

AGENDA

Meeting: NORTHERN AREA PLANNING COMMITTEE
Place: Council Chamber - Monkton Park, Chippenham
Date: Wednesday 22 September 2010
Time: 6.00 pm

Please direct any enquiries on this Agenda to Roger Bishton, of Democratic and Members' Services, County Hall, Bythesea Road, Trowbridge, direct line (01225) 713035 or email roger.bishton@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 Bill Douglas
Cllr Peter Doyle

Cllr Alan Hill
Cllr Peter Hutton
Cllr Howard Marshall
Cllr Toby Sturgis
Cllr Anthony Trotman

Substitutes:

Cllr Chuck Berry
Cllr Paul Darby
Cllr Mollie Groom

Cllr Simon Killane
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**

To approve and sign as a correct record the minutes of the meeting held on 1 September 2010. (copy herewith).

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**

Members of the public who wish to speak either in favour or against an application 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. 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 for Members of Wiltshire Council available on request.

6. **Planning Appeals**

An appeals update report is attached for information.

7. **Planning Applications**

To consider and determine planning applications in the attached schedule.

7. **10/00426/FUL - Glen Avon, Hornbury Hill, Minety, Malmesbury, SN16 9QH - Demolition of Existing dwelling and Erection of 8 No. Dwellings, Vehicular & Pedestrian Access, Parking & Landscaping**

7. **10/01149/FUL - The Ostlers House, 42 Pickwick, Corsham, SN13 0HY - Erection of Detached Garden Room**

**10/02546/LBC - Brook Farm, Frog Lane, Great Somerford,
Chippenham, SN15 5JA - Removal of 2.0m Length of Wall**

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 1 SEPTEMBER 2010 AT COUNCIL CHAMBER - MONKTON PARK,
CHIPPENHAM.**

Present:

Cllr Chuck Berry, Cllr Peter Colmer, Cllr Christine Crisp, Cllr Bill Douglas, Cllr Peter Hutton,
Cllr Simon Killane, Cllr Toby Sturgis and Cllr Anthony Trotman (Chairman)

Also Present:

Cllr Dick Tonge

91. **Apologies for Absence**

Apologies were received from Councillors Alan Hill (substituted by Cllr Chuck Berry), Howard Marshall (substituted by Cllr Simon Killane), Peter Davis and Peter Doyle.

92. **Minutes**

Resolved:

To confirm and sign the minutes of the meeting held on 11 August 2010 as a correct record.

93. **Declarations of Interest**

There were no declarations of interest.

94. **Chairman's Announcements**

There were no Chairman's announcements.

95. **Public Participation**

Members of the public addressed the committee as set out in minute no. 96a below.

96. **Planning Applications**

1a **10/01581/FUL - Lacock Working Mens Club, Chapel Hill, Lacock, Chippenham, SN15 2LA - Extension, Alteration & Conversion of Former Working Men's Club (A4 Use) to a Mixed Use Live-Work Development including a Photographic Gallery& Workshop/Studio, together with Three B&B Rooms**

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application.

Members of the Committee then asked technical questions after which they received statements from members of the public expressing their views regarding this application as follows:

Mr Simon Chambers, the applicant's agent, spoke in favour of the application.

Mr Matthew Bollen, the architect for the proposed development, spoke in favour of the application.

On hearing the views of Cllr Dick Tonge, the local Member, who spoke in favour of the application and after discussion,

Resolved:

To delegate authority to the Area Development Manager to grant planning permission, subject to the completion of a legal agreement securing a contribution towards Public Open Space, and subject to the conditions set out below, for the following reason:

The proposed development would promote and maintain the long term economic health of the local economy contributing towards employment and tourism in accordance with Policy C1 of the North Wiltshire Local Plan 2011 and Policies RLT 8 and 9 of the Wiltshire and Swindon Structure Plan 2016. In addition, by reason of its scale, design and appearance it would enhance the character and appearance of the Lacock Conservation Area. The proposal accords with Policies C3 and HE1 of the North Wiltshire Local Plan 2011 together with Government advice contained in PPS5 "Planning for the Historic Environment".

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) hard surfacing materials;

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

POLICY: C3 HE1

3. 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

4. Notwithstanding the approved drawings, no works shall commence until details of the following matters have been submitted to and approved in writing by the Local Planning Authority:

- i. Large scale details of all external joinery including metal-framed glazing (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels;
- ii. Large scale details of all internal joinery (1:5 elevation, 1:2 section);
- iii. Full details of proposed rooflights, which shall be set in plane with the roof covering;
- iv. Full details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;

- v. Full details of proposed meter and alarm boxes;
- vi. Large scale details of proposed eaves and verges (1:5 section);
- vii. Full details of external decoration to render, joinery and metalwork; and
- viii. Full details and samples of external materials.

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

REASON: In the interests of preserving the character and appearance of the adjacent listed building and its setting and the wider conservation area.

5. No part of the development hereby approved shall be occupied or 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.

6. The B&B accommodation created by this development shall not be used as a separate dwelling unit.

REASON: To prevent the creation of permanent dwelling(s) in the open countryside.

7. A minimum of three rooms shall be used and/or made available for bed and breakfast accommodation at anyone time.

REASON: Due to the circumstances of the site and its location where residential development would not normally be permitted.

8. The owners/ operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of rooms and shall make information available at all reasonable times to the Local Planning Authority.

REASON: This site is 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 permanent residential accommodation.

Policy C3 North Wiltshire Local Plan 2011, RLT8 and 9
Wiltshire and Swindon Structure Plan 2016

There were no urgent items.

