permission has only been granted on the basis of a demonstrated unmet need for accommodation for gypsies and travellers and it is therefore necessary to keep the site available to meet that need.

3. There shall be no more than four pitches on the site. The site being the defined by the red line shown on Site Location Plan PF:1A dated 16 September 2011.

REASON: In the interests of visual amenity and the amenity of the occupants on the site.

4. There shall be no more than four caravans (4) caravans as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, of which no more than two (2) shall be a static caravan or mobile home and no more than two (2) shall be a touring caravan, shall be stationed on the site at any time. The site being defined by the red line on

Site PlanPF:1A dated 16 September 2011.

REASON: It is important for the local planning authority to retain control over the number of caravans on the site in order to safeguard interests of visual and residential amenity in accordance with policies C3, NE15 and H9 of the North Wiltshire Local Plan 2011.

5 No more than four commercial vehicles shall be kept on the site for use by the occupiers of the caravans hereby permitted and each vehicle shall not exceed 3.5 tonnes in weight.

REASON: In the interests of residential amenity, highway safety and the character of the countryside.

6. Except for the keeping of commercial vehicles as defined in condition 5 above, no commercial activity or use, including the storage of materials and waste, shall be carried out on the site.

REASON: In the interests of residential amenity, highway safety and the character of the countryside.

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), no buildings or structures, or wall, fence or other means of enclosure shall be erected or placed anywhere on the site.

REASON: To safeguard the character and appearance of the area.

8. No part of the development hereby permitted shall be first brought into use until 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.

104c. 10/04602/FUL - Sainsbury's Supermarkets Ltd, Bath Road, Chippenham

Public Participation:

Mr Roger Backway spoke in objection to the application.

Mr Matthew Morris spoke in objection to the application.

Mr Rob Perks spoke in objection to the application.

Mr Peter Grubb, agent, spoke in support of the application.

Ms Nicki Craig spoke in support of the application.

Mr David Lazenby spoke in support of the application.

The Committee received a presentation by the Planning Officer detailing the main issues in respect of the application, including the impact upon highway safety, visual amenity and impact on local areas, and recommended that planning permission be granted. The late observations to the report were also noted.

Members of the Committee then had the opportunity to ask technical questions to the Planning Officer, during which it was confirmed that the proposal included legal agreements in respect of the planting of trees, the tackling of anti-social behaviour on the site and other aspects, and that a 6 month review would be conducted if permission was granted, and clarification was sought regarding the impact of the car deck on visual amenity and the definition of store overtrading.

Members of the Committee then received statements from members of the public as detailed above, expressing their views regarding the planning application.

Cllr Peter Hutton, as local Member, spoke in support of the application.

After discussion,

Resolved:

To DEFER for one cycle to enable the Committee to consider further the information contained within the Roger Tym and Partners report.

104d. 11/01348/FUL and 11/01349/LBC - Cherry Orchard Barn, (Lyppiatt Barn), Cherry Orchard Lane, Luckington

Public Participation:

Mr Tim Guard, applicant, spoke in support of the application.

The Committee received a presentation by the Planning Officer detailing the main issues in respect of the application, including the raising of the barn roof and visual amenity, and recommended that planning permission be refused.

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

Cllr John Thompson, the local Member, spoke in support of the application.

After discussion,

Resolved:

N/11/01348/FUL

To DELEGATE for APPROVAL for the following reason:

This is an acceptable conversion of this traditional listed farm building complying with policy H4. The details of the conversion are acceptable and will preserve the character of this traditional stone barn within the countryside, the scheme complies with HE4 C3 NE4.

And subject to the completion of a S106 agreement in respect of securing off-site open space contributions;

And subject to the following conditions;

1.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.

Plans 3557/09a /08 /01c /04a /03a , 3557/ 50j/ 51k/ 52k, 3557/10 /156c /159b /151b /150 /152b /154 /153 /155 bat survey owl report solar panels details.

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

2.Notwithstanding the plans submitted and prior to the commencement of the development hereby permitted, details of the following matters (in respect of which approval is expressly reserved) shall be submitted to, and approved in writing by, the local planning authority:

- (1) walls, fences, gates and other means of enclosure;
- (2) ground surfacing materials;
- (3) finished levels across the site;
- (4) large scale details of internal and external joinery including metal framed glazing (1:5 elevation, 1:2 section) including vertical and horizontal cross sections through openings, as well as heads sills and lintels, these plans to indicate all windows and doors recessed by 300mm as agreed by agent in email dated 29/06/2011.
- (5) the means of surface water disposal;
- (6) the means of foul sewage disposal;
- (7) Large scale details of eaves and verge (1:5 section)
- (8) A full schedule and specification of repairs to all the historic structures on the site which shall be carried out prior to the first occupation of the building.
- (9) Full details of proposed flues and means of providing ventilation and their

exits to the external air; meter and alarm boxes

(10) Full details of proposed external decoration

(11) Roof tiles to be double romans in clay, tiles in accordance with agent's email.

The development shall be carried out in accordance with the details so approved.

Items (1) to (11) shall be completed prior to the use or occupation of the development hereby permitted.

Reason: In the interests of amenity and satisfactory layout.

3. Prior to the commencement of the development hereby permitted, details and samples of materials to be used externally shall be submitted to, and approved in writing by, the local planning authority. The development shall be built in the materials approved. In accordance with the agents email the roofs shall be tiled with double roman tiles.

Reason: In the interests of visual amenity.

4. Prior to the commencement of the development hereby permitted, a sample panel of stonework, and of repointing to existing stonework shall be made available on site to be inspected and approved in writing by the local planning authority. The development shall not commence until such approval has been given in writing. The external stonework shall be in accordance with the approved plans and shall match the approved sample in respect of type, colour, size and bedding of the stone, type of pointing and mortar mix.

Reason: In the interests of visual amenity.

5. Prior to the commencement of the development hereby permitted, a sample panel of the render to be used on the external walls shall be made available on site to be inspected and approved in writing by the local planning authority. The external render, as finished, shall match the approved sample in respect of colour, type and texture.

Reason: In the interests of visual amenity.

5. All rainwater goods shall be in cast metal, fixed on traditional drive-in brackets.

Reason In the interests of visual amenity.

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.

7. All soft landscaping comprised in the approved details shown on plan no. 3557/159B dated 5/5/2011 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.

8. No part of the development hereby permitted shall be occupied until 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.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) there shall be no extension or external alteration to any building forming part of the development hereby permitted.

Reason: In order to safeguard the amenity of the area by enabling the local planning authority to consider individually whether planning permission should be granted for extensions and external alterations.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no garages, sheds or other ancillary domestic outbuildings shall be erected anywhere on the site edged in red on the approved plans.

Reason: In the interests of the amenity of the area.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no gates, fences, walls or

other means of enclosure (other than those shown on the approved plans) shall be placed or erected anywhere on the site edged in red on the approved plans.

Reason: In the interests of the amenity of the area.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no satellite dishes shall be installed on the exterior of any of the buildings forming part of the development hereby permitted.

Reason: In the interests of the character and appearance of the building(s) and the area.

13. Notwithstanding the elevations submitted the vent holes shall be constructed in accordance with the details attached to email received 5/07/2011.

Reason In the interests of visual amenity.

Informatives:

1. When details are submitted to discharge the conditions imposed on this permission, the local planning authority will have particular regard to the following matters: Detailing to external joinery shall be balanced.

Attention is drawn to the Legal Agreement relating to this development or land which has been made pursuant to Section 106 of the Town and Country Planning Act 1990, Section 111 of the Local Government Act 1972, Section 33 of the Local Government (Miscellaneous Provisions) Act 1982 or other enabling powers.

The applicant should note that this permission is for the conversion of the existing barn in accordance with the permission granted and the approved drawings. Any significant demolition or rebuilding of the existing structures on the site will negate the permission hereby granted.

Bats and Barn Owl have full protection under the Wildlife and Countryside Act 1981 (as amended). If any are suspected or present, you should contact English Nature prior to commencement of works.

N/11/01349/LBC

To DELEGATE for APPROVAL for the following reason:

The proposed conversion retains the architectural and historic interest of this Listed barn in accordance with sec. 16(2) of the planning (Listed building

and Conservation Areas) Act 1990 and policies HE7, HE9 and HE10 of planning policy statement 5.

And subject to the completion of a S106 agreement in respect of securing off-site open space contributions;

And the following conditions:

1.The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2.The works 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.

Plans 3557/09a /08 /01c /04a /03a , 3557/ 50j/ 51k/ 52k, 3557/10 /156c /159b /151b /150 /152b /154 /153 /155 bat survey owl report solar panels details.

REASON: To ensure that the works are is implemented as approved.

3.Notwithstanding the plans submitted and prior to the commencement of the works hereby permitted, details of the following matters (in respect of which approval is expressly reserved) shall be submitted to, and approved in writing by, the local planning authority:

(1) walls, fences, gates and other means of enclosure;

(2) ground surfacing materials;

(3) large scale details of internal and external joinery including metal framed glazing (1:5 elevation, 1:2 section)including vertical and horizontal cross sections through openings, as well as heads sills and lintels, these plans to indicate all windows and doors recessed by 300mm as agreed by agent in email dated 29/06/2011.

(4)PLEASE INSERT ITEMS ii) xii) xiii) and xiv- roof tiles to be double romans in clay, tiles in accordance with agents email.

