

NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 16 MAY 2012 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Peter Colmer, Cllr Christine Crisp, Cllr Peter Davis, Cllr Bill Douglas (Substitute), Cllr Peter Doyle, Cllr Alan Hill (Vice-Chairman), Cllr Peter Hutton, Cllr Simon Killane, Cllr Mark Packard, Cllr Toby Sturgis and Cllr Anthony Trotman (Chairman)

Also Present:

Cllr Howard Marshall, Cllr Sheila Parker, Cllr Judy Rooke, Cllr Jane Scott OBE, Cllr Carole Soden and Cllr John Thomson

34 Apologies for Absence and Changes to Committee Membership

- 1) Following full Council on **15 May 2012**, there were the subsequent changes to the Committee:

Cllr Desna Allen (Formerly Sub) was appointed a full Member.

Cllr Howard Marshall (Formally Full Member) was appointed a Substitute Member.

Cllr Paul Darby was removed as a Substitute Member.

Cllr Judy Rooke was appointed a Substitute Member.

- 2) Apologies were received from Cllr Desna Allen.

Cllr Allen was substituted by Cllr Bill Douglas.

35 Minutes of the Previous Meeting

The minutes of the meeting held on **25 April 2012** were presented. It was,

Resolved:

To approve as a correct and true record and sign the minutes.

36 Declarations of Interest

Cllr Peter Doyle declared a personal interest in Minute Number 40a: *Westwood Farm, Rode Hill, Colerne* - by virtue of being a member of the Cotswold

Conservation Board, but stated the connection would not prejudice his decision and he would contribute and vote with an open mind.

Cllrs Tony Trotman and Alan Hill declared a personal interest in Minute Number 40b: *Land at Station Road, Calne* - by virtue of being members of Calne Town Council. They declared they would consider the matter impartially in debate, but would abstain from voting.

37 **Chairman's Announcements**

The Chair gave details of fire exits, asked the public to switch off their mobile phones, and explained the procedure of the meeting.

38 **Public Participation and Councillors' Questions**

The committee noted the rules on public participation. There were no questions submitted.

39 **Planning Appeals**

The Committee noted the contents of the appeals update, in particular noting the Public Inquiry for Ridgeway Farm, Application number 10/04575/OUT which was currently ongoing.

40 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting, and attached to these minutes, in relation to items **7c**, and **7e**.

40 a) 12/00732/FUL - Westwood Farm, Rode Hill, Colerne, SN14 8AR

Public Participation

Mrs J Keevil spoke in objection to the application.

Mr Robert Alderman spoke in objection to the application.

Mr Graham Brewster spoke in objection to the application.

Mr Jonathan Rainey, agent, spoke in support of the application.

Cllr Richard Campbell, Box Parish Council, spoke in objection to the application.

The Planning Officer introduced the report which recommended planning permission be granted. It was established that the main issues were the principle and visual impact of the design within the context of the surrounding area and main property.

Members then had the opportunity to ask technical questions of the officers. The ground level of the proposed Greenhouse compared to the main property and the visibility of the new build were raised, and it was clarified that a condition had been included to ensure horticultural anti-glaze glass.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The Local Member, Cllr Sheila Parker, then spoke in objection to the proposal.

A debate followed, during which the purpose of the Greenhouse was discussed, along with the scale of the proposed build in proportion to the existing property. It was noted that Colerne Parish Council were supportive of the application.

After debate, it was,

Resolved:

That Planning Permission be GRANTED for the following reason:

In the context of the existing formal garden, water features, terracing and substantial house, the proposed development is no considered to result in an unacceptable impact upon the AONB or Green Belt and as such is in accordance with Policies C3, NE1 and NE4 of the adopted North Wiltshire Local Plan 2011 and the guidance contained in the National Planning Policy Framework at the national level.

Subject to the following conditions:

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

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

2. No development shall commence on site until details of anti-glare glazing to be used on the south and east facing roof and side elevations 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.

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

application.

Plans: BRS.2189_02-1, BRS.2189_04-1, BRS.2189_07, BRS.2189_07-1c, BRS.2189_15-A, GA 001 D, GA 002A, GA 002A all dated 16th March 2012.