(Duration of meeting: 6.00 – 6.40 pm)

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

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Wiltshire Council – Area North

Planning Committee

22nd September 2010

Forthcoming Hearings and Public Inquiries between 01/09/2010 and 31/01/2011

Application No	Location	Parish	Proposal	Appeal Type	Date
09/01315/CLE	OS 7400, Hicks Leaze, Chelworth, Lower Green, Cricklade	Cricklade	Use of Land for Storage and Dismantling of Cars, Vans, Lorries, Plant and Machinery for Export and Recycling; Siting of One Caravan for Residential Use	Public Inquiry	11/01/2011
09/01791/FUL	LONG BARROW ROAD, CALNE, WILTSHIRE SN11 OHE	Calne	Residential Development comprising 29 Units including 2 Storey Houses and Flats and Single Storey Bungalows. Provision of Pedestrian & Vehicular Access & Parking & Public Open Space, Tree Protection Measures and Oil Pipeline Easement	Informal Hearing	30/11/2010
09/01926/FUL	Common Farm House, Quemerford, Calne, Wilts. SN11 8UB	Calne Without	Conversion of Barn 3 to Single Dwelling (Including Partial Reconstruction) - Retrospective	Informal Hearing	27/10/2010
09/01992/FUL	3 ACRES, CASTLE COMBE ROAD, GRITTLETON, WILTSHIRE, SN14 7LB	Grittleton	Change of Use of Land from Stables, associated Grazing Land and Hardstanding to Greyhound Kennels and Temporary Siting of Touring Caravan to be used in conjunction with Kennels.	Informal Hearing	26/10/2010
09/02062/S73A	NABLES FARM, UPPER SEAGRY, CHIPPENHAM, SN15 5HB	Seagry	Retention of Existing B2 & B8 Uses, Alterations to Access and Proposed Landscaping	Informal Hearing	06/01/2011
09/00912/FUL	Land Adj Calcutt Farm, Calcutt, Cricklade, Wiltshire, SN6 6JT	Cricklade	Change of Use to Include the Stationing of Caravans for 14 Residential Gypsy Pitches with Utility/Day Room Buildings and Hard Standing Ancillary to that use	Informal Hearing	26/10/2010

Planning Appeals Received between 08/07/2010 and 09/09/2010

Application No	Location	Parish	Proposal	DEL or COM	Appeal Procedure	Officer Recommendation
09/02054/FUL	23 COMMON HILL, CRICKLADE, WILTSHIRE SN6 6EZ	Cricklade	2 Dwellings	DEL	Written Representations	Delegated to Implementation Team Leader
10/00521/FUL	Garden Plot Opposite 4 Tanners Hill, Sherston, Malmesbury, Wiltshire	Sherston	Erection of Garden Shed	DEL	Written Representations	Refusal
10/00859/FUL	Little Park Cottages, Wootton Bassett, Swindon, Wiltshire, SN4 7QW	Wootton Bassett	Conversion of Former Stable Buildings to Form Two Holiday Units & Erection of Building to Provide Additional Cattery Accommodation - Resubmission of 09/00974/FUL.	DEL	Written Representations	Refusal

Page 7

Agenda Item 6

10/01123/LBC	6 Keynell Court, Yatton Keynell, Chippenham, Wiltshire, SN14 7EH	Yatton Keynell	Internal & External Alterations including Installation of 3 Rooflights & Flue Pipe, in Association with Use of Roofspace as a Bedroom	DEL	Written Representations	Refusal
10/01231/FUL	WOOTTON MEADOWS FARM, MARLBOROUGH ROAD, WOOTTON BASSETT, SWINDON, SN4 7SA	Wootton Bassett	Erection of Replacement Building for B1 Office Use	DEL	Written Representations	Refusal
10/01312/FUL	Parkfields & 34 Marshfield Road, Chippenham, Wiltshire, SN15 1LW	Chippenham	Redevelopment for B1 Office Use, including New Office Block, Demolition of Existing Office Accommodation and Associated Works (Minor Amendment to Planning Permission N/09/00711/FUL)	DEL	Written Representations	Refusal
10/01545/FUL	4 Church Row, Biddestone, Chippenham, Wiltshire, SN14 7DR	Biddestone	Two Storey side & rear extensions (revision to 09/02266/FUL)	DEL	Written Representations	Refusal
10/01652/FUL	6 Brockleaze, Neston, Corsham, Wiltshire, SN13 9TJ	Corsham	Two Storey Side Extension to Provide Garage and Annex	DEL	Written Representations	Refusal
10/01129/FUL	32 STONE LANE, LYDIARD MILLICENT, WILTSHIRE, SN5 3LD	Lydiard Millicent	First Floor Rear Extensions	DEL	Written Representations	Refusal

Planning Appeals Decided between 08/07/2010 and 09/09/2010

Application No	Location	Parish	Proposal	Appeal Decision	DEL or COM	Officer Recommendation	Appeal Type
09/02127/LBC	THE ALMSHOUSES, LEIGH DELAMERE, CHIPPENHAM, WILTSHIRE, SN14 6JY	Grittleton	Proposal to Remove More of an Internal Ground Floor Wall (Amendment to 09/00230/LBC)	Allowed with Conditions	DEL	Refusal	Written Representations
10/01129/FUL	32 STONE LANE, LYDIARD MILLICENT, WILTSHIRE, SN5 3LD	Lydiard Millicent	First Floor Rear Extensions	Allowed with Conditions	DEL	Refusal	Written Representations
09/01832/LBC	17 EAST STREET, LACOCK, CHIPPENHAM, SN15 2LF	Lacock	Internal Alterations and Replacement of Asbestos Roof	Appeal Dismissed	DEL	Refusal	Written Representations
09/01934/FUL	Rose Field Caravan Site, Hullavington, Malmesbury, Wiltshire, SN16 0HW*	Hullavington/ St Paul Without	Gypsy Site for Irish Families Comprising Six Mobiles and Six Touring Caravans (Partially Retrospective) Resubmission of 09/00683/FUL	Appeal Dismissed*	DEL	Refusal	Informal Hearing
09/02091/OUT	LAND TO WEST OF OAKSEY, THE STREET, OAKSEY, MALMESBURY, SN16 9TJ	Oaksey	Erection of B1 Business Units	Appeal Dismissed	DEL	Refusal	Written Representations
09/01674/LBC	BEANFIELD, 58 THE STREET, HULLAVINGTON, CHIPPENHAM, SN14 6DU	Hullavington	Erection of Satellite Dish (Retrospective)	Appeal Withdrawn	DEL	Refusal	Written Representations

Notes:

* **Rose Field Caravan Site, Hullavington:** An appeal against the enforcement notice (which was issued at the same time as the original decision to refuse planning permission) was also dismissed. There is a compliance period of six months ending in January 2012.