(5) Large scale details of eaves and verge (1:5 section)

(6) A full schedule and specification of repairs to all the historic structures on the site which shall be carried out prior to first use or occupation of the building.

(7) Full details of proposed flues and means of providing ventilation; meter and alarm boxes

(8) Full details of proposed external decoration

The works shall be carried out in accordance with the details so approved.

Items (1) to (8) shall be completed prior to the first use or occupation of the conversion hereby permitted.

Reason: In the interests of preserving the character and appearance of the listed building and its setting.

4. No works shall commence on site until a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the works are being carried out. Development shall be carried out in accordance with the approved sample.

REASON: Reason: In the interests of preserving the character and appearance of the listed building and its setting.

5.No development shall commence on site until a sample panel of the render to be used on the external walls has been made available on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON: Reason: In the interests of preserving the character and appearance of the listed building and its setting.

6. Notwithstanding the elevations submitted the vent holes shall be constructed in accordance with the details attached to email received 5/07/2011

Reason: In the interests of preserving the character and appearance of the listed building and its setting.

7.All soft landscaping comprised in the approved details shown on plan no. 3557/159B dated 5/5/2011 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 listed building

and the protection of existing important landscape features.

Informatives:

1. When details are submitted to discharge the conditions imposed on this permission, the local planning authority will have particular regard to the following matters: Detailing to external joinery shall be balanced.

Attention is drawn to the Legal Agreement relating to this development or land which has been made pursuant to Section 106 of the Town and Country Planning Act 1990, Section 111 of the Local Government Act 1972, Section 33 of the Local Government (Miscellaneous Provisions) Act 1982 or other enabling powers.

The applicant should note that this permission is for the conversion of the existing barn in accordance with the permission granted and the approved drawings. Any significant demolition or rebuilding of the existing structures on the site will negate the permission hereby granted.

Bats and Barn Owl have full protection under the Wildlife and Countryside Act 1981 (as amended). If any are suspected or present, you should contact English Nature prior to commencement of works.

104e. 11/02159/FUL - Deceuninck, Stanier Road, Calne

Public Participation

Ms Jennifer Dunthorne spoke in objection to the application.

Mr Bev Barnes spoke in objection to the application.

Ms Emma Porch spoke in objection to the application.

Mr Andrew Lowkis spoke in objection to the application.

Ms Julie Adams, spoke in support of the application.

Mr Dale Evans, agent, spoke in support of the application.

Cllr Caroline Ramsey, Calne Town Council, spoke in objection to the application.

Cllr Anthony Trotman stepped down from the Chair and left the Chamber for the duration of the item because of his stated prejudicial interest as detailed in Minute No. 100. Cllr Peter Davis was elected as Chairman for the duration of the item.

The Committee received a presentation by the Planning Officer detailing the main issues in respect of the application, including the impact of light and noise on local residents and the impact on other leisure facilities, and recommended that planning permission be granted subject to the imposition of planning conditions. Attention was also drawn to the late observations provided with the report.

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

After discussion,

Resolved:

That Planning Permission be GRANTED for the following reason:

Whilst acknowledging the shift from the present condition of the site as a green field to built form, it is considered that the proposal would involve limited new building that would be well related to an existing building. As such the proposal is of an appropriate form, scale and appearance and would comply with the requirements of Policies C3, C4, BD5 and NE15 of the adopted North Wiltshire Local Plan 2011 and national planning guidance in PPS4.

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. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICY-C3

3. The level of noise emitted from the site shall not exceed a Rating level of 45 dB (1hr)(i.e. LAeq(1hr) and free from acoustic features) between 0700 and 2300 hrs Monday to Saturday and a Rating level of 35 dB(5 mins) (i.e. LAeq (5 mins) 35 dB and free from acoustic feature) at any other time as measured on all boundaries of the site at any position where the boundary is contiguous with any part of the curtilage of a residential property.

Reason: In the interests of protecting the amenity of residents.

4. Prior to the commencement of the development of each building hereby permitted, details of the following matters (in respect of which approval is expressly reserved) shall be submitted to, and approved in writing by, the

local planning authority:

- (1) walls, fences, gates and other means of enclosure;
- (2) ground surfacing materials;
- (3) finished floor levels of all buildings;
- (4) finished levels across the site;
- (5) the make, type and colour of all external materials to be used;

The development shall be carried out in accordance with the details so approved.

Reason: In the interests of amenity and satisfactory layout.

5. No development shall commence on site until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

REASON: In the interests of road safety and reducing vehicular traffic to the development.

POLICY-C3

6. No part of the development hereby approved shall be first brought into use until the parking area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

POLICY-C3

7. No development shall commence on site until details of secure covered cycle parking and changing and shower facilities have been submitted to and approved in writing by the Local Planning Authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first occupation of the development hereby permitted and shall be retained for use at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

POLICY-C3

8. The site and building shall be used for football pitches, ancillary gymnasium, children's play centre and other activity purely ancillary to the operation of the site and building for the identified use hereby granted planning permission and for no other purpose whatsoever (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case and its potential impact upon the amenities of the nearby residential properties.

9. No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site without the prior approval in writing of the Local Planning Authority in the form of a separate planning permission in that regard.

REASON: In the interests of the appearance of the site and the amenities of the area.

10. No further external lighting shall be installed on site whatsoever unless otherwise agreed in writing with the Local Planning Authority in the form of a separate planning permission in that regard.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

11. No development shall commence on site until a scheme for the discharge of surface water from the extended building and site, 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.

12. No development shall commence on site until details of the works for the disposal of sewerage from the site and extended building has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: To ensure that the proposal is provided with a satisfactory

means of drainage.

13. (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.

POLICY-C3

14. No development shall commence on site until details showing ventilation and extraction equipment within the site (including details of its position, appearance and details of measures to prevent noise emissions) have been submitted to and approved in writing by the Local Planning Authority. The ventilation/extraction equipment shall be installed prior to the building/extension hereby approved is first occupied and shall thereafter be maintained in accordance with the approved details.

REASON: In the interests of the amenities of the area.

POLICY-C3

15. The change of use hereby permitted shall be implemented in complete accordance with plans relating to "Building A" granted planning permission under reference 02/01280/FUL. The extant and as yet unbuilt extensions to the building subject to this application shall be constructed strictly in accordance with the relevant plans approved under reference 02/01280/FUL unless otherwise agreed in writing with the Local Planning Authority in the form of a separate planning permission in that regard.

Reason: To define the parameters of the planning permission for the avoidance of doubt.

16. The use hereby permitted shall only take place between the hours of 09:00hrs – 19:00hrs

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

POLICY-C3

17. Notwithstanding that shown on the submitted plans, there shall be no further doors, windows or any other form of opening inserted into the western or southern elevation of the extended building (ie. the complete building including the additional floor space yet to be constructed) whatsoever unless otherwise agreed in writing with the Local Planning Authority in the form of a separate planning permission in that regard.

Reason: For the avoidance of doubt and so as to ensure the amenity of neighbouring residents is not adversely affected by the proposal.

18. Prior to the first use of the building or site for the permitted purpose, a 2.0m high close boarded acoustic fence shall be erected in a position immediately around the entire bank of new parking spaces outside of the proposed child play centre element of the proposal.

Reason: In the interests of securing a form of development that will not cause an unacceptable impact upon the amenities of the neighbouring residential occupiers.

19. Prior to the first use of the building or site for the uses hereby granted planning permission, a detailed scheme for the fitment of additional insulation inside of the walling of the existing building as well as the un-built extension, so as to achieve a further reduction of 10dB over and above that reduction in noise associated with the existing/permitted walling materials, shall have been submitted to and agreed in writing by the Local Planning Authority. The development and uses hereby permitted shall only commence once that scheme for the fitment of additional insulation, so agreed, has been implemented in full.

Reason: In the interests of securing a form of development that will not cause an unacceptable impact upon the amenities of the neighbouring

residential occupiers.

20. Unless in connection with an emergency, at no time shall any windows, doors or any other opening be open whilst any football or child play activity hereby permitted is carried out in the building.

Reason: In the interests of securing a form of development that will not cause an unacceptable impact upon the amenities of the neighbouring residential occupiers.

21. Prior to the first use of the building for the uses hereby granted planning permission, and in complete accordance with the submitted letter dated 5th October 2011, full details of the proposed boarding and netting to be installed around the perimeter of the proposed football pitches, so as to stop balls hitting the inside walls of the building, shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in complete accordance with the details so agreed prior to the first use of the building for the uses hereby permitted.

Reason: In the interests of securing a form of development that will not cause an unacceptable impact upon the amenities of the neighbouring residential occupiers.

(Note: Cllr Peter Hutton requested that his vote against the motion be recorded.)

104f. 11/02331/FUL - Land Rear of 6 Upper Pavenhill, Purton

Public Participation

Mr Patrick Griffiths spoke in objection to the application.
Mrs S Wheeler spoke in objection to the application.

The Committee received a presentation by the Planning Officer detailing the main issues in respect of the application, including scale of the application and access, and recommended that planning permission be delegated to the Area Development Manager subject to conditions and subject to the applicant entering into a legal agreement under S.106 of the Town and Country Planning Act 1990 in respect of the provision of a financial contribution towards public open space. Attention was also drawn to the late observations provided with the report.

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

Cllr Jacqui Lay, the local Member, spoke in objection to the application.

