

AGENDA

Meeting: Northern Area Planning Committee
Place: Council Chamber - Council Offices, Monkton Park, Chippenham
Date: Wednesday 10 October 2012
Time: 6.00 pm

Please direct any enquiries on this Agenda to Kirsty Butcher, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line (01225) 713948 or email kirsty.butcher@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

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Membership:

Cllr Desna Allen	Cllr Peter Hutton
Cllr Peter Colmer	Cllr Simon Killane
Cllr Christine Crisp	Cllr Mark Packard
Cllr Peter Davis	Cllr Toby Sturgis
Cllr Peter Doyle	Cllr Anthony Trotman (Chairman)
Cllr Alan Hill (Vice Chairman)	

Substitutes:

Cllr Chuck Berry	Cllr Howard Marshall
Cllr Bill Douglas	Cllr Bill Roberts
Cllr Mollie Groom	Cllr Judy Rooke

AGENDA

Part I

Items to be considered when the meeting is open to the public

1 Apologies

To receive any apologies for absence.

2 Minutes of the previous Meeting (Pages 1 - 24)

To approve and sign as a correct record the minutes of the meeting held on **19 September 2012**.

3 Declarations of Interest

To receive any declarations of pecuniary or non-pecuniary interests or dispensations granted by the Standards Committee.

4 Chairman's Announcements

To receive any announcements through the Chair.

5 Public Participation and Councillors' Questions

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register in person **no later than 5.50pm on the day of the meeting**.

The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application and up to 3 speakers on any other item on this agenda. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered. The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this **agenda no later than 5pm on Wednesday 03**

October 2012. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6 **Planning Appeals** *(Pages 25 - 26)*

An appeals update report is attached for information.

7 **Planning Applications** *(Pages 27 - 28)*

To consider and determine planning applications in the attached schedule.

7a **11/03051/S73A - Whites Farm, Grittenham, Chippenham, Wilts., SN15 4JW** *(Pages 29 - 36)*

7b **12/02124/FUL - Calne Rugby Club, Anchor Road, Calne, Wilts., SN15 8DX** *(Pages 37 - 42)*

7c **12/01504/FUL - 1 Brockleaze, Neston, Corsham, Wilts., SN13 9JT** *(Pages 43 - 50)*

7d **12/01966/FUL - Deceuninck, Stanier Road, Calne, Wilts., SN11 9PX** *(Pages 51 - 60)*

7e **12/01537/FUL - Fieldhouse, 2 Pickwick, Corsham, Wilts., SN13 9JB** *(Pages 61 - 68)*

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 19 SEPTEMBER 2012 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Desna Allen, Cllr Chuck Berry (Substitute), Cllr Peter Davis, Cllr Peter Doyle,
Cllr Mollie Groom (Substitute), 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 and Cllr Dick Tonge

82 Apologies

Apologies were received from Councillors Colmer and Crisp.

Cllr Colmer was substituted by Cllr Berry.
Cllr Crisp was substituted by Cllr Groom.

83 Minutes of the previous Meeting

The minutes of the meeting held on 29 August 2012 were presented.

Resolved:

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

84 Declarations of Interest

Cllr Hill declared an interest in agenda item no. 7a as a member of the Calne Town Council Development and Planning Committee. He declared he would participate in the debate and vote with an open mind.

85 Chairman's Announcements

The Chairman drew attention to the late observations available.

86 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

87 **Planning Appeals**

The Committee noted the contents of the appeals update.

The Chairman informed the Committee of two applications in Calne that had been allowed on appeal against the officer decision. These were Whitehorse Way for 154 houses and The Hills, Oxford Road for 200 houses. These were not considered to be outside the boundary.

88 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications **7a** and **7d** as listed in the agenda pack.

88 a) **11/03934/REM - Land at Station Road, Calne SN11 0JS**

Public Participation

Mr Duncan Young spoke in objection to the application.

The Planning Officer introduced the report which recommended that the application be delegated to the Area Development Manager for planning permission to be granted subject to satisfactory outstanding consultation responses from internal consultees and subject to conditions.

It was explained that the outline consent had been granted in 2005, and this application was to decide the orientation and style of the site. Attention was drawn to the fact there were no highways concerns.

In addition to objections detailed in the report it was noted that 2 late objections had been received, firstly over the extensive use of render and secondly over the traffic impact on Station Road.

The Committee then had the opportunity to ask technical questions of officers. Clarification was sought over the impact of the 3 storey houses and it was explained that due to the gradient difference and the line of significant trees that ran between the development and Wenhill Heights there would be minimal impact. The ownership of the strip of land that ran between Wenhill Heights and the development was queried and it was confirmed that the land belonged to Persimmon Homes, however local residents were investigating the possibility of buying the land from them.

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

The Local Member, Councillor Howard Marshall then spoke in objection to the application.

A debate followed where the reduction in render, use of a greater mix of materials and the height of TV aerials and masts were discussed.

At the end of the debate it was:-

Resolved:-

To DELEGATE planning permission to the Area Development Manager for planning permission be GRANTED subject to satisfactory outstanding consultation responses from internal consultees (listed below) for the following reason:

The proposal follows the granting of outline permission 05/02822/OUT for residential development of the site. The proposal is considered to provide a good quality development where the design and layout respects the location and the amenities of nearby residents. The proposal is considered to comply with policies C3, H2, H5 and CF3 of the North Wiltshire Local Plan 2011 and section 7 and paragraph 159 of the National Planning Policy Framework 2012.

And subject to the following conditions:

- 1. 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.

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

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

POLICY-C3

3. Prior to the commencement of the development hereby permitted details of the junction of the cycleway to Sustrans Route 403 shall be submitted to and approved in writing by the local planning authority. The approved details shall be carried out prior to the occupation of 50% of the houses hereby approved.

REASON: In the interests of promoting sustainable transport.

4. 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 carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment has been carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

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.

5. 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.

Layout plan RA.SL.02 Rev G dated 4th September 2012; dwelling materials layout RA.DML.02 Rev E dated 17th September 2012; Design And Access Statement dated 22nd June and as amended 11th September 2012.; landscaping 1241-001-012 inc dated 22nd June 2012; Finished Floor levels and sewer layout 3058/102/01-04 inc; location plan, street elevations RA.SE.01 22nd June 2012 and RA.SE.02 Rev A dated 17th September 2012; carport RA.cp.01.pe dated 28th August 2012; Boundary materials layout RA.BML.02 Rev A dated 15th August 2012;

RA.P.1e, RA.GAR.02.pe; RA.GAR.01pe; RA.P.1.p; RA.P.4-8.p; RA.P.4-8.e; RA.P.2.e; RA.P.2.p; RA.P.pe;; RA.P.9-13.e; RA.P.14-16.eRA.P.14-16.p; RA.P.17-19.e1; RA.P.17-19.e2; RA.P.17-19.p; RA.P.20-30.e1; RA.P.20-30.p2; RA.P.20-30.p1; RA.P.20-30.p3; RA.P.31-32.p; RA.P.31-32.e; RA.P.33-38.e1; RA.P.33-38.e2; RA.P.33-38.p1; RA.P.33-38.p2; RA.P.39-51.e; RA.P.39-51.p1; RA.P.39-51.p2; RA.P.39-51.p3; RA.P.52-54.e; RA.P.52-54.p; RA.P.55-88.p; RA.P.55-88.e; RA.P.57-61.e; RA.P.57-61.p;; RA.P.62-67.p; RA.P.68-69.e; RA.P.68-69.p; RA.P.70-72.e1; RA.P.70-72.e2; RA.P.70-72.p; RA.P.73.p; RA.P.73.e; RA.P.74-79.e1; RA.P.74-79.e2; RA.P.74-79.p1; RA.P.74-79.p2; RA.P.74-79.p3; RA.P.80-81.p; RA.P.80-81.e; RA.P.82-86.p; RA.P.82-86.e; RA.P.90-93.e1; RA.P.90-93.e2; RA.P.90-93.p; RA.P.94-96.e; RA.P; 94-96.p; RA.P.97-98.e; RA.P.97-98.p; RA.P.99-102.e; RA.P.99-1-2.p

RA.P.9-13.p Rev A; RA.P.62-67.e rev A, dated 17th September 2012

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

6. Notwithstanding the approved drawings, details of all dwarf walls and enclosures for the undercroft car parking spaces and the details of method of enclosure for plots 16, 68 & 73 shall be submitted to and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details.

REASON: To define the permission and in the interests of visual amenity.

7. Notwithstanding the approved elevation plans, the development shall be carried out in accordance with the approved dwelling materials layout RA.DML.02 Rev E dated 17th September 2012.

REASON: To define the permission and ensure a satisfactory development.

8. 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).

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.

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.

And for the Area Development Manager to:-

- **Negotiate a reduction in the amount of render used on parts of the site**
- **Inform the developer of the committees concern in respect of TV aerials and satellite dishes and to seek minimize the need for these. This should also be an informative on any permission.**

88 b) 12/00542/S73 - Whitehall Garden Centre Ltd., Corsham Road, Lacock, Wilts. SN15 2LZ

Public Participation

Mr David Pearce spoke in support of the application.

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

He explained that the application was merely an application to extend the time limit for implementation.

There were no technical questions from the Committee.

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

The Committee noted the next application which gave details of the drainage works.

Resolved:

To GRANT Planning Permission for the following reason:

The proposal is for the extension and rationalisation of an existing well established Garden Centre. The proposal is considered to comply with local and national retail policies, will have only limited and acceptable impact upon the appearance of the area and the nearby conservation area, will have an acceptable impact upon highways issues such as access and traffic flow in the vicinity and will not adversely affect the amenities of neighbouring residential properties. As such the proposal complies with Policies C3, NE15 and R4 of the North Wiltshire Local Plan.

AND subject to relevant parties entering into a legal agreement under s106 of The Act in respect of highway improvements

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 Section 91 of the Town and Country Planning Act 1990.

- 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 demolition or building work shall commence on the development site until the new access has been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.**

REASON: In the interests of highway safety.

- 4. No demolition or building work shall commence on the development site until the new main car park has been constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority**

REASON: In the interests of highway and public safety.

- 5. The areas allocated for parking and servicing on the approved plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles and deliveries in connection with the development hereby permitted.**

REASON: In the interests of road safety.

- 6. No development approved by this permission shall be commenced until a scheme for the provision, implementation and maintenance of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in**

accordance with the details and timetable agreed.

REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and to prevent pollution of the water environment.

7. No development approved by this permission shall be commenced until a scheme for the provision and implementation of surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

REASON: To prevent the increased risk of flooding.

8. No development approved by this permission shall be commenced until a scheme for the provision and implementation of the surface water storage capacity during a 1 in 100 year plus climate change conditions has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

REASON: To alleviate the increased risk of flooding.

9. No development approved by this permission shall be commenced until a scheme for the disposal of foul drainage has been approved by and implemented to the reasonable satisfaction of the Local Planning Authority.

REASON: To prevent pollution of the water environment.

10. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the Local Planning Authority for approval. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%; or 25% of the total volume that could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground, where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

REASON: To prevent pollution of the water environment.

11. No deliveries shall be received or goods despatched from the site outside the hours of 07:00 to 18:30 nor at any time on Sundays, Bank or Public Holidays.

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

12. The construction of any part of the development hereby permitted shall not include the use on site of any machinery, powered vehicles or power tools before 08:00; hours or after 18:00 hours on any weekday, nor before 09:00 hours or after 13:00; on any Saturday, nor at all on any Sunday or Bank or Public Holiday without the prior approval in writing of the local planning authority.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area and to comply Policy C3 of the North Wiltshire Local Plan 2011.

- 13.** 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.

- 14.** The development hereby permitted shall not be commenced until details of the landscaping of the site, including wherever appropriate the retention of existing trees, have been submitted to, and approved in writing by, the local planning authority.

The approved landscaping scheme shall be implemented within one year of either the first occupation or use of the development, whether in whole or in part, or its substantial completion, whichever is the sooner, and shall be maintained thereafter for a period of not less than five years. The maintenance shall include the replacement of any tree or shrub which is removed, destroyed or dies by a tree or shrub of the same size and species as that which it replaces, unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of amenity.

- 15.** Fencing for the protection of any retained trees/hedges/shrubs shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development and 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 written consent of the local planning authority.

REASON: In the interests of protecting the existing trees/hedges/shrubs on the site during construction.

- 16.** No development shall commence until details 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.

- 17.** No development shall commence until a plan showing the precise location of any areas of open storage and specifying a maximum height of open storage within such area(s) has been submitted to, and approved in writing by, the local planning authority. No raw materials, finished or unfinished products or parts, crates, materials, waste, refuse or any other item shall be stacked or stored on the site outside the area, or above the height specified, as approved.

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

18. The proposal shall be used only for the purposes of a garden centre including related ancillary retailing and services as detailed on the submitted plans and documents (specifically the “schedule of indoor uses” at Appendix 2 of the Impact assessment prepared by C B Richard Ellis dated March 2008). Specifically the sale of convenience goods shall be restricted to a floorspace area not exceeding 1000sq.m.

REASON: To restrict the nature of the proposed development in order to comply with planning policy to ensure no adverse impact on existing town centres or upon issues of accessibility and sustainability.