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Agenda Item 7

INDEX OF APPLICATIONS ON 22/09/2010

	APPLICATION NO.	SITE LOCATION	DEVELOPMENT	RECOMMENDATION
01	10/00426/FUL	Glen Avon, Hornbury Hill, Minety, Malmesbury, SN16 9QH	Demolition of Existing Dwelling and Erection of 8 No. Dwellings, Vehicular and Pedestrian Access, Parking and Landscaping	Delegated to Implementation Team Leader
02	10/01149/FUL	The Ostlers House, 42 Pickwick, Corsham, Wiltshire, SN13 0HY	Erect Detached Garden Room	Refusal
03	10/02546/LBC	Brook Farm, Frog Lane, Great Somerford, Chippenham, SN15 5JA	Removal of 2.0m Length of Wall	Refusal

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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	22nd September 2010		
Application Number	10/00426/FUL		
Site Address	Glen Avon, Hornbury Hill, Minety		
Proposal	Demolition of existing dwelling and erection of 8 no. Dwellings, vehicular and pedestrian access, parking and landscaping		
Applicant	Thornacre Developments and Zota Limited		
Town/Parish Council	Minety Parish Council		
Electoral Division	Minety	Unitary Member	Councillor Carol Soden
Grid Ref	402530 190556		
Type of application	FULL		
Case Officer	S T Smith	01249 706 633	Simon.smith@wiltshire.gov.uk

Reason for the application being considered by Committee

This application has been referred to the Development Control Committee at the request of Councillor Soden so as to enable full and open consideration of the form of development, highway safety and potential for impact upon the neighbours.

1. Purpose of Report

To consider the above application and subject to all parties entering into a an agreement under s106 of The Act in respect of affordable housing, to recommend that the decision be delegated to the Area Development Manager for planning permission to be GRANTED subject to conditions.

Twelve (12) letters of objection have been received from members of the public. The Parish Council have objected to the application.

2. Main Issues

The application is submitted in outline (with only appearance and layout for consideration) and is for the construction of eight dwellings following the demolition of a single existing property on the site. The application site is within the settlement framework boundary of Minety. Therefore the key points to consider are as follows:

- Implications on DC Core Policy C3 and Housing Policies H3, H6
- Principle of development
- Density, layout and design
- Effect upon residential amenity of existing properties
- Access and highway safety
- Surface water drainage
- Community infrastructure (Policy C2)

3. Site Description

The application relates to a 0.19Ha site with existing single (now derelict) dwelling, Access to the site is via a long 130m (approx.) surfaced access track serving 3 other dwellings (4 including the dwelling currently upon the application site) together with the Minety sports pavilion. A public footpath runs through the site, following the line of the access track.

The application site is entirely within the Settlement Framework Boundary of Minety, although the routing of the boundary takes a deliberate and elongated step out from the core built up part of the village which runs east/west and north/south along the through roads.

4. Relevant Planning History		
Application Number	Proposal	Decision
07/03332/OUT	Erection of eight houses	Refused
08/02310/OUT	Outline application for the erection of eight houses	Granted

5. Proposal

This proposal is essentially for the demolition of the existing dwelling on the site and the creation of 8 dwellings (7 net) in its place. The application includes proposals for the provision of access to the site via the existing track leading to the sports pavilion.

This application represents a revised scheme following a refused application under 07/03332/OUT for 8 houses and a subsequent grant of outline planning permission under 08/02310/OUT, also for 8 dwellings.

6. Consultations

Parish Council

“As there is no definitive change to the plans the Councillors objections remain the same as before. For the avoidance of doubt they were:

- (1) Strong objections to the proposed car port. This will make an already urban style development even more unsightly and apparent in a rural area. The large roof block is not aesthetically pleasing and will reduce the amount of open space in the area. It is definitely out of character in this location.*
- (2) Access. Councillors are still very concerned about the access arrangements and are not convinced that the required width is available. The number of cars using this access will make it very dangerous for children using the play area and any sport activities. Despite inclusion of the land registry document, Councillors doubt that the width of the required access is available, but, in the interests of safety, this must not be reduced.*

If grants are to be used for the social housing element it appears that this developer is being subsidised by tax payers’ money for an unwarranted development and still not being asked to contribute to open space provision, despite Council policy on this.”

Housing Enabling Officer

Following lengthy negotiations with the developer about the viability of development and the ability to meet community infrastructure obligations, it was agreed that the development of this site should bring forward a contribution towards affordable housing, in accordance with adopted Local Plan policy. Such provision should include a plus clawback mechanism so as to take account of any future change in the viability of development taking place.

In coming to this conclusion the Housing Enabling Officer notes that the owner has paid too much for the land and should have been aware of planning policy before acquiring the site. The applicant also relied heavily on HCA funding, which is now not available and didn't take the affordable housing nil subsidy approach into consideration when buying the land. It is not a strategic site that would contribute a vast amount of affordable housing in comparison to other sites across North Wiltshire and this should be considered in a final decision.

Wiltshire County Council Highways

In response to the current application and amended plans that now demonstrate 16 parking space being provided, the Highways Officer confirms that they have no objection subject to the conditions which were applied to the outline consent relating to access, parking and turning being applied to any permission granted.

Land Drainage Engineer

In response to the previous planning application, the Land Drainage Engineer notes the storm drain mentioned in Para. 2.4 of the drainage strategy may be at capacity, or may require jetting (clearing) and the same can be said for other parts of the system in this area. Certainly the outfall was blocked when I was there. It does look as though the aforementioned storm drain picks water up from part of Hornbury Hill and an area north of this, possibly the school. It also picks up water from the adjacent field (albeit without the ditch), the existing houses and then also the proposed development.

One reason that may possibly cause the storm drain to exceed its capacity is the runoff from the adjacent field; this will reach the inlet to the storm drain way before the rest of the system can pipe it there, which in turn will cause the water to back up hence the reported flooding. Reinstatement of the ditch (Para. 2.5) may offer an opportunity to control some of the flow from the field with the addition of a control structure (stank) to hold up flows, which may increase the capacity of the existing storm drain.

Ultimately confirmed that the drainage scheme proposed, if implemented, would be adequate to drain the site and stop future flooding.