After discussion,

Resolved:

Subject to the applicant entering into a legal agreement under S.106 of the Town and Country Planning Act 1990 in respect of the provision of a financial contribution towards public open space, as required by policy CF3 of the adopted North Wiltshire Local Plan 2011, it is recommended that planning permission be DELEGATED to the Area Development Manager for the following reason:

The scale and layout of the proposal is considered to be acceptable in the context of the surrounding area and the proposal is not considered to result in an unacceptable impact upon the residential amenity of surrounding properties. Sufficient car parking and manoeuvring space is provided within the site and the proposed development would not be detrimental to highway or pedestrian safety. In this way the proposed development is considered to comply with the provisions of policies C3, H3 and CF3 of the adopted North Wiltshire Local Plan 2011 and the guidance contained within Planning Policy Statement 3: Housing.

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 of the North Wiltshire Local Plan 2011.

3. The development hereby permitted shall not be first brought into use until the Right of Way surface has been upgraded and shall be a consolidated surface (not loose stone or gravel) in accordance with drawing NAD 0135 (This includes the provision of kissing gates). Full details of the construction specification and kissing gates shall be submitted and approved in writing by the Local Planning Authority prior to works being constructed.

REASON: In the interests of highway safety.

POLICY - C3 of the North Wiltshire Local Plan 2011.

4. No part of the development hereby permitted shall be first occupied until the access, turning area, parking spaces have been completed in accordance with the details shown on the approved plans. These areas shall be properly consolidated and surfaced (not loose stone or gravel). The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

POLICY - C3 of the North Wiltshire Local Plan.

5. No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 10 metres in both directions from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1 metre above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

POLICY - C3 of the North Wiltshire Local Plan 2011.

6. 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 until surface water drainage has been constructed in accordance with the approved scheme.

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

POLICY - C3 of the North Wiltshire Local Plan 2011.

7. 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 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) means of enclosure;
- (f) car park layouts;
- (g) other vehicle and pedestrian access and circulation areas;
- (h) hard surfacing materials;

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

POLICIES - C3 and NE14 of the North Wiltshire Local Plan 2011.

8. 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.

POLICIES - C3 and NE14 of the North Wiltshire Local Plan 2011.

9. No demolition, site clearance or development shall commence on site until an arboricultural statement and tree protection plan of all relevant details above and below ground have been submitted to and approved in writing by the Local Planning Authority.

No retained tree/s shall be cut down, uprooted, or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars without prior written approval of the Local Planning Authority. Any topping or lopping approval shall be carried out in accordance with BS 3998 2010 British Standard for Tree Work or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practice.

If any tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place at a size and species planted at such time that must be agreed in writing with the Local Planning Authority.

No equipment, machinery or materials shall be brought onto the site for the purpose of development until a scheme showing the exact position of

protective fencing to enclose all retained trees and hedgerows beyond the outer edge of 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 protective fencing has been erected in accordance with the approved plans. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations without prior written approval by the Local Planning Authority.

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

No fires shall be lit within 15 metres of the furthest extent of the canopy of any tree or group of trees to be retained on the site or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk or any tree or group of trees to be retained on the site or adjoining land.

REASON: To prevent trees being retained on or adjacent to the site from being damaged during the construction works and in the interest of visual amenity.

POLICY - NE14 of the North Wiltshire Local Plan 2011.

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 garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area.

POLICY - C3 of the North Wiltshire Local Plan 2011.

11. 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.

- NAD 0135 – Proposed new bungalow, date stamped 6th July 2011

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

Informative:

Thames Water will aim to provide customers with a minimum pressure of 10m head (approximately 1 bar) and a flow rate of 9 litres / minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.

104g. 11/02790/S73A - Lower Salthrop Farm, Lower Salthrop, Bassett Down, Wroughton

The Committee received a presentation by the Planning Officer detailing the main issues in respect of the application and recommended that condition 06 to planning permission 10/02321/S73A be varied. Attention was also drawn to the late observations provided with the report.

Members of the Committee then had the opportunity to ask technical questions to the Planning Officer. Clarification was sought regarding the issue of the light testing and how, when and whether these had been done and the impact of atmospheric conditions on light readings.

After discussion,

Resolved:

That planning permission be GRANTED for the following reason:

Subject to the imposition of appropriately worded planning conditions, the proposed permanent floodlighting would not cause an unacceptable impact upon the landscape or the amenities of the nearest neighbouring residents. In these circumstances, the proposal is considered to comply with the provisions of Policies C3, CF2 and NE15 of the adopted North Wiltshire Local Plan 2011.

Subject to the imposition of planning conditions previously imposed, including the variation to the wording of condition 06 to read as follows:

In complete accordance with the submitted details a regular record of light measurements taken by an appropriate professional shall be maintained at all times throughout the life of the development and such a record shall be made available for inspection by the Council upon request. Such light measurements shall be undertaken on two separate occasions within every

12 month period. The first occasion shall be each autumn of every calendar year prior to the first operation of the floodlights and the second three months afterwards.

REASON: In order to maintain a floodlighting scheme that is correctly installed and maintained so as to reduce light spillage and keep potential impact upon residential amenity to a minimum.

Informative:

1. The applicant is advised that in order to provide a clear and meaningful comparison over time, the assessments required by condition 06 to this decision notice should be carried out during consistent atmospheric conditions. Assessments consistently carried out in similar atmospheric conditions will minimise variation in lighting levels and visibility in the landscape and therefore allow for a more accurate assessment of the lighting.

104h. 11/03048/FUL - The Lodge, Oaks Farm, Rode Hill, Colerne

Public Participation

Mr David Pearce, agent, spoke in support of the application.

Mr Ian Gooding, applicant, spoke in support of the application.

Mr Simon Meadowcroft spoke in support of the application.

Cllr John Bull, Colerne Parish Council, spoke in support of the application.

The Committee received a presentation by the Planning Officer detailing the main issues in respect of the application, including the scale and land status of the application, and recommended that planning permission be refused. Attention was also drawn to the late observations provided with the report.

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

Cllr Sheila Parker, the local Member, spoke in support of the application.

After discussion,

Resolved:

That Planning Permission be REFUSED for the following reasons:

1. The proposed replacement dwelling by virtue of its scale, bulk and mass would not be of a similar scale and size as the existing dwelling

and the existing dwelling is capable of retention subject to repair. The proposal is contrary to Policy H4 of the North Wiltshire Local Plan 2011.

2. The proposed replacement dwelling by virtue of its scale, bulk and mass would result in a disproportionate increase in the scale of the building over that of the original resulting in inappropriate development in the Green Belt and resultant loss of openness of the Green Belt. The proposal would be contrary to Policy NE1 of the North Wiltshire Local Plan 2011.
3. The proposed replacement dwelling by virtue of its location, scale, bulk, mass and ancillary development (access and separate curtilage) would have a harmful impact on the visual amenity and character of the Area of Outstanding Natural Beauty. The proposal would be contrary to Policy HE4 of the North Wiltshire Local Plan 2011.

105. **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.00 - 9.50 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic Services, direct line (01225) 718504, e-mail kieran.elliott@wiltshire.gov.uk

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

**Wiltshire Council
Northern Area Planning Committee
14th December 2011**

There are no forthcoming Hearings or Public Inquiries between the 14/12/2011 and 31/05/2012

Planning Appeals Received between 10/11/2011 and 01/12/2011

Application No	Location	Parish	Proposal	DEL or COM	Appeal Procedure	Officer Recommendation
11/02209/FUL	4 Pool Gastons Road, Malmesbury, Wiltshire, SN16 0NG	Malmesbury	Demolish 4 Pool Gastons Road and Erect 3 Dwellings	DEL	Written Representations	Permission
11/02318/REM	Coach House, Church Road, Heddington, Wiltshire, SN11 0PQ	Heddington	Demolition of Industrial Buildings and Erection of 9 Dwellings (Resubmission of 10/04628/REM)	DEL	Informal Hearing	Permission
11/02697/FUL	3 Langley Road, Chippenham, Wiltshire, SN15 1BP	Chippenham	First Floor Rear Extension (Resubmission of 10/04653/FUL)	DEL	Written Representations	Refusal
11/02740/FUL	80 WATERHAY, LEIGH, SN6 6QY	Leigh	Erection of Garage/Workshop	DEL	Written Representations	Refusal

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There have been no appeals decided between the 10/11/2011 and 01/12/2011

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Agenda Item 7

INDEX OF APPLICATIONS ON 14/12/2011

	APPLICATION NO.	SITE LOCATION	DEVELOPMENT	RECOMMENDATION
7a	10/04602/FUL	Sainsburys Supermarkets Ltd, Bath Road, Chippenham, Wiltshire, SN14 0BJ	Proposed Improvements Including Extensions To The Foodstore, Carparking Deck And Associated Works	Delegated to Head of Development Control
7b	11/02637/FUL	38 Stone Lane, Lydiard Millicent, Swindon, Wiltshire, SN5 3LD	Demolition of Existing Building and Erection of a Replacement Dwelling	Permission
7c	11/03223/FUL	15a Court Street, Sherston, Malmesbury, SN16 0LL	Renovation & Extension to Dwelling	Permission

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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Report No.

