

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 22 FEBRUARY 2012 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Peter Colmer, Cllr Christine Crisp, Cllr Peter Davis, Cllr Bill Douglas (Substitute), Cllr Peter Hutton, Cllr Howard Marshall, Cllr Bill Roberts (Substitute), Cllr Toby Sturgis and Cllr Anthony Trotman (Chairman)

Also Present:

Cllr Dick Tonge

1. **Apologies for Absence**

Apologies were received from Councillors Peter Doyle, Alan Hill and Simon Killane. Councillor Bill Roberts substituted for Councillor Doyle and Councillor Bill Douglas substituted for Councillor Killane.

2. **Minutes**

The minutes of the meeting held on 14 December 2011 were presented.

Resolved:

To approve as a correct record and sign the minutes.

3. **Declarations of Interest**

There were no declarations of interest

4. **Chairman's Announcements**

The Chairman

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

The committee noted the rules on public participation.

6. **Planning Appeals**

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

- (i) Forthcoming hearings and public inquiries between 8 February 2012 and 31 July 2012
- (ii) Planning appeals received between 11 November 2011 and 8 February 2012

7. **Planning Applications**

7a **N/11/02441/FUL - 36 Gloucester Street, Malmesbury**

Public participation:

Ms Francesca Caton spoke in objection to the application

Ms Kim Power spoke in objection to the application

Mr David Pearce spoke in support of the application

Councillor Bill Blake, representing Malmesbury Town Council, spoke in objection to the application.

Councillor Simon Killane, local member, spoke in objection to the application.

The Planning Officer introduced the report, which was recommended for approval, and highlighted the two key issues which were the fact that this was in a secondary frontage area and that it had been marketed for almost two years without success. A debate followed during which the loss of retail capacity was considered.

Following the debate it was

RESOLVED

To refuse the application for the following reason:

The proposed development would result in the unacceptable loss of a retail premises within the secondary retail frontage in a prominent location within the centre of Malmesbury. The loss of premises would be to the detriment of the vitality and viability of Malmesbury

Town Centre and its future vitality and viability. Insufficient information has been provided to demonstrate that the property has been marketed sufficiently robustly in an attempt to secure a retail use at the premises. The proposal is contrary to Policies C3, R2 and R6 of the adopted North Wiltshire Local Plan 2011 as well as the strategy and objectives of Wiltshire Core Strategy Pre-Submission Draft February 2012.

7b **N/11/03755/FUL & N/11/03756/LBC - Brook Farm, West Kington, Wiltshire, SN14 7JG**

Public participation:

Mr David Pearce spoke in support of the application

Mrs P Graves spoke in support of the application

Ms Fleur Shanahan spoke in support of the application

Councillor Jean Bush, representing Nettleton Parish Council, spoke in support of the application.

Councillor Toby Sturgis, representing the views of Councillor Jane Scott, local member, spoke in support of the application.

The Planning Officer introduced the report which was recommended for refusal. He explained that there had been objections from the Principal Ecologist and from the Conservation Officer. During the debate issues of visibility from the public footpaths, lighting and surface materials were considered.

It was

RESOLVED

DELEGATE to officers to secure the required ecological surveys and any necessary mitigation measures; and

APPROVE for the following reason:

The proposed development by reason of its scale, and relationship with the existing residential curtilage would be in keeping with the listed building and its setting and would not detract from the character and appearance of the West Kington conservation area or the countryside at this location. The proposal thus complies with Policies C3, HE1, HE4, H8 and NE15 of the adopted North Wiltshire Local Plan 2011.

Subject to the following conditions:

11/3755/FUL

1. Prior to commencement of development an ecological assessment and mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. All development shall be carried out in complete accordance with the approved ecological mitigation strategy.

REASON: In the interests of the ecological value of the site and its setting

2. No external lighting shall be installed on site without written approval from the Local Planning Authority, by means of a formal application. Plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage must be submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

REASON: In the interests of the ecology of the site and the character of the countryside, Conservation Area, AONB and setting of the listed building.

3. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:
 - (a) indications of all existing trees 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) retained historic landscape features and proposed restoration, where relevant.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features, the character and appearance of the Conservation Area and AONB and the setting of the listed building.

4. Prior to the commencement of development, manufacturers details in respect of the fencing or other means of enclosure for the tennis court shall 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.

REASON: In the interests of visual amenity and the character and appearance of the area, the Conservation Area, AONB and the setting of the listed building.

5. No development shall commence on site until details and samples of the materials to be used for the court surface 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, the Conservation Area, AONB and the setting of the listed building.

11/3756/LBC

1. No works shall commence on site until details of all proposed new walls and terracing associated with the re-profiling of the land at a scale of not less than 1:20 have been submitted to and approved in writing by the Local Planning Authority. Works shall be carried out in accordance with the approved details.

REASON: In the interests of the architectural and historic interest of the listed building and its setting.

2. The natural stone walling for the works hereby permitted shall be constructed to match that of the existing retaining wall in terms of its colour, texture, face bond, size, jointing and pointing.

REASON: In the interests of the architectural and historic interest of the listed building and its setting.

7c N/11/03905/FUL - Garabrecan, Brinkworth Road, Wootton Bassett, Wiltshire, SN4 8DS

Public participation:

Mr Vines spoke in support of the application.

The Planning Officer introduced the report which was recommended for refusal, he explained that officers felt it was too large for the grounds of the existing property. A debate ensued during which the issue of the size of the development and the fact that it was outside the framework boundary were discussed.

It was

RESOLVED

That Planning Permission be REFUSED for the following reasons:

- 1. The proposed building is too large in terms of its footprint and mass and bulk and does not respect the character and appearance of the main house on the site and or the rural character and appearance of the locality by the introduction of a large detached building. Therefore, proposal fails to comply with policies C3 NE15 of the Local Plan 2011 and policy RLT9 of the Wiltshire Structure Plan.**
- 2. The proposal located remote from services employment opportunities and being unlikely to be well served by public transport is contrary to the key aims of Planning Policy Guidance Note 13 which seeks to reduce growth in the length and number of motorised journeys.**

7d **N/11/04006/FUL - Peterborough Farm, Dauntsey Lock, Wiltshire, SN15 4HD**

Public participation:

Mr Vines spoke in support of the application

Councillor Ellen Blacker, representing Dauntsey Parish Council, spoke in support of the application

Councillor Toby Sturgis, local member, spoke in support of the application.

The Planning Officer introduced the report, which was recommended for refusal. She explained that the building was considered to be out of keeping with the original.

Following a debate it was

RESOLVED

To APPROVE for the following reason:

The proposed development by reason of its scale and design represents a suitable conversion in keeping with the character of the accordance with Policy BD6 of the adopted North Wiltshire Local Plan

2011.

And 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 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; and
- (g) hard surfacing materials.

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

3.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.

4. 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.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), 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.

6. 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.

- i. 2011-19-1 – Proposed ground floor layout
- ii. 2011-19-2 – Proposed first floor layout
- iii. 2011-19-3 – Proposed south east and north west elevations
- iv. 2011-19-4 – Proposed north east and south west elevations
- v. 2011-19-5 – Block plan
- vi. 2011-19-6 – Site plan
- vii. 2011-19-7 – Approved ground floor layout
- viii. 2011-19-8 – Approved elevations

All date stamped 9th December 2011

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

7e **N/11/03375/FUL - Coach Style, Horsdown, Nettleton, Wiltshire, SN14
7LN**

Public participation:

Mr Harvey spoke in objection to the application

Mr David Pearce spoke in support of the application

Mr Andrew Jones spoke in support of the application

Mr N Puntis spoke in support of the application

Councillor John Wright, on behalf of Nettleton Parish Council, spoke in support of the application.

Councillor Toby Sturgis, representing the views of Councillor Jane Scott, local member, spoke in support of the application.

The Planning Officer introduced the report which was recommended for approval. During the debate concerns were raised regarding the parking of the vehicles and it was requested that a condition be added to ensure that vehicles were parked in designated parking spaces only.