In response to the current application, which comprises the exact same arrangements for drainage of the site, the Land Drainage Engineer has reconfirmed his satisfaction with the scheme. Concerns about the existing drainage ditch (currently filled in – allegedly for at least the last 30 years) to the Western boundary of the site are largely a boundary dispute between neighbours. The applicant has, however, confirmed that the ditch will be cleared as a result of development.

7. Publicity

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

Twelve (12) letters of letters of objection received

Summary of key relevant points raised:

- Very little space between properties and neighbours – too high density of development
- Overlooking / oppressiveness due to height and raised ground level of new properties proposed
- Appearance of development is poor and out of character with locality
- Open space proposed is inadequate
- Poor access width and land not under ownership of applicant
- Lack of access for service vehicles
- Highway safety compromised by increase in houses making use of access lane
- Surface water drainage arrangements inadequate
- Hedging and trees have already been lopped and cut back
- Location of waste bins

8. Planning Considerations

Principle of development

The site lies inside the defined settlement framework of Minety - although the routing of the boundary takes a deliberate and elongated step out from the core built up part of the village which runs east/west and north/south along the through roads. Nevertheless, the principle of residential on this site does comply with policy H3 of the Local Plan 2011.

The existence of an extant outline planning permission (issued on 24th November 2009) is a highly material planning consideration when determining this new application.

Density, layout and design

As per the previous outline planning permission, the development of 8 units on a site of 0.19Ha in area results in a density of approximately 42 dwellings p/Ha. This figure sits comfortably above the indicative minimum specified by PPS3. Indeed, such a density is not considered to be inappropriate to its location adjacent to existing residential development, and although perhaps at a greater density than existing development gaining access from the lane, the differences would not be extreme or unexpected, as warned against by national and local policy.

In close similarity to the outline planning permission, the number of units proposed translates into an arrangement of two distinct blocks of four units each. Parking spaces have been provided for all units, similarly arranged into two blocks. The layout appears to take account of the public right of way and respect the position of "Beechwood", the closest existing dwelling and is considered to be satisfactory.

Newly proposed is the insertion of a timber car-port type structure between the two blocks. The comments of the Parish Council in respect of this element of the scheme are understood, however the function of the car port to shield large areas of parked cars that would otherwise remain open to view, is considered to be a worthwhile addition to the scheme.

Despite some changes to their appearance, the proposed remain largely neutral appearance. They do not radically diverge from Minety village as a whole, which does not display any particular architectural theme. A small increase in the height of the dwellings over the outline permission (to a maximum ridge of 9.7m) is thought to be consequential to the success of the scheme. As before dormer windows are proposed to serve the now almost universal use of roof-space. As a feature, dormer windows can be seen elsewhere within Minety on dwellings and to this extent are not considered to be out of place. Materials are to be predominantly render with stone detailing.

Proportions of the dwellings continue not to be considered objectionable. Despite a small increase in the height of the dwellings over the outline permission (to a maximum ridge of 9.7m) is thought to be inconsequential to the success of the scheme, particularly in the context of other existing properties in the vicinity of large modern proportions.

Impact upon residential amenity

The site relationship with nearest residential properties is primarily defined by the common unadopted access lane, with 3 properties gaining access from it, plus 2 further properties positioned either side of its junction with Hornbury Hill. Clearly whilst there would be additional traffic associated with development of the site making use of the access track, in the context of existing traffic movements and the proximity of other roads and land uses, this is not thought to result in an adverse impact upon amenity from noise and disturbance that would warrant a reason for refusal.

In terms of built development, the closest existing property would be "Beechwood" to the immediate north. At some 8.0m+ distant and orientated along the same "building line", the relationship and consequent impact is not thought to be objectionable.

Access and highway safety

As per the outline planning permission, access to the site is to be via the existing track. There is no change to the proposed arrangements.

Whilst the concerns of local residents are understood in respect of highway safety, Wiltshire County Council have again indicated their general satisfaction to the scheme following negotiations in respect of planned widening of the lane (ie. the width of the access land is to be increased to a minimum of 4.1m). For this reason, and in the absence of expert opinion to the contrary, it is considered unreasonable to use highway safety as a reason to refuse development on this site. Critically, given the existence of the outline planning permission which has effectively already ruled on the issue of the acceptability of the access arrangement, it would not be possible to refuse planning permission on that basis.

Ownership of the land required to widen the access road continues to be disputed, with several residents suggesting it is not under the control of the applicant. Plans that form part of the submitted application make it clear that the required land is within the application site (ie. shown as being within the red-line) and that "notice" is not required to be served because all of it is within the ownership of the applicant. So long as the application has been configured in this way, there is no reason for the Council to examine this matter in more detail since it remains, essentially, a private boundary dispute. In any event, and as per the previous outline planning permission, carefully worded condition(s) could ensure that the widening of the lane take place prior to the dwellings being commenced, thus resulting in permission not being implementable, if ownership does in fact prove to be problematic.

Bin storage is to be kept within the confines of the main body of the site and not along the site access as was once suggested.

Surface water drainage

In common with the previous outline permission, the Council's Drainage Engineer has identified the existing storm water to be blocked and that the ditch to the western boundary poorly maintained. These may be the contributory factors to the flooding that has in the past been experienced in the locality.

Notwithstanding existing problems, the Land Drainage Engineer continues to indicate his satisfaction with the submitted scheme (which remains exactly that as previously proposed and approved under the outline permission). In order to address any potential concerns over the future management of the ditch it is considered reasonable to impose an additional condition that will require the submission of such details prior to the commencement of development.

Community infrastructure (Policy C2)

Proposals for residential development of this scale are subject to the provisions of Policy C2 of the adopted Local Plan. The purpose of the policy is to ensure that the full social consequences of development are taken into account and, where appropriate, addressed either through integration into the development proposal or by means of a financial contribution. The policy sets out a prioritised approach to those provisions and contributions.

The applicant has provided evidence that the previously approved outline scheme would not be economically viable to implement if the expected three affordable housing units are required (ie. the outline permission required three of the eight units to be affordable housing). It is clear from appeal decisions on such matters of viability, Local Planning Authorities do need to take account of the viability of schemes. Local Plan policy also allows for a flexible approach to negotiations for community infrastructure provision.