Date of Meeting	14 December 2011		
Application Number	N/10/04602/FUL		
Site Address	Sainsbury's Supermarket, Bath Rd, Chippenham, SN14 0BJ		
Proposal	Proposed improvements including extensions to the foodstore, car parking decking and associated works		
Applicant	Sainsburys Supermarket Ltd		
Town/Parish Council	Chippenham		
Electoral Division	Chippenham Cepen Park & Derriads	Unitary Member	Councillor Peter Hutton
Grid Ref	389842 172033		
Type of application	Full		
Case Officer	Charmian Burkey	01249 706667	Charmian.burkey@wiltshire.gov.uk

Reason for the application being considered by Committee

Cllr Peter Hutton has requested the application be considered by Committee to assess visual impact on the surrounding area, relationship to adjoining properties, environmental/highways impact and car parking.

This application was deferred from planning committee on 23rd November 2011 to enable the Committee to consider further the information contained within the Roger Tym and Partners report. Officers are working on a briefing note to cover the issues raised and this will be presented as additional information and sent out to Committee Members beforehand.

1. Purpose of report

To consider the above application and to recommend that planning permission be GRANTED subject to conditions.

2. Report summary

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

- Principle of development
- Impact upon highway safety and convenience.
- Impact on the vitality and viability of both Chippenham and Corsham town centres
- Impact upon visual amenity, distant views, TPOd trees and landscaping in general.
- Impact upon neighbour amenity and surrounding area.

The application has generated objections from both Chippenham and Corsham Town Councils, 68 local residents and 1 letter of support.

3. Site Description

The application relates to the existing Sainsbury's store at Bath Road, Chippenham. This store has been in operation since the 1990s and was extended under applications 95/02275/F and 01/02614/F.

The current proposal is for extensions to the store; a "facelift" to give new elevational treatments to the majority of the store's elevations; a car parking deck and associated works.

The existing store is of traditional supermarket design comprising a series of peripheral mansard roofs incorporating a series of small gables. The mansard roofs conceal a large flat roof. The elevational materials are a combination of red clay tiles to the sloping mansard roofs, with a large gable marking the store entrance finished in buff facing bricks with cream and red feature banding. External walls are similarly finished in buff facing bricks with red brick feature. Canopies have oversailing mansards to form covered walkways. There is an existing petrol filling station (PFS) with carwash to the west of the store.

Documents submitted with the application

- Design and Access statement.
- Planning statement (revised)
- Retail assessment (revised)
- Statement of Community Involvement
- Lighting Assessment.
- Air Quality assessment
- Noise assessment
- Transport assessment
- Tree survey schedule
- Supporting appeal decisions.

Amount of development

The originally proposed development on the ground floor added a total of 2522sqm to the gross internal floor space and added 1685sqm at first floor mezzanine level - a total of 4207sqm (excluding the atrium). The sales area would increase from 4629sm to 7600sqm. (435sqm has already been approved under 08/02601/FUL).

However, following concerns about impact upon the trees, the western extension has been reduced by 3.7m so that the recently TPOd trees are unaffected. This has meant a reduction in gross floorspace to 4076 sqm (a reduction of 131 sqm.). This means that the proposed development on the ground floor will add a total of 2150sqm to the gross internal area and add 1926sqm at first floor level, a total of 4076sqm (excluding the atrium). The sales area would increase from the existing store 4629sqm to 7600sqm, an increase of 2971sqm. However 435sqm has already been approved under 08/02601/FUL.

The back up area will increase at ground floor level by 557sqm, and at first floor a decrease of 135sqm ie a total increase of 422sqm to allow for additional storage space in connection with the extended sales area.

There will be an increase in customer parking spaces from 500 to 647, with the ground floor layout reconfigured to improve circulation, improved access to the petrol filling station, a decked area and the required car ramp. Of the 647 spaces 34 are designated disabled and 32 parent and child.

The staff car park of 44 spaces originally approved under 08/02601/FUL is also shown on the application plan.

4. Relevant Planning History		
Application Number	Proposal	Decision
95/2275/F	Extension and relocation of coffee shop/refurbishment of petrol station store.	Permission
01/02614/FUL	Extension to foodstore	Permission
08/02601/FUL	Car park reconfiguration, new staff car park, store extension and alteration	Permission

5. Proposal

The proposal is for a 2 storey extension to the southern principle elevation to straighten the shopfront line to give additional sales area whilst providing an atrium area containing travelators and lift access to the expanded mezzanine areas.

The displaced ground floor restaurant will be relocated to the new mezzanine and customer services within the new atrium.

A 2 storey extension to the eastern facade of the store will provide additional sales at ground floor, additional back up area plus a new unloading bay and Goods On Line facility. Within the upper floor a new expanded mezzanine is created to house the relocated restaurant and customer facilities. The existing staff facilities and back up area will be pushed to the northern extremity. The current plant room is relocated to the extended mezzanine.

A single storey extension on the western facade will provide additional ground floor sales area with a back up area to the north and small Explore Learning facility to the south.

The existing car parking to the south and partially to the east has been reconfigured to both improve access to the car park and petrol filling station, whilst providing for the incorporation of an upper deck of car parking to the south of the store.

The recycling facility is to be upgraded, locally re-located and rationalised.

In terms of style the changes are designed to create a more contemporary supermarket environment. Glazed elements are used to break down the elevations into a more regular scale and rhythm. The glazing will also add visual interest. The remaining altered elevations are dark grey (revised from white) composite panels. The north elevation (facing landscaping/housing) will partially remain as existing.

6. Planning Policy

North Wiltshire Local Plan: Policies C3, R4 and NE18 of NWLP 2011.

Central government planning policy PPS4 Policies EC15 and EC16 in particular

7. Consultations

Urban Design

Object for the following reasons (comments refer to original submission):

- Non-use of locally appropriate materials - result is a taller, simplified box with no attempt to break down the form. Gives examples in Greenwich, Plymouth, Gloucester and Dartmouth where this has been done.
- Close to residential area. Existing building has articulated skyline and brings eaves down to a single storey.
- Proposed is equal sized textureless, white panels and south facing un-protected glazing.
- Now flat facade at 2 storeys.
- Appears as utilitarian factory.
- Whole site is higher than the A4 and building can be seen from positions well beyond the site.
- Only the lit Sainsburys sign would identify the building as what it is – the design should be incorporated into the building.
- Car deck is alien form at the edge of town.
- Car deck would remove the opportunity for mature tree planting within the site.
- The existing store is already a storey above the A4 - the deck would create an unpleasant entrance into Chippenham.
- From views from the west and north part of the existing building will still be visible which will be incongruous with the new development materials.

Environmental Health

Are happy that the 2m and 3m acoustic barriers are either brick wall or close boarded lapped timber (minimum surface density 20kg/m²); recommend imposition of a condition requiring compliance with Yard Management Plan. No objections to Air Quality Report nor Lighting Report.

Landscape Officer on Original Plans

- Significant removal of existing trees, including Category A ones to enable car park reconfiguration and expansion.
- Removal of vegetation in Tree Group 85 weakens the physical width and effectiveness of the visual buffer to residential area. Also effects screen from the countryside beyond, including Corsham Park which is a scheduled 18th Century Historic Park and Garden.
- Recommends TPOing G86 (6 oaks) owned by the Council.
- Removal of planting at north west boundary was originally strategic planting - additional mitigation is required.
- White colour of building in landscape is significant.
- Must retain existing planting and replace that which is to be lost.

On amended plans

States that:

- 1) The Council must satisfy itself that the loss of trees is justified to facilitate necessary development.
- 2) The long term viability of the trees on adjacent land is a planning consideration.
- 3) The matter of protecting existing trees can be secured by way of a planning condition and the Council must ensure that the most important are preserved.
- 4) The loss of some of the protective tree belt is a matter for the Council to consider and the proposal should provide additional mitigation rather than less due to the proposed store expansion resulting in increased activity.
- 5) Still has concerns over the prominence of the development when viewed from the public footpath of the historic park over adjoining open countryside.
- 6) Welcomes the removal of the signage.

Chippenham Civic Society

Strongly object on the grounds of size and scale, failure to meet criteria in PPS4, insufficient public consultation, approach of developer.

Archaeology

No comment

Corsham Town Council

Concerns over impact that extending the store and parking would have on a busy road. It was also felt that thought should be given to access and egress.

Chippenham Town Council

Object on grounds that the proposal would have a detrimental effect on the vitality and viability of Chippenham Town Centre contrary to policy R5(iv) of NWLP 2011.

Corsham Civic Society

The effect on vitality and viability of Corsham Town Centre and surrounding businesses, which is not referred to in the Impact Statement.

Chippenham Without Parish Council

Concern about noise from the plant room; already landscaping has been removed; question amount of public support claimed; concern about removing internal roundabout; pedestrian convenience; litter; need pedestrian crossings; highway visibility.

Highways

Do not object to the transport assessment subject to completion of off site works there is no highway objection.

Spatial Plans

Whilst it is recognised that the proposal will address some of the retail leakage of comparison goods to other towns such as Bath and Swindon, there is concern that such a scale of proposal will undermine the vitality and viability of Chippenham Town Centre and is therefore not in accordance with criteria (ii) of Policy R4 of NWLP 2011.

The Council subsequently employed the services of a retail specialist to give advice on the application.

Environment Agency

No objections subject to conditions.

Corsham Chamber of Commerce

Object because it would have an adverse effect on the vitality and viability of Corsham Town Centre. Corsham is in the primary catchment area. Nearly every shop in Corsham would be affected particularly in relation to kitchen/cookware/tableware; domestic electrical goods; books; homeware; soft furnishings; children's toys; stationery; clothing and health/beauty products. Parking is free at Sainsbury's but not in either Corsham or Chippenham. In Corsham the car park adjacent to the supermarket has higher charges than other town centre car parks.

