

## NORTHERN AREA PLANNING COMMITTEE

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**DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 30 JUNE 2010 AT COUNCIL CHAMBER, WILTSHIRE COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.**

**Present:**

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

**Also Present:**

Cllr Judy Rooke and Cllr Carole Soden

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67. **Apologies for Absence**

An apology for absence was received from Cllr Peter Doyle.

68. **Minutes**

**Resolved:**

To confirm and sign the minutes of the meeting held on 9 June 2010 as a correct record, subject to the following amendment:-

Minute No. 65 (1d) - 0/01545/FUL - 4 Church Row, Biddestone, Chippenham - Two Storey Side & Rear Extensions (revision to 09/02266/FUL) - Electoral Division By Brook

Resolution to be amended as follows:-

**Resolved:**

To refuse planning permission for the following reason:-

The scale, size and form of the development fails to respect the character of the traditional cottage and therefore does not harmonise with the host dwelling, or the surrounding buildings contrary to policies C3 and H8 of the North Wiltshire Local Plan 2011. The proposal has a severe impact on the area and fails to preserve the character and appearance of the

**Biddestone Conservation Area contrary to policies NE4 and HE1 of the North Wiltshire Local Plan 2011.**

69. **Declarations of Interest**

There were no declarations of interest.

70. **Chairman's Announcements**

There were no Chairman's announcements.

71. **Public Participation**

A member of the public addressed the Committee as set out in Minute No 71 below.

72. **Planning Appeals**

The Committee received a report setting out:-

- (i) details of hearings and public inquiries scheduled to be heard between 30 June and 31 December 2010.
- (ii) planning appeal decisions received between 27 May and 17 June 2010.

73. **Planning Applications**

1a **10/00537/FUL - The Embankment Site, Bath Road, Chippenham, SN15 2AR - Erection of Five Dwellings and Associated Car Parking - Electoral Division Chippenham Lowden & Rowden**

The Committee received a presentation by the Area Development Manager which set out the main issues in respect of the application.

Members of the Committee then asked technical questions after which they received a statement from Mr Benjamin Pearce, the agent, in support of the application.

Cllr Judy Rooke, the local Member, expressed her concern about the design, density and proximity to Rowden Down Cottage. She also conveyed the concerns of residents about the pedestrian access into Timbrells Place and stated that in these circumstances she could not support the application.

It was noted that a letter had now been received from Chippenham Town Council recommending that the application be refused due to the loss of amenity to Rowden Down Cottage, the proposed development at one point

being only 2.5m away.

During the subsequent discussion Members of the Committee considered the views expressed and

**Resolved:-**

To delegate to the Area Development Manager to approve the application, subject to the securing of a an Agreement under Section 106 of the Town & Country Planning Act 1990 for the provision of a financial contribution towards public open space, in accordance with Policy C3 and CF3 of the adopted North Wiltshire Local Plan and to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**REASON:** To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

**POLICY:** C3

3. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- (a) indications of all existing trees 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;
- (i) minor artefacts and structures (e.g. furniture, play equipment,

refuse and other storage units, signs, lighting etc);  
(j) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

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

**POLICY:** C3

4. No part of the development hereby permitted shall be occupied or 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.

**POLICY:** C3

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

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/first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

**POLICY:** C3

**7. No development shall commence on site until a scheme to deal with contamination of the land has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the public, buildings and the environment when the site is developed. The site shall be fully decontaminated in accordance with the approved scheme before any part of the development is occupied.**

**REASON: In the interests of public health and safety.**

**POLICY: C3**

**8. Prior to the commencement of development full details of the proposed secure storage building shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in complete accordance with those details so approved.**

**REASON: In the interests of amenity so as to secure an outbuilding of satisfactory design and appearance.**

**9. With the exception of its use by emergency services, the proposed secondary access to the site via Timbrells place shall be secured against all future vehicular use, in accordance with a scheme that shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Development and future occupation of the site as a residential development shall be carried out in complete accordance with such details approved.**

**REASON: In the interests of securing an emergency access to the site in the event of an extreme flood and so as to avoid an unacceptable impact upon residential amenity.**

**10. The emergency access to the site via Timbrells Lane shall not be used for pedestrian access unless otherwise needed in the event of an emergency in accordance with a scheme that details such future control over the emergency pedestrian access, which shall have been submitted to and approved in writing by the Local Planning Authority. Development and future occupation of the site as a residential development shall be carried out in complete accordance with such details approved.**

**REASON:** In the interests of securing an emergency access to the site in the event of an extreme flood and so as to avoid an unacceptable impact upon residential amenity.