19. Clothing sales shall be restricted to such items that are directly associated with and ancillary to gardening or other similar physical outdoor activity as agreed by the local planning authority. The sale of any clothing shall be restricted to a floor area not exceeding 250 sq metres.

REASON: To restrict the nature of the proposed development in order to comply with planning policy to ensure no adverse impact on existing town centres or upon issues of accessibility and sustainability.

88 c) 12/00974/FUL - Whitehall Garden Centre Ltd., Corsham Road, Lacock, Wilts. SN15 2LZ

Public Participation

Mr David Pearce spoke in support of the application.

The Planning Officer introduced the report which recommended planning permission be granted.

It was explained that the proposed drainage works plans had previously shown them to be sited in an adjacent field, and this proposal placed them in a new position. It was noted that the application was supported by the drainage engineer.

The Committee then had the opportunity to ask technical questions of officers. Confirmation was sought that due regard had been given to nearby houses, and officers confirmed that this would have been checked by the drainage officer prior to giving support to the application. Clarification was needed over the underground storage tank and possible contamination by the collection of surface water, and it was confirmed that the surface water would be filtered.

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

The Local Member, Councillor Dick Tonge then spoke in objection to the application.

A debate followed, during which the Committee discussed surface water

being discharged onto someone else's property, this being allowed if natural gravitation flow, whether there had been a change of circumstance and whether the opportunity of talking to the drainage engineer would provide any further information.

Resolved:

To GRANT Planning Permission for the following reason:

The proposed development, by virtue of its specification, location, scale and materiality, will not affect the character or appearance of the site to any significant extent, nor will it alter the character or appearance of the surrounding open countryside. The drainage specification detailed is adequate and will mitigate against flooding save for the most extreme weather events. The proposal therefore accords with Policies C1, C3 and NE15 of the adopted North Wiltshire Local Plan 2011, Policy C5 of the Wiltshire and Swindon Structure Plan 2016 and the guidance contained in the National Planning Policy Framework.

Subject to the following conditions:

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

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

- 2. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:**
 - a) indications of all existing trees and hedgerows on the land;**
 - b) details of any to be retained, together with measures for their protection in the course of the 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) any and all hard surfacing materials;**
 - g) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc. Indicating lines, manholes, supports etc.);**

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

- 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.

W409/02 Rev A - Private Drainage Layout (Sheet 1 of 5)
W409/03 Rev A - Private Drainage Layout (Sheet 2 of 5)
W409/04 Rev A - Private Drainage Layout (Sheet 3 of 5)
W409/05 Rev A - Private Drainage Layout (Sheet 4 of 5)
W409/07 - Typical Drainage Details (Sheet 1 of 2)
W409/08 Rev A - Typical Drainage Details (Sheet 2 of 2)
W409/09 - Surface Water Manhole Schedules
W409/10 - Foul Water Manhole Schedules
W409/11 - Attenuation Pond Headwall Details

Received 10 April 2012

W409/06 Rev B - Private Drainage Layout (Sheet 5 of 5)

Received 19 June 2012

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

4. The applicant should be aware that in determining the application the Northern Area Planning Committee has concerns in respect of the discharge route to the brook and ditch. The applicant is requested to ensure that there is no obstruction of the highway or footpath as a consequence of this drainage scheme.

Informative:

The applicant should be aware that in determining the application the Northern Area Planning Committee has concerns in respect of the discharge route to the brook and ditch. The applicant is requested to ensure that there is no obstruction of the highway or footpath as a consequence of this drainage scheme

88 d) 12/1291/FUL - Four Oaks Park, Lydiard Plain, Swindon SN5 0AL

Public Participation

Mr Julian Taylor and Mr Simon Burley both spoke in objection to the application.

Mr James Millard spoke in support of the application.

The Planning Officer introduced the report which recommended that planning permission be granted subject to conditions as detailed in the additional information.

Attention was drawn to the fact there were no objections from highways, rights of way, spatial plans or any ecological concerns with the nearest site of special scientific interest being 1.5 kilometres away. Detail within the

conditions addressed previous concerns over unlawful storage and the failure to supply a children's play area.

The Committee was then given the chance to ask technical questions of officers. Concern was raised over the removal of transit pitches as there was no alternate site in the vicinity, and it was explained that as the site was privately owned by the applicant the pitches were in his personal control and not in the control of Wiltshire Council. Clarification was sought over parking within the site and it was confirmed that each pitch was of a size to accommodate parking, including any visitor parking. A query over limiting the number of movable buildings was shown to have been accommodated in the conditions.

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

The Local member, Councillor Mollie Groom, then spoke in objection to the application.

A debate followed during which the Committee noted the 2 month delay, the distinction between travelling show people and travellers and the work done with the applicants over condition compliance. The possibility of a section 106 agreement was discussed, as was the overall net increase of one pitch.

Resolved:

To GRANT planning permission 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 part of the development hereby approved shall be first brought into use until the parking area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.**

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

- 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.

4. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

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

REASON: To ensure that the proposal is provided with a satisfactory means of drainage.

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.

7. Prior to the commencement of development, 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.

8. Prior to the occupation of any of the pitches hereby permitted, the children's' play area shall be provided in accordance with details, including full details of the proposed play equipment, which shall be submitted to and approved in writing by the Local Planning Authority. The play equipment shall be erected in accordance with the approved details and maintained for a minimum period of five years thereafter unless otherwise agreed in writing.

REASON: In the interests of the amenity of the site.

9. The site shall not be permanently occupied by persons other than Gypsies and Travellers as defined in Annex 1 of Planning Policy for Traveller Sites, March 2012.

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

10. There shall be no more than eleven (11) permanent pitches on the site.
REASON: In the interests of visual amenity and the amenity of occupants of the site.

11. There shall be no more than twenty two (22) caravans as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, of which no more than eleven (11) shall be a static caravan or mobile home and no more than eleven (11) shall be a touring caravan, shall be stationed on the site at any time.

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

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

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

13. Except for the keeping of commercial vehicles as defined in condition 12 above, no commercial activity or use, including the storage of materials and waste, shall be carried out on the site.

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

14. 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: Revised site details dated 11/9/12
Splay details dated 14/5/12

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

89 **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.00 - 8.10 pm)

The Officer who has produced these minutes is Kirsty Butcher, of Democratic Services, direct line (01225) 713948, e-mail kirsty.butcher@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 18th September 2012

Item 7(a) – 11/03934/REM – Land at Station Road, Calne, Wiltshire, SN11 0JS

Principal Housing Officer is content with the Social Housing layout and tenure but comments that the one of the shared ownership units is between rented units and may sell better if sited on the end of the terrace.

Principal Urban Designer - the replacement of render with stone to the facings of the proposed plots 13, 65 & 73 has addressed his concerns. However, there is still concern about the large openings to the parking undercroft of plots 13 & 65. There is also concern about the quality of the appearance of timber fencing that is shown facing the promenade to plots 16, 68 & 73.

There are still concerns about the amount of hard surfacing in and around the vicinity of flats 77-79 leading to a poor outlook and lack of sense of enclosure. Elsewhere breaks in the building enclosure of the street frontage are more limited to suitably obscure and contain the rear parking courts. The free standing wall could form one side of a pitched roof carport.

Area Development Manager

The alterations for this can be secured by way of a planning condition. Whilst the area in question is of a lower standard of design than the remainder of the site, the quality is not considered sufficiently detrimental to the scheme overall as to warrant a refusal.

The agent is aware of the comments raised by the Principal Housing Officer.

Recommendation as per main report.

Additional conditions:

5. 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.

Layout plan RA.SL.02 Rev G dated 4th September 2012; dwelling materials layout RA.DML.02 Rev E dated 17th September 2012; Design And Access Statement dated 22nd June and as amended 11th September 2012.; landscaping 1241-001-012 inc dated 22nd June 2012; Finished Floor levels and sewer layout 3058/102/01-04 inc; location plan, street elevations RA.SE.01 22nd June 2012 and RA.SE.02 Rev A dated 17th September 2012; carport RA.cp.01.pe dated 28th August 2012; Boundary materials layout RA.BML.02 Rev A dated 15th August 2012;

NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION
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RA.P.1e, RA.GAR.02.pe; RA.GAR.01pe; RA.P.1.p; RA.P.4-8.p; RA.P.4-8.e; RA.P.2.e; RA.P.2.p; RA.P.pe;; RA.P.9-13.e; RA.P.14-16.eRA.P.14-16.p; RA.P.17-19.e1; RA.P.17-19.e2; RA.P.17-19.p; RA.P.20-30.e1; RA.P.20-30.p2; RA.P.20-30.p1; RA.P.20-30.p3; RA.P.31-32.p; RA.P.31-32.e; RA.P.33-38.e1; RA.P.33-38.e2; RA.P.33-38.p1; RA.P.33-38.p2; RA.P.39-51.e; RA.P.39-51.p1; RA.P.39-51.p2; RA.P.39-51.p3; RA.P.52-54.e; RA.P.52-54.p; RA.P.55-88.p; RA.P.55-88.e; RA.P.57-61.e; RA.P.57-61.p;; RA.P.62-67.p; RA.P.68-69.e; RA.P.68-69.p; RA.P.70-72.e1; RA.P.70-72.e2; RA.P.70-72.p; RA.P.73.p; RA.P.73.e; RA.P.74-79.e1; RA.P.74-79.e2; RA.P.74-79.p1; RA.P.74-79.p2; RA.P.74-79.p3; RA.P.80-81.p; RA.P.80-81.e; RA.P.82-86.p; RA.P.82-86.e; RA.P.90-93.e1; RA.P.90-93.e2; RA.P.90-93.p; RA.P.94-96.e; RA.P.94-96.p; RA.P.97-98.e; RA.P.97-98.p; RA.P.99-102.e; RA.P.99-1-2.p

RA.P.9-13.p Rev A; RA.P.62-67.e rev A, dated 17th September 2012

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

6. Notwithstanding the approved drawings, details of all dwarf walls and enclosures for the undercroft car parking spaces and the details of method of enclosure for plots 16, 68 & 73 shall be submitted to and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To define the permission and in the interests of visual amenity.

7. Notwithstanding the approved elevation plans, the development shall be carried out in accordance with the approved dwelling materials layout RA.DML.02 Rev E dated 17th September 2012.

Reason: To define the permission and ensure a satisfactory development.

8. 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).

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.

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.

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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.

The Council's drainage engineer states that he has no objections.

Area Development Manager - The agent has supplied cross sections to demonstrate that the 2.5 storey dwellings will sit comfortably in relation to the houses in Wenhill Heights.

The outstanding consultations responses have been received and the recommendation is now for PERMISSION subject to the conditions listed.

Item 7(d) – 12/1291/FUL - Four Oaks Park, Lydiard Plain, Swindon SN5 0AL

Lydiard Millicent Parish Council have submitted additional representations as follows:

"Firstly, we consider that that, in view of the delay since initially published, the material considerations in the Officer's proposals are sufficiently important to have warranted a re-advertisement of this application, for proper consideration by all parties including this Parish Council, particularly in respect of the 'horse trading' over the number of extra pitches, and the removal of the Community building.

*The mitigation of the removal of the 4 temporary pitches (presumably only **4 caravans**) is irrelevant, as these temporary pitches have not been in use for years.*

*The doubling of the size of this site's capacity is therefore totally unacceptable - 5 extra sites means **10 more caravans**, and the adverse impact on the local area, and neighbours, will be significant.*

As the site is situated in open countryside within the Great Western Community Forest and Royal Braydon Forest areas, we consider this larger development will unreasonably prejudice the amenities of the neighbouring dwellings and land.

*The statement under **Point 11 is incorrect**, as LMPC have consistently objected to the siting of any proposed extension on the Southern boundary against the bridleway, which originally was a contributory factor to previous NWDC refusals. Pitches against this boundary will be perceived as a deterrent to the public right of way.*

Also, Mr Taylor, the immediate neighbour, has consistently opposed the extensions on this site.

Despite the stated reason, the position of the existing site - far from services - is also still unacceptable, especially because of the large proposed percentage increase in numbers.

*Even under the existing planning guidelines, **remoteness from services and lack of sustainability**, has always been a consideration on planning viability.*

You admit that various conditions on previous Approvals have been totally ignored, and not enforced by NWDC & WC over the years - storage of materials on pitches, lack of child's play area, car park, paddock, etc. We have no confidence that any such restrictions on the current application will be adhered to, or enforced.

NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION
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We see no sufficient reasons for the refusal of 2011 to be overturned, and would strongly recommend refusal of this application.”

Rights of Way Officer – no objections.

Spatial Plans – detailed comments are on the file and website. The comments conclude:

The adopted traveller policy for the consideration of this site is contained in the North Wilts local plan, structure plan and the government’s planning policy on traveller sites.

Assessment of these documents raises two concerns about the application:

- establishing a traveller community in a location some distance from local services which if submitted new would be contrary to the location criteria within emerging core policy 47 and adopted policies. The proposal would also create a large site (11 permanent and 4 transit) and consolidate the location.
- The overall number of pitches provided in the north and west HMA when considered against the requirement identified in core policy 47 of the emerging core strategy.

This is a well established site and the proposal is to accommodate family expansion. The issues and options consultation for the Gypsy and Travellers Site Allocation DPD carried out in 2010 recognised that moderate growth of existing sites to accommodate family expansion provided there are no adverse impacts arising is desirable as a way to meet need (para 4.6.1). Furthermore, the location is not more remote than other sites within Wiltshire which have been approved at appeal which provides some local insight into what is an acceptable distance from services.