8. Publicity

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

68 letters of objection received.

Summary of key relevant points raised:

- The building is too big for the site and a market town.
- Lorry traffic
- The car deck is an eyesore so close to residential development and the open countryside
- Pedestrian links are confusing especially to the PFS side.
- Increase in delivery traffic from Home Delivery Service.
- Insufficient highways information to demonstrate that impact is acceptable - traffic assessment accepts a 20% increase in traffic volume together with increase in sales area of 59.1%.
- Study overestimates those that will walk/cycle.
- Blockage of access to store when tankers deliver to PFS - increase in customers to store will exacerbate this.
- Increase in 50 jobs does not balance effect on town centre.
- Domination by expansion.
- Effect on minority interests
- Effect on delivery vehicles late at night - not possible to condition due to existing store being unrestricted.
- Pollution from car deck.
- Previously extended in 2003
- Only 35 neighbours consulted.
- Effect on landscape.
- Trees would take a long time to mature and therefore screen.
- Base data for highways is 2006 and thus too long ago.
- There is still more of Methuen Park to develop increasing traffic onto the roundabout.
- Control of litter
- Effect on Town Centre of Corsham

ING (who have an interest in the Bath Road/Bridge Centre site), Redcliffe Homes, Chippenham Vision and Ashtenne all object to the application on non compliance with the requirements of the sequential test, insufficient evidence to demonstrate that the proposal will not lead to significant adverse effects on the town centre, job creation does not outweigh impact and failure to comply with policy in PPS4.

The Council employed the services of Roger Tym and Partners to assess the application against Policies EC15 and EC16 of PPS4, which relate to 'Sequential Approach' and 'impacts' respectively. A copy of their report on the original application is available on file but in summary in relation to the sequential assessment, they accepted that the Bridge Centre/Bath Road Carpark site was too small to accommodate a superstore with 13, 642sqm of floorspace, but maintained that the sequentially preferable site was capable of accommodating most, if not all, of the proposed comparison retail floorspace. They therefore did not consider that the proposed development satisfied the sequential test.

In terms of Impact Assessment, the originally proposed development would represent a substantial increase in the size of an existing out-of-centre superstore. They considered that there was clear potential for the scheme to undermine town centre vitality and in their own assessment the trade impact on the town centre - of 12% using WYG own figures, rather than the 4.3% figure suggested by WYG - is a significant cause for concern. They concluded that proposed development did not satisfy criteria b) and d) of PPS4 Policy EC16.1. The development could also undermine the prospects of securing a retail scheme at the Bridge Centre/Bath Road Car Park site, so they also had concerns in relation to criterion a) of Policy EC16.1.

Roger Tym and Partners have re-assessed the proposal following the revisions made by Sainsburys (3rd October 2011) and make the following comments (which represent the latest conclusions on the sequential approach and impact on town centres):

- WYG has supplied additional commentary on the availability, suitability and viability of the Bath Rd Car Park/Bridge Centre site (BRBC) and sets out in greater detail the applicant's scope for flexibility and disaggregation of the application proposals.
- In terms of flexibility and scope for disaggregation, the applicant's main argument is that the proposed development will address a location specific need for additional floorspace to remedy the deficiencies of the existing store which is over trading. WYG asserts that the design on a multi level represents a sub-optimal solution for Sainsburys and, whilst they do not agree that this represents a degree of flexibility in terms of the sequential test, they recognise that it adds weight to the applicant's argument.
- WYG argue that disaggregation would not provide genuine choice and competition and an alternative provision at the Bath Road / Bridge Centre site would not be capable of competing with the existing Sainsbury and Morrisons. Whilst such a scenario may reduce over trading at the current store, it would not in certainty provide the choice the current proposal offers or improve the environment for shopping. Taking into account this and the "Chesterfield appeal", they consider the argument for disaggregation has been dealt with. Taking on board the additional evidence in respect of availability, suitability and viability of the sequentially preferable Bath Road / Bridge Centre site, they conclude that the applicant has satisfied the sequential test of PPS4 Policy EC15.
- The key concern raised previously regarding the applicant's assessment of impact was that it did not adequately consider the impacts of the proposed development on ING's planned investment at the Bath Road / Bridge Centre site. In accordance with para 7.19 of PPS4, WYG has now considered the impact of the application in terms of the status and progress of the proposed investment and the impact of the application scheme on current and forecast turnovers, operator demand and investor confidence.
- They consider it difficult to assess impact on operator demand and interest prior to the specifics of ING's scheme being made public. It is; however, fair to assume that if the ING scheme includes a large foodstore then interest from potential operators could be weakened by this proposal. This in turn could have a negative impact on developer/investor confidence. ING's proposals are at a critical juncture, but they have not stated that they won't proceed if Sainsbury's proposal is approved.
- The checklist for assessing impact on planned investment shown after para 7.21 of the Practice Guidance also suggests that the level of risk to planned investment and its significance will depend on whether there is sufficient need for both. They had asked for information on future expenditure capacity to support its own proposals and the development of its own proposals and the development of convenience goods floorspace at the Bath Road / Bridge Centre site. WYG has not provided any evidence. Nevertheless, on balance, the applicant has carried out a more appropriate assessment of the application scheme on planned investment. They accept that there may be some negative impacts on the planned investment at the Bath Road / Bridge Centre site, but are unable to conclude that it is significant. They also accept that, in view of their conclusions in relation to the PPS4 Policy EC15 sequential assessment, the location specific Sainsbury's proposal would not be wholly competing for the same market opportunity as the planned investment. There would be no demonstrably significant adverse impacts under criteria a) of PPS4 Policy EC16.

Planning Considerations:

Retail Impact

The Council's retail consultants originally analysed the application and concluded that there was a case for refusal on the grounds of undermining the vitality and viability of the town centre and therefore not satisfying the criteria b) and d) of PPS4 Policy EC16.1. There were also concerns about the impact of the development on securing a retail scheme at the Bridge Centre/Bath Road Car Park site in relation to criterion a) of Policy EC16.1 and that site represented the best opportunity for significantly expanding the retail offer in the town centre.

Additionally they advised that reflecting the advice in Policy EC17.1 of PPS4, the development should be refused as there is a sequentially preferable site that could accommodate the proposed retail floorspace and because the proposed scheme was likely to result in significant adverse impact on Chippenham Town Centre. Even should the Council conclude that the impacts were not significant, then it would be necessary to weigh up the positive and negative impacts of the proposed foodstore as per policy EC17.2 of PPS4. Their conclusion was still one of refusal because the employment benefits associated with the proposal - ie creation of 50-60 jobs- would not outweigh the harm.

However, the applicant's agents (WYG) have undertaken further work to allay these fears and have actually reduced the floor area by 131 m². The Council's consultants have assessed this and have concluded that whilst they still have some outstanding concerns, the additional information provided by the applicant reassures them that the sequential test in PPS4 has been adequately addressed and it would be unlikely that the proposed development would have significant adverse impacts on planned town centre investment.

The agents submitted two relevant appeal decisions (which are available on file) at Brimington, Chesterfield (APP/A1015/A/10/2120496) and Mill Lane, Alton (APP/M1710/A/10/2143427), both of which support their case against disaggregation of the store and the effect that the extension would have on planned investment in the town centre (in the Chesterfield case) and effect on the town centre vitality and viability and alternative provision in the Alton case

They strongly advise conditions which restrict the total amount of sales floorspace available for both convenience and comparison goods and which would prevent any future subdivision of the extended superstore. This would help limit and control the potential impacts of the proposed development, ensure that the permitted comparison goods floorspace could only be traded in association with convenience goods floorspace and prevent the creation of smaller retail units that could compete more effectively with existing and proposed in-centre provision.

Car Deck

In terms of visual impact the car deck could potentially be seen from: The Scheduled C18th Historic Park and Garden of Corsham Park, all 3 junctions of the A350/A4 roundabout and the Methuen Park business estate/A4 junction. At the A4/A350 roundabout location the car deck will be approximately 4.2m above the car park level and therefore approx. 6m above road level with its own lighting and parked cars. The railings would take the height to a further 5.6m above the car park and therefore over 7m (see above) above the road. Further along the A4 the existing car park grows from 1.8m to about 3.5m above road level with commensurate increases in height of the car deck.

Officers have negotiated with the agent and have agreed the principle of substantial mature planting of both evergreen and deciduous trees to effectively screen the decking from these vantage points. The planting will be the subject of a legal agreement to ensure that it is maintained in perpetuity.

Whilst the proposed landscape screening will, it is considered, give an effective visual buffer to the proposal, the car deck will have more limited visual impact than might first be imagined due to the topography of the approach roads and landscaping on the A350/A4 junction. From the Methuen Park estate roundabout views will be more significant, but it is considered that this is within the built up area and would not create a discordant feature.

The proposal involves the removal of all the existing trees where the deck will go and almost all those within the car park area in general.

Highways Issues

Concern has been raised about the level of traffic already using the junction with Sainsburys and congestion and highway danger caused at peak times. The information submitted with the

application suggests that the am peak will only generate and increase of 71 movements, the pm peak 269 movements and Saturday peak 274 movements. Our Highways engineer is satisfied with these figures and the capacity of the junction to cope with them.

The staff car parking was approved under 08/023601/FUL and circumstances have not changed since.