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

40 b) 12/00239/FUL - Land at Station Road, Calne, Wiltshire, SN11 0JW

Public Participation

Mr William Kay spoke in support of the application.

The Planning Officer introduced the report which recommended that planning permission be granted subject to conditions.

The main issues in relation to the application were the principle of the development, the impact upon residential and visual amenity and the provision of additional community, recreational facilities through the proposed extension to the skate park.

It was noted that the application was supported by Calne Area Board, and there were no objections from the Public Protection Team.

The Committee then had the opportunity to ask technical questions of the officers.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The Local Member, Cllr Howard Marshall, then spoke in support of the application.

A debate followed, where the objections in relation to anti-social behaviour at the site was discussed. It was stressed that the anti-social behaviour related to those congregating at and misusing the site principally at night, and not to users of the facilities which were to be expanded. It was also noted that Calne Town Council had taken several steps to address the problem of anti-social behaviour in the area.

After discussion, it was,

Resolved:

That Planning Permission be GRANTED for the following reason:

The proposed extension to the existing skate park will ensure the continued use of a well supported local recreation facility which

accords with the Policy C3 and CF2 of the North Wiltshire Local Plan and the aims of the National Planning Policy Framework 2012.

Subject to the following conditions:

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

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

2. Prior to the first use of the proposed skate bowl a 2.0 m high feather-edged lapped timber fence of 15 kg/m² minimum density, with no holes shall be erected on the boundary of the site in a position to be first agreed in writing with the local planning authority. The fence as erected shall be maintained in a good condition thereafter.

REASON: the fence is necessary as a noise attenuation measure to protect the amenity of local residents from the noise generated by use of the skate bowl and to comply with policy C3.

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

Plans

Site Location Plan (17/02/12), Sections (17/02/12), Dimensions/Block Plan (17/02/12), Computer Generated Visual (17/02/12), Typical Construction Details (5182-4-1 and 5182-4-2) (27/01/12)

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

40 c) 11/02071/S73A - Field 7860, Lower Fosse Farm, Crudwell

Public Participation

Cllr Ian McKay, Chairman of Crudwell Parish Council, spoke in objection to the application.

The Planning Officer introduced the report, which recommended that planning permission be granted subject to conditions. It was noted that the application was retrospective, as planning permission is not required if the existing rifle range is used for 28 days or less per year.

The main issues in respect of the application related to the noise and impact on nearby Rights of Way, visual amenity and highways considerations and

range safety. It was stressed that many of the concerns around safety, for example appropriate certification of the owner, were not relevant to the planning authority from a developmental control perspective.

The Committee then had the opportunity to ask technical questions of the officers. The gradient of the rifle range, height of the butt stop to catch bullets, orientation of the site, impact of unexpected noise on walkers and horses, and the distance to public Rights of Way were all raised.

The public bridleway was clarified as being 400m from the firing point of the range, and that management of the site was the responsibility of the site owner. It was also noted that most firearms used at the site were moderated for sound, and that the police firearms licensing department regarded the range as safe.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The Local Member, Cllr Carole Soden, then spoke in objection to the application.

A debate followed, during which the impact on the Rights of Way from increased and unexpected noise was discussed, along with the appropriateness and effectiveness of the site design and the suitability of highways access with increased traffic.

After debate, it was,

Resolved:

To REFUSE planning permission for the following reason:

The proposed development would prejudice the use and enjoyment of the bridleway due to sudden noise and the perception of danger contrary to Section 130 of the Highways Act and Policy T5 of the North Wiltshire Local Plan 2011 and the National Planning Policy Framework which seeks to protect and enhance public rights of way.

40 d) 12/00286/FUL - Brethren Meeting Room, Goldney Avenue, Chippenham, Wiltshire, SN15 1ND

Public Participation

Mr Peter White (statement presented by Cllr Judy Rooke on his behalf) spoke in objection to the proposal.

Mrs Natalie Cook spoke in objection to the application.

Mr Salvatore Mallia spoke in objection to the application.

Mr Paul Cormen, agent, spoke in support of the application.