In relation to need, there is currently a shortfall against core strategy policy of 3 pitches. There are other applications under consideration but each site should be considered on its merits at the time of application and although an increase of 5 pitches would result in a small over supply against the requirement set out in core policy 47 this would be minimal and consistent with advice in the governments ‘planning policy on traveller sites’.

The revised site layout which proposes removing the transit sites and replacing them with an amenity area/play area to improve the site overall would help alleviate concerns about a potential site of 15 pitches (although 11 pitches is still relatively large) and would improve the local environment for residents consistent with the emerging core policy 47 and will help improve the appearance of the site by reducing its visual impact.

The amended plans are therefore considered, on balance, to be consistent with adopted and emerging policy.

These comments have not considered the question of the design and layout of specific plots and building, the layout and use of the amenity area or the personal circumstances of the applicant.

Principal Ecologist – confirms the nearest SSSI is 1.5km from the site and is not affected by these proposals.

NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION
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Area Development Manager comments:

There is an error on the top of page 45 which refers to noise nuisance from the community building. The community building does not form part of this application and this paragraph should be disregarded.

The applicants are bona fide Gypsies. No information has been specifically submitted in terms of the proposed occupants other than their names and relationships. As they are family members, by association they are considered to have Gypsy status. The proposed condition also seeks to ensure all occupants of the site are Gypsies as well.

In terms of changes to the application, the only significant change to the original application which was received on 14 May, has been the agreed removal of the retained 4 transit pitches from the scheme. The scheme therefore represents a reduction in the number of pitches on this site. This does not materially alter the substance of the received objections and as the only other changes have been regard to the minor alterations to the internal layout which does not affect any third parties, it was not considered necessary to undertake any further consultation and delay a decision further beyond the two months already incurred.

The “horsetrading” has followed in part from concerns both the Parish Council and officers have had about the way the site was developed not having regard to the original permissions in 1994 which included children’s play area, paddock and what was developed instead which was a massive area used for the open storage of building materials.

It is considered that this is a positive step forward given these concerns can be controlled through the implementation of this permission and the associated conditions. Notwithstanding this application and any permission, enforcement action could still be pursued.

The additional five pitches were not objectionable with the previous application which was refused solely on the grounds of the large community building. Nothing has materially changed or advanced in policy terms. The number of pitches needed for the 2011-2016 period has reduced given permissions that have come forward.

The community building has never formed part of this current application – it was not the subject of “horse-trading”.

The transit pitches benefit from permission and regardless of their consistent use for the last several years, which is accepted to have been intermittent, they could be used to their full extent. This is a valid material consideration.

The doubling of the site within its physical confines is not objectionable in so far as it allows for extended family members and accords with the intent of emerging policy. It is accepted that it is not a small site (approx 5/6 pitches) but it is not a large site either – the latter typically no more than 15 pitches. The site would not exceed the size of Chelworth Lodge permitted further to the north. The scale of that site being acceptable to the Council as well as the Planning Inspector who determined the appeal based on the same adopted policies we have today.

The previous application determined by the Committee less than a year ago was not refused on grounds of impact of additional pitches on the forest allocations. Furthermore, Ridgeway Farm for 800 houses was not refused on the grounds of its location within the GWCF. There

NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION
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are no other environmental constraints. There are no nearby SSSI's and the nearest County Wildlife Sites are 150 metres to the east beyond the main road and 200 metres to the west.

Objections were not received in respect of this application in relation to the public footpath as with previous applications. The pitches will not obstruct the right of way and no objection has been raised from the RoW Officer not could an objection be made solely on perception of a neighbour use or persons.

The neighbour objected to the previous application but not this one. For the avoidance of doubt only objections/representations submitted to a current application can be considered and referred to.

The main report considers fully to the locational aspect of this development in policy terms including new national policy as does the Spatial Plans Officer in the main comments and the conclusions outlined above. The site is not a new site, it is well established in the open countryside, this is what sets it apart for new sites in comparable locations, that and it being for extended family members who are bona fide Gypsies.
Recommendation as per main report.

Area Development Manager

Visibility splay details have been provided to the satisfaction of highways and thus condition 3 is unnecessary and should be removed.

Conditions 11 and 12 (to be renumbered) of the report relate to the specific application rather than the site as a whole and thus require to be amended.

Plans are now listed.

Accordingly for clarification and ease of reference the updated conditions for the application are as follows:

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 part of the development hereby approved shall be first brought into use until the parking area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

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

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.

4. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

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

REASON: To ensure that the proposal is provided with a satisfactory means of drainage.

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.

7. Prior to the commencement of development, 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.

8. Prior to the occupation of any of the pitches hereby permitted, the children's' play area shall be provided in accordance with details, including full details of the proposed play equipment , which shall be submitted to and approved in writing by the Local Planning Authority. The play equipment shall be erected in accordance with the approved details and maintained for a minimum period of five years thereafter unless otherwise agreed in writing.

REASON: In the interests of the amenity of the site.

9. The site shall not be permanently occupied by persons other than Gypsies and Travellers as defined in Annex 1 of Planning Policy for Traveller Sites, March 2012.

NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION
19th September 2012

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

10. There shall be no more than eleven (11) permanent pitches on the site.

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

11. There shall be no more than twenty two (22) caravans as defined in the Caravan Sites and Control of Development Act 1960 and the caravans Sites Act 1968, of which no more than eleven (11) shall be a static caravan or mobile home and no more than eleven (11) shall be a touring caravan, shall be stationed on the site at any time.

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

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

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

13. Except for the keeping of commercial vehicles as defined in condition 12 above, no commercial activity or use, including the storage of materials and waste, shall be carried out on the site.

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

14. 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: Revised site details dated 11/9/12
Splay details dated 14/5/12

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

Wiltshire Council
Northern Area Planning Committee
10th October 2012

Forthcoming Hearings and Public Inquiries between 26/09/2012 and 30/04/2013

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	22/10/2012

Planning Appeals Received between 05/09/2012 and 26/09/2012

Application No	Location	Parish	Proposal	DEL or COMM	Officer Recommendation	Appeal Type
12/01282/FUL	Sagemore, 37 Vicarage Lane, Charlton, Malmesbury, SN16 9DN	Charlton	Erection of Detached Oak Framed Garage/Store Building	DEL	Refusal	Written Representations
12/01573/FUL	Former Agricultural Building known as Two Trees, Grittenham, Wiltshire, SN15 4JY	Brinkworth	Conversion & Change of Use of Former Agricultural Building to Dwelling	DEL	Refusal	Written Representations
12/01601/FUL	1 The Fox, Purton, SN5 4EF	Purton	Extension of Residential Curtilage and Diversion of Farm Track and Footpath	DEL	Refusal	Written Representations

Planning Appeals Decided between 05/09/2012 and 26/09/2012

Application No	Location	Parish	Proposal	DEL or COMM	Appeal Decision	Officer Recommendation	Appeal Type
11/02485/FUL	Gable End Farm, Grittleham, Chippenham, Wilts. SN15 4JY	Brinkworth	Retention of Temporary Agricultural Workers Dwelling for a Further One Year Period (Renewal of 07/01681/FUL)	DEL	Allowed with Conditions	Refusal	Informal Hearing
11/03524/OUT	Land off Oxford Road, Calne, Wiltshire, SN11 8AW	Calne/Calne Without	Outline Planning Application for up to 200 Dwellings and Associated Works	COMM	Allowed with Conditions	Refusal	Informal Hearing
11/03628/OUT	Land at Silver Street & White Horse Way, Calne, Wiltshire	Calne/Calne Without	Outline Application for Development of Around 154 Dwellings with Associated Vehicular Access to Residential Development	COMM	Allowed with Conditions	Refusal	Informal Hearing
11/02855/CAC	80 High Street, Cricklade, Wilts. SN6 6DF	Cricklade	Remove 2m Section of Existing Wall	DEL	Appeal Allowed	Refusal	Written Representations

11/03576/FUL	Mead Cottage, The Ley, Box, Corsham, Wiltshire, SN13 8EH	Box	Conversion of And Extension to Detached Double Garage to a Detached Single Storey Dwelling	DEL	Appeal Dismissed	Refusal	Written Representations
12/00209/FUL	54 Brook Drive, Corsham, Wiltshire, SN13 9AU	Corsham	Demolition of Existing Garage & Erection of Dwelling	DEL	Appeal Dismissed	Refusal	Written Representations
12/00318/S73A	Fir Tree Cottage, Hook, Swindon, Wiltshire, SN4 8EA	Lydiard Tregoz	Use of Existing Residential Annex as Self Contained Dwellinghouse (Class C3)	DEL	Appeal Dismissed	Refusal	Written Representations
12/00455/FUL	Westside Cottage, The Common, Brinkworth, SN15 5DX	Brinkworth	Two Storey Side Extension	DEL	Appeal Dismissed	Refusal	Written Representations
12/00690/ADV	Station Yard, Union Road, Chippenham, Wiltshire, SN15 1HW	Chippenham	Three Internally Illuminated Fascia Signs (Resubmission of 11/00078/ADV)	DEL	Appeal Dismissed	Refusal	Written Representations
11/03745/FUL	Dew Pond Barn, Milbourne Lane, Milbourne, Malmesbury, SN16 9JQ	St Paul Malmesbury Without	Extension to Existing Dwelling, Erection of Detached Garage, Creation of Stables & Change of Use of Land to Domestic Garden	DEL	Split Decision	Refusal	Written Representations

Agenda Item 7

Northern Area Planning Committee **INDEX OF APPLICATIONS ON 10/10/2012**

	APPLICATION NO.	SITE LOCATION	DEVELOPMENT	RECOMMENDATION
7a	11/03051/S73A	Whites Farm, Grittenham, Chippenham, Wilts. SN15 4JW	Retention of Motorcross Circuit (Retrospective)	Permission
7b	12/02124/FUL	Calne Rugby Club, Anchor Road, Calne, Wiltshire, SN11 8DX	Installation of Family Inclusive Sports Area & Enhancement of Existing Basketball Area	Permission
7c	12/01504/FUL	1 Brockleaze, Neston, Corsham, Wiltshire SN13 9TJ	Proposed Two Storey Extension To Rear And Side. Conversion of Roof Space. Double Garage And New Vehicular Access.	Permission
7d	12/01966/FUL	Deceuninck, Stanier Road, Calne, Wiltshire, SN11 9PX	Change of Use of Existing Warehouse to Include Class B2 Use (General Industrial)	Permission
7e	12/01537/FUL	Fieldhouse, 2 Pickwick, Corsham, Wiltshire, SN13 9JB	Erection of Air Source Heat Pump, Including Fence panel for Heat Pump & Installation of Solar Panel Array on Roof	Refusal

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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	10 th October 2012		
Application Number	11/03051/S73A		
Site Address	Whites Farm, Grittenham, Chippenham, SN15 4JW		
Proposal	Retention of motocross circuit		
Applicant	Mr S Nicholls		
Town/Parish Council	Brinkworth		
Electoral Division	Brinkworth	Unitary Member	Councillor Sturgis
Grid Ref	402171 183107		
Type of application	S73A		
Case Officer	Mr S T Smith	01249 706 633	Simon.smith@wiltshire.gov.uk

Reason for the application being considered by Committee

Under the Scheme of Delegation Specific to Planning, Councillor Sturgis has requested that this planning application be taken to the Development Control Committee for determination so that the impact of the proposed activities upon the amenities of the neighbours and highway safety may be considered.

1. Purpose of Report

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

Brinkworth Parish Council object to the application on the grounds that activity on the site exceeds that permitted and that there has not been enough noise reading carried out.

2. Main Issues

The main issues in considering the application are:

- Principle of development
- Impact on the character and appearance of landscape
- Effect upon amenity of neighbours
- Highway safety

3. Site Description

The site is former farmland associated with Whites Farm, extending to 5 hectares and situated within open countryside.

Retrospective permission is sought for the change of use of land and the associated engineering operations (the movement of earth to form jumps, berms and topography) to form a permanent facility for the racing and practice of off-road motorcycles (hereafter referred to as a motocross track). The covering letter submitted in support of the application states that there has been no importation of material to form the track, rather the changes have been achieved entirely by cut

and fill works. A toilet block has been placed on the site, taking the form of a mobile portakabin type structure, typically seen at outdoor events.

Fourteen (14) events per year are proposed. On these days racing would take place between 2pm and 8pm. The events are currently run approximately once a fortnight, weather permitting, on Wednesdays. The events normally accommodate up to 120 participants in four sessions with the bikes themselves limited to motocross bikes only. No converted or altered road bikes are permitted.

Access to the track would be via an existing field opening and is shared with White's Farm, also under the control of the applicant.

4. Relevant Planning History

None.

5. Proposal

To retain the already created motocross track, complete with earth jumps, berms and general topography as well as retention of the toilet block. The application seeks to make use of the track on 14 occasions every calendar year.