To the west of the proposed store extension are a group of early mature oaks, with a TPO upon them. As a group they contribute significantly to the character of the area and are possibly trees left over from when the land was undeveloped. The store extension to the west involves the removal of part of the belt of trees which buffers up against these TPOd trees and forms an important break between the housing development and the store. The extension has been reduced in scale by 3.6m to ensure that the trees' health is not negatively affected.

Appearance of the Store

A significant part of the proposal is to give the current store a "facelift" by extending the store and using the modern materials of composite panels and glazing. The agents have submitted further details which demonstrate that the store will be no higher overall than the existing building, the removal of the signage and artists impressions of what the building will look like. They have also amended the colour of the composite panels from white to dark grey. Up to half the building will be partially obscured by the car deck, which is covered elsewhere in this report.

The front (south) elevation incorporates a significant amount of glazing with areas such as the cafe facing out this way.

The surrounding area is an extended residential area to the north and east and new office development to the south. Materials used in these areas are, in the majority, a mixture of stone, brick and render. The existing store complements this both in scale and materials. The design of the existing store is of a "soft" appearance having sloping tiled roofs visible, but the proposal will ensure that it looks very modern. Whilst there is no other building close by of such design, it is considered that given the scale of the development on the edge of Methuen Park, it will not be so significantly alien as to warrant a refusal on design grounds.

From the Corsham Park (Scheduled C18th Historic Park and Garden) and the surrounding road network the current store is visible within an overall impression of being absorbed into the backdrop of the residential estate behind. The new store design will appear more dominant, but from many vantage points will be hidden behind the significant landscaping proposed.

The comments of the local residents have been noted, but given the responses from Environmental Health and Highways, in particular, and previous permissions on the site it is not considered that any reasons for refusal can be justified.

10. Conclusion

The proposal, as amended, will add a gross internal floorspace of 2522sqm with a 4629sqm at first floor making a total of 4207sqm (excluding the atrium). The sales area would increase from 2629sqm to 7600sqm (435sqm has already been approved under 08/02601/FUL). The information has been assessed by the Council's retail consultants and in conclusion they state that they consider the proposal now satisfies the sequential test of PPS4 Policy EC15. They accept that there may be some negative impacts on the planned investment at Bath Road car park, but are unable to conclude that it is significant. They also accept that, in view of their conclusions in relation to PPS4 Policy EC15 sequential assessment, the location specific Sainsbury's proposal would not wholly be competing for the same market opportunity as the planned investment. There would be no demonstrably significant adverse impacts under criteria a) of PPS4 Policy EC16.

The car deck would extend from just east of the store to the western edge, but would be largely hidden from significant vantage points by new landscaping to be controlled by way of a legal agreement to ensure its effectiveness and longevity.

The design of the 'facelift' for the building gives it a very modern and airy look, which although not replicated elsewhere in the locality is considered to be appropriate for this location and use as a major supermarket.

The staff car park has been covered under application 08/02601/FUL previously and is unchanged.

There will be an increase in car parking spaces for customers from 500 to 647 and the associated information about increases in car movements has been assessed by the Council's Highways Engineer and considered to be acceptable.

Overall it is considered that the proposal satisfies policies C3, R4 and NE18 of NWLP 2011 and central government planning policies contained in PPS4 – EC15 and EC16 in particular.

11. Recommendation

Planning Permission be DELEGATED to the Head of Development Control to allow completion of a legal agreement to control landscaping, management of the service yard (including control of refrigeration mechanisms), site security (to include a 6 monthly anti-social behaviour review), litter management (to include additional bins) and traffic management.

And subject to the following conditions:

1. 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 and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;

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

POLICY-C3

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

3. (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.

POLICY- C3

4. No development shall commence on site until details of all earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, and the nature of the material, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.

REASON: To ensure a satisfactory landscaped setting for the development.

POLICY-C3

5. Construction works in association with this development shall only take place at the site between the hours of 07:00 and 22:00 Monday to Saturday inclusive and between 09:00 and 20:00 on Sunday and at no other time.

Reason: In the interests of the amenity of local residents in accordance with policy C3 of the North Wiltshire Local Plan 2011.

6. The improved pedestrian linkages shown on approved plan 31216-40_P005 RevF shall be implemented concurrently with the first use or occupation of the extension hereby permitted.

Reason: To ensure that the store is accessible by a range of means in addition to the private car.

7. There shall be no subdivision of the development hereby approved.

Reason: To protect the vitality and viability of the town centres of Corsham and Chippenham.

8. Prior to the first use or occupation of the development hereby permitted the acoustic barrier shown on approved plan 31216-40_P005 RevF shall be constructed in accordance with details to be submitted prior to development hereby permitted and shall be permanently maintained thereafter unless otherwise approved in writing by the local planning authority.

Reason: To protect residential amenity.

9. Prior to the commencement of the development hereby approved details of the method of restricting access to the whole site outside the hours of opening of the superstore, shall be submitted to and approved in writing, by the local planning authority. The approved method shall be implemented prior to the first use of the development hereby permitted and permanently maintained thereafter.

Reason: In the interests of residential amenity.

10. 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.

31216-40_P005revF, 31216-40 P010RevA, 31215-40_P011RevC, 31216-40_P015, 31216-40_P013RevC, 31216-40_P009 RevJ, 31216-40_P008RevB, 31216-40_P007, P007 RevB, P012RevB, P015 (1st July 2011), 803-03 (1/09/11), 001A, 002A, 003A, 004A (16/12/10)

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

11. 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.

12. No development shall commence on site until details of the method of entry control to the staff car park has been submitted to and approved in writing by the local planning authority. The agreed methodology shall be implemented concurrently with the first use of the car park and permanently maintained thereafter.

Reason: To protect the amenity of local residents.

13. The staff car park hereby permitted shall only be used between the hours of 07:30 and 22:30 on weekdays and Saturdays and between 09:00 and 18:00 on Sundays.

Reason: To protect the residential amenity of nearby residents.

14. Prior to the commencement of the development hereby permitted, details of all lighting to be used externally on the site shall be submitted to and approved in writing by the local planning authority. The details shall include times when the lights may be in use. The development shall be carried out in accordance with the details which shall be permanently maintained thereafter unless otherwise approved in writing by the local planning authority.

Reason: In the interests of visual and residential amenity.

In addition, a condition that restricts the percentage of floorspace for comparison goods and convenience goods will be applied. Discussions with the Council's own retail consultants are

ongoing regarding the most effective way of actioning this and the specific wording of any condition.



REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Report No.

Date of Meeting	14 December 2011		
Application Number	N/11/02637/FUL		
Site Address	38 Stone Lane, Lydiard Millicent, Swindon, SN5 3LD		
Proposal	Demolition of existing building and erection of replacement dwelling		
Applicant	Mr Frith		
Town/Parish Council	Purton/Lydiard Millicent		
Electoral Division	Wootton Bassett East	Unitary Member	Councillor Mollie Groom
Grid Ref	410859 186644		
Type of application	FULL		
Case Officer	Christine Moorfield	01249 706 686	Christine.moorfield@wiltshire.gov.uk

Reason for the application being considered by Committee

The application has been referred to the Northern Area Planning Committee at the request of Councillor Mollie Groom to consider the scale of development, visual impact, relationship to adjoining properties, design and environmental / highway impact.

1. Purpose of report

To consider the above application and to recommend that planning permission be GRANTED subject to the receipt of revised plans, specifically in respect of the highway verge and conditions.

2. Report summary

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

- Principle of development
- Impact upon highway safety
- Impact upon visual amenity and landscape character
- Impact upon neighbour amenity

The application has generated objections from Lydiard Millicent Parish Council, and two letters of objection.

3. Site Description

The site has an area of approximately 0.12 hectares. At present there is a four bedroom detached two storey dwelling on the site which sits approximately 8m from the edge of the carriageway. The existing dwelling is plain in appearance with the only discernable features being the two balanced bay windows on the front elevations. The rear elevation accommodates a hipped two-storey extension.

The dwelling is finished in a white render and is set in a relatively large plot comprising 0.12 hectares. The application site falls outside any framework boundary.

Stone Lane is a road which is a route into Swindon west from Lydiard Millicent.

The character of the area is defined by detached dwellings of varying styles and scales set within large plots both along the lane and in the locality.

4. Relevant Planning History		
Application Number	Proposal	Decision
05/01508FUL	Rear extensions The approved scheme comprised large extensions primarily to the rear of this property. The permission was never implemented.	Approved
04/00036FUL	Rear Extensions Refused for the following reason: The proposed two storey extension would be unduly prominent to the side of the dwelling and would fail to harmonise with the character and appearance of the street scene in general contrary to Policy RH14 of the North Wiltshire Local Plan 2001.	Refused.

5. Proposal

This proposal is for the demolition of the existing dwelling and its replacement with a new 6 bedroom detached dwelling.

The proposed dwelling would be set back further into the site by some 6 metres (to the two storey element). The proposed dwelling would be two storey in scale defined by a central gable to the front elevation with bay windows at ground floors and chimney stacks on each end gable. The scale of the accommodation provided is facilitated by two large gables on the rear elevation together with a single storey hipped boot room.

The dwelling is proposed to be constructed of natural slate roofing, natural stone with recon. stone cills and quoin detailing and upvc windows.

The application has been the subject of recent revisions and this is discussed in more detail below.

6. Planning Policy

North Wiltshire Local Plan:

Policies NE15 H4 C3 CF3

7. Consultations

Reconsultations on revised plans were carried out on the 25th November 2011 and any additional comments received will be reported in the additional information.