In full agreement with the Council's Housing Enabling Officer, this revised application only proposes to provide an off-site financial contribution towards affordable housing, rather than actually building affordable housing on the site itself. This approach is considered to be acceptable in light of the evidence provided by the applicant as to the viability of development taking place.

No contribution towards any of the other requirements identified in Policy C2 of the adopted Local Plan has been proposed or sought of the applicant. This is no different to the earlier outline planning permission.

9. Conclusion

The application differs in no substantive respect than the outline planning permission, which still has over 2 years left to run. Critically, the proposals for both drainage and access remain exactly the same. To this end there is considered to be no reason to refuse planning permission, provided appropriate planning conditions are imposed.

10. Recommendation

Planning Permission be GRANTED for the following reason:

The appearance, layout and scale of the development is considered to be acceptable in this location in Minety, and as such is considered to be in accordance with Policies C2, C3, H3 and H6 of the adopted North Wiltshire Local Plan 2011.

Subject to the completion of a legal agreement under s106 of The Act in respect of the Housing Enabling Officer's requirements for affordable housing;

then :

PLANNING PERMISSION BE GRANTED 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 development hereby permitted shall be carried out strictly in accordance with the approved plans subject to such minor amendments to the development as may be approved in writing under this condition by the local planning authority.

Reason: To ensure that the development is implemented in accordance with this decision in the interests of public amenity, but also to allow for the approval of minor variations which do not materially affect the permission.

3. No development shall commence until details of the proposed and existing levels across the site (including details of the finished floor levels of all buildings hereby permitted) have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the details so approved.

Reason: To ensure a satisfactory layout in the interests of the amenity of the area.

4. No development shall commence until details/samples of materials to be used externally have been 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.

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 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.

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 anywhere on the site edged in red on the approved plans.

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

7. 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 forward of any wall of a building (including a rear or side wall) which fronts onto a highway, carriageway or footpath.

Reason: In the interests of the open plan layout of the area.

8. The proposed surface water drainage scheme shall be implemented in complete accordance within the submitted Surface Water Drainage Strategy prepared by Cole Easdon Consultants (dated May 2008) within three months of the commencement of development on this site.

Reason: In the interests of providing adequate measures for the disposal of surface water from the site.

9. Prior to the commencement of development a comprehensive plan for the ongoing management and maintenance of the stormwater drain crossing the site and ditch running along the western boundary of the site shall have been submitted to and approved in writing by the Local Planning Authority. Such a plan shall include measures for clearing the storm water drain and ditch prior to connection, their regular future maintenance, together with the installation of a control structure so as to hold flows and effectively increase the capacity of the storm drain. Development shall be carried out in complete accordance with those details submitted and approved.

Reason: In the interests of ensuring the developed site is not a cause of flooding to nearby properties through management and maintenance.

10. No development shall take place until the proposed and required widening of the access track to the site from Hornbury Hill has been wholly completed in complete accordance with the details contained on the submitted plan reference TP5056-001 rev.C.

Reason: To ensure that a safe vehicular and pedestrian access to the site has been provided prior to any commencement of building works within the main body of the development site.

11. The dwelling(s) hereby approved shall not be occupied until the turning space shown on the submitted plan has been properly consolidated and surfaced to the satisfaction of the Local Planning Authority. Such turning space shall be kept clear of obstructions at all times.

Reason: In the interests of highway safety.

12. The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: In the interests of amenity and road safety.

13. No development shall commence on site until details of the storage of refuse, including details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until the approved refuse storage has been completed and made available for use in accordance with the approved details and it shall be subsequently maintained in accordance with the approved details thereafter.

REASON: In the interests of public health and safety.

POLICY—C3

Appendices:	None
Background Documents Used in the Preparation of this Report:	1.20; 2.02; 3.06; 4.04; 4.02; 4.03; 5.01

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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	22 September 2010		
Application Number	N10/01149/FUL		
Site Address	The Ostlers House, 42 Pickwick, Corsham		
Proposal	Erection of detached garden room/store.		
Applicant	Mr Andy Collett		
Town/Parish Council	Corsham		
Electoral Division	Corsham Pickwick & Rudloe	Unitary Member	Alan Macrae
Grid Ref	386325 170600		
Type of application	Full		
Case Officer	Caroline Ridgwell	01249 706639	caroline.ridgwell@wiltshire.gov.uk

Reason for the application being considered by Committee

This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8th April 2002 because Councillor MacRae has requested that the application be considered by committee with to discuss the impact of the proposed structure on the setting of the listed building and amenity of the conservation area.

1. Purpose of Report

To consider the above application and to recommend that planning permission be REFUSED. Corsham Town Council support the proposal. No letters of objection have been received with four in support.

Corsham Town Council support the proposal
No letters of objection have been received.
Four letters of support have been received.
Highways Officer has objected to the proposal.

2. Main Issues

The building is Listed Grade II and it is situated on Pickwick and is surrounded by listed buildings. The proposal is to replace an existing small garden shed with timber structure for storage that is more than double the size of the existing one and is also designed to be a summerhouse. The proposed location of the summerhouse is to the rear of the building in the area allocated for car parking. The key points to consider are as follows:

- Impact on the listed building
- Impact on the conservation area
- Impact on highways

Implications on DC Core Policies C3, HE1, HE4 and T3

3. Relevant Planning History		
Application number	Proposal	Decision
03.02108.COU	Change of use of abandoned outbuilding from ostlers' quarters/stable to dwelling	Permitted
03.02107.LBC	Alterations associated with residential conversion including reinstatement of gable end, insertion of new staircase, three windows & rooflight/structural works to roof, erection of perimeter walls	Permitted
05.03110.COU	Proposed change of use from residential to self-catering holiday cottage	Permitted
06.00960.LBC	Replace gate and erection of plaque	Permitted

4. Proposal

The Ostlers House, 42 Pickwick, Corsham is a Grade II listed building dating from the C18. It was an outbuilding to the Hare and Hounds pub, which fell into a dilapidated state once horses no longer became the mode of transport. In 2003 work was granted consent and a grant given by the local authority to repair the outbuilding and for it to be changed to residential use. As this building is reached via the car park to the pub, and it has a very small curtilage, there were conditions added to the consent given in 2003 which restricted permitted development on the site. The conditions were in order to maintain the two parking spaces on the site and to prevent the alteration or addition of walls, gates, fences and structures that may have a detrimental impact on the listed building or amenity of the area.