6. Consultations

Brinkworth Parish Council – *“Not supported. Reasons: Local Plan 2011, C1 sustainability, C3 paras i, ii, iii, iv, vi and xi, NE15 i and ii, NE18 and T2. The Parish Council is aware that the number of events held this year far exceeds the permitted amount. The Parish Council has concerns that there has not been an adequate amount of noise readings in the surrounding area.”*

Environmental Health – *“Numerous noise complaints regarding this activity were received in late July / early August 2011 which were forwarded from the Planning Enforcement Team. In order to monitor noise nuisance advanced notice of practice days or racing were needed. One prior notification regarding a Wednesday afternoon practice was received. The site was in full flow, with approximately 50 camper vans on site and numerous bikes operating. The complainants property was visited which is situated approximately 1,600 metres from the site. There was a fairly strong breeze blowing from the application site despite the warm weather. The noise was audible but not a statutory noise nuisance. This will obviously vary with wind speed and direction.*

Monitoring was undertaken elsewhere in the area and found the activity to be either inaudible, barely audible or audible, depending on the location. That is not to say that there would be no adverse noise impact on residential amenity. It would not be difficult for a noise survey to prove that the noise level from the bikes is not exceeding the ambient noise climate that prevails due to the M4, but such an assessment would not cover the subjective impact of the noise.

Free flowing traffic noise such as that created by the M4 becomes what is called ‘anonymous’ to those living nearby, the same cannot be said about motocross noise.

It is recommended that only one event per month is permitted in the warmer weather between April and September and only two per month, during October to March (resulting in 14). The hours of operation should be as stated and the Noise Management Plan should be controlled by condition and agreed with the Local Planning Authority before the commencement of development.

The motocross noise is audible at c.1600 metres in the village despite the M4 noise. Close to the site it is even more audible and intrusive, and will cause an adverse noise impact if not subject to tight controls as outlined above.”

Highway Officer – While traffic movements related to Permitted Development rights need to be considered, this proposal is a ‘new facility’ in the countryside and while it is a specialised track it is likely to create more vehicle attraction opposed to a track on the flat field. The likelihood of more specialised, more rides is likely to increase as a result of a more specialised track and increased impact on the highway network.

County Archaeologist – No comments or objections to make in relation to the proposed development.

7. Publicity

Sixteen (16) letters of objection have been received in response to the application publicity. The concerns raised are summarised below:

- Noise for residents and visitors or ramblers using the many footpaths in the area;
- The duration of each event, often starting at lunchtime and going well into the late evening without any noticeable break in noise;
- Noise will be affected by wind direction, conditions and the number of bikes at a particular event;
- Whites Farm is located in a valley and noise is therefore channelled down the valley and is bounced off the rising landscape on either side;
- Noise affects the many farms in the area;
- Use of the very narrow lanes by spectators and participants which are already congested and narrowed for traffic calming;
- Consideration should be given to restricting the hours of operation and limited the maximum number of hours per event and the maximum number of events (including practice sessions) per year;
- Pollution;
- The area is already plagued by the continuous noise of the M4 but that is constant and at a low level, the pitch from motorbikes is much higher and more unpredictable;
- Granting permission for retrospective applications will give the impression that it is better to flout planning laws and apply later;
- No further meets should be allowed whilst the application is being processed;
- No money is going to the local economy, visitors arrive in motorhomes and do not leave the site;
- The regular attendance of the air ambulance are costing the County money;
- The young from the village cannot afford to join in at the track and are driving around fields without permission;
- Animals have not been grazed here for some years and could not because of the frequency of the meetings;
- The information provided in the covering letter is inaccurate;
- The number of events is well in excess of 14 days; and
- A PA system has been installed.

Two (2) comments have been received stating, in summary:

- The noise from the specialised motorbikes comes in bursts of varying intensity and has a distinct penetrating quality that makes it very hard to ignore;
- If approved, racing should be restricted to Wednesday afternoons between April to September;
- The noise travels on the prevailing wind; and
- Not against motocross taking place at the site but 25 meetings per year is excessive.

One (1) letter of support has been received in response to the application publicity. This raises the following:

- It is not every weekend;
- There are many young people involved in this skilful sport;
- There should be a compromise not a stop on the activity; and
- The Council and applicant could look at ways to decrease the noise rather than stop the events altogether.

8. Planning Considerations

Principle of development

There are no specific policies within the adopted North Wiltshire Local Plan 2011 or any specific guidance within the National Planning Policy Framework (NPPF) which relate to motocross. As such, there is no “in principle” prohibition on this type of development taking place in the countryside. Indeed, motocross, by its very nature is an activity that can only realistically be carried out in an open and non-urban context.

However, the above does not mean that the appropriateness or acceptability this application cannot be fully considered making use of more generalised criteria based policies.

Policy C3 of the adopted Local Plan states that new development will be permitted subject to the satisfaction of a number of criteria. In particular: (i) respect for the local character and distinctiveness of the area with regard to the design, size, scale, density, massing, materials, siting and layout of the proposal; (iii) avoid the unacceptable loss of privacy and amenities to adjacent dwellings; and (vii) have a satisfactory means of access, turning, car parking and secure cycle storage and not result in a detrimental impact upon highway or pedestrian safety.

Policy NE15 of the adopted Local Plan states that the landscape of North Wiltshire and its locally distinctive characteristics shall be conserved and enhanced, development will be permitted if it does not adversely affect the character of an area and features that contribute to local distinctiveness.

Impact on the character and appearance of landscape

Ground levels across the site and wider landscape generally rise from south to north. Accordingly, the village of Brinkworth to the north is set at a higher level than the application site. The M4 corridor forms the southern boundary of the site. Views of the track are undoubtedly possible from a range of vantage points.

Aside from the associated parking of vehicles on race days, the permanent characteristic of the development would be the humps, jumps, berms and other man made changes in topography and removal of top-soil/grass. None of these features exceed c.3.0 metres in height above ground level, but they are nonetheless predominant. Other features such as the start gate, marshall stations and toilet clearly add to the permanence of the track as wider feature in the landscape, but are in themselves temporary.

In visual terms, the track is clearly a departure from untouched agricultural land. However, it is perhaps no more visually harmful to the landscape (in absolute terms) than a poorly run or intensively organised agricultural business, which is not an uncommon sight. The grant of a conditional planning permission for the motocross track would afford a degree of control that does not typically extend to such agricultural businesses.

Perhaps most significantly, whilst views of the track from both distance and closer range are undoubtedly possible from a range of vantage points, they would almost exclusively only be

possible in the context of the adjacent M4 motorway. The M4 corridor is in itself a considerable landscape feature that defines the landscape when viewed at a localised level, but also when viewed at great distance. Whilst its existence should not justify development considered to be unacceptable in other respects, it must nonetheless be a significant material consideration.

Paragraph 109 of the National Planning Policy Framework (NPPF) states, *inter alia*, that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. Factually, the site does not within a landscape that is covered by any particular designation such as an Area of Outstanding Natural Beauty. Of course an absence of a specific landscape designation does not render the landscape valueless, since the countryside should be protected for its own sake, but it does make it more difficult to identify precisely which attribute the development is adversely affecting.

Effect upon amenity of neighbours

Part 4, Schedule 2, Class B of the Town and Country Planning (General Permitted Development) Order 1995, as amended allows for the use of land for up to 14 days in any calendar year for motorcycle racing (including practicing) without the need for planning permission. The proposed development however, does not fall under permitted development because between races the humps, jumps and berms would remain in situ and the land itself does not return to agricultural use. Furthermore, the engineering operations undertaken to create the track requires planning permission and would entail a change of use.

The applicants agent states that the scope of the permitted development tolerance is a material consideration and it is not tenable to suggest that the externalities (eg. traffic and noise) associated with a motocross event would be materially different from one held in the adjacent field under permitted development rights. This theoretical position is considered to carry weight and should rightly be a material planning consideration, since it would be entirely possible for the applicant to re-grade the site back to its previous condition and to hold 14 motocross events each year with no requirement for planning permission to be sought. Following this logic, it is evident that the substantive consideration relating to this application should be the visual effect of the permanent track and not matters relating to traffic and noise generation.

Notwithstanding the above, it is clear that the Council's Environmental Health Officer has concluded that the motocross events, whilst audible, would not constitute a "nuisance" and subject to the imposition of planning conditions requiring comprehensive event management plan and hours/timings of use, would not be objectionable. Such a event management plan condition could require the applicant to submit and agree with the Council matters such as to how traffic would be managed, health and safety measures and a mechanism to address and ameliorate unacceptable levels of noise, usage of bikes and behaviour on the site.

Highway safety

The Highway Officer has rightly commented that whilst the existence of Permitted Development Rights must be a material consideration, it is logical to conclude that a purpose built track, complete jumps and berms, will be likely to attract a greater number of users. The vast majority of those users will be arriving by car, van or lorry, since motocross bikes do not tend to be road-legal.

Following the requests of the Highway Officer the applicant has supplied additional information upon which the Highway Officer might reach a view. That information suggests that a single event would be expected to attract in the region of 120 participants, arranged into four sessions. Spectator numbers are more difficult to define, although it is the author's experience of this type of sub-national level facility that the riders and the spectators will be arriving in the same cars.

The additional information submitted suggests that not all participants and spectators will arrive on the actual day of the event, with some 25% arriving the day before, staying in motorhomes

overnight. The information suggests that peak arrivals would typically be expected between 07:00hrs and 10:00hrs on the day of the event. Most participants and spectators would leave immediately after the closing of the event, with the suggestion that a proportion would stay overnight and travel the following day

The Council's Highway Officer is in the process of considering the acceptability of the proposal, the characteristics of the events and the ability of the access and surrounding highway network to cope with the traffic generated. His comments and conclusions will be reported to the Committee under Additional Information and, depending on what is concluded, may also be effectual upon the recommendation.

9. Conclusion

The proposal does result in the placement of a permanent motocross track in the open countryside, which indeed would be visible at distance, albeit in the context of the M4 corridor. However, this is not considered to result in an unacceptable impact upon the landscape, with is not recognised as being of particular importance by a specific policy designation.

Sympathy must be had for the concerns and objections of the nearest residents who have experienced disturbance from the use of motocross bikes on the site, since such use has been unauthorised. However, the applicant seeks permission for only the number of days that any land may be used for such purposes without the need for planning permission. This is a significant material consideration. In this context and in the absence of an objection from the Council's Environmental Health Officer, it is considered that a reason for refusal on this basis would not be reasonable or objectively justified.

10. Recommendation

Subject to the satisfaction of the Highway Officer in respect of the additional information submitted; then:

Planning Permission be GRANTED for the following reason:

The proposal is considered to be an acceptable form of development in this particular location. Whilst comprising an alteration to the landform of an agricultural field, the visual effect of development is not considered to be unacceptable in the context of the adjoining M4 corridor. Furthermore, subject to the imposition of appropriate planning conditions, the characteristics of the proposed use of the land would not have an unacceptable impact upon the amenities of neighbouring residents nor upon highway safety. As such the proposed development is considered to comply with the provisions of Policies C3, NE15 of the adopted North Wiltshire Local Plan 2011 and guidance contained in the National Planning Policy Framework.

Subject to the following conditions:

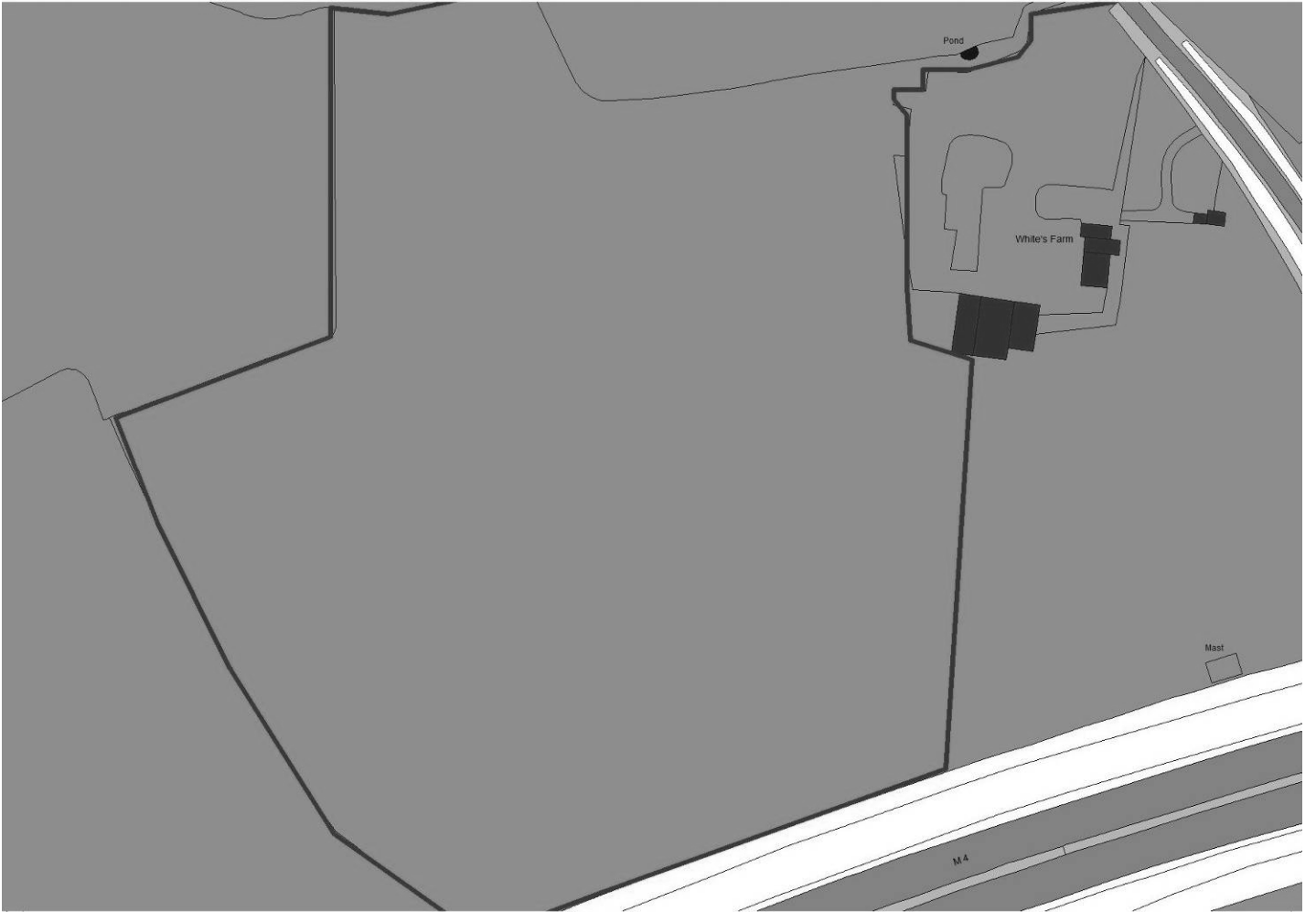
To be advised as additional information.