Purton Parish Council - were consulted as the parish boundary runs to the rear but outside of the site. The Parish Council have not objected noting the fact that it is not within their area.

Lydiard Millicent Parish Council have objected for the following reasons; the dwelling is not acceptable in terms of its design, and materials which are not in keeping with the character of the area; it being too large and not compliant with policy H4 as it is not of a similar size and scale; unacceptable access due to boundary treatments; and loss of light and privacy to adjacent dwellings.

Highway Engineer - no objection raised although it appears that the front boundary wall as proposed encroaches on the highway verge.

8. Publicity

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

Two letters of letters of objection have been received on the following grounds:

- Loss of light and privacy to adjacent dwellings exacerbated by the slope in the land.
- Proposed dwelling too large 44% larger than existing house. Scheme does not comply with policy H4 as it is not of a similar size and scale.
- Disturbance to neighbours during construction period.
- Existing building can be retained.
- A taller building set back in the site not acceptable, design and materials not in keeping with the character of the area.
- Dimension inaccurate.
- Unacceptable access due to boundary treatments.
- Encroachment onto neighbour's highway new boundary treatments.

9. Planning Considerations

Principle of development

The replacement of a dwelling within the countryside is acceptable subject to the criteria as set out in Policy H4 of the Local Plan. Criteria (ii) to Policy H4 states:

"ii) It is a replacement for an existing dwelling where:

a. The residential use has not been abandoned;

b. the existing dwelling is incapable of retention in its current state, is unsightly or is out of character with its surroundings; and

c. the replacement dwelling is of a similar size and scale to the existing dwelling within the same curtilage.

In considering these criteria, the residential use has not been abandoned.

Whilst the existing property is not of a design or character which is out of keeping with the character of the locality, it is in a poor state of repair. A structural survey has been submitted with the application and this has been considered by a Building Control Officer. It is considered that it would not be justifiable to insist that this building be repaired and retained. It is also noted that the Council have been unsuccessful at appeal in presenting a refusal on these grounds and as a consequence such is no longer routinely pursued as a reason to refuse proposals for replacement dwellings.

The curtilage of the proposed dwelling is the same as the existing. The dwelling has been set back further into the site by some 3.5 metres (to two storey).

It is considered that the main issue when considered against Policy H4 is whether the replacement dwelling is considered to be of a similar size and scale to the existing.

Both the existing and replacement dwellings are two storeys in height.

The dimensions (approx) of the existing and proposed (as revised) are as follows:

Footprint:

Existing 87sqm Proposed (as Revised) 149.2sqm

Floorspace (over two floors):

Existing: 163sqm Proposed (as Revised) 330sqm

Volume:

Existing: 622m³ Proposed (as Revised) 855m³

The 2005 permission, which was not implemented, is considered an important material consideration. Whilst the Local Plan has changed and the policies therein, the extension would still be supported if considered against Policy H8 of the current Local Plan.

That 2005 extension permitted an additional footprint of 90.25 sqm although it is accepted that 22sqm of that was two storeys in height with the remainder a single storey extension. Nonetheless the floorspace over two floors comprised some 275sqm. The volume was 878m³.

Therefore it is considered that the proposed replacement dwelling merely replicates in a slightly different form, the volume permitted the principle of the acceptability of development is similar in respect of extensions to dwellings under the 2006 plan. Therefore it is considered reasonable to accept that a replacement dwelling could be considered appropriate if it was the same volume as the previously approved extended property.

The matters of design and amenity are covered below but the principle of the scale of the replacement dwelling is accepted to be in the region of 878m³ which is the volume of the dwelling with its approved extensions 2005.

Impact upon highway safety

This is an existing residential plot with an existing access. The Highway Engineer has not raised any objection to the scheme although it appears that the front boundary wall, as proposed, does encroach on the highway verge.

This matter has been raised with the applicant an amended plan is awaited.

Impact upon visual amenity and landscape character

The application has been the subject of considerable negotiation between the case officer, the applicant and agent. As a result of the negotiation amended plans have been submitted which have reduced the volume of the proposed dwelling down to 855m³.

This volume remains larger than the existing dwelling on the site but is in line with the volume of the dwelling as permitted in 2005.

The roof has been lowered in height bringing the ridgeline down to 7m. This is in line with the existing dwelling to be replaced. Additionally, the proposed dwelling is shown to be set back from the front boundary wall by 6m this distance is 3.5m further back into the site than the existing dwelling.

The design of the dwelling makes use of natural stone with a reconstituted stone plinth and quoins. Whilst this is not particularly typical of the locality, the variation in style and design in the vicinity would not prohibit a dwelling of this character particularly as the site is not within any designated area e.g. Conservation area/AONB.

The new dwelling is detached as the existing is and therefore, it is not considered that the design siting scale and mass of this proposed house will detract from the rural character and appearance of this locality.

Impact upon neighbour amenity

The amended drawings indicate that the house will sit 7.75m from the east boundary and 8m from the west boundary. The two storey section of the dwelling is 9.5m from the boundary. The amended drawings indicate three ensuite bedroom windows at first floor level on the eastern elevation and two ensuite bathroom windows on the western elevation. The main bedroom windows look to the north and south over the properties garden and therefore it is not considered that the new dwelling should result in a level of overlooking that will render this proposal unacceptable. The properties to either side are detached and sit within their own relatively large plots. It is recognised that there is not a clearly defined building line along this road and therefore the houses do not sit in line.

Concerns have been expressed by neighbours into the loss of light to their properties. However given the size of the plots and the distances between properties it is not considered that this proposed new dwelling sitting slightly further into the site would reduce the level of sunlight at present enjoyed by adjacent residents to a level that would warrant refusal of the application.

Other matters

Objectors have raised the matter of disruption during the construction period. This is not a material planning consideration, although it may be reasonable to impose an hours of construction planning condition which might assist such concerns. It is not therefore a matter that would justify refusal to grant planning permission. In the interest of neighbourliness, the agent has confirmed that the applicant is proposing to erect a temporary shield between the site and nearest neighbour to minimize dust disturbance.

Objectors have also raised concerns in relation to the accuracy of the drawings. There is no evidence to suggest the plans are not accurate. However, to ensure that the building does not 'grow' when constructed it is considered necessary for a condition requesting existing and finished floor levels to be submitted. The development is required to be constructed in accordance with the approved plans as well as plans submitted for conditions discharge.

10. Conclusion

The proposed dwelling is considered acceptable in terms of its mass and bulk. Whilst larger than the existing dwelling on the site the new dwelling has a volume which reflects the size of house as extended and permitted by planning permission granted in 2005. Therefore this proposed dwelling is considered to comply with the requirements of Policy H4 of the Local Plan. The design, siting and materials used for the proposed replacement dwelling are considered acceptable for this locality and are not considered to detract from the character and appearance of this rural area, compliant with Policies C3 and NE15. Further, the amenity of the adjacent residents is not considered to be reduced as a result of this development and thereby Policy C3 has been complied with.

11. Recommendation

Planning Permission be GRANTED subject to:

- the receipt of revised plans addressing the highway verge and boundary treatments;

- no further substantive issues being raised in respect of the revised plans reducing the size of the proposed dwelling;

then, for the following reason:

The proposed dwelling by reason of its scale, siting, massing, bulk and design (including the use of materials) is considered acceptable for this locality and will not detract from the character and appearance of this rural area or affect the residential amenity of adjacent residents. the proposed development thus accords with Policies C3, NE15 and H4 of the adopted North Wiltshire Local Plan 2011.

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. Prior to the commencement of the development hereby approved details of the existing levels across the site and the finished floor levels of the proposed development shall be submitted to and approved by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details.

Reason: In the interests of visual and residential amenity.

3. Notwithstanding the plans submitted 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

4. No development shall commence on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICY-C3

5. The development hereby permitted shall not be first 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

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/extensions or external alterations to 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 external alterations.

POLICY-C3

7. Before the development hereby permitted is first occupied the window(s) in the first floor ensembles east and west elevations shall be glazed with obscure glass only and the windows shall be permanently maintained with obscure glazing at all times thereafter.

REASON: In the interests of residential amenity and privacy.

POLICY—C3

8. 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.

WM13 A3/A11876/103A, 104A, 105B, 106A dated 3 November 2011

Design and Access Statement dated 3 August 2011.

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



REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Report No.

Date of Meeting	14th December 2011		
Application Number	N/11/03223/FUL		
Site Address	15A Court Street, Sherston, Malmesbury, SN16 0LL		
Proposal	Renovation and extension to dwelling		
Applicant	Mr N Lindrea		
Town/Parish Council	Sherston		
Electoral Division	Sherston	Unitary Member	Cllr John Thomson
Grid Ref	383325 185966		
Type of application	Householder		
Case Officer	Lydia Lewis	01249 706 643	Lydia.lewis@wiltshire.gov.uk

Reason for the application being considered by Committee

Councillor Thomson has requested that the application be considered by the committee to assess the: visual impact upon the surrounding area; relationship to adjoining properties; and design – bulk, height, and general appearance.

1. Report Summary

To consider the above application and to recommend that planning permission be GRANTED subject to conditions.

2. Main Issues

The main issues in the consideration of this application are the acceptability of:

- Design and appearance and impact on the Conservation Area and Area of Outstanding Natural Beauty;
- Impact on the amenities of neighbouring properties; and
- Parking and highway safety.