The Planning Officer presented the report which recommended that authority be delegated to the Area Development Manager to grant permission subject to conditions and the signing of a Section 106 legal agreement. The main issues were identified as the principle of the development and the impact on privacy and amenity of existing neighbours and potential occupants.

The Committee then had the opportunity to ask technical questions of the officers. Questions were raised regarding the provision of parking and the section 106 money being tied to development of John Coles Park. It was clarified that parking was considered reasonable for the area, and that public space contributions had to be designated to specific locations, which must be relative and reasonable for the development location, with John Coles Park the nearest such space.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The Local Member, Cllr Judy Rooke, then spoke regarding the application, which she wished to see deferred for more information to be gathered on and negotiations with developers made.

A debate followed, during which the orientation and scale of the detached dwelling of the application was raised, and the necessity of reversing onto the highway highlighted.

After debate, it was,

Resolved:

To DEFER for one cycle for the following reasons:

To obtain highways clarification and their attendance at the next meeting;

To seek to negotiate alterations to the proposed detached dwelling either in terms of its re-orientation or reduction in scale.

40 e) 12/00293/FUL - 22 Milbourne Park, Milbourne, Malmesbury, Wiltshire, SN16 9JE

Public Participation

Mr Barry Gibbs spoke in objection to the application.

Mr Gareth Lambert-Jones, applicant, spoke in support of the application.

Cllr Roger Budgen, St Paul Without Parish Council, spoke in objection to the application.

The Planning Officer introduced the report, which recommended that authority be delegated to the Area Development Manager to grant planning permission subject to an acceptable legal agreement and the conditions proposed in the report.

The main issues for the Committee to consider were identified as the principle of the development, the impact on the character and appearance of the area and the impact on the amenity of existing neighbours and potential occupants.

The Committee then had the opportunity to ask technical questions of the officers.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The Local member, Cllr John Thompson, then spoke in objection to the application.

A debate followed, during which the issue of garden builds was raised. It was clarified that there is no local policy prohibiting house builds in gardens. In response to queries, it was also stated that the greenfield or brownfield nature of the site was not relevant to the application as it lay within the framework boundary.

It was further discussed that there were no Tree Protection Orders in place at the site, that the proposed building would be screened, and there was discussion of the scale and attractiveness of the design in the context of the area.

After debate, it was,

Resolved:

That authority be DELEGATED to the Area Development Manager to GRANT Planning Permission for the following reason subject to an acceptable legal agreement and the conditions set out below:

It is considered that the high quality bespoke design of the proposed new dwelling will be a striking addition to the settlement whilst not impacting negatively on the character and appearance of the established residential estate. The local planning authority has therefore determined that the development is considered to be acceptable on its planning merits as the proposal is compatible and complimentary to policies C3 and H3 of the North Wiltshire Local Plan 2011 and meets the Governments overarching aim for achieving sustainable development. Having regard to all other matters raised, planning permission is granted subject to the following conditions.

Subject to the following conditions:

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

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

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

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

POLICY: C3 of the North Wiltshire Local Plan 2011.

3. 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 including adjacent trees and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

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

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), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

REASON: In the interests of the amenity of the area including adjacent trees and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additional structures.

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

5. 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) hard surfacing materials.

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

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

6. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

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

7. No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety in accordance with policy C3 of the North Wiltshire Local Plan 2011.

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.

Block plan - date stamped 22.03.12 (Revised plans)

Floor plan - date stamped 30.01.12

South and east elevations - date stamped 30.01.12

North and west elevations - date stamped 30.01.12

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

9. The development hereby permitted shall not be occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

Informatives:

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

40 f) 12/00534/FUL - The Old Hall, The Street, Grittleton, Chippenham, Wiltshire, SN14 6AP

The Planning Officer introduced the report which recommended that planning permission be granted subject to conditions. The main issue was noted to be the principle of development and impact on amenity. It was stressed the main extension had already been approved, and that it was the additional expansion of that extension which was to be decided. It was noted that the application had been altered since submission.

Members then had the opportunity to ask technical questions of the officers.