Informative:

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

Site location plan, date stamped 11th October 2011
LPC/2798/2 – Site layout plan, date stamped 9th September 2011
LPC/2798/3 – Sections 1, date stamped 9th September 2011

REASON: To ensure that the development is implemented as approved



REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	10 October 2012		
Application Number	12/02124/FUL		
Site Address	Calne Rugby Club, Anchor Road, Calne		
Proposal	Installation of Family Inclusive Sports Area & Enhancement of Existing Basketball Area		
Applicant	Mrs Roberts, Calne Town Council		
Town/Parish Council	Calne Town Council		
Electoral Division	Calne Central	Unitary Member	Cllr Marshall
Grid Ref	400270 170906		
Type of application	Full		
Case Officer	Chris Marsh	01249 706657	chris.marsh@wiltshire.gov.uk

Reason for the application being considered by Committee

The application has been called to Committee by Cllr Marshall in order to consider the impact on the proposal on the amenity of nearby properties.

1. Purpose of Report

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

The proposal is supported by the Town Council, which is also the applicant for the application.

2. Main Issues

The main issues in considering the application are:

- Principle of development under Policies C3 and CF2 of the adopted North Wiltshire Local Plan 2011
- Impact on the character and appearance of the area
- Impact on the privacy and amenity of existing neighbours
- Impact on highway safety

3. Site Description

Calne Rugby Club is accessed from Anchor Road, in central Calne, and is part of the wider sports and recreation complex that has seen a series of works to improve facilities in recent years. The application site is some way removed from the main complex of tennis courts, pavilion and bowling green to the West, adjacent to the road. The site is accessed via a footpath from the road, leading over a redundant and overgrown hardstanding to a small basketball court, currently in a poor state of repair. The linear hardstanding is flanked by a mature hedgerow to the Northwest and a separate field to the Southeast, adjoining the rear gardens of two small housing estates, Bentley Grove and Hillcroft, some 30-35m from the application site. To the immediate East of the site is the southernmost extent of the grounds of Priestly Primary School, which is bounded by a painted metal security fence.

4. Relevant Planning History

There is no planning history relevant to this site.

5. Proposal

The proposal relates to the creation of a Family Inclusive Sports Area (FISA) at Calne Rugby Club, extending the hardstanding of the basketball court, which is to be resurfaced, into an area immediately Southeast in order to provide an enclosed, multi-functional play area. The enclosed area will provide facilities for interactive screen-based games as well as a full court surface for football and basketball measuring 14m x 25m.

The resurfaced and enlarged areas are to be finished in tarmac over crushed stone and a geotextile membrane, and will be painted with the relevant sports pitch markings. The sides of the enclosed area are to comprise 3.0m-high galvanised mesh fencing, with a neoprene membrane between upright posts and fencing to reduce vibration noise. The fencing will include recessed goal areas at either end, a 1.6m-wide mesh entrance door at one end and four screens, one smaller, attached to galvanised post frames at intervals.

No specific hours of operation or scheme of lighting is set out in the application, therefore these are recommended and manageable by condition.

6. Consultations

Calne Town Council – support
Environmental Health – no objection, subject to conditions
Police – no objection
Sport England – [awaiting comments]

7. Publicity

The application was advertised by site notice and press advert.

Thirteen letters of letters of objection received

Summary of key relevant points raised:

- Loss of open space
- Potential increase of noise and light nuisance
- Potential increase in antisocial behaviour
- Highway safety

8. Planning Considerations

Principle of development

The principle of development for new community recreation facilities is strongly supported by planning policy, most explicitly in Policy CF2 of the adopted North Wiltshire Local Plan 2011, which states that such development should be supported where these are sited within or adjacent to framework boundaries and do not incur loss or detriment to such facilities overall.

Impact on the character and appearance of the area

The site is part of a well established recreational complex that is characterised by its mixed provision of sport and leisure facilities. The proposed court enclosure is therefore considered to be in-keeping in design and materials with the appearance of the site as existing and will not result in aesthetic detriment to the area. Likewise, the use of the site will broadly remain the same and will not compromise the retained uses of the surrounding open space.

Impact on the privacy and amenity of existing neighbours

A number of objections have been received on the premise that the proposed facility will lead to noise nuisance and antisocial behaviour in the locality, and a pre-existing problem in this regard is acknowledged by all parties. It is relevant to note that the proposal is to an extent, an extension of the current facilities and that the site is part of a long-standing recreational ground frequented by a range of users. There is therefore a certain amount of activity to be expected throughout the day and evening. The site is some 30m from the boundary of the nearest garden at Hillcroft, which offers some attenuation of noise created by the provision of a new facility.

However, it is considered important to mitigate any potential exacerbation of problems relating to noise nuisance and antisocial behaviour in this location and for this reason a number of conditions are proposed to address these issues. The technical specification of the FISA can be dictated so as to minimise noise and effectively restrict the use of the facility to appropriate hours of the day by managing the provision of lighting at the site.

Impact on highway safety

Highway safety in respect of pedestrian visibility and parking availability on Anchor Road has also been identified in public representations and it is accepted that this may be an issue on occasion (e.g. on match days). However, it is considered that the scheme, by the nature of its purpose and likely users, will not generate any significant increase in vehicular movements relative to those already associated with the recreation ground and as such will not adversely affect highway safety.

Conclusion

The proposed facility will improve provision of community recreation in the area, the principle of which is backed by planning policy. The new facility, provided it is properly constructed in line with conditions recommended below, will not result in an increase in nuisance or antisocial behaviour at the site, and is suitably removed from the boundaries of the nearest residential properties. However, with no means of direct comparison to a similar but closely-managed facility, it is recommended that permission be granted subject to agreement of a suitable management plan.

9. Recommendation

Planning Permission be GRANTED for the following reason:

The proposed development, by virtue of its siting, scale, design and materials, will not harm the character or appearance of the site or result in loss of residential amenity to neighbours. The proposal represents a valuable piece of community infrastructure and therefore accords with Policies C3 and CF2 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 The fences shown on the approved plans shall be erected prior to the first use of the facility hereby permitted and shall incorporate the neoprene dampening feature as detailed in the Design and Access Statement accompanying the application.

Reason: In the interests of the amenity of the area and the prevention of noise nuisance.

- 3 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels, light spillage and hours of illumination have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

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

- 4 No development shall commence on site (including any works of demolition), until a Management Plan, which shall include the following:

- a) details of any proposed lighting, including hours of illumination;
- b) details of any CCTV system to be installed;
- c) details of proposed hours of operation, including the means by which the facility is to be secured, if applicable;
- d) details of any schedule of routine inspections/maintenance;
- e) details of any anticipated Police involvement with the facility; and
- f) details of any anticipated ongoing dialogue with neighbours of the facility

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to thereafter. The development shall not be carried out otherwise than in accordance with the approved Management Plan without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to the neighbouring amenities and the amenities of the area in general.

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

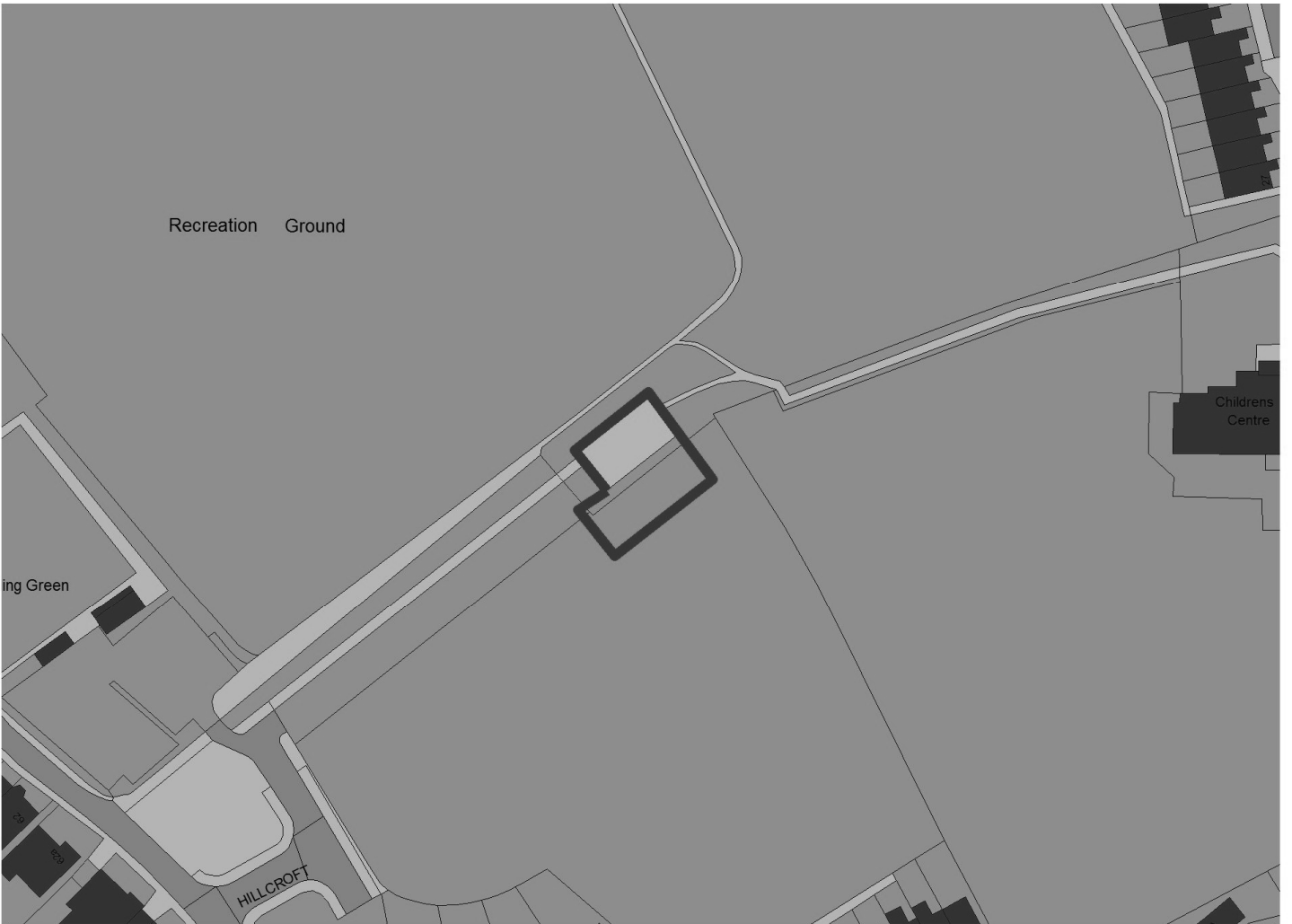
Site Plan
Tarmac/Groundwork Specification
Proposed Elevations, Plans and Details
Design and Access Statement

Received 16 July 2012

Sports Fencing Specification
Street Snooker Structural Specification
Fencing Noise Dampener Specification

Received 25 September 2012

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



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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	10 th October 2012		
Application Number	N/12/01504/FUL		
Site Address	1 Brockleaze Neston Corsham Wiltshire SN13 9TJ		
Proposal	Two storey extension to rear and side conversion of loft space double garage and new vehicular access		
Applicant	Ms Sally Hurst		
Town/Parish Council	Corsham		
Electoral Division	Corsham Without & Box Hill	Unitary Member	Cllr Richard Tonge
Grid Ref	386301 168089		
Type of application	Householder		
Case Officer	Lisa Davis	01249-706522	lisa.davis@wiltshire.gov.uk

Reason for the application being considered by Committee

This application has been submitted to Committee for decision at the request of Cllr Richard Tonge to assess the size and scale of the garage.

1. Purpose of Report

To consider the above application and to recommend that the decision is delegated to the Area Development Manager for planning permission to be GRANTED, subject to conditions.

Corsham Town Council has raised objections on the grounds that the proposed garage is excessively sized and inappropriately sited due to its proximity to the neighbouring property.