The application has generated no objection from Sherston Parish Council, and 7 letters of objection from 4 different properties.

3. Site Description

The site relates to a detached modern property situated in the village of Sherston within the Conservation Area, and an Area of Outstanding Natural Beauty. The property benefits from an existing detached single garage set back behind the property. The neighbouring properties Nos.9 and 11 Court Street are grade II listed buildings.

4. Relevant Planning History		
Application Number	Proposal	Decision
79/01467/FUL	Demolition of existing garage and workshops, erection of house and garage	Permitted

5. Proposal

The applicant seeks consent to: raise the height of the roof; erect a two storey rear extension; demolish the garage and replace with a single storey extension; and replace the existing reconstituted stone facework with natural stone to the front elevation and render to the sides and rear.

6. Planning Policy

North Wiltshire Local Plan 2011

C3 – Development Control Policy

HE1 – Development in Conservation Areas

HE4 – Development, Demolition or Alterations involving Listed Buildings

NE4 – Areas of Outstanding Natural Beauty

H8 – Residential Extensions

National Planning Policy

Planning Policy Statement 5: Planning for the Historic Environment

7. Consultations

Sherston Parish Council – No objection on a Village basis.

County Highways – Have indicated that they would object to the loss of the garage as insufficient parking would be retained on site, but no written comment had been received at the time of drafting this report.

8. Publicity

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

7 letters of objection have been received in response to the application publicity, from 4 different properties. The concerns raised are summarised below:

- The site notice was taken down;
- The response of the Parish Council was prior to neighbours voicing their concerns;
- The rear and side proposed elevation will not be in keeping with the Cotswold Stone of the locality;
- Scale of the extension. It would be a massive over-development of the site;
- Goes beyond the natural building line;
- Loss of privacy;
- Loss of light;
- The grey slate roofing will detract from the objectors outlook;
- Smell, noise and disturbance from the proposed TV and boiler room;
- Would be out of character with the Conservation Area and listed buildings;
- Will reduce garden and outdoor space;

- A telegraph pole (electric and telephone) would have to be moved which would cause disruption;
- The proposed chimney / flue does not appear to be at the regulation height; and
- The flue may cause a hazard in winter through moisture settling on the pathways as ice and fumes settling at a low level.

9. Planning Considerations

Design and appearance and impact on the Conservation Area and Area of Outstanding Natural Beauty

Policy HE1 of the Local Plan states that in Conservation Areas, proposals for development will only be permitted where the proposal will preserve or enhance the character or appearance of the area.

Policy HE4 of the Local Plan considers that development or alteration affecting a listed building will only be permitted where it preserves or enhances the building, its setting and any features of special architectural or historic interest that it possesses.

The existing property is constructed of reconstituted concrete block and concrete tiles. It is proposed that a natural Cotswold stone skin be added to the front elevation and the side and rear elevations be rendered. The roof would be constructed of natural grey slate or reconstituted imitation Cotswold slates. The proposed materials would be more appropriate within the Conservation Area than the existing materials. Whilst objections have been received in relation to the use of render, it is noted that the adjacent grade II listed No.11 Court Street has render to its front elevation which faces the application site and further No.21 to the west of the application site is constructed of render. Conditions requiring sample materials and a sample render panel are recommended to ensure they are of sufficient quality.

The existing, large and unsympathetic porch to the front of the property would be removed and the existing reconstituted concrete block boundary wall replaced with railings mimicking that of the next door property. The existing timber casement windows would be replaced with timber sash windows. A condition requiring the submission of external joinery details for proposed windows and doors is recommended.

The proposed rear extension has been amended. Concern was raised with the original proposal which included a three storey gable to the rear on the right hand side when viewed from the rear. This was reduced to reflect the two storey gable proposed on the left hand side. Further amended plans have been received reducing the depth of the extension from 3.3 metres to 2.8 metres. The proposed two storey extension would be set down 3 metres from the main roof and in this respect would remain subservient in appearance.

A chimney for a log burner is proposed to the single storey element. The plans confirm that this would be constructed of masonry to match the front elevation. A condition is recommended requiring full details of the chimney to be submitted prior to commencement.

Three roof lights are proposed on the rear elevation, these would be conservation style and a condition reinforcing this is recommended.

Overall, the proposed works would improve the appearance of this modern property and would preserve and enhance the character and appearance of this part of the Sherston Conservation Area.

Impact on the amenities of neighbouring properties

Policy H8 of the Local Plan states that householder extensions will be permitted provided that a number of criteria are met including amongst other things: it does not result in unneighbourly

development, which would result in the loss of light, overshadowing, loss of privacy, oppression, or other harm to amenities of occupiers of either adjacent dwellings or the application property itself.

The neighbouring property No.17 Court Street has a second floor bedroom window in the east elevation facing the application property. The submitted plans include this window and demonstrate that the proposed increase in roof height would not result in any significant loss of light to this window.

In terms of the two storey rear extension, this would have a depth of 2.8 metres and would be situated approximately 1.5 metres from the boundary with No.17. No.17 has a part two storey, part single storey extension to the rear. The single storey element has two obscurely glazed roof lights to the kitchen / dining room which face the application site. The proposed development would result in some overshadowing of these windows but it is noted that these are secondary windows with a further larger window in the north elevation.

The original proposal included a pitched roof over the replacement single storey extension with a gable end to the east. Concern was raised regarding the impact of this on the neighbouring property No.11 Court Street which has ground floor living room windows and first and second floor bedroom windows facing the application site. In response to this concern, the plans have been amended to hip the roof away from this property and the impact would not therefore be significantly greater than from the existing flat roof.

The existing property has an eaves height of 3.7 metres and ridge height of 7.9 metres with two dormer windows in both the front and rear elevations. The application proposes to increase the height of the eaves to 4.5 metres at the front and 5 metres at the rear and increase the height of the ridge to 8.3 metres. The dwelling is situated approximately 6 metres from No.11 Court Street and is orientated to the west of this property. The increase in the height and bulk of the roof is marginal and it is not considered that any further overshadowing resulting from the proposal could be regarded as significant. The proposed two storey rear extension would be situated approximately 9 metres from No.11, the proposed two storey extension would be hipped away from No.11 and it is considered that any impact in terms of overshadowing would be limited.

The depth of the proposed rear extension has been reduced from 3.3 metres to 2.8 metres and the height of the right hand gable when looking at the rear elevation has been reduced in height to match the left hand gable. The first floor windows would be situated approximately 7 metres from the front elevation of No.15. No.15 is set at an angle to the application site and on balance it is not considered that the proposed two storey rear extension would result in material overlooking of this property.

It is proposed that all first floor windows in both the east and west side elevations of the proposed development be obscurely glazed, a condition reinforcing this is recommended.

Parking and Highway Safety

The Council's car parking guidelines have been revised and require a minimum of two spaces for a three bedroom property.

The existing property has a single detached garage and a driveway 10 metres in length. The application proposes to demolish the existing garage and construct a new single storey extension and the length of the drive would be reduced slightly to 8.5 metres.

The Council's highways team have given an indication that they would object to the proposal due to the reduction in off street car parking spaces although at the time of drafting this report no written comments have been received. However, it is noted that no conditions were attached to the original permission (ref: 79/01467/FUL) restricting the use of the garage and the garage could therefore be converted to habitable accommodation without the need for planning consent. In these circumstances it is not considered reasonable to insist that the garage be retained and an objection on these grounds could not be sustained.

10. Recommendation

Planning Permission be GRANTED for the following reason:

The proposed development would adopt a form and scale appropriate both in relation to the parent dwelling and the character of the surrounding Conservation Area. In addition, the proposal is not considered to result in an unacceptable impact upon residential amenity of surrounding occupiers. In this way the proposed development is considered to comply with the provisions of policies C3, HE1, HE4, NE4 and H8 of the adopted North Wiltshire Local Plan 2011.

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 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 preserving the character and appearance of the Conservation Area.

POLICY – C3, HE1 and H8 of the North Wiltshire Local Plan 2011.

3. No development shall commence on site until a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON: In the interests of preserving the character and appearance of the Conservation Area.

POLICY – C3, HE1 and H8 of the North Wiltshire Local Plan 2011.

4. No development shall commence on site until a sample panel of the render to be used on the external walls has been made available on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON: In the interests of preserving the character and appearance of the Conservation Area.

POLICY – C3, HE1 and H8 of the North Wiltshire Local Plan 2011.

5. No works shall commence on site until details of the new chimney have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the Conservation Area.

POLICY – C3, HE1 and H8 of the North Wiltshire Local Plan 2011.

6. Before the development hereby permitted is first occupied the first floor windows in the east and west side elevations 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.

POLICIES - C3 and H8 of the North Wiltshire Local Plan 2011.

7. The rooflights hereby approved shall be of the 'conservation' type with a single vertical glazing bar and mounted flush with the roof slope.

REASON: In the interests of preserving the character and appearance of the Conservation Area.

POLICY – C3, HE1 and H8 of the North Wiltshire Local Plan 2011.

8. No works shall commence on site until details of all new external window and door joinery have been submitted to and approved in writing by the local planning authority. The submitted details shall include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:10 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2. The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the Conservation Area.

POLICY – C3, HE1 and H8 of the North Wiltshire Local Plan 2011.

9. 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.

- C10346/1 – Existing floor plans, existing elevations and location plan (site plan superseded)
- C10346/2 Rev C – Proposed floor plans and elevations

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

SHERSTON



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