#### **Informative**

**1. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.**

**1605 L02, L1605 L101, L1605 L102,**

**All dated 15/02/10**

#### **Reason for Decision**

**The proposal is considered to constitute an acceptable form of development in terms of its scale, siting, massing and design in relation to adjoining development and is without unacceptable detriment to the amenities of surrounding residents. As such the proposal is considered to comply with the provisions of Policies C3, NE2 and H3 of the adopted North Wiltshire Local Plan 2011.**

**1b 10/01108/S73 - North End Farm, Ashton Keynes, SN6 6QR - Conversion of Barn & Byre to Residential Use & Change of Use of Annex to Separate Residential Use - Electoral Division Minety**

The Committee received a presentation by the Area Development Manager which set out the main issues in respect of the application after which Members of the Committee asked technical questions.

On hearing the views of Cllr Carole Soden, the local Member and after discussion,

#### **Resolved:**

**To delegate authority to the Area Development Manager to grant planning permission, subject to:**

- 1. The submission of a satisfactory survey in respect of bats and, if necessary, a mitigation strategy demonstrating how the bats will be safeguarded and accommodated throughout both the construction and operational phases of the development.**
- 2. Seeking advice on the requirement for a contribution towards Public Open Space and if necessary securing such a contribution through a legal agreement.**
- 3. 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 permitted, details 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.**

**Reason: In the interests of visual amenity.**

**(3) Prior to the commencement of the development hereby permitted, details of all new external joinery shall be submitted to, and approved in writing by, the local planning authority. These details shall include depth of reveal, materials and full drawings including both horizontal and vertical sections, to a scale of not less than 1:5. The development/works shall be completed in accordance with the approved details and at no time shall the approved joinery be altered without the prior written approval of the local planning authority.**

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

**(4) Prior to the residential use or occupation of any part of buildings 3 or 4 all external joinery shall be painted in a finish to be submitted to, and approved in writing by, the local planning authority. Thereafter the approved painted finish shall be retained unless otherwise agreed in writing by the local planning authority.**

**Reason: In the interests of the character and appearance of the area.**

- (5) 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 buildings 1, 3, 4, 5 or 6.**

**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.**

- (6) 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 within the curtilage of the dwellings formed from buildings 3 and 4.**

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

- (7) No television or radio aerial, satellite dish or other form of antenna shall be affixed to buildings 3, 4, 5 or 6 without the prior written consent of the local planning authority.**

**Reason: In the interests of the listed building.**

- (8) Prior to the residential use of buildings 3 or 4 the 1.5m stone walls shown on the approved plans shall be completed in accordance with details which shall first be submitted to and approved by the local planning authority.**

**Reason: In the interests of visual amenity and to safeguard the residential amenities of prospective occupiers.**

- (9) Any gates to the vehicular access shall be set back a distance of 4.5 metres, measured from the nearest edge of the carriageway to which access is obtained. Such gates shall be capable of opening only in a direction away from the carriageway.**

**Reason: In the interests of highway safety.**

- (10) Prior to the use or occupation of the development hereby permitted, the car parking areas shown on the approved**



plan(s) shall be provided and shall thereafter be kept available for the parking of vehicles at all times.

Reason: In the interests of road safety.

(11) Before building 3 or 4 is occupied as a dwelling the use as a racehorse training yard shall permanently cease.

Reason: To ensure a satisfactory residential environment.

**Reason for Decision**

This is an acceptable form of development in this location in terms of its layout, access, design and use. It is not considered that this scheme will detract from the character and appearance of the Conservation Area and therefore complies with policies C3, BD6 and HE1 of the North Wiltshire Local Plan 2011.

**1c 10/00973/LBC - Corsham Court, Corsham, SN13 0BZ - Supply & Install Four Number Information/Directional Signs relating to Bath Spa University Occupation of the Site - Electoral Division Corsham Pickwick & Rudloe**

The Committee received a presentation by the Area Development Manager which set out the main issues in respect of the application during which he explained that the objections that had been raised concerning this application had now been resolved.

**Resolved:**

To delegate to the Area Development Manager to grant listed building consent following the expiry of the notification period, subject to 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) No works shall commence until details of the following matters (in

respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the local planning authority:

(i) Full details of proposed method of fixing signage to masonry and railings.

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

Item 1 shall be completed prior to the use or occupation of the works.

**REASON:** In the interests of the listed building.

#### **INFORMATIVE**

1. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

#### **Plan References**

A4 details of Sign 3 and Sign 4, A3 plans showing position of proposed signs, and site location plan received on 21/04/10: A4 details of Signs 1 and 2, and revised elevation drawings showing position of proposed signs received on 15/06/10

#### **Reason for Decision**

The proposed alterations preserve the special historic interest of the listed building in accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 and central government guidance PPS5.

#### 74. **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.00pm – 6.55pm)

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

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