The application has attracted objections from 6 households in respect of the scheme (a total of 16 letters in all)

2. Main Issues

The main issues in considering the application are:

- Principle of development in relation to policies C3 and H8 of the North Wiltshire Local Plan 2011
- Impact on the character and appearance of the area
- Impact on the residential amenity of existing neighbours and potential occupants
- Impact on highway safety

3. Site Description

1 Brockleaze is an individual, detached bungalow situated on the junction with Damy Green, Neston outside of the Conservation Area. The property is set back from the road with parking to the front and a garage to the side. The rear garden extends to the north. The western boundary is formed by mature trees that partially screen the side of the property from view.

The property is neighbored to the north and west by Damy Green, a cul-de-sac that comprises of an assortment of bungalows and two storey dwellings. Numbers 1, 2 and 3 to the west, are two storey properties situated on the opposite side of the highway, facing the side of the application site. Number 4 is situated to the northern boundary with the side elevation and associated garage facing the rear boundary of the site. The neighbours to the east are detached bungalows of varying design and ridge height, some have also benefited from various extensions in the past. The neighbouring property number 3 Brockleaze has a large rendered extension to the rear close to the boundary of the application site. To the south and south west there is a mix of more traditional style cottages and two storey dwellings, further bungalows are situated to the south east.

The existing property is constructed of reconstituted stone block with tiled roof and upvc windows and doors.

4. Relevant Planning History		
Application Number	Proposal	Decision
none	none	none

5. Proposal

Permission is sought for the erection of a two storey extension to the rear and side, conversion of the loft space, erection of a double garage and new vehicular access. The ridge height of the proposed extension would remain the same as the existing, and the conversion of the loft would enable the introduction of a first floor within the existing roof space.

The materials proposed to the south elevation are as existing, to the north and west elevations plans show Cedar cladding with render to the porch. The eastern elevation is proposed as yellow block work. The roof materials would match the existing apart from the front and rear porch which would be Zinc.

The proposed garage would be located to the rear of the garden and would be accessed via Damy Green. The garage would have a rendered exterior with concrete roof tiles, timber windows and doors and timber boarding to the gables. The garage has been re-sited following objections with regard to the impact of the building on the neighbouring property, 4 Damy Green. The proposed garage would now be located closer to the highway, parallel to the garage that is associated with the neighbouring property.

6. Consultations

Corsham Parish Council raised no objections to the original submission.

It is worthwhile to note, however that the garage details were not submitted originally and consultations were sent following the receipt of the additional plans.

Corsham Town Council requested that the application was called in, objecting to the additional plans submitted for the following reason

“The proposed garage is excessive in size and inappropriately sited due to its proximity to the neighbouring property, contrary to policy H8 paragraph ii of the North Wiltshire Local Plan 2011.”

Subsequent plans were submitted altering the site of the garage and consultations were again sent out.

Corsham Town Council resolved that no further objections be raised.

The Highway Authority has no objections to the original or amended proposal subject to the attachment of the following condition

(WD1) The development hereby permitted shall not be first brought into use until the access has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

Corsham Civic Society has objected but has not included a reason.

7. Publicity

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

6 households have objected

Summary of key relevant points raised:

- Impact on highway safety
- Impact on parking
- Scale of garage
- Impact on residential amenity
- Wildlife habitat
- Materials
- Impact on character and appearance of the area

8. Planning Considerations

The relevant planning considerations are as follows

Principle of development

The proposal is for a residential extension and as such has been considered in relation to both policies C3 (Development Control Policy) and H8 (Residential Extensions) of the North Wiltshire Local Plan 2011. Both policies allow for household extensions provided that the proposal meets the criteria set out.

Impact on the character and appearance of the area

In terms of appearance the principal elevation would remain very similar to that which exists when viewed from the south. The introduction of roof lights within the roof space to the front and rear do not in themselves require permission. The main difference from this aspect would be the removal of the existing garage to enable a side extension with solar panel installed on the roof slope.. The access to the front would remain.

The rear extension is of alternative design to that which may be expected and the proposed materials do differ with that of the host building, these differences are noted and considered. The existing building is not of any particular architectural merit and the neighbouring properties within the row are not particularly uniform in appearance or materials. Number 3 Brockleaze has been substantially extended with rendered exterior.

It is acknowledged that the properties within Dany Green are more uniform in appearance and design and there are many flat roofed garages that are associated with these dwellings. There is,

however a garage to the rear of 1 Damy Green that is of similar scale to that which is proposed with pitched roof and rendered exterior.

1 Brockleaze, although situated close to Damy Green is an individual property and situated away from the bungalows within that particular development. The properties that surround the application site are of varied design, scale and constructed of a mix of materials.

Impact on the residential amenity of existing neighbours

The proposal extends to the rear at two storey level, although no higher than the existing ridge height. This element would sit parallel with the neighbouring property's extension to the west, but would extend approximately 3 metres less into the rear garden. Roof lights are included within the eastern roof slope, two are at ground floor level serving the kitchen and the remaining one will serve a bathroom.

There is already a window within the attic space that looks out to the west, this is partially obscured by the existing trees. The rear extension includes windows at first floor level that will look out onto this aspect towards the principal elevation of number 1 Damy Green. These windows will be set further back than the existing window, approximately 8 metres from the site boundary.

The rear extension would include windows at ground and first floor level, the extension would be set at least 16 metres away from the rear boundary.

The proposed garage would sit close to the boundary and parallel with the garage of number 4 Damy Green. The garage plan illustrates a height of 4.5 metres to the ridge and 2.5 metres with the roof sloping away from the boundary to the north. The garage location has been altered to be set away from the neighbouring property's window.

Impact on highway safety

Vehicular access to the front of the property would not be altered, however the existing garage would be lost. The provision of the double garage to the rear is large enough to accommodate two cars and there is also space to the front of the garage that could be utilised for parking. The site can therefore accommodate adequate parking for a property of this size under current car parking standards. The access and alterations to the parking have also been considered as satisfactory

9. Conclusion

The proposed extension would have minimal impact when viewed from the principal elevation due to the height of the proposal not exceeding the current roofline. Whilst the proposed materials may differ to the existing it is considered that they would sit comfortably with the host building and overall design of the proposed extension. Conditions would be used to ensure that the materials used are approved accordingly.

Additional overlooking has been considered. It is noted that the pitch of the existing roof could allow the conversion of the roof space without the need for permission and also the introduction of windows at first floor level within the northern roof slope. This would result in a similar outlook to the extension that is proposed, albeit a further distance away. The views would also be to the side elevation of the neighbouring property to the north and at an oblique angle. To the east there is already a window within the side elevation the windows proposed within the extension that would look to the east would be further away. Currently this aspect is also obscured by the existing hedge. Whilst it is acknowledged that this hedge may not always exist it is considered that the proposal would not cause an unacceptable amount of overlooking than that which exists to this aspect.

The applicant has taken notice of the objections submitted, altering the location of the proposed garage to alleviate the concerns raised in relation to number 4 Damy Green. Whilst it is accepted that there may be some overshadowing caused by the proposed building, it is considered, due to

the amended location that it would not be of such a scale that would have an unacceptable impact upon the amenities currently enjoyed by the neighbouring property.

The Highways Authority has considered the proposal to be acceptable with regard to highway safety and the provision of adequate parking.

10. Recommendation

Planning Permission be GRANTED for the following reason:

The proposed development will not have a detrimental impact on the character of the host building or area in general. The proposal will not have an unacceptable adverse impact on the amenities currently enjoyed by the occupants of the neighbouring residential properties. The proposal can accommodate the required amount of parking and will not result in a detrimental impact upon highway or pedestrian safety. The proposal therefore accords with policies C3 and H8 of the 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. 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.

Plan reference 1908/S01 received on 31st May 2012, additional plans 1908/ garage received on the 11th July 2012 and revised plans 1908/L01A received on the 17th August 2012.

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

3. The development hereby permitted shall not be first brought into use until the access 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

4. No development shall commence on site until details of the finish to external timber, including any paint or stain to be used on the door 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

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

5. Notwithstanding the details shown on the submitted plans and forms, no development shall commence on site until details of the external materials 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.

Informatives :

1. Any alterations to the submitted and approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
2. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

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

3. The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.



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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	10 October 2012		
Application Number	N/12/01966/FUL		
Site Address	Deceuninck, Stanier Road, Calne, Wiltshire SN11 9PX		
Proposal	Change of Use of Existing Warehouse to Include Class B2 Use (General Industrial)		
Applicant	Mr Skinner Deceuninck Holdings (UK) Ltd		
Town/Parish Council	Calne		
Electoral Division	Calne North	Unitary Member	Councillor Chuck Berry
Grid Ref	399859 172521		
Type of application	Full		
Case Officer	Lee Burman	01249 706668	lee.burman@wiltshire.gov.uk

Reason for the application being considered by Committee

The application was called in for Committee determination in order to consider the impact of the proposals on the existing residential amenities of nearby properties and their occupants.

1. Purpose of report

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

2. Report summary

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

- Principle of development
- Impact upon neighbour amenity
- Highways Impact

The application has generated 8 representations in total including 5 objections from neighbours and members of the public; and support from Calne Town Council.

3. Site Description

Highly visible and accessed from the A3102 Calne bypass, the Deceuninck building is a large modern storage and distribution facility purpose built for the company, which also have other premises at Porte Marsh Industrial Estate. The building is positioned in its own 5.56Ha landscaped grounds, complete with internal access road and large dedicated car park. New dwellings have been constructed to the south and west boundaries of the site.

From its construction in 2005 and up until 2009 the building was occupied by Decuninck Ltd. However, following consolidation of the company's operations across the region, the building was deemed surplus to requirements and as such is now vacant.

In planning policy terms, the application site is located entirely within the Settlement Framework Boundary of Calne as set out in the adopted North Wiltshire Local Plan 2011.

4. Relevant Planning History		
Application Number	Proposal	Decision
02/01280/FUL	Warehouse, 2no. class B2 industrial buildings class B1 office building and associated service areas and parking	Permission 04/09/02
06/00602/FUL	External storage and hard standing	Permission 02/10/08
07/01078/FUL	Erection of perimeter fence	Permission 19/06/07
11/02159/FUL	Change of Use of Existing Deceuninck Building to Provide Indoor Football Facility (Class D2) and Erection of Additional Floor Space For Same.	Permission 23/11/11

5. Proposal

The proposal is for the Change of use of the existing Deceuninck building to extend the permitted range of uses to include B2 (General Industrial). There is no known occupant within this use class at this point in time and the broader spectrum of permitted uses would be intended to facilitate the marketing of the property to potential employers.

6. Planning Policy

North Wiltshire Local Plan: policies C3 Development Control; BD3 Business Development on unallocated Sites

Central Government Planning Policy: National Planning Policy Framework

7. Consultations

Public Protection Team

The Environmental Health Officer identified initially that that noise could be readily addressed by condition. Concerns were raised as regards potential odour dust fume effluvia arising from the B2 use and the potential impact on nearby residential amenities. Concern was identified that this could not be addressed by condition. The applicant has submitted suggested conditions including in relation to pollution control and these have been reviewed by the Environmental Health Officer. Following receipt of the conditions (discussed further below) the EHO/Public Protection Team raise no objection to the Scheme Proposals.

Highways

Officers have reviewed the submitted proposals and supporting transport statement and considering the transport network in place adjacent the site do not consider that the proposed traffic associated with the B2 use will have a material impact on the operation of the existing local highway network. Officers raise no objection to the scheme proposals subject to use of a condition requiring the submission of a travel plan for agreement by the Local Planning Authority prior to the commencement of development.

Calne Town Council

The Town Council supports and welcomes the proposals.

It is important to note that at the request of neighbours and the local ward member the consultation period was extended with the agreement of the applicant to allow interested parties an opportunity to comment. Officers requested this of the applicant to take into account the summer holiday

period. The applicant consented to this extension and there was no formal requirement to do so on their part in this regard. Furthermore despite the extended period of consultation a limited number of objections were received – 5 in total. Whilst the volume of objection is not a determining factor in itself the relatively limited scale of objection (18 letters were received in respect of the indoor football facility application) is considered relevant.

8. Publicity

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

5 letters of letters of objection were received

Summary of key relevant points raised:

- The existing range of permitted use at the site is sufficient to support marketing and sale.
- Harmful impact of noise, pollution and general disturbance from an Industrial use within a rural/suburban area.
- Considered that the originally proposed warehouse use was relatively limited but was significantly greater than expected with a consequently greater impact. The proposed industrial use was never anticipated.
- The noise impact will be significant and harmful in the surrounding areas, especially so given the substantial and unusual size and proportions of the existing building.
- Given the apparent difficulty in letting/selling the existing building for the permitted uses dismantling and removal of the structure should be considered
- The local road network is already congested and the proposal will increase HGVs on this network contrary to residents' objectives.
- Dispute the Transport Assessment conclusions. There is no bus route along Beverbrook Road. Deceuninck is no with easy walking distance or accessible by public transport.
- Existing facilities and land uses e.g. Beversbrook Sports Facility are already over subscribed for parking demand.
- Acknowledge the importance of job creation but consider that the quality of life of local residents be taken into account.
- Limited residential redevelopment of the site should be considered as an option.
- Timing of the application conflicts with resident's holidays thereby restricting scope to review proposals and comment as necessary
- Re-examine the possible uses of the site in the light of changed circumstances since the building was first erected
- Consider use of the site for open space purposes.
- The previous/existing permitted B8 Warehouse use resulted in significant noise disturbance particularly during the night.
- The proposed use would have a harmful effect on the level of daylight and privacy enjoyed by neighbouring residents.
- Request detail as to the type of industrial operation that could be permitted under this change of use.
- Hours of operation restrictions of 8am – 6pm would be acceptable dependent on the type of operation involved.
- The existing permitted development and uses at the site (Including unimplemented elements) resulting harm to residential amenities which would be significant worsened by the change of use.