In 2005 consent was granted for some external and internal alterations to the house in connection with change of use to self catering holiday let. This included altering the position of the gate from the Hare and Hounds car park into the rear garden of The Ostlers House.

The proposal is to replace the existing shed that has a small window and is 1800mm long by 1200mm wide, with a summerhouse which has glazed double doors and side panels and measures 2400mm long by 2400mm wide. The summerhouse is to be used as a store so the applicant is proposing to apply opaque film to the glazing so that the contents cannot be seen from the outside.

The existing shed, and also the trellis fencing and archway that have been erected in the grounds of this property does not currently have consent. It may be that the existing shed is less than 10m³, in which case it is permitted. However, the larger structure that this application relates to would take up almost double the footprint of the current shed, using up car parking space required by County Highways.

Please note that the trellis fencing and archway have not been included in this application and therefore remain unauthorised.

5. Consultation

Corsham Town Council - No objection.

Highways Officer -

The existing permission requires the provision of 2 parking spaces and in theory this will still be available under this proposal. However it is clear that with if any vehicle is parked it will not be possible to close the gates. Further, if 2 vehicles are parked, access to the pedestrian gate into the garden area will be very difficult. The presence of the gates also restricts the practical width of the parking area making it more difficult to gain access to the vehicles if two are present.

I note that conditions on the previous permission required that gates be kept closed and that two parking spaces are maintained at all times. With this in mind it is clear that the latest proposal cannot comply with both of those conditions and further that the constraints being introduced as identified in my previous comment will make the use of both parking spaces difficult. In view of the above I recommend refusal as adequate provision cannot be made on the site for the parking of vehicles in a satisfactory manner.

6. Publicity

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

4 letters of letters of support received.

Corsham Civic Society - No objection

7. Planning Considerations

Impact on the listed building and conservation area

The proposals will result in a new structure of inappropriate design, situated very close to the main listed building. The location of the summerhouse is directly opposite the vehicular access gates, which in turn are directly ahead of the entrance to the pub car park, making it extremely prominent. The degree of glazing proposed will add to the prominence of this summerhouse, because of reflection and glare from the glass when in direct sunlight. The roof can also be seen above the boundary stone wall and due to the latest design submitted on the 24 June 2010, which has a monopitch roof, will have a greater area visible above the wall than the existing shed. The scale, design and materials do not relate to the character and appearance of the parent building, resulting in an awkward relationship that is detrimental to the architectural and historic interest of the listed building.

Whilst the vehicular access gates can be shut when there are no cars or only one car parked inside the curtilage of this building, it will not be possible to close the gates when two cars are parked there. The view of either the glazed summerhouse building or two vehicles instead of the timber gates will have a detrimental impact on the conservation area.

The proposed summerhouse building is therefore of an unacceptable scale and detail which would be detrimental to the character, setting and appearance of the listed building, as well as the setting of the adjacent listed building and amenity of the conservation area and are contrary to advice contained within Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Planning Policy Statement (PPS) 5 and policies C3, HE1 and HE4 of the North Wiltshire Local Plan 2011. They are not supported.

Impact on Highways

There is very limited parking space within the courtyard at the rear of the house, allowing for two standard cars end to end. The site is located on a main road, which has double yellow lines, and the rear of the site is accessed by crossing the car park belonging to the pub next door. The length of the car parking area to The Ostlers House is 11200mm by 4600mm max. The existing shed takes up 1200mm at the far end of the parking area and is accessed via a door at the gable end. This leaves 10000mm (10 metres) which is enough space to park two cars. The proposal will have a footprint that extends 2400mm and the doors open on the side facing the entrance to the area. Additional space will therefore need to be left in order to ensure that access to the shed is not blocked. If 800mm is allowed to open up and get in through the doors, there will be just less than 8000mm for two cars to park. In theory, it would be possible to park two cars side by side rather than end to end. However, this would make it impossible to close the entrance gates and difficult to access the pedestrian gate into the garden. When consent was originally granted in

2003 for change of use to residential, there was a condition added requiring the gates to be kept closed and that two parking spaces should be maintained at all times. As explained above, this would not be possible if the proposed summerhouse was erected. It is therefore likely that there will only be one car parked in the curtilage of the house, whilst the other one will be parked in the pub car park. This would be contrary to the condition added to consent 03.02108.COU to policy T3 of the North Wiltshire Local Plan 2011 and it is not supported.

8. Recommendation:

Planning Permission be REFUSED for the following reasons:

1. The replacement of a small timber shed with a much larger timber summerhouse that is proposed for storage will be of an inappropriate scale and detail for the proposed location. This would be detrimental to the character, appearance and setting of the listed building, neighbouring listed buildings and visual amenity of the area. The proposal does not enhance or preserve the character and appearance of the conservation area and are therefore contrary to advice contained in the Planning (Listed Buildings and Conservation Areas) Act 1990 and Planning Policy Statement (PPS) 5 and to policies C3, HE1 and HE4 of the North Wiltshire Local Plan 2011.