It was

RESOLVED

That Planning Permission be GRANTED for the following reason:

The proposed development, by virtue of its location, siting, scale and design, will not harm the character or appearance of the site or its setting within an AONB and open countryside. The proposed expansion's association with an established business will enable the retention of a locally important business vital to the economic health of the community. The proposal therefore accords with Policies C3, NE4, NE15 and BD5 of the adopted North Wiltshire Local Plan 2011 and PPS 4 (Planning for Sustainable Economic Growth).

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. 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.

3. The vehicle wash shall only be used between the following times:

- | | |
|-----------------------------|-------------|
| a. Monday to Friday | 0800 – 1800 |
| b. Saturday | 0900 – 1300 |
| c. Sunday and Bank Holidays | No Use |

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

4. 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.

5. Prior to the commencement of construction the applicant shall provide details of the fuel storage and bunding proposed for the site. The applicant must demonstrate that the fuel storage solution complies with Environment Agency Requirements.

6. Any facilities above ground for the storage of oils, fuels or chemicals shall be sited on an impervious base and surrounded by impervious walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. Hydraulically interlinked tanks should be regarded as a single tank. All filling points,

vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund. The development shall not be first brought into use until such facilities have been constructed and completed in strict accordance with plans approved by the Local Planning Authority.

REASON: To prevent pollution of the water environment

7. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or soakaways/ditches.

REASON: To prevent pollution of the water environment

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.

Site Plan as Existing
Section AA
Kirton's Vehicle Wash Reclaim System Specification

Received 7 October 2011

Site Plan

Received 21 November 2011

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

9. The parking of coaches shall take place only in the coach parking spaces specifically identified on drawing number LDC/1562/002A (identified by a redline on the plan attached to this decision notice) and in no other location within the site.

REASON: In the interests of the visual amenity of the countryside and AONB at this location and given the nature of the application.

7f **N/11/04098/FUL - The Coach House, Leafy Lane, Box, Wiltshire, SN13**
OLE

Public participation:

Mr Simon Crowther spoke in support of the application

Mr Roger Smith spoke in support of the application

Councillor Tonge, local member, spoke in support of the application, subject to a condition making it always ancillary to the main property.

The Planning Officer introduced the report, which was recommended for refusal, and explained that officers felt that as the proposed site was in a green belt and an AONB it was tantamount to a new dwelling in the countryside.

During the debate issues of the size of the development and its independence from the main dwelling were discussed.

It was

RESOLVED

To APPROVE for the following reason:

The proposed development by reason of its scale, design and siting is not considered to detract from the openness of the Green Belt at this location, or the character and appearance of the AONB and would be in keeping with the host dwelling. The development therefore accords with Policies C3, NE1, 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 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.

3.No development shall commence on site until a sample of slate proposed to be used has been submitted to and approved in writing by the Local Planning Authority. .

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

4.Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the Green Belt and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

5.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 as The Coach House

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.

6.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.

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

7g **N/11/04112/FUL - The Barn, Sodom Lane, Dauntsey, Wiltshire, SN15 4JA**

Public participation:

Mrs H Eggleton spoke in objection to the application
Mr S Eggleton spoke in objection to the application
Mr Simon Chambers spoke in support of the application

The Planning Officer introduced the report which was recommended for approval. Councillor Sturgis, local member, expressed concern that these premises had already had several extensions and also concerns regarding the parking of large vehicles on the road. During the debate members also raised concerns regarding the noise from reversing fork lift trucks and noise from the generator. There was also some debate regarding the class of use attached to the premises.

It was therefore

RESOLVED

To DEFER for the following reasons:

- 1. To seek the views of highways based on recent information regarding loading and unloading**
- 2. The enforcement officer to establish the use of the premises and which use class the building comprises to ascertain whether there would be a material change of use due to this extension as well.**

8. **Urgent Items**

There were no urgent items

(Duration of meeting: 6.00 - 9.05 pm)

The Officer who has produced these minutes is Pam Denton, of Democratic Services, direct line 01225 718371, e-mail pam.denton@wiltshire.gov.uk

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