The Local Member, Cllr Jane Scott, then spoke regarding the confusion arising from the application, and noted that building work had already begun on the site.

A debate followed, wherein the need to vary conditions as a result of work having already started was discussed.

It was,

Resolved:

To DELEGATE to the Area Development Manager for APPROVAL

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 further 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, NE4, HE1, HE4, H8

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

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

POLICY: C3, NE4, HE1, HE4, H8

4. No further development shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys, 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, NE4, HE1, HE4, H8

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

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

POLICY: C3, NE4, HE1, HE4, H8

6. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

- (a) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be**

specified in writing by the Local Planning Authority.

- (b) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

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

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

POLICY: C3, NE14

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the roofslope(s) of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

POLICY: C3, NE4, HE1, HE4, H8

8. Before the development hereby permitted is first occupied, the first floor gable end window on the north elevation shall be glazed with obscure glass only and the window permanently maintained with obscure glazing at all times thereafter.

REASON: In the interests of residential amenity and privacy.

POLICY: C3 and H8

9. The granny annexe here by permitted shall not be occupied at any time other than for the purposes ancillary to the residential use of the dwelling known as The Old Hall, The Street Grittleton Wiltshire.

REASON: The additional accommodation is sited in a position where the Local Planning Authority having regard to reasonable standards of residential

amenity, access and planning policies pertaining to this area would not permit a wholly separate dwelling.

POLICY: C3 NE4, HE1, HE4 H8

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

Plans

DJR/NG/100, 101, 102, 103, 104, 105/B, 106, 107 and 108/A all dated 21st March 2012

REASON: To ensure that the development is implemented as approved

Informative:

It has come to the Council's attention that development has commenced on the site in breach of the discharge of conditions attached to 11//02918FUL, hence the necessity for the conditions to be worded as outlined above.

Further, the Council will consider the issue of a temporary stop notice unless an application is submitted within the next 10 days for their discharge.

40 g) 12/00599/FUL - The Town Local, 51 Station Road, Royal Wootton Bassett, Wiltshire, SN4 7ED

Public Participation

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

The Planning Officer introduced the report which recommended that authority be delegated to the Area Development Manager to grant permission subject to conditions and the approval of the submitted Unilateral Undertaking in respect of the provision of a financial consideration towards public open space.

It was noted that the officers were satisfied that attempts to market the property as a public house business had been made and had been unsuccessful, and that with other nearby public houses there would not be an appreciable loss of amenity from the proposed change of use.

The Committee then had the opportunity to ask technical questions of the officers. The provision of a public footpath was raised.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

Cllr Peter Doyle, as Local Member, expressed some concern about the extent of attempts to retain commercial use for the site.

A discussion followed, during which the design of the new build, provision of parking and limited number of building plots were raised.

It was,

Resolved:

That authority be DELEGATED to the Area Development Manager to GRANT Planning Permission for the following reason subject to an acceptable legal agreement to secure contributions to Public Open Space and the conditions set out below:

The Council are satisfied that the business is no longer viable and every reasonable attempt to market the premises has been made. The scale and layout of the proposal is considered to be acceptable in the context of the surrounding area and the proposal is not considered to result in an unacceptable impact upon the residential amenity of surrounding properties. Sufficient car parking and manoeuvring space is provided within the site and the proposed development would not be detrimental to highway or pedestrian safety. In this way the proposed development is considered to comply with the provisions of policies C3, H3, R6 and CF3 of the adopted North Wiltshire Local Plan 2011.

Subject to the following conditions:

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

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

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

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

POLICY: C3 of the North Wiltshire Local Plan 2011.

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

Development shall be carried out in accordance with the approved sample.

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

POLICY: C3 of the North Wiltshire Local Plan 2011.

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 including adjacent trees and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

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

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: In the interests of the amenity of the area including adjacent trees and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additional structures.

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

6. 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; and**
- (h) hard surfacing materials.**

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

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

7. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

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

8. No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety in accordance with policy C3 of the North Wiltshire Local Plan 2011.