9. Planning Considerations

Principle of Development

The site is located within the defined framework boundary for the town of Calne and is part of a well established and safeguarded major employment location. The site itself is a long established employment location featuring a large scale modern warehouse facility with consent for further structures which already benefit from consent for B2 use. Similarly consent was previously granted

for the use for the existing building for indoor football. The site lies directly adjacent the Calne bypass and whilst on the outskirts of the Calne Town is a well established employment location which already features a range of B2 Use Class operators. As such in principle this is an entirely appropriate location for employment uses and indeed a location to which operators looking for sites would be directed and it is safeguarded under existing planning policies for these specific purposes. The Council's assessment work (Roger Tym Wiltshire Workspace and Employment Land Review October 2011) relating to employment activity and related land use requirements produced in support of the preparation of the Wiltshire Core Strategy (Submitted for examination) specifically reiterates and identifies the need to retain land within the Portemmarsh Industrial Estate for employment uses.

Any proposals for development must however be the subject of assessment of impact against all material planning considerations and policy C3 of the North Wiltshire Local Plan 2011 is relevant in this context, in particular, in respect of the impact on residential amenities. Representations and objections received to date relating to this matter also suggest that any application should now be considered in the changed circumstances resulting from the residential development that has taken place to the south east of the application site. In this context it is also important to recognize that the changed circumstances include a broader range of matters such as the preparation and adoption of the national Planning Policy Framework (NPPF) which introduces a presumption in favour of sustainable development. It is considered that the proposal meets the definition of sustainable development contained in the NPPF in that it is in a generally sustainable location and one that is supported and protected for employment uses. In this context environmental impacts in terms of pollution and Highways impacts are addressed in further detailed below. The proposals would clearly have the potential to contribute to economic development and is considered sustainable in this context and in providing for local employment opportunities for the residents of Calne is considered to contribute to the social well being of the town. It should also be noted that at Section 1 of the NPPF the Government specific that the planning system should not act as impediment to sustainable economic growth and should do everything that it can to support such growth. Furthermore that significant weight should be given to the need to support economic growth.

In this context it is also crucial to bear in mind the significant changed circumstances relating to the national, European and worldwide economy. The unprecedented scale of the economic downturn presents a significant requirement on the Local planning Authority to implement proactively these requirements of the NPPF and support sustainable economic development.

Clearly employment uses throughout the country including B2 industrial uses have managed to co-exist and operate in close proximity to neighbouring residential properties with appropriate safeguards and they cannot be considered to be fundamentally in principle inappropriate in the same location. Indeed as already noted existing B2 uses operate at the Industrial estate in close proximity to the neighbouring residential areas of Calne. The NPPF provides no policy basis for resisting employment uses located adjacent residential areas in principle and neither do the adopted policies of the North Wiltshire Local Plan 2011. Certainly many of the concerns regarding impact on residential amenities e.g. noise and dust can be addressed by the use of appropriate conditions. Given this and bearing mind the other material considerations relating to the NPPF, Existing use and consents at the site; supporting studies relating to the Draft Wiltshire Core Strategy and the Economic downturn it is considered that the proposal is acceptable in principle and should be supported.

As regards representations received that alternative uses of the sites should be considered and promoted including residential and public open space this is not a material planning consideration to the determination of this application. Certainly it would be wholly unacceptable to refuse a planning application solely on the basis that alternative uses may be more acceptable in principle. In the first instance and under national planning legislation Local Planning Authorities must assess and determine the proposals that are submitted. Only proposals causing harm to interests of acknowledged importance can reasonably be refused. The appropriate mechanism for considering and bringing forward alternative proposals and land uses of the site is the Development Plan Process including the Draft Wiltshire Core Strategy and in this instance the Calne Neighbourhood

Plan. Work is underway on both documents and as noted above the Draft Wiltshire Core Strategy seeks to safeguard the site for employment use. This will be a matter for consideration as part of the examination and testing of that document. The Calne Neighbourhood Plan provides a specific mechanism for bringing forward alternative schemes and proposals and work is underway on that document. As such it would be inappropriate to refuse the current application on the basis that there are potential alternative uses with some community support.

Impact on Neighbour Amenities

Neighbour objectors have submitted representations that the existing B8 use of the site caused disturbance in terms of noise and resulted in harm through lighting, vehicle movements to and from and within the site and in respect of loss of amenity from the use of CCTV cameras. Concerns are identified that this situation will be worsened with the presence of B2 industrial operators at the site. There is clear concern that the relatively broad nature of the B2 use class could result in significant industrial operations at the site with the potential to cause harm to residential amenities through noise, air (dust and smell) and lighting pollution. Similarly neighbours referred to objections previously raised in respect of the application for the indoor football facility and use of the building, which again highlighted noise impacts on residential amenities.

These concerns were in part initially reflected in the initial consultation response of the Council's Public Protection Team (Environmental Health Officers). Referred to above officers identified that noise matters could be addressed through condition but that other issues of pollution generated by B2 use i.e. dust and odour may be more difficult to control by this method. This was particularly considered to be the case given that the end use and exact nature of the B2 operation to take place was not known.

The applicant has responded to these concerns by suggesting a range of conditions as set out at the end of this report. Of particular relevance is condition 14 which requires the submission and agreement of an operational statement once the end user of the site is known and prior to operation. This will allow officers to assess how best the site should be laid out internally and externally to minimise impacts. It will also include the submission of a noise assessment to demonstrate that other related conditions limited noise outputs can be met. This operational method statement in combination with the other conditions is considered to allow the Council to control the detailed operation of the site in order that residential amenities would be protected to an appropriate level. Whilst at the same time the site can be flexibly and proactively market to a reasonable level sufficient to generate operator interest. Again in this context it is essential to bear mind other considerations regarding the existing consents at the site which include additional buildings which have consent for B2 use already; the NPPF and the importance of supporting sustainable economic development. Public Protection Officers (Environmental Health) have reviewed the revised suggested conditions and submitted an additional consultation response raising no objection to the proposals on the grounds of harm to residential amenities.

On balance it is considered that the potential impacts can be sufficiently mitigated through the implementation and application of these conditions such that consent ought not to be refused on the grounds of harm to residential amenities.

Highways Impact

The applicant has submitted a Transport Statement in support of the application and proposed use. One neighbour objector raised concerns regarding the findings and content of the statement, particularly in regard to the assessed location in relation to Calne and the availability of public transport services. The Council's Highways officers have reviewed the Transport Statement and fully cognisant of the existing site and locality circumstances and including location, proximity of other services and development; local highway conditions; and the availability of public transport services in the locality raised no concerns or objections in respect of the Transport Statement itself. Further more officers having assessed the proposals and the anticipated transport movements (albeit without the benefit of knowledge as to a specified end user) raised no objection to the proposed change if use as regards to the local highway network.

In this context it is important to note that the site is currently used as a B8 Warehouse Storage and Distribution Facility and one of considerable scale. The impact of that permitted use is significant in respect of HGVs on the local highway network. Proposals for B2 use must be considered with those conditions in mind. Similarly the site also benefits from unimplemented contexts which remain valid for B2 use. Highways Officers have assessed the worst case scenario under the B2 use of the site in terms of traffic generation scenario and consider that the impact on the highway network would not be so significant over and above the existing circumstances as to warrant and justify the refusal of the application. Again in this context it is essential to recognize that the site lies directly adjacent a major road, the Calne bypass with very good access to that road. Similarly it is essential to bear in mind the requirement within the NPPF to support sustainable economic development. The proposal is not considered to generate harm in respect of environmental conditions including the impact on the highway network. Despite representations to the contrary it is considered that the site is relatively well located in relation to potential employees being within reasonable distance of some residential areas of Calne and with some level of public transport access. Certainly the site is clearly within a reasonable cycling distance of much of the Town of Calne. Calne itself is a relatively small town and it is not considered that the application site is so remote from existing residential areas as to render it unsustainable such that the B2 use ought to be refused on these grounds. This is particularly the case given the existing and permitted uses at the site and the clear policies of the NPPF requiring that Local Planning Authorities should support sustainable economic development and not impose unnecessary obstacles to development.

Finally it is important to note that the suggested conditions agreed by the applicant include the preparation and submission of a Green Travel Plan by the future occupant and it is considered again that this offers sufficient scope to mitigate potential impacts such that consent ought not to be refused.

10. Conclusion

The proposed B2 use is considered appropriate in principle to this location. The site is a location that already benefits from an extant consent for the proposed use. An extension and intensification of this use of the site is considered to be a sustainable form of development. It is considered that the proposed use will accord with a range of policy imperatives and objectives particularly in respect of economic development. As such development ought not to be refused unless there are significant harmful impacts to interests of acknowledged importance that cannot be reasonably mitigated. The proposed suite of conditions referenced below are considered appropriate and sufficient to adequately mitigate any potential harmful impacts particularly in respect of residential amenities.

11. Recommendation

Planning Permission be GRANTED for the following reason:

The proposed development is considered to be sustainable and appropriate to the location in principle and the attached conditions provide sufficient mitigation to ensure that there will be no harm to residential amenities. The proposal is in accord with policies C3 and BD3 of the adopted North Wiltshire Local Plan 2011 and Paragraph 14 and Section 1 of the National Planning Policy Framework.

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.

POLICY-C3

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

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

POLICY: C3

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

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

POLICY-C3

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

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

POLICY-C3

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

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

POLICY C3

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

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

POLICY: C3

7. No development shall commence on site until a scheme for the discharge of surface water from the extended building and site, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use/first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

POLICY: C3

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

REASON: To ensure that the proposal is provided with a satisfactory means of drainage.

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

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

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

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

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

POLICY-C3

10. No development shall commence on site until details showing ventilation and extraction equipment within the site (including details of its position, appearance and details of measures to prevent noise emissions in accordance with the limits defined in condition 3) have been submitted to and approved in writing by the Local Planning Authority. The ventilation/extraction equipment shall be installed prior to the building/extension hereby approved is first occupied and shall thereafter be maintained in accordance with the approved details.

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

POLICY-C3

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

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

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

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

POLICY-C3

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

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

14. Prior to the first use of the building or site for the permitted purpose, a 2.0m high close boarded acoustic fence shall be erected in a position adjacent the southern and south western site boundaries adjacent neighboring residential properties.

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

15. Prior to the first use of the building for any purpose within Class B2 an Operational Statement shall be submitted to an approved in writing by the Local Planning Authority. The statement shall include but not be limited to:-

- A detailed description of the processes to be undertaken
- An internal and external layout of the building showing how the manufacturing areas will be laid and will operate, the location of storage and offices and the areas for lorry parking, manoeuvring, loading and unloading
- An assessment of the noise emitted from the building assessed on all boundaries of the site at any position where the boundary is contiguous with any part of the curtilage of a residential property and based on the full operational activities of the proposed occupant to assess compliance with condition 2 and noise rating levels contained therein.
- A description of any dust, fumes or odour likely to be produced by internal or external activities and how they will be monitored and mitigated.
- Hours of operation and servicing patterns
- Number of employees and shift patterns

The use shall thereafter operate in accordance with the approved statement unless otherwise subsequently approved in writing by the local planning authority

REASON: in the interests of safeguarding the residential amenities of neighbouring properties.

POLICY: C3

16. 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: 0158/73855; PL/01; PL/02 Dated 09/07/2012

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



REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	10 th October 2012		
Application Number	N/ 12/01537/FUL		
Site Address	Fieldhouse 2 Pickwick Corsham SN13 9JB		
Proposal	Erection of Air Source Heat Pump, including fence panel for heat pump & installation of solar panel array on roof		
Applicant	Mr Williams		
Town/Parish Council	Corsham		
Electoral Division	Corsham Pickwick & Rudloe	Unitary Member	Alan Macrae
Grid Ref	389449 170762		
Type of application	FULL		
Case Officer	Mandy Fyfe	01249 706638	mandy.fyfe@wiltshire.gov.uk

Reason for the application being considered by Committee

This application has been referred to the Northern Area Planning Committee following a call in by the Ward member on the grounds of no objections from neighbours, reasons of sustainability and ecology.

1. Purpose of Report

To consider the above application and to recommend that planning permission be REFUSED.

Corsham Town Council have not commented.

2. Main Issues

The main issues in considering the application are:

- Principle of development Policies C3, HE1, HE4, NE18 and H8 of the adopted North Wiltshire Local Plan 2011
- National Planning Policy Framework 2012
- Wiltshire Core Strategy Pre Submission Document 2012
- Previous Planning History of the site
- Impact on the character and appearance of the Conservation area and setting of Listed Buildings
- Affect on the loss of amenity to surrounding neighbours

3. Site Description

The application property is a mid-terrace dwelling that has been recently constructed to the north side of Pickwick in the rear garden of 23 Pickwick Road. To the north of the terrace are the rear gardens of Woodlands and to the south is the A4. Access to the terrace is via communal driveway to the east of the terrace that runs along the northern boundary of the site leading to Garden House which is to the north of 23 Pickwick an imposing Georgian dwelling. The rear gardens of the terrace face onto the A4. The boundary along the A4 is a low height dry stone wall with semi-mature trees behind it. Behind that the applicant has erected a willow screening fence without the benefit of planning permission which is now the subject of a partly retrospective application N.12.01482/S73A which seeks permission for its retention for a limited period.