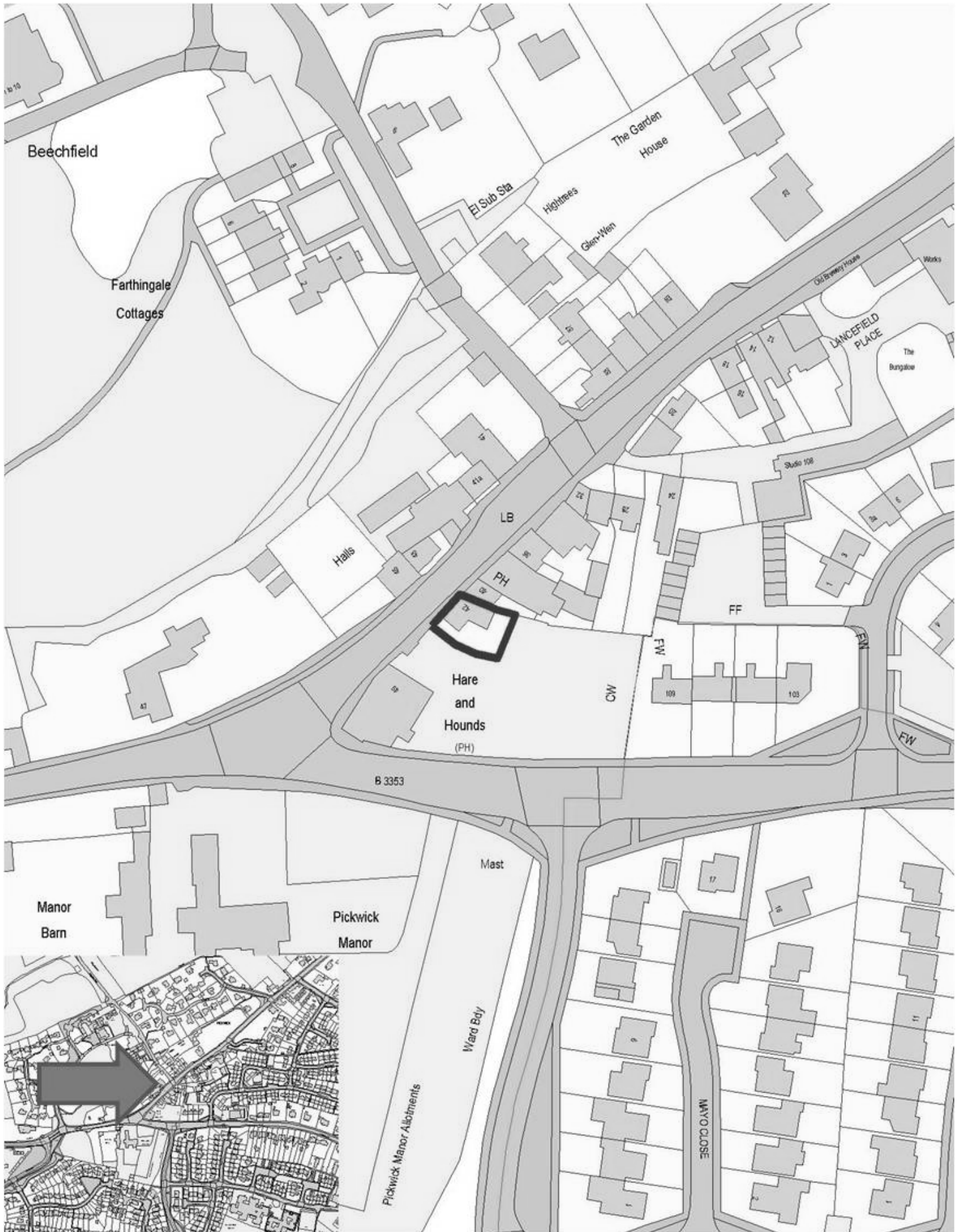
2. Adequate provision cannot be made on the site for the parking of vehicles in a satisfactory manner. This would be contrary to Policies C3 and T3 of the North Wiltshire Local Plan 2011.

Informative

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

- Part site plan as existing (date stamped 24.06.10)
- Part site plan as proposed (date stamped 24.06.10)
- Photo of proposed summerhouse (date stamped 24.06.10)

Appendices:	None
Background Documents Used in the Preparation of this Report:	North Wiltshire Local Plan 2011 PPS 5



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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	22 nd September 2010		
Application Number	10/02546/LBC		
Site Address	Brook Farmhouse, Frog Lane, Great Somerford		
Proposal	Removal of 2.0m of Wall		
Applicant	Mr T Sturgis		
Town/Parish Council	Great Somerford		
Electoral Division	Brinkworth	Unitary Member	Toby Sturgis
Grid Ref	396587 183128		
Type of application	Listed Building Consent		
Case Officer	Judy Enticknap	01249 706 660	Judy.enticknap @wiltshire.gov.uk

Reason for the application being considered by Committee

This application has been referred to committee at the discretion of Officers to consider the impact of the wall on the building.

1. Purpose of Report

To consider the above application and to recommend that listed building consent be REFUSED.

No objections are raised from Great Somerford Parish Council. The consultation period has not expired at the time of preparing this report.

2. Main Issues

Brook Farmhouse is a Grade II listed building and the issue to consider is the effect of the proposals on the special character of the listed building.

3. Site Description and Proposal

Brook Farmhouse is a Grade II listed building which is reputed to date from the C16 (although the list description suggests a C17 origin). The building has been the subject of subsequent alterations. The most significant of these occurred in 1803. The Design and Access Statement advises that up to that date the north range was farm buildings, with a separate cottage to the south. In 1803 the buildings were linked in a scheme which included refronting of the west elevation, and introduction of early C19 internal detailing to the rooms which abut the new west elevation.

The proposal is to remove a 2m section of wall and associated doorway between a stair hall and what was until recently a sitting room, but which (following removal of the intervening wall) now forms part of an enlarged kitchen. The enlarged kitchen is in the north range, with the stair hall in the 1803 construction.

This is a secondary stair hall, but it contains good quality early C19 detailing. This includes corner cupboards each side of the west window, which abut the architrave /panelled doors to the rooms to the north (ie former sitting room) and the south (dining room). Another door opening between the hall and former sitting room of unknown date has been blocked. The section of wall to which the cupboard is attached would remain in position, and the door would be repositioned in the blocked opening, to form a cupboard.

4. Relevant Planning History		
Application Number	Proposal	Decision
10/02196/LBC 10/02218.LBC	Removal of two modern partition walls Remove modern steel framed window and replace with French Doors	Approved Approved

5. Consultations

Great Somerford Parish Council - No objections

Building Control Officer - Removal of the wall between the extended kitchen and the staircase would have a detrimental effect on the means of escape from the upper storeys. A fire in the kitchen/diner area would potentially smoke log the staircase enclosure seriously affecting escape.

6. Publicity

The application was advertised by site notice and press advert.

No letters of letters of objection/support received as the consultation period does not expire until 15 September 2010.