9. No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been undertaken and until:

- a) The Local Planning Authority has been provided with written confirmation that, in the opinion of the developer, the site is likely to be free from contamination which may pose a risk to people, controlled waters or the environment. Details of how this conclusion was reached shall be included.**
- b) If, during development, any evidence of historic contamination or likely contamination is found, the developer shall cease all work immediately and contact the Local Planning Authority to identify what additional site investigation may be necessary.**
- c) In the event of unexpected contamination being identified, all development on the site shall cease until such time as an investigation has been carried out and a written report submitted to and approved by the Local Planning Authority that such works have been carried out. Construction shall not recommence until the written agreement of the Local Planning Authority has been given following its receipt of verification that the approved remediation measures have been carried out.**

REASON: To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority,

in accordance with policy NE17 of the North Wiltshire Local Plan 2011.

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

- 2011-05-1 – Site plan and existing site survey
- 2011-05-6 – Existing ground and first floor layout plan
- 2011-05-7 – Existing elevations
- 2011-05-8 – Proposed elevations
- 2011-05-10 – Proposed layout plans
- 2011-05-11A – Proposed elevations
- 2011-05-12A – Site layout plan
- 2011-05-13A – Proposed ground and first floor layout plan

All date stamped 28th February 2012

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

Informatives:

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

2. The Building Regulations are applicable to this proposal. Unless you have already properly deposited a Building Regulations application, and a written notice of commencement has been given by your builder, you should not start work on site.

41 **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.05 - 9.25 pm)

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

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

This is information that has been received since the committee report was written. This could include additional comments or representation, new information relating to the site, changes to plans etc.

The text in bold is additional/amended information to that circulated to Members on Tuesday 15th May 2012

Item 7(c) - 11/02071/S73A - Field 7860, Lower Fosse Farm, Crudwell, Wiltshire

Following discussions with the applicant, conditions 6 and 7 have been amended. Condition 6 originally stated:

'The use hereby permitted shall be discontinued and the land restored to its former condition in accordance with a scheme of work submitted to and approved by the Local Planning Authority to include a timetable for restoration. Within three months from the date of this permission, the timing, location and arrangements for the future monitoring of the ranges noise impact on the bridleway to the south west during the temporary period shall be submitted to and agreed in writing by the Local Planning Authority.'

Reference is not made to the temporary period of 2 years and this condition has therefore been re-worded to state:

'The use hereby permitted shall be discontinued and the land restored to its former condition on or before 2 years from the date of this permission in accordance with a scheme of work submitted to and approved by the Local Planning Authority to include a timetable for restoration. Within three months from the date of this permission, the timing, location and arrangements for the future monitoring of the ranges noise impact on the bridleway to the south west during the temporary period shall be submitted to and agreed in writing by the Local Planning Authority.'

Condition 7 originally stated:

'Appropriate safety certificates for the range hereby permitted obtained from the National Small-bore Rifle Association and / or the National Rifle Association shall be renewed at an interval of not less than three years and shall be made available for inspection by the Local Planning Authority within 48 hours of any written request to this effect.'

The Home Office Circular 031/2006 altered the guidance in relation to rifle ranges placing the responsibility more firmly on range owners / operators to ensure that their range is constructed and maintained safely. It is therefore recommended that the condition be re-worded to state:

'The range hereby permitted shall operate within the guidelines set out in Home Office Circular 031/2006.'

The application remains recommended for approval.

Further to the completion of the original report, a further letter of objection has been received. In summary, this states that on Wednesday 2nd May the objector was again subjected to continuous firing and their dog was traumatised. This constitutes a high level of noise nuisance to anyone trying to spend time enjoying their gardens, or walking or riding in the countryside. For many dogs and horses this firing equates to

NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION
16th May 2012

fear and the potential for an accident or injury is therefore very real. It is not safe to allow firing so close to public rights of way.

This does not raise any new issues not covered in the original report and the application remains recommended for approval.

7(e) – 12/00293/FUL – 22 Milbourne Park, Milbourne, Malmesbury, Wilts. SN16 9JE

Please note that the application was NOT advertised in the press as indicated in the committee report.

The application was advertised by neighbour letter and site notice, fully in accordance with Wiltshire Councils publicity protocol.