The design of the terrace is of high quality to reflect the fact that it is within the garden of a listed building and within the Pickwick Conservation Area and there are Grade II listed buildings to the west, east and south of it.

4. Relevant Planning History		
Application Number	Proposal	Decision
10.03296/FUL	Three dwellings Amendment to 09.01990/FUL	Permission
09.01990/FUL	Three dwellings – Amendment to 07.00823/FUL	Permission
07.00823/FUL	Construction of 4 terraced houses	Permission
06.02634/FUL	Erection of three dwellings	Withdrawn

5. Proposal

The proposal is twofold. Firstly to install an air source heat pump including a fence panel for the heat pump and secondly to retrofit a Solar array on the rear facing roofslope of this mid-terrace dwelling facing the A4.

The Ecodan air source heat pump would have dimensions of 1020mmx1350mmx360mm and be sited adjacent to the side boundary wall with No 1 Fieldhouse just outside the rear of the property. It would be mounted on sound deadening dampers and have a 1.5m high wicker or willow pale type fence to screen pump from 1 Fieldhouse.

The second part of the scheme relates to the retro-fitting of a solar array comprising of 8No horizontally mounted photovoltaic (PV) panels in two rows with 2 x vertical mounted solar panels at the centre. The proposed Photo Voltaic panels would be 'Panasonic Hit N Series' or similar; each approximately 1800 x1800mm in size. The Solar Thermal Panels would be Grant UK Solar Thermal Panels or similar again 1800 x 1800mm. The total array would be 14.1m long and 1.8m high mounted along pitch of roof in horizontal arrangement and be sited on a roof that is only 16m in length. The agent states that being a linear arrangement means that it is a linear addition in proportion with the terrace form, rather than as rectangle array which would disrupt roof form more.

6. Consultations

Corsham Town Council: No comments received

Environmental Health: "The major impact from this type of installation (air source heat pump) is the potential for noise and disturbance to neighbouring residential dwellings. I have considered the noise impact implications on the adjacent premises and have taken into account the noise assessment information provided by the applicant. The calculation is based on that outlined in the MCS 020 - the planning standard for permitted development installation of wind turbines and air source heat pumps on domestic premises. This calculation predicts a noise level of 41.5dB(A) at the assessment location and it is noted that the guidance requires that this be rounded up to 42dB(A). The guidance recommends that permitted development applies if the noise levels are less than 42dB(A) and so technically this noise levels just fails the standard. That being said, I am conscious that the overall development faces Bath Road and so potentially there is a significant

contribution to the background noise levels from vehicle movements means that the noise from the air source heat pump should be masked during the day. I am less sure that the noise levels will be unobtrusive during the night time period particularly if the pump will be used to heat water during the summer period.

On balance however given the locality and only marginal failure of the MCS 020 guidance, I do not believe there is sufficient evidence to justify a refusal of the proposal on noise grounds. Similarly I cannot justify the imposition of a specific noise condition at this time. I would ask however that a note be added to any permission advising the applicant of the potential for noise and disturbance. They should be aware that MCS 020 notwithstanding they may be required to either cease the use of the air source heat pump or to carry out additional noise control works should any nuisance be caused once the pump is in operation.

Conclusion: No objection subject to an informative.”

7. Publicity

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

1 letter objecting on the following ground:

- Solar panels should not be positioned so that they are on view – to do so would be detrimental to the look of the newly built terrace of three. Great care was originally taken to ensure buildings materials used did not impact on the old surroundings.

1 letter of support

8. Planning Considerations

Principle of development

Planning Policies

North Wiltshire Local Plan 2011 Policies C3 HE1, HE4, NE16 NE18 and H8 apply here

Policy C3 requires that all development has to respect the local character and appearance of the area with regard to a number of criteria which in this case would be the design and size of the solar array on the south facing roof slope. There is also a requirement that development should respect the quality of the historic environment and where necessary include measures for the preservation or enhancement of such features. Equally there is a further criterion regarding the incorporation of energy conservation features to promote the use of renewable energy sources. There is also a requirement that new development should not result in unacceptable loss of amenity to surrounding neighbours in terms of excessive noise.

Policy HE1 deals with developments in Conservation Areas. There is a requirement that all development will only be permitted where the proposal will enhance or preserve the character or appearance of the area.

Policy HE4 is considered relevant here. Although this terrace is not listed, it is in the former rear vegetable garden of 23 Pickwick which is a Grade II Listed building of mid to late C18 origin and which was listed in 1960.

Policy NE16 deals with renewable energy projects and they will be permitted provided that such development would not cause harm to a designated historic area.

Policy NE18 deals with noise and pollution. Development will only be permitted where it would not generate harm upon public health due to excessive noise or vibration.

Policy H8 deals with residential extensions and development which requires that development should be in keeping with the host building in terms of scale, form, materials and detailing. Furthermore in this case it should not result in loss of amenity to the adjoining neighbours by reason of excessive noise from the proposed heat pump.

National Planning Policy Framework 2012

Paragraph (P) 19 indicates that the planning system should do everything it can to support economic growth, but at the same time under P56, good design is considered fundamental and one of the keys aspects to sustainable development.

With regard to renewable energy proposals, local authorities should actively support energy efficiency improvements to existing buildings(P95).

This however has to be considered with P129 due to the fact that the application site is in the former vegetable garden of a Grade II Listed building, is surrounded by listed buildings and is within the Pickwick Conservation Area. The National Planning Policy Framework requires local authorities to identify and assess the significance of any heritage asset that may be affected by a proposal and then consider the impact of the proposal on the significance of the asset with the aim of avoiding or minimising any conflict between the proposal and the conservation of the heritage asset and this includes the setting of the asset.

Furthermore new development should make a positive contribution to the local character and distinctiveness of the area (P131).

Applications that involve 'less than substantial harm' to the significance of a designated asset should be weighed against the public benefits of the proposal (P134).

In Conservation Areas, the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non-designated heritage assets a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset (P135).

With regard to noise issues as covered in P123, development should avoid noise from giving rise to significant adverse impacts on health and quality of life.

Wiltshire Core Strategy Pre-submission Document 2012.

The relevant policies are considered to be Core Policy 41- Sustainable construction and low-carbon energy; Core Policy 57 – Ensuring high quality design and place shaping and Core Policy 58 – Ensuring the conservation of the historic environment.

CP 41 makes reference to retro-fitting measures in accordance with specific hierarchy of :

- Reducing energy consumption through energy efficiency measures
- Use renewable or low-carbon energy from local/district source
- Use building-integrated or low-carbon technologies

However in all cases, “proposals relating to historic buildings, Listed Buildings and buildings in Conservation Areas should ensure that appropriate sensitive approaches and materials are used. Safeguarding of the special character of heritage assets should be in accordance with appropriate national policy and established best practice.”

CP 57 makes reference to development responding positively to the existing townscape in terms of a number of criteria which in this case is considered to be built form, elevational design, materials and streetscape to effectively integrate the building into its setting, but at the same time being sympathetic to and conserving historic buildings and historic landscapes.

CP58 deals with ensuring the conservation of the heritage environment. The Council is committed to finding positive solutions which will allow the adaption of heritage asset buildings to reflect modern living aspirations, but they have to be consistent with the conservation of the heritage asset's significance. So that means that development will need to be of the highest standard in

order to maintain and enhance the quality of the area or building and be sensitive to its character and appearance.

Previous Planning History of the site

When planning permission was granted for this site in 2009 under 09.01990/FUL, it was for dwellings with a very similar footprint to what was approved under 07.00823/FUL, but for three dwellings in the former vegetable garden of 23 Pickwick a Grade II Listed Georgian dwelling that has its garden running alongside the A4. Notwithstanding the requirement for the development to comply with Policy NE4 because of the Listed building, it is also within the Pickwick Conservation Area and therefore development must either preserve or enhance its setting.

The design of these houses was modified to reflect the local historic terraced cottages (that face onto the A4) with their non-uniform design and was considered to preserve the setting of the conservation area by using natural stone elevations with clay double roman tiles for the roofs.

Due to the sensitive nature of the site, the Permitted Development Rights for extensions and external alterations to the development were removed from the permission.

Impact on the character and appearance of the area

The proposal would involve the installation of a solar array on a roofslope of this newly erected mid-terraced dwelling. It should be noted that there is no objection to the use of solar panels at this property, rather the issue here is the fact that they would be sited on the front facing and most prominent elevation. Due to the position of the terrace, the roofscape is highly visible for cars and pedestrians when travelling west bound along the A4, especially so when the boundary trees are not in leaf.

The panels will be visible from both in front of the house and also from distance views when travelling west along the A4. These structures would be sited on top of the clay double roman tiles which by their very nature are profile tiles, ensuring the array would appear to visibly project further out from the roof slope than if, for example, the roof was constructed of slate.

This terrace of three properties was designed to take into account the historic terrace of cottages that face directly onto the A4 so has very high detailing including the materials. Therefore to retrofit a large-scale dark coloured array to this roofslope is considered to neither preserve or enhance the character and appearance of the overall terrace with its high design specifications and the surrounding areas.

Furthermore under the new legislation, it is considered that there would be substantial harm to this designated heritage asset. The designated heritage asset is considered to be the former curtilage of a Grade II listed building, the adjoining listed buildings and because the site is within the Pickwick Conservation Area.

If the original proposal for the development had involved the use of natural slate for the roofspace, then the array would have significantly less impact than what is proposed here. It was also suggested that if the panels were installed on the north facing slope or in the garden then this would overcome the officer's objections.

Visually, there is no objection to the siting of the air source heat pump or the surrounding woven fence panel. These would preserve the setting of the conservation area and would not harm the significance of the heritage asset.

Affect on the privacy and amenity of existing neighbours and potential occupants

It is not considered to be any objection to the installation of the solar array on the neighbour's amenities.

Turning to the Air Source Heat Pump, when taking into account the background noise level as the front garden faces the Bath Road, any noise issues from the heat pump are unlikely to present a problem during the day. However, the Environmental Health Officer is concerned about the noise levels being a problem during the night time period particularly if the pump is used to heat water during the summer period. He goes on to say that in this case, given the locality and only marginal failure of the MCS 020 guidance that there is sufficient evidence to justify a refusal on noise grounds. Nevertheless it is considered important that if permission were to be granted for the heat pump this would be subject to an informative that the applicant's may have to cease using the heat pump or to carry out additional noise control works should any nuisance be caused once the pump is in operation.

It should be noted that the heat pump would be sited just beyond the garage door/window of the applicant's property adjacent to the party boundary with No 1. According to the floor plans submitted with 10.3296/FUL (see Appendix 1), the adjacent windows that would be the closest to this boundary on No 1's side would be a ground floor bedroom (2) and the master bedroom above. Environmental Health do not wish to recommend refusal of it the unit, but have given notice that if the heat pump causes a nuisance then they have powers to either prevent its operation or they can seek measures to reduce the noise disturbance.

The small woven panel to be sited on the boundary between the two sites is not considered to result in loss of amenity to the neighbours.

9. Conclusion

This is a twofold proposal. Whilst there is no specific objection to the installation of the air source heat pump, concerns remain over the visual effect of the solar panelling. Unfortunately the Council cannot issue a split decision and therefore the proposal must be considered as a whole.

The applicant has confirmed that he does not wish to withdraw the solar array element of the application and, as a consequence, it is recommended that planning permission be refused.

It should also be noted that the applicant has a second application with the Council 12.01482/S73A refers relating to the retention of the unauthorised woven fence around the boundaries of the site including that facing onto the road facing boundary wall and a shed to be sited in the garden. Following long negotiations, the applicant has now agreed to only retain the fence for 18 months whilst a hedge that they planted in addition to the hedge that was required to be planted as part of the overall development grows up to provide privacy/security onto the A4. As for the garden shed, revised plans have now been received that provides an outbuilding with higher quality materials including a slate roof. This is now considered more acceptable and is to be dealt with under delegated powers.

10. Recommendation

That permission be REFUSED for the following reasons:

1. The proposed retro-fitting of this relatively large solar array on the road facing roofslope is considered to result in material and substantial harm due to its length of array on this recently erected mid-terrace high quality designed dwelling adjacent to listed buildings including the adjacent Grade II Georgian house whose garden was used for the terraced development, the adjacent listed buildings and this part of the Pickwick Conservation Area. The proposal is in conflict with Policies C3, HE1 HE4 and H8 of the North Wiltshire Local Plan 2011, Paragraphs 56, 129, 131, 134 and 135 of the National Planning Policy Framework 2012 and in addition to Core Policy 41, 57 and 58 of the Wiltshire Core Strategy – Pre-submission Document 2012.

Informative:

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

Dwg No: 11/15/P0
Dwg No: 11/15/P1
2No Dwg Nos: 11/15/ P2

Dated 24th May 2012
24th May 2012
24th May 2012