7. Planning Considerations

When considering applications affecting a listed building consideration need to be given to guidance set out in Planning Policy Statement PPS5.

Policy HE7.1 and 7.2 requires the LPA to consider the significance of the part of the heritage asset (ie the listed building) which is the subject of the proposal, and to use this understanding to minimise conflict between the conservation of the heritage asset and any aspect of the scheme. Where a proposal has a harmful impact on the significance of a designated heritage asset which is less than substantial harm, Policy HE9.4 requires local planning authorities, in all cases, to weigh the public benefit of the proposal against the harm.

At a preliminary meeting the applicant explained the main purpose of the proposal was to increase light levels into the former sitting room area. The Design and Access Statement supporting the application also argues that the proposal will benefit the viability of the property by (incorporating) one of 4 ground floor inner halls into the living area. It also states that the proposal involves minimal loss of historic fabric, which is in any case has no significance to the original parts of the listed building.

The recently-approved alterations to the kitchen/former sitting room have created a sizeable family room approximately 8.95m x 4.2m, and the opening-up together with introduction of French Doors with margin lights has improved general light levels within this room. In order to improve this further, it was suggested that the existing solid six-panelled door could be replaced by a partially glazed door, but the applicant is unwilling to consider this compromise.

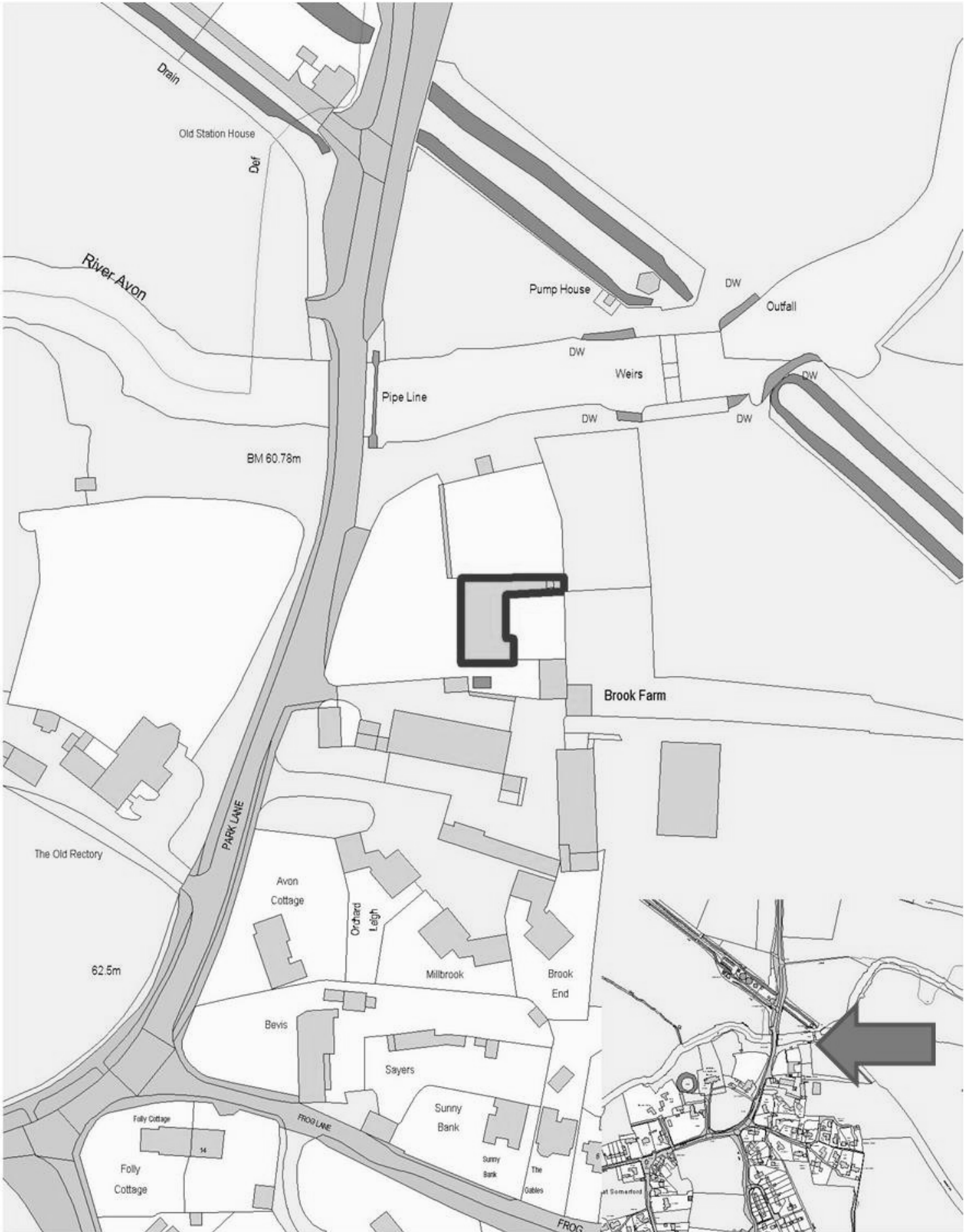
Although this building has earlier origins, the 1803 alterations make a significant contribution to its special character. Moreover, whilst this proposal may appear to imply a minimal loss of historic fabric, it will destroy the balance of the early 19th century detailing to the hallway; the appearance of the corner cupboard, attached to a small nib of masonry will appear particularly incongruous. It is not considered that the alteration will provide any worthwhile additional “living space”, as it will still essentially be a circulation area. Moreover, removal of the wall will trigger the need for additional fire protection measures, as the hall will be considered part of the kitchen. Such measures will in turn require separate consents including Listed Building Consent. In summary, the benefits of this alteration are not considered to outweigh the harm done to its special character.

8. Recommendation

Listed Building Consent be REFUSED for the following reason:

The proposed alteration will cause harm to the special character of the listed building, and there is insufficient justification for the alteration to outweigh the benefit which would result. It is therefore contrary to requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 and guidance in Planning Policy Statement 5 Planning for the Historic Environment.

Appendices:	None
Background Documents Used in the Preparation of this Report:	A4 site Plan and Ground floor plan received 21.7.2010; 1.20, 4.02, 5.01, 5.03, 6